



THE FLORIDA LEGISLATURE



# JOINT ADMINISTRATIVE PROCEDURES COMMITTEE

**2024 Annual Report**

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# **JOINT ADMINISTRATIVE PROCEDURES COMMITTEE MEMBERS**



**Representative Tobin Rogers “Toby” Overdorf, Chair**  
**Representative William “Bill” Conerly**  
**Representative Chad Johnson**  
**Representative Kim Kendall**  
**Representative Leonard Spencer**  
**Representative Debra Tendrich**  
**Representative Meg Weinberger**

**Senator Erin Grall, Vice Chair**  
**Senator Mack Bernard**  
**Senator Don Gaetz**  
**Senator Thomas J. “Tom” Leek**  
**Senator Tina Scott Polsky**  
**Senator Carlos Guillermo Smith**  
**Senator Clay Yarborough**



**BEN ALBRITTON**  
President



Representative Tobin Rogers "Toby" Overdorf, Chair  
Senator Erin Grall, Vice Chair  
Senator Mack Bernard  
Senator Don Gaetz  
Senator Thomas J. "Tom" Leek  
Senator Tina Scott Polsky  
Senator Carlos Guillermo Smith  
Senator Clay Yarborough  
Representative William "Bill" Conerly  
Representative Chad Johnson  
Representative Kim Kendall  
Representative Leonard Spencer  
Representative Debra Tendrich  
Representative Meg Weinberger

**DANIEL PEREZ**  
Speaker



**KENNETH J. PLANTE**  
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THE FLORIDA LEGISLATURE  
**JOINT ADMINISTRATIVE  
PROCEDURES COMMITTEE**

March 3, 2025

Honorable Ben Albritton  
President, Florida Senate  
The Capitol, Room 409  
Tallahassee, Florida 32399-1100

Honorable Daniel Perez  
Speaker, House of Representatives  
The Capitol, Room 420  
Tallahassee, Florida 32399-1300

Mr. President and Mr. Speaker:

Pursuant to Rule 4.6(6) of the Joint Rules of the Florida Legislature, I am pleased to submit the Joint Administrative Procedures Committee annual report, covering January 1, 2024 through December 31, 2024.

Sincerely,

A handwritten signature in black ink that reads "Kenneth J. Plante".

Kenneth J. Plante  
Coordinator

cc: Representative Toby Overdorf, Chair  
Senator Erin Grall, Vice Chair

Enclosure

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## THE JOINT ADMINISTRATIVE PROCEDURES COMMITTEE

The Joint Administrative Procedures Committee is a standing committee of the Legislature created by Joint Rule Four of the Florida Legislature.

***The committee is composed of fourteen members, seven from the Senate, appointed by the President of the Senate, and seven from the House of Representatives, appointed by the Speaker of the House.***

The Chair of the committee is designated by the President of the Senate in odd-numbered years and by the Speaker of the House in even-numbered years. The committee staff is headed by a Coordinator, and includes reviewing attorneys and administrative support staff.

The committee is required to report annually to the Speaker and President. This report is provided at the start of the regular session and covers the preceding calendar year. It contains statistical information regarding rulemaking in the various state agencies as well as summaries of all objections voted by the committee during the preceding year. The committee voted no formal objections in 2024.

The committee maintains a continuous review of the statutory authority upon which each administrative rule is based and notifies the agency if its authority is eliminated or significantly changed by repeal, amendment, or decision of a court of last resort. Following each session of the Legislature, the committee reviews each law signed by the Governor or

allowed to become law without his signature and determines whether the law will have a probable effect on an agency's rules. If so, the affected agency is notified.

If the reviewing attorneys have concerns that a proposed or existing rule may not be authorized or exceeds the delegated rulemaking authority, the agency is contacted. Often the agency agrees that there is no authority for the rule and withdraws or amends the rule to meet the staff concerns. If there is disagreement about whether or not there is authority for the rule, the rule is scheduled for consideration by the full committee. The agency may appear before the committee

and present argument and evidence in support of its rule. If, after hearing the agency's argument, the committee does not find statutory authority for the rule, an objection is voted and the agency has a period defined by statute in which to respond. If the agency refuses to modify or withdraw a rule to which the

committee has objected, public notice of the objection is given and a notation accompanies the rule when it is published in the Florida Administrative Code.

In the event that an agency fails to initiate administrative action to meet an objection voted by the committee, the committee is authorized to submit to the President of the Senate and Speaker of the House a recommendation that legislation be introduced to modify or suspend the adoption of a proposed rule, or amend or repeal an existing rule. If the committee



votes to recommend the introduction of legislation, the committee is required to notify the agency of its action, and may request that the agency temporarily suspend the rule or suspend the adoption of a proposed rule, pending consideration of proposed legislation during the next regular session of the Legislature. The agency must respond to the committee within a specified time either by temporarily suspending the rule or suspending the adoption of a proposed rule, or by notifying the committee that it refuses to suspend the rule or rule adoption. The committee is required to prepare bills to modify or suspend the adoption of a proposed rule, or to amend or repeal an existing rule, in accordance with rules of the Senate and the House of Representatives for introduction in the next regular legislative session. The proposed bill is then presented to the Senate President and Speaker of the House along with the committee recommendation.

