

THE FLORIDA SENATE
2016 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

CS/CS/CS/HB 183 — Administrative Procedures

by State Affairs Committee; Government Operations Appropriations Subcommittee; Rulemaking Oversight and Repeal Subcommittee; and Rep. Adkins (CS/CS/SB 372 by Appropriations Committee; Judiciary Committee; and Senator Lee)

This bill revises the Administrative Procedure Act (APA), which governs agency rulemaking and decision making. The most significant changes to the APA by the bill:

- Generally require that an agency commence and complete rulemaking activities within 180 days after it holds a public hearing on a petition to initiate rulemaking activities on an unadopted rule.
- Require the dissemination of additional notices of agency rulemaking activities on the Florida Administrative Register and through e-mails by an agency to its licensees and other interested persons.
- Authorize a person to challenge agency action by asserting that a rule or unadopted rule used as a basis for the agency's action is invalid.
- Require agencies to review their rules to identify rules the violation of which would constitute a minor violation and for which a notice of noncompliance will be the first enforcement action.

The bill also makes the APA's summary hearing procedures applicable to challenges to proposed regulatory permits related to special events, such as a boat show, on sovereign submerged land.

If approved by the Governor, these provisions take effect July 1, 2016.

Vote: Senate 40-0; House 104-1