

## **The Florida Department of State** **2023-2024 Annual Regulatory Plan**

Proposed rulemaking in response to laws passed during the previous 12 months which create or modify the duties or authority of the Department of State:

<b>Laws amended or created over previous 12 months</b>	<b>Must rules be adopted to implement new laws</b>	<b>If necessary, has Notice of Rule Development Been Published</b>	<b>Expected date of publishing Notice of Proposed Rule</b>
Chapter 2023-120, Laws of Florida (SB 7050 Elections)	Yes.	Yes.	July 2023.
Chapter 2023-46, Laws of Florida (SB 666 Form of Candidate Oath)	Yes.	Yes.	July 2023.
Chapter 2023-053 Laws of Florida (SB 948 Records Electronically Filed with the Department of State)	No. This law does not provide rulemaking authority.	N/A	N/A
Chapter 2023-072 Laws of Florida (HB 1441 Florida Museum of Black History)	No. This law does not provide rulemaking authority.	N/A	N/A

Chapter 2023-142  
Laws of Florida  
(HB 49 Abandoned  
and Historic  
Cemeteries)

Yes.

Yes.

September 2023.

Laws that were not enacted or amended in the last 12 months that the Department plans to implement by rulemaking before July 1, 2024.

<b>Division of Library and Information Services</b>			
<b>Rule</b>	<b>Lawmaking authority</b>	<b>Laws implemented</b>	<b>Rulemaking is intended to</b>
<u>Chapter 1B-2 – Library Administration</u> <ul style="list-style-type: none"> <li>• 1B-2.011 – Library Grant Programs</li> </ul>	257.14, Division of Library and Information Services; rules  257.191, Construction grants	257.12, Division of Library and Information Services authorized to accept and expend federal funds  257.15, Division of Library and Information Services; standards  257.16, Reports  257.17, Operating grants  257.171, Multicounty libraries  257.172, Multicounty library grants  257.18, Equalization grants  257.191, Construction grants  257.192, Program grants  257.195, Revenue shortfalls; procedures  257.21, Maximum grants allowable  257.22, Division of Library and Information Services; allocation of funds	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>

		<p>257.23, Application for grant</p> <p>257.24, Use of funds</p> <p>257.25, Free library service</p> <p>257.40, Library cooperatives; legislative intent</p> <p>257.41, Library cooperatives; organization; receipt of state moneys</p> <p>257.42, Library cooperative grants</p>	
<p><u>Chapter 1B-11 - Public Use of Records, Donated Historical Materials, and Facilities in the Florida State Archives</u></p> <ul style="list-style-type: none"> <li>• 1B-11.004 - Use of Archives</li> </ul>	<p>257.14, Division of Library and Information Services; rules</p> <p>257.35(7), Florida State Archives</p>	<p>257.35(1), Florida State Archives</p>	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>
<p><u>Chapter 1B-26 - 1B-26 Records Management – Standards and Requirements</u></p> <ul style="list-style-type: none"> <li>• <u>1B-26.003 Electronic Recordkeeping</u></li> </ul>	<p>257.14, Division of Library and Information Services; rules</p> <p>257.36(1) and (6), Records and Information Management</p>	<p>257.36(1)(a) Records and Information management</p>	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>



## Division of Arts and Culture

Rule	Lawmaking authority	Laws implemented	Rulemaking is intended to
1T-1.001 - Division of Arts and Culture	265.605, Cultural Endowment Program; rulemaking	<p>265.285, Florida Council on Arts and Culture; membership, duties</p> <p>265.601, Cultural Endowment Program; short title</p> <p>265.602, Legislative intent</p> <p>265.603, Definitions relating to Cultural Endowment Program</p> <p>265.605, Cultural Endowment Program; rulemaking</p> <p>265.606, Cultural Endowment Program; administration; qualifying criteria; matching fund program levels; distribution</p> <p>265.701, Cultural facilities; grants for acquisition, renovation, or construction; funding; approval; allocation</p>	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>
1T-1.033 – Art in State Buildings Program	255.043, Art in State Buildings	255.043, Art in State Buildings	<ul style="list-style-type: none"> <li>• Clarify (Technical change)</li> </ul>
1T-1.036 - Arts and Culture Grants	265.286, Art and cultural grants	265.286, Art and cultural grants	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>

1T-1.037 – State Touring Program	265.286, Art and cultural grants	265.286, Art and cultural grants	<ul style="list-style-type: none"> <li>• Delete obsolete, unnecessary, or redundant rule</li> </ul>
1T-1.038 – Individual Artist Fellowship Program	265.286, Art and cultural grants	265.286, Art and cultural grants	<ul style="list-style-type: none"> <li>• Delete obsolete, unnecessary, or redundant rule</li> </ul>
1T-1.039 – Cultural Facilities Program	265.701, Cultural facilities; grants for acquisition, renovation, or construction; funding; approval; allocation	265.701, Cultural facilities; grants for acquisition, renovation, or construction; funding; approval; allocation	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>
1T-1.040 - Fast Track Grants	265.286, Art and cultural grants	265.286, Art and cultural grants	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>
1T-1.042 - Division Initiatives Partnership Program	265.286, Art and cultural grants	265.286, Art and cultural grants	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>
1P-1.009 – Florida Folklife Program	265.802, Florida Folklife Programs	265.802, Florida Folklife Programs 265.803, Florida Folklife Council	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>

## Division of Historical Resources

Rule	Lawmaking