***The committee constantly monitors judicial decisions in administrative law and advises the agency when either its statutory rulemaking authority or its rules are affected by these decisions.***

The committee has a duty to recommend needed changes in the Administrative Procedure Act (APA) to the Legislature. These recommendations may be based upon its review of judicial decisions as well as its daily interaction with executive agencies and with citizens as they participate in the administrative procedures of the state.

Joint Rule 4.6 directs the committee to undertake and maintain a systematic and continuous review of the Florida Statutes that authorize agencies to adopt rules, and to make recommendations to the appropriate standing committees of the Senate and the House of Representatives as to the advisability of considering changes to the delegated legislative authority to adopt rules in specific circumstances.

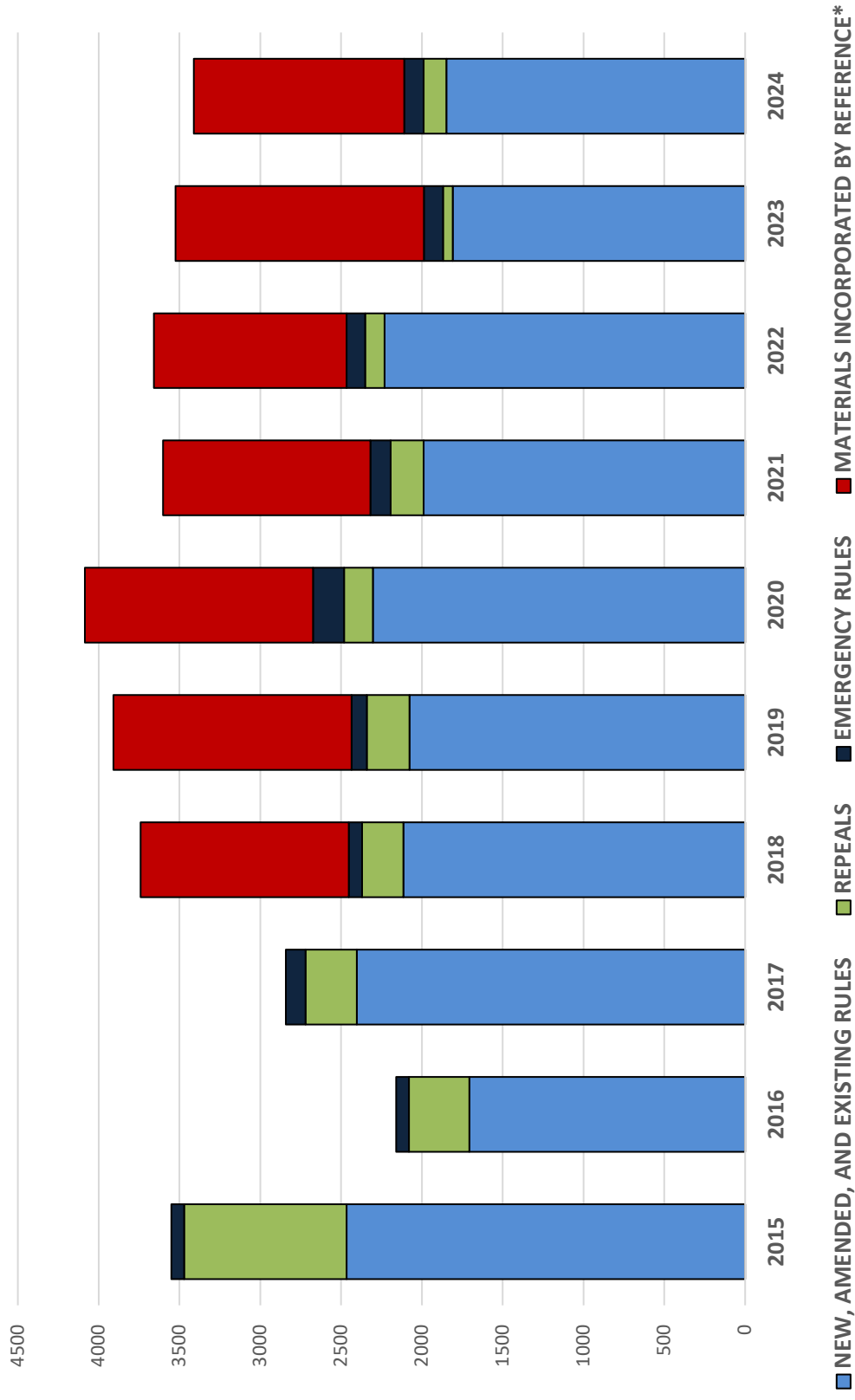
The committee has long had standing to seek judicial review of the validity of any rule to which it has objected and which has not been modified or repealed to meet the objection. To date, the committee has never found it necessary to exercise this power. Before judicial review, the committee must first notify the head of the agency involved and the Governor and provide an opportunity for consultation with the committee. If the issue cannot be resolved in this manner, the committee may bring an action in the appropriate court asking that the rule be declared invalid.

