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# Annual Regulatory Plan 2018-2019

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This Plan has been prepared in accordance with Section 120.74(1), Florida Statutes.

**Laws enacted or amended during the previous 12 months which create or modify the duties or authority of the Department:**

Law	Mandatory Rulemaking?	Is Rulemaking Necessary?	Notice of Proposed Rule Development Published?	Expected Publication Date for Proposed Rule?	Why is Rulemaking Unnecessary?
985.6885(4)*	Yes	Yes	May 8, 2018 for 63G-2.023 (Detention)  May 8, 2018 for 63E-7.103 (Residential)	63G-2.023 takes effect on October 2, 2018  July 24, 2018 for 63E-7.103	N/A
985.245 and .255**	No	Yes	No	April 2019	N/A
985.126***	Yes	Yes	No	November 2019	N/A

\* Ch. 2018-047 created section 985.6885, F.S., authorizing designated stakeholders and media representatives to access facilities that are operated or overseen by the Department, and that house juveniles. Rules will be necessary to implement the new statute in residential facilities and in secure detention centers.

\*\* Ch. 2018-086 amends the statutes governing detention criteria. The Detention Risk Assessment Instrument (DRAI), currently incorporated in rule 63D-9, will be amended in time for the new statutes to take effect in July 2019.

\*\*\* Ch. 2018-127 created section 985.126, F.S., requiring the collection and publication of data concerning the use of diversion programs.

**Laws not listed above that the agency expects to implement by rulemaking before July 2019:**

Law	Rule	Simplify	Clarify	Increase Efficiency	Coordinate with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary, redundant rules
985.64(2), .145 and .18	63M-2.090 (Facility-Based Community Corrections)	X	X	X	X		
985.14, 435 and .601	63D (Probation and Community Corrections)	X	X	X			X

**Update to 2017-2018 Regulatory Plan:**

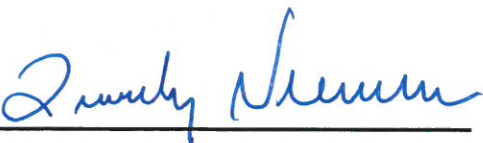
Law	Mandatory Rule-making?	Rulemaking Necessary?	Notice of Proposed Rule Development Published?	Expected Publication Date for Proposed Rule?	Why is Rule-making Un-necessary?

## Certification

In accordance with section 120.74(1)(d), Florida Statutes, I, Timothy Niermann, Interim Secretary of the Florida Department of Juvenile Justice, and I, Brian D. Berkowitz, General Counsel for the Florida Department of Juvenile Justice, hereby certify as follows:

- 1) We have reviewed the Florida Department of Juvenile Justice's 2018-2019 Annual Regulatory Plan;
- 2) We have verified that the Florida Department of Juvenile Justice regularly reviews all of its rules to determine if the rules remain consistent with the Florida Department of Juvenile Justice's rulemaking authority and laws implemented; and
- 3) The Florida Department of Juvenile Justice completed its Annual Rule Review in June 2018.

Dated this 18th day of September 2018.

By: 

Timothy Niermann, Interim Secretary

By: 

Brian D. Berkowitz, General Counsel