

CERTIFICATION STATEMENT OF BUSINESS AND PROFESSIONAL REGULATION  
2015-2015 ANNUAL REGULATORY PLAN

I hereby certify pursuant to Section 120.74(1)(d), Florida Statutes:

(1) That I have reviewed the Department of Business and Professional Regulation's 2015-2016 Annual Regulatory Plan.

(2) That that the Department of Business and Professional Regulation regularly reviews all of its rules to determine if the rules remain consistent with the Department of Business and Professional Regulation's rulemaking authority and the laws being implemented, with the most recent review having been completed June 30, 2015.



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Ken Lawson

Secretary

Title



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William N. Spicola

General Counsel

Title

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

**Division of Alcoholic Beverages and Tobacco  
2015-2016 Annual Regulatory Plan**

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

N/A

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
561.57			X				
20.165, 561.01(11), 561.20(2)(a)4, 561.17, 561.18, 561.19, 561.29		X	X				X
561.15, 561.17, 561.25							X
120.53							X
561.29							X
561.14(1), 561.56, 561.57, 565.03(1)							X
210.01, 210.05, 210.085, 210.15							X



**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

**Athlete Agents  
2015-2016 Annual Regulatory Plan**

**Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.**

N/A

**Laws not listed above that the agency expects to implement by rulemaking by the following July 1.**

There are no laws not otherwise listed above which the Department expects to implement by rulemaking before July 1, 2016.

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

**Florida Building Commission  
2015-2016 Annual Regulatory Plan**

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Commission.

N/A

<b>Law Implemented</b>	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
Ch 2012-13, ss 19, L. of Fla, 553.76, 553.77 FS	REPEAL						X
553.77(1)(h)	REPEAL						X

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

**Child Labor and Farm Labor Programs  
2015-2016 Annual Regulatory Plan**

**Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.**

Law	Mandatory rulemaking?	Is rulemaking necessary?	Notice of Development Published	Expected publication date for NPRM	If rulemaking is not necessary, explain
Sections 450.021 & 450.045, FS	Yes	Yes	No	By April 1 , 2016	N/A

**Laws not listed above that the agency expects to implement by rulemaking by the following July 1.**

Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
Section 450.321, FS			X			X	
Sections 450.31 & 455.2273, FS			X	X			
Section 450.012, FS			X	X			
Section 450.061 & 450.132, FS			X	X			
Section 450.095, FS			X	X			

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

**Florida Division of Condominiums, Timeshares and Mobile Homes  
2015-2016 Annual Regulatory Plan**

**Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.**

Law	Mandatory rulemaking? Yes/No	Is rulemaking necessary? Yes/No	Notice of Development Published? Yes/No If yes, provide citation.	Expected publication date for NPR.	If rulemaking is not necessary, explain.
718.117(16)	No	Yes	No	Unknown	
718.128	No	Yes	Yes. Vol. 41/141 (07/22/15)	4/1/2016	
719.129	No	Yes	Yes. Vol. 41/141 (07/22/15)	4/1/2016	
723.003	No	Yes, to repeal redundant rules.	No	Unknown	
723.078(2)(i), 723.1255	Yes	Yes	No	Unknown	
723.078(2)(c )	Yes	Yes	No	Unknown	
723.006, 723.0781	No	Yes	No	Unknown	

**Laws not listed above that the agency expects to implement by rulemaking by the following July 1.**

Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
718.301(5), 718.501		X	X				X

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

*Florida Division of Condominiums, Timeshares and Mobile Homes cont.*

718.501, 718.502, 718.503, 718.504		X	X	X			X
718.501(1)		X	X				X
718.5012(9)		X	X	X			X
719.502,		X		X			X

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

**Departmental Rules  
2015-2016 Annual Regulatory Plan**

<b>Law Implemented</b>	<b>Is rulemaking intended to:</b>	<b>Simplify</b>	<b>Clarify</b>	<b>Increase efficiency</b>	<b>Improve coordination with other agencies</b>	<b>Reduce regulatory costs</b>	<b>Delete obsolete, unnecessary or redundant rules</b>
553.901,553.904, 553.905,553.907, 553.73(7)(a)		X		X			
553.37(1), (2); 553.381		X					
553.37(2)		X	X	X			
553.37(2), (6), (8); 553.381			X	X			
553.37(2)		X	X	X			
553.37(2), (6), (8); 553.381		X	X				X
553.37(2), (5), 553.375			X				
553.37, 553.38			X	X			
553.37, 553.38		X	X	X			
553.37(2), 553.381(1)		X				X	X
120.60, 468.432, 468.433, 468.435 FS.,			X	X			
455.271,468.433, 468.435, 468.436 FS.			X	X			
468.432 FS.			X	X			
455.2273 FS.			X	X			
455.227			X	X			