***Thus, the committee performs services for the Legislature, the administrative agencies of the state and the people whom they regulate.***



# **Statistical Information on Committee Review of Rules**

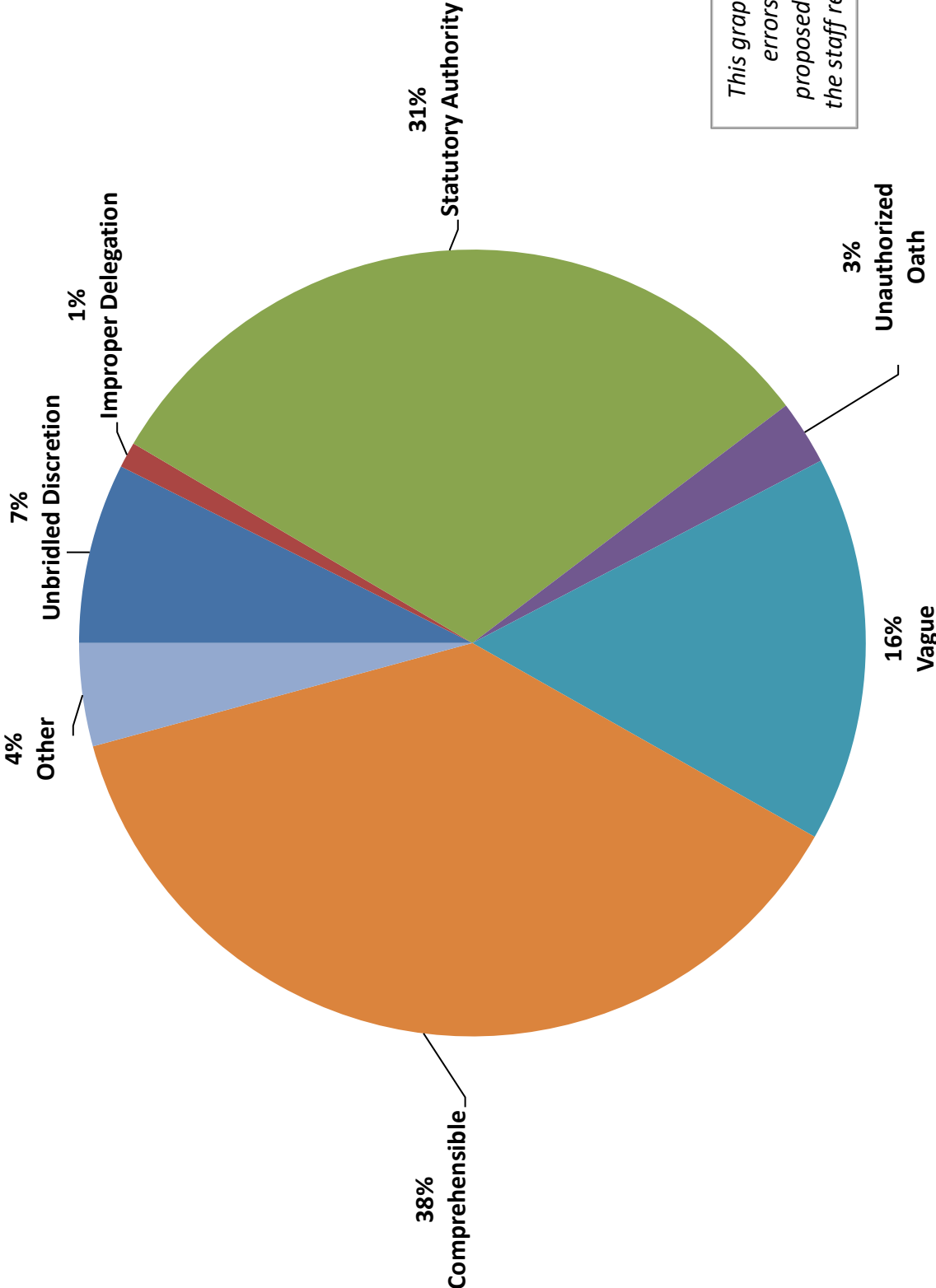
# NUMBER OF RULES UNDER REVIEW 2015 - 2024



*\*Forms and other materials incorporated by reference that meet the definition of a "rule" pursuant to s.120.52(16). Statistics regarding the number of materials incorporated by reference reviewed were not collected prior to 2018.*

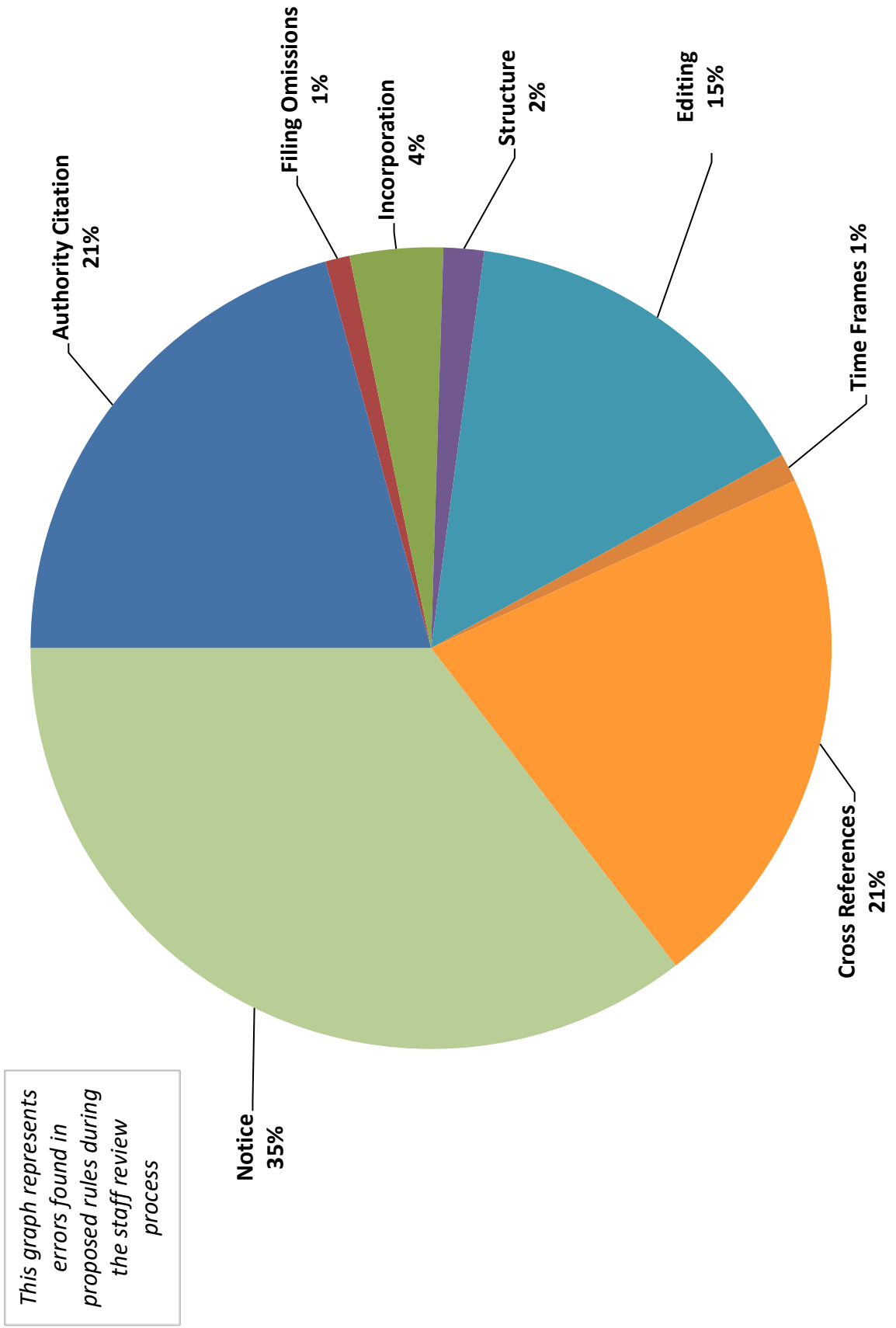


# TYPES OF SUBSTANTIVE ERRORS - 2024



*This graph represents errors found in proposed rules during the staff review process*

# TYPES OF TECHNICAL ERRORS - 2024





# Proposed Rules (2015 - 2024)

## PROPOSED RULES 2015 THROUGH 2024

CHPT #	Agency	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	TOTAL
01	State	52	18	12	11	16	15	15	12	14	11	176
02	Legal Affairs	34	9	17	8	17	23	5	4	2	14	133
05	Agriculture and Consumer Services	54	92	167	107	147	81	47	58	69	129	951
06	Education	109	130	105	90	61	62	61	141	134	103	996
11	Law Enforcement	35	35	34	29	29	24	21	23	20	53	303
12	Revenue	129	29	67	52	56	66	18	98	61	31	607
14	Transportation	64	18	18	40	8	3	3	15	1	18	188
15	Highway Safety and Motor Vehicles	2	2	26	0	7	0	0	0	9	1	47
18	Board of Trustees of the Internal Improvement Trust Fund	10	2	0	20	6	0	3	0	1	1	43
19	State Board of Administration	28	39	18	13	10	23	9	19	12	15	186
20	Citrus	37	4	25	78	8	12	102	5	1	6	278
23	Florida Commission on Offender Review	2	0	20	2	0	0	0	0	2	0	26
25	Public Service Commission	25	13	9	12	16	27	12	38	6	4	162
27	Executive Office of the Governor	1	0	0	1	7	10	0	7	18	3	47
28	Administration Commission	17	0	0	0	0	6	19	0	9	0	51
29	Regional Planning Councils	0	0	0	3	71	1	1	4	0	0	80
32	Florida State Fair Authority	0	0	0	0	0	0	0	0	0	0	0
33	Corrections	9	21	26	19	0	26	22	17	7	11	158

*\*Repealed*

## PROPOSED RULES 2015 THROUGH 2024

CHPT #	Agency	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	TOTAL
34	Commission on Ethics	48	10	6	4	9	8	12	5	21	21	144
40	Water Management Districts	211	72	32	66	33	51	75	13	15	19	587
41	Commission for the Transportation Disadvantaged	2	0	1	3	0	2	1	0	0	1	10
42	Florida Land and Water Adjudicatory Commission	4	2	2	11	1	0	3	6	0	1	30
49	Regional Utility Authorities	0	0	0	0	0	0	0	0	0	0	0
53	Lottery	65	1	1	0	0	0	0	0	0	0	67
54	Interlocal Agencies	0	0	0	0	0	0	0	0	0	0	0
55	Veterans' Affairs	36	10	4	0	3	0	0	21	0	0	74
57	Space Florida	0	0	0	0	0	0	0	0	0	0	0
58	Elder Affairs	20	14	3	12	0	0	0	0	0	2	51
59	Agency for Health Care Administration	76	126	73	101	43	8	46	31	28	16	548
60	Management Services	125	68	134	18	16	3	53	38	21	15	491
61	Business and Professional Regulation	270	175	182	119	153	208	131	117	87	121	1,563
62	Environmental Protection	175	159	38	124	76	195	156	28	43	91	1,085
63	Juvenile Justice	57	4	16	15	15	67	37	4	8	63	286
64	Health	510	399	226	284	216	227	292	151	138	154	2,597
65	Children and Families	259	90	115	101	137	99	69	65	46	49	1,030

*\*Repeated*

## PROPOSED RULES 2015 THROUGH 2024

CHPT #	Agency	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	TOTAL
66	Navigation Districts	4	0	0	0	0	35	4	4	6	6	59
67	Florida Housing Finance Corporation	1	61	71	64	62	63	60	61	49	9	501
68	Fish and Wildlife Conservation Commission	80	88	58	96	138	76	52	96	64	124	872
69	Financial Services	260	144	192	150	196	104	71	150	160	215	1,642
70	Military Affairs	0	0	0	0	0	0	0	0	0	0	0
71	Agency for Enterprise Information Technology*	0	33	0	0	0	0	0	0	0	0	33
72	Board of Governors	1	1	0	0	0	0	0	0	0	0	2
73	Commerce	24	38	59	32	16	11	2	28	21	19	250
74	Agency for State Technology*	15	11	3	6	0	0	0	0	0	0	35
75	Florida Gaming Control Commission	0	0	0	0	0	0	0	0	1	29	30
	<b>TOTAL</b>	2,851	1,918	1,760	1,691	1,573	1,536	1,402	1,259	1,074	1,355	16,419



# Emergency Rules (2015 - 2024)

## EMERGENCY RULES 2015 THROUGH 2024

CHPT #	Agency	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	TOTAL
01	State	0	0	0	0	0	3	0	0	0	0	3
02	Legal Affairs	0	1	0	1	0	0	1	1	1	0	5
05	Agriculture and Consumer Services	0	2	5	0	3	5	4	8	6	17	50
06	Education	0	0	0	0	1	0	2	0	2	0	5
11	Law Enforcement	0	0	0	0	0	0	0	0	0	0	0
12	Revenue	3	2	4	7	4	16	20	17	18	18	109
14	Transportation	0	0	0	0	0	0	0	0	0	0	0
15	Highway Safety and Motor Vehicles	0	0	0	0	0	0	0	0	0	0	0
18	Board of Trustees of the Internal Improvement Trust Fund	0	0	0	0	0	0	0	0	0	0	0
19	State Board of Administration	0	0	0	0	0	0	0	0	0	0	0
20	Citrus	3	2	5	1	0	0	0	1	1	5	18
23	Florida Commission on Offender Review	0	0	0	0	0	0	0	0	0	0	0
25	Public Service Commission	0	0	0	0	0	0	0	0	0	0	0
27	Executive Office of the Governor	0	0	0	0	0	0	0	0	0	1	1
28	Administration Commission	0	0	0	0	0	0	0	0	0	0	0
29	Regional Planning Councils	0	0	0	0	0	0	0	0	0	0	0
32	Florida State Fair Authority	0	0	0	0	0	0	0	0	0	0	0
33	Corrections	0	0	0	0	0	0	0	0	0	0	0



## EMERGENCY RULES 2015 THROUGH 2024

CHPT #	Agency	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	TOTAL
34	Commission on Ethics	0	0	0	0	0	0	0	0	0	0	0
40	Water Management Districts	0	0	5	0	0	0	0	0	0	0	5
41	Commission for the Transportation Disadvantaged	0	0	0	0	0	0	0	0	0	0	0
42	Florida Land and Water Adjudicatory Commission	0	0	0	0	0	0	0	0	0	0	0
49	Regional Utility Authorities	0	0	0	0	0	0	0	0	0	0	0
53	Lottery	70	67	79	69	75	90	67	71	62	59	709
54	Interlocal Agencies	0	0	0	0	0	0	0	0	0	0	0
55	Veterans' Affairs	0	0	0	0	0	0	0	0	0	0	0
57	Space Florida	0	0	0	0	0	0	0	0	0	0	0
58	Elder Affairs	0	0	2	0	0	0	0	0	0	0	2
59	Agency for Health Care Administration	0	0	2	0	0	15	3	0	2	4	26
60	Management Services	0	1	2	2	2	0	0	4	4	6	21
61	Business and Professional Regulation	1	1	2	1	1	13	3	1	3	1	27
62	Environmental Protection	0	1	0	0	0	0	0	0	3	2	6
63	Juvenile Justice	0	0	0	0	0	0	0	0	0	0	0
64	Health	0	2	14	1	8	44	20	10	12	2	113
65	Children and Families	0	0	2	0	0	1	3	2	0	0	8

## EMERGENCY RULES 2015 THROUGH 2024

CHPT #	Agency	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	TOTAL
66	Navigation Districts	0	0	0	0	0	0	0	0	0	0	0
67	Florida Housing Finance Corporation	0	0	0	0	0	1	0	0	0	0	1
68	Fish and Wildlife Conservation Commission	0	0	0	0	0	0	1	1	0	0	2
69	Financial Services	0	0	0	0	0	1	0	0	2	4	7
70	Military Affairs	0	0	0	0	0	0	0	0	0	0	0
72	Board of Governors	0	0	0	0	0	0	0	0	0	0	0
73	Commerce	2	0	0	0	0	2	2	0	2	0	8
75	Florida Gaming Control Commission	0	0	0	0	0	0	0	0	0	0	0
	<b>TOTAL</b>	79	79	122	82	94	191	126	116	118	119	1,126



# **Legislative Report:**

## **2024 Session**

### **Changes in**

#### **Chapter 120, F.S.**

## 2024 Summary of Amendments to Chapter 120

**Chapter 2024-6**, Laws of Florida, amends s. 120.80(10), F.S.; replacing references to the term “Department of Economic Opportunity” with the term “Department of Commerce” to conform with section 147 of Chapter 2023-173, Laws of Florida.

Effective Date: May 7, 2024

**Chapter 2024-166**, Laws of Florida, amends s. 120.80(13)(g)2., F.S.; revising the expiration date and scope of an exemption from certain provisions relating to statements of estimated regulatory costs for certain rules adopted by the Public Service Commission.

Effective Date: July 1, 2024



# **Administrative Determinations and Petitions for Judicial Review**

## 2024 ADMINISTRATIVE DETERMINATIONS AND PETITIONS FOR JUDICIAL REVIEW FILED ON THE INVALIDITY OF PROPOSED AND EXISTING RULES\*

### **NUMBER OF CASES FILED AT DOAH IN 2024:**

	CLOSED CASES	ACTIVE CASES
<i>PROPOSED RULES</i>	2	1
<i>EXISTING RULES</i>	5	6

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### **JUDICIAL REVIEW CASES:**

**CASE NUMBER:** 22-2767RP

**STYLE:** NORMANDY INSURANCE COMPANY, ZENITH INSURANCE COMPANY, BRIDGEFIELD EMPLOYERS INSURANCE COMPANY, BRIDGEFIELD CASUALTY INSURANCE COMPANY, BUSINESSFIRST INSURANCE COMPANY AND RETAILFIRST INSURANCE COMPANY vs. DEPARTMENT OF FINANCIAL SERVICES, DIVISION OF WORKERS' COMPENSATION, INDIVIDUALLY, AND ON BEHALF OF THE WORKERS' COMPENSATION THREE MEMBER PANEL

**RULE:** 69L-7.501

**DOAH FINAL ORDER DATE:** 3/9/2023

**CASE SUMMARY:** Department's proposed rule establishing new per diem hospital inpatient maximum reimbursement allowances is not an invalid exercise of delegated legislative authority.

**DCA CASE:** 1D23-0834 filed 4/7/2023; Affirmed 9/16/2024.

**CASE NUMBER:** 23-0345RX

**STYLE:** ROAD SPACE MEDIA MIAMI, LLC vs. FLORIDA DEPARTMENT OF TRANSPORTATION

**RULE:** 14-10.004

**DOAH FINAL ORDER DATE:** 8/14/2023

**CASE SUMMARY:** Petitioner did not prove Florida Administrative Code Rules 14-10.004(7)(d) (the Ramp Rule) and 14-10.004(1), incorporating the 1972 Federal-State Agreement, are invalid rules.

**DCA CASE:** 2D23-1943 filed 9/12/2023; Dismissed 1/8/2024.

**CASE NUMBER:** 23-0543RX

**STYLE:** BASIK TRADING, INC. vs. DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, DIVISION OF ALCOHOLIC BEVERAGES AND TOBACCO

**RULE:** 61A-10.082

**DOAH FINAL ORDER DATE:** 9/25/2023

**CASE SUMMARY:** Rule 61A-10.082(2)(d) is invalid because it lacks standards governing agency discretion.

**DCA CASE:** 1D23-2511 filed 10/2/2023; Affirmed 11/8/2024.

**CASE NUMBER:** 23-2823RP

**STYLE:** FLORIDA POLICE BENEVOLENT ASSOCIATION, INC. vs. FLORIDA PUBLIC EMPLOYEES RELATIONS COMMISSION

**RULE:** 60CC-1.104, 60CC-5.101, 60CC-6.401

**DOAH FINAL ORDER DATE:** 10/6/2023

**CASE SUMMARY:** The proposed rules providing certain statutory exemptions for law enforcement officers and firefighters, but not for non-certified employees, are not an invalid exercise of PERC's delegated legislative authority. The petition is dismissed.

**DCA CASE:** 1D23-2599 filed 10/12/2023; Dismissed 4/2/2024.

**CASE NUMBER:** 24-0033RX

**STYLE:** ESXPO RETAIL, LLC D/B/A CHRONIC GURU vs. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

**RULE:** 5K-4.034

**DOAH FINAL ORDER DATE:** 3/4/2024

**CASE SUMMARY:** Petitioner failed to prove rule 5K-4.034(2)(m) was an invalid exercise of delegated authority and also failed to prove that the Department's statements were unadopted rules.

**DCA CASE:** 5D24-0879 filed 4/3/2024

\*Note: As of January 21, 2025. Data obtained from the [Division of Administrative Hearings \(DOAH\)](#).



**Joint Rule Four  
of the  
Florida Legislature:  
  
Joint  
Committees**



## Joint Rule Four—Joint Committees

### 4.1—Standing Joint Committees

(1) The following standing joint committees are established:

- (a) Administrative Procedures Committee.
- (b) Committee on Public Counsel Oversight.
- (c) Legislative Auditing Committee.

(2) No other joint committee shall exist except as agreed to by the presiding officers or by concurrent resolution approved by the Senate and the House of Representatives.

(3) Appointments to each standing joint committee shall be made or altered and vacancies shall be filled by the Senate and the House of Representatives in accordance with their respective rules. There shall be appointed to each standing joint committee no fewer than five and no more than seven members from each house.

(4)(a) The President of the Senate shall appoint a member of the Senate to serve as the chair, and the Speaker of the House of Representatives shall appoint a member of the House of Representatives to serve as the vice chair, for:

1. The Legislative Auditing Committee and the Committee on Public Counsel Oversight, for the period from the Organization Session until noon on August 1 of the calendar year following the general election.

2. The Administrative Procedures Committee for the period from noon on August 1 of the calendar year following the general election until the next general election.

(b) The Speaker of the House of Representatives shall appoint a member of the House of Representatives to serve as the chair, and the President of the Senate shall appoint a member of the Senate to serve as the vice chair, for:

1. The Legislative Auditing Committee and the Committee on Public Counsel Oversight, for the period from noon on August 1 of the calendar year following the general election until the next general election.

2. The Administrative Procedures Committee for the period from the Organization Session until noon on August 1 of the calendar year following the general election.

(c) A vacancy in an appointed chair or vice chair shall be filled in the same manner as the original appointment.

### 4.2—Procedures in Joint Committees

The following rules shall govern procedures in joint committees other than conference committees:

(1) A quorum for a joint committee shall be a majority of the appointees of each house. No business of any type may be conducted in the absence of a quorum.

(2)(a) Joint committees shall meet only within the dates, times, and locations authorized by both the President of the Senate and the Speaker of the House of Representatives.

(b) Joint committee meetings shall meet at the call of the chair. In the absence of the chair, the vice chair shall assume the duty to convene and preside over meetings and such other duties as provided by law or joint rule. During a meeting properly convened, the presiding chair may temporarily assign the duty to preside at that meeting to another joint committee member until the assignment is relinquished or revoked.

(c) Before any joint committee may hold a meeting, a notice of such meeting shall be provided to the Secretary of the Senate and the Clerk of the House of Representatives. When the Legislature is not in session, notice must be provided no later than 4:30 p.m. of the 7th day before the meeting. When the Legislature is in session, notice must be provided no later than 4:30 p.m. of the 3rd day before the meeting. For purposes of effecting notice to members of the house to which the chair does not belong, notice to the Secretary of the Senate shall be deemed notice to members of the Senate and notice to the Clerk of the House shall be deemed notice to members of the House of Representatives. Noticed meetings may be canceled by the chair with the approval of at least one presiding officer.

(d) If a majority of its members from each house agree, a joint committee may continue a properly noticed meeting after the expiration of the time called for the meeting. However, a joint committee may not meet beyond the time authorized by the presiding officers without special leave granted by both presiding officers.

(3) The presiding officers shall interpret, apply, and enforce rules governing joint committees by agreement when the rule at issue is a joint rule. Unless otherwise determined or overruled by an agreement of the presiding officers, the chair shall determine all questions of order arising in joint committee meetings, but such determinations may be appealed to the committee during the meeting.

(4) Each question, including any appeal of a ruling of the chair, shall be decided by a majority vote of the members of the joint committee of each house present and voting.

#### **4.3—Powers of Joint Committees**

(1) A joint committee may exercise the subpoena powers vested by law in a standing committee of the Legislature. A subpoena issued under this rule must be approved and signed by the President of the Senate and the Speaker of the House of Representatives and attested by the Secretary of the Senate and the Clerk of the House.

(2) A joint committee may adopt rules of procedure that do not conflict with the Florida Constitution or any law or joint rule, subject to the joint approval of the President of the Senate and the Speaker of the House of Representatives.

(3) A joint committee may not create subcommittees or workgroups unless authorized by both presiding officers.

#### **4.4—Administration of Joint Committees**

(1) Within the monetary limitations of the approved operating budget, the expenses of the members and the salaries and expenses of the staff of each joint committee shall be governed by joint policies adopted under Joint Rule 3.2.

(2) Subject to joint policies adopted under Joint Rule 3.2, the presiding officers shall appoint and remove the staff director and, if needed, a general counsel and any other staff necessary to assist each joint committee. All joint committee staff shall serve at the pleasure of the presiding officers. Upon the initial adoption of these joint rules in a biennium, each joint committee staff director position shall be deemed vacant until an appointment is made.

\* \* \* \* \*

#### **4.6—Special Powers and Duties of the Administrative Procedures Committee**

The Administrative Procedures Committee shall:

(1) Maintain a continuous review of the statutory authority on which each administrative rule is based and, whenever such authority is eliminated or significantly changed by repeal, amendment, holding by a court of last resort, or other factor, advise the agency concerned of the fact.

(2) Maintain a continuous review of administrative rules and identify and request an agency to repeal any rule or any provision of any rule that reiterates or paraphrases any statute or for which the statutory authority has been repealed.

(3) Review administrative rules and advise the agencies concerned of its findings.

(4) Exercise the duties prescribed by chapter 120, Florida Statutes, concerning the adoption and promulgation of rules.

(5) Generally review agency action pursuant to the operation of chapter 120, Florida Statutes, the Administrative Procedure Act.

(6) Report to the President of the Senate and the Speaker of the House of Representatives at least annually, no later than the first week of the regular session, and recommend needed legislation or other appropriate action. Such report shall include the number of objections voted by the committee, the number of suspensions recommended by the committee, the number of administrative determinations filed on the

invalidity of a proposed or existing rule, the number of petitions for judicial review filed on the invalidity of a proposed or existing rule, and the outcomes of such actions. Such report shall also include any recommendations provided to the standing committees during the preceding year under subsection (11).

(7) Consult regularly with legislative standing committees that have jurisdiction over the subject areas addressed in agency proposed rules regarding legislative authority for the proposed rules and other matters relating to legislative authority for agency action.

(8) Subject to the approval of the President of the Senate and the Speaker of the House of Representatives, have standing to seek judicial review, on behalf of the Legislature or the citizens of this state, of the validity or invalidity of any administrative rule to which the committee has voted an objection and that has not been withdrawn, modified, repealed, or amended to meet the objection. Judicial review under this subsection may not be initiated until the Governor and the head of the agency making the rule to which the committee has objected have been notified of the committee's proposed action and have been given a reasonable opportunity, not to exceed 60 days, for consultation with the committee. The committee may expend public funds from its appropriation for the purpose of seeking judicial review.

(9) Maintain a continuous review of the administrative rulemaking process, including a review of agency procedure and of complaints based on such agency procedure.

(10) Establish measurement criteria to evaluate whether agencies are complying with the delegation of legislative authority in adopting and implementing rules.

(11) Maintain a continuous review of statutes that authorize agencies to adopt rules and shall make recommendations to the appropriate standing committees of the Senate and the House of Representatives as to the advisability of considering changes to the delegated legislative authority to adopt rules in specific circumstances.

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