

M E M O R A N D U M

TO: Governing Board Members

FROM: Maricruz R. Fincher, Office of Counsel

DATE: September 11, 2025

SUBJECT: Approval of the District's 2025-2026 Regulatory Plan and Rule Review Schedule

Agenda Item Background:

Section 120.74, Florida Statutes (F.S.), requires each agency to prepare an annual regulatory plan by October 1 of each year to inform the Florida Legislature and the public of agency rulemaking. The regulatory plan identifies laws enacted or amended during the previous 12 months that create or modify the District's duties or authorities, and whether rulemaking is required to implement the law(s). Additionally, it identifies any discretionary rulemaking the District plans to undertake.

Section 120.74(1)(d), F.S., requires that both the Governing Board and General Counsel certify to the Joint Administrative Procedures Committee (JAPC) that they have reviewed the regulatory plan and that the agency regularly reviews all of its rules to determine if they remain consistent with the agency's rulemaking authority and the laws implemented.

By October 1 of each year, the District must publish its regulatory plan on its website and publish a notice in the Florida Administrative Register that the regulatory plan is available.

Additional Item Background:

During the 2025 session, the Florida legislature passed Senate Bill 108 (SB 108), which created Section 120.5435, F.S., and modified Section 120.74, F.S. The new annual requirements for the District under SB 108 are:

1. By July 1, 2030, each agency, in coordination with JAPC, must review all existing rules adopted by the agency before July 1, 2025.
2. Beginning October 1, 2025, the District must include a list of its existing rules in the annual regulatory plan and a schedule of the rules it will review each year during the five-year rule review period. The District may amend its yearly schedule in subsequent regulatory plans but must provide for the complete review of at least 20% of the District's rules per year, until all of its subject rules have been reviewed.
3. By January 1 of each year, the District must submit a report to the President of the Senate, Speaker of the House of Representatives, and JAPC that summarizes the District's intended action on each rule under review during the current fiscal year (either to make no change, a technical change, a substantive change, or to repeal the rule).
4. By April 1 of each year, the District must submit to JAPC an assessment of seven rule review factors (in Section 120.5435(4), F.S.), and a written statement of the District's intended action for each reviewed rule, and take any necessary related actions.
5. Beginning October 1, 2025, the District must track compliance with Chapter 120 licensing timeframes. Beginning in the 2026-2027 regulatory plan, the District must

report on 10 categories of information (in Section 120.74 (1)(g)1., F.S.) regarding licensing activities in the prior fiscal year.

The 2025-2026 Regulatory Plan and Certification to JAPC are attached. The 2025-2026 Regulatory Plan contains the rules that the District proposes to amend or adopt as well as the 5-year rule review schedule required per Section 120.5435, F.S.

Core Mission and Strategic Priorities:

The Governing Board has authority to adopt rules to administer the provisions of Chapter 373, Florida Statutes. This item supports the District's core mission and strategic goals by ensuring that District rules are consistent with the District's rulemaking authority and the laws implemented.

Funding Source:

Staff time will be used to implement the 2025-2026 Annual Regulatory Plan. Office of Counsel and the respective divisions will share the publication costs of the notices.

Staff Contact and/or Presenter:

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ATTACHMENTS:

[Resolution No. 2025-0908](#)

[2025-2026 Regulatory Plan](#)

[JAPC Certification](#)