

Department of the Lottery 2017-2018 Regulatory Plan

9/26/2017



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

Department of the Lottery 2017-2018 Regulatory Plan



Below is the Department of the Lottery's 2017-2018 Regulatory Plan (or "plan") which has been prepared in accordance with the requirements set forth in Section 120.74(1), Florida Statutes.

1. Plan Requirements of Section 120.74(1)(a), Florida Statutes (2017):

Section 120.74(1)(a), Florida Statutes, provides that an agency's plan must include a listing of each law enacted or amended during the previous 12 months which created or modified the duties or authority of the agency and a statement as to whether rulemaking is required to implement the law.

The duties and authority of the Department of the Lottery are primarily identified in Chapter 24, Florida Statutes. That chapter was not amended during the previous 12 months.

Further, the Department of the Lottery has reviewed the below-listed laws enacted or amended during the previous 12-months which may modify the duties or authority of the Lottery, in the same way as to all other agencies of the executive branch, and the Department of the Lottery has determined that corresponding rulemaking by the Department of the Lottery is not necessary to implement the listed laws. Each listed law provides a sufficient level of detail and clarity to be executed by the Department of the Lottery without rulemaking. Notably, none of the below-listed laws required the Department of the Lottery to initiate rulemaking.

Law	Subject
2017-002	Florida Statutes/Adoption
2017-003	Florida Statutes/Reviser's Bill
2017-004	Florida Statutes/Reviser's Bill
2017-011	Public Records
2017-014	Public Records
2017-021	Public Records
2017-025	Public Records
2017-048	Natural Hazards
2017-049	Agency Inspectors General
2017-053	Public Records
2017-066	Open Government Sunset Review Act
2017-070	General Appropriations Act
2017-071	General Appropriations Act
2017-088	Public Employees
2017-096	Public Records
2017-103	Public Records
2017-113	Public Works Projects



2. Plan Requirements of Section 120.74(1)(b), Florida Statutes (2017):

Section 120.74(1)(b), Florida Statutes, provides that an agency's plan must include a listing of any other laws which the agency expects to implement by rulemaking before the following July 1, except emergency rulemaking.

All but two of the Department of the Lottery's rules are promulgated by emergency rulemaking in accordance with the emergency rulemaking authority granted to the Department of the Lottery in Section 24.109(1), Florida Statutes. Laws implemented by emergency rulemaking are excluded from the requirements of Section 120.74(1)(b), Florida Statutes, and thus not included in the plan. The Department of the Lottery has initiated the repeal of permanent rule 53-1.005, *Confidential Information*, which was superseded by Emergency Rule 53ER17-57 and is obsolete. The Department of the Lottery does not presently have plans to implement any laws by permanent rulemaking before July 1, 2018. However, the Department of the Lottery's new leadership is currently evaluating and reviewing Lottery's permanent and emergency rules, and may update this section later, depending upon the outcome of the review.

3. Plan Requirements of Section 120.74(1)(c), Florida Statutes (2017):

Section 120.74(1)(c), Florida Statutes, provides that an agency's plan must include any desired update to the prior year's regulatory plan; furthermore, if statutes requiring rulemaking were identified in a prior years' plan but a concomitant notice of proposed rulemaking has not yet been published, the agency must make the statements required in Section 120.74(1)(c)1. and 2.

No update will be made to the Department of the Lottery's 2016-2017 Regulatory Plan. The 2016-2017 Regulatory Plan did not identify statutes requiring rulemaking.



CERTIFICATION

I, Jim Poppell, Secretary of the Department of the Lottery, and I, David Guerrieri, General Counsel for the Department of the Lottery, hereby certify the following:

1. I have reviewed the Department of the Lottery's 2017-2018 Regulatory Plan; and

2. I have verified that the Department of the Lottery regularly reviews all of its rules to determine if the rules remain consistent with the Department of the Lottery's rulemaking authority and laws implemented. The most recent review was completed during August and September of 2017.

Dated this 26th day of September, 2017.

By: 
Jim Poppell, Secretary

By: 
David Guerrieri, General Counsel