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

*Departmental rules continued.*

489.127			X	X			
489.13			X	X			
455.213(1)		X	X	X			

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

**Division of Drugs, Devices and Cosmetics  
2015-2016 Annual Regulatory Plan**

**Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.**

Law	Mandatory rulemaking?	Is rulemaking necessary?	Notice of Development Published	Expected publication date for NPRM	If rulemaking is not necessary, explain
499.85(6), F.S.	Yes	Yes	Yes. 6/29/15; Vol. 41/125 FAR	9/4/15; Vol 41/173 FAR	

**Laws not listed above that the agency expects to implement by rulemaking by the following July 1.**

Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
499.01(3) and (4)(b), F.S.			X				
Federal Drug Supply Chain Security Act			X				

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

**Division of Hotels and Restaurants  
2015-2016 Annual Regulatory Plan**

**Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.**

Law	Mandatory rulemaking?	Is rulemaking necessary?	Notice of Development Published	Expected publication date for NPRM	If rulemaking is not necessary, explain
	Yes/No	Yes/No	Yes/No, If yes citation		
509.032	Yes	Yes	Yes 9/4/2015 Vol. 41/173	10/9/2015	
509.251	Yes	Yes	Yes 9/4/2015 Vol. 41/173	10/9/2015	

**Laws not listed above that the agency expects to implement by rulemaking by the following July 1.**

Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
509.032	Delete obsolete terms						X
509.241	Adopt updated applications & conform language to the 2009 Food Code	X	X				
509.2112	Correct a discrepancy between statute & rule		X				
399.125	Adopt statutorily mandated accident report and define accident for the purpose of	X	X	X	X		
399.10 ,399.02	New rule to adopt requirements for sump pumps and associated equipment in hoistways, in relation to the adopted ASME codes.	X	X	X	X		

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

***Division of Hotels and Restaurants Cont***

399.03, 399.061, 399.07	Allow director's designee to approve permit extension requests. Adopt updated permit application without service maintenance contract info. Specify alteration acceptance inspections are not valid satisfactory inspections for the purpose of certificate of operation renewal. Adopt inspection report form and supervisor of construction affidavit. Specify requirements	X	X	X	X		
399.01	Remove periodic test specifications and clarify requirements for service maintenance contracts and verification timeframe.	X	X	X			X
399.02	Edit requirements for variance applications, including removing requirement for copy of Certificate of Operation and requiring a license number for every variance granted.	X	X	X			X
399.049, 399.105, 399.125,	Conform unlicensed activity violation penalty ranges to citation penalty ranges.	X	X	X		X	
399.02	Specify periodic test frequency and records requirements .	X	X	X	X	X	X

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

***Division of Hotels and Restaurants Cont***

399.02	Adopt ASME A17.1, 2013, s. 8.6, relating to maintenance control programs and alternative testing.	X	X	X	X		
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**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

**Home Inspectors Licensing Program  
2015-2016 Annual Regulatory Plan**

**Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.**

N/A

**Laws not listed above that the agency expects to implement by rulemaking by the following July 1.**

There are no laws not otherwise listed above which the Program expects to implement by rulemaking before July 1, 2016.

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

**Mold-Related Services Licensing Program  
2015-2016 Annual Regulatory Plan**

**Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.**

N/A

**Laws not listed above that the agency expects to implement by rulemaking by the following July 1.**

There are no laws not otherwise listed above which the Program expects to implement by rulemaking before July 1, 2016.

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

**Division of Pari-Mutuel Wagering  
2015-2016 Annual Regulatory Plan**

**Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.**

Law	Mandatory rulemaking?	Is rulemaking necessary?	Notice of Development Published	Expected publication date for NPRM	If rulemaking is not necessary, explain
	Yes/No	Yes/No	Yes/No, If yes citation		
550.0251(11), 550.2415(1), (7)(e), (8)(c), (12), (14), (15) FS	Yes	Yes	Vol. 41 No. 160/ August 18, 2015	Wednesday, Oct. 7, 2015	

**Laws not listed above that the agency expects to implement by rulemaking by the following July 1.**

Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
550.0251(3), (11)			X				
550.0251(11), 550.105(2)(a)3., 550.2415(6), (9) FS.			X				
550.235, 550.0251, 550.2415 FS.		X	X				
550.105, 550.70 FS.		X	X				

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

***Division of Pari-Mutuel Wagering Cont.***

550.0251, 550.155, 550.3551, 550.495, 550.6305 FS.		X	X				
550.0251, 550.0425, 550.105, 550.2415 FS.		X	X				
120.80(4)(a), 550.0251, 550.054, 550.1155, 550.2415 FS			X				
550.0115, 550.01215, 550.5251 FS.		X	X				
550.054(12) FS.		X	X				
120.80(4)(a), 550.0251(3), (11), 550.2415(13) FS			X				
550.0251, 550.2415(6)(b) FS			X				
550.0251, 550.1155, 550.2415 FS			X				
550.09514(2)(d) FS			X				

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

***Division of Pari-Mutuel Wagering Cont.***

550.0251, 550.125, 550.155, 550.3551, 550.495, 550.615, 550.625, 550.6305 FS			X				
849.086 FS			X				
550.0251(6), 849.086(4) FS			X				
849.086(6) FS			X				
551.103(1), 551.122 FS			X				
551.103(1)(a), (b), (f), (g), 551.104(4), (10), 551.106(1), 551.118 FS			X				
550.0251(2), 551.103(1)(a), (b), 551.104(4), 551.105, 551.106, 559.79(2) FS			X				
551.103(1)(a), (b), (i), 551.104(4), 551.117, 551.118(1) FS			X				

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

***Division of Pari-Mutuel Wagering Cont.***

550.0251(2), 551.103(1)(b), 551.107(4)(a), 551.108, 559.79(2) FS				X			
551.1045, 551.107 FS				X			
550.0251(2), 551.103(1)(b), 551.107, 559.79(2) FS				X			
551.103(1)(a), (b), (c), 551.107, 551.108 FS				X			
551.103(1)(a), (b), 551.107(4)(a), (b) FS				X			
551.103(1)(a), (b), 551.107(4)(a), (d) FS				X			
551.103(1)(a), (b), (g), 551.107(1), (4)(a), (d), (7)(b), (d) FS				X			
551.103(1)(a), (b), (d), (e), (i) FS				X			

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

**Division of Pari-Mutuel Wagering Cont.**

551.103(1)(c), (e), (g), (h), (i), 551.113(3), 551.114 FS				X			
551.103(1)(i), 551.114(5) FS				X			
551.103(1)(a), (b), (g), (i), 551.104(4)(i), 551.118(1) FS				X			
551.103(1), (g), (i), 551.112, 551.118 FS				X			
551.103(1)(c), (d), (h), (i) FS				X			
551.103(1)(c), (d), (e), (g), 551.121(5) FS				X			
551.103(1) FS				X			
551.103(1)(c), (d), (e), (h), 551.104(4)(j) FS				X			
551.103(1)(c), (d), (e), (i) FS				X			
550.0251(2), 551.103(1)(c), (d), (e), (f), (g) FS				X			
551.103(1)(e), (g), (i), 551.104(4)(f) FS				X			

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

***Division of Pari-Mutuel Wagering Cont.***

551.103(1)(d), (e), (i), 551.104(4)(f), 551.121(5) FS				X			
551.103(1)(i), 551.104(4)(h), 551.114(5) FS				X			
551.103(1)(g), (i), 551.104(4)(h) FS				X			
551.103(1)(b), (e), (g), (i), 551.104(4)(h) FS				X			
551.103(1)(d), (e), (g), (i), 551.104(4)(h) FS				X			
551.103(1)(g), (j) FS				X			
550.0251(2), 551.103(1)(d), (g), 551.106(3) FS				X			
551.103(1)(a), (b), (g) FS				X			
551.103(1)(d), (g), 551.104(8) FS				X			
551.103(1)(d), (e), (g), (h), (i), (2), (3), (4) FS				X			

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

***Division of Pari-Mutuel Wagering Cont.***

551.103(1)(c), (e), (i), 551.109(2)(a), (b) FS			X				
551.103(1)(a), (b), (d), (e), (g), (i), (2), 551.107(2)(a)3., 551.109(2)(a), (b), 849.15(2) FS			X				
550.0251(2), 551.103(1)(a), (b), (d), (e), (g), (i), (2), 551.107(4)(a), 551.109(2), (a), (b), 559.79(2) FS			X				

**Department of Business and Professional Regulation  
2015-2016 Annual Regulatory Plan**

**Talent Agencies  
2015-2016 Annual Regulatory Plan**

**Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.**

N/A

**Laws not listed above that the agency expects to implement by rulemaking by the following July 1.**

There are no laws not otherwise listed above which the Department expects to implement by rulemaking before July 1, 2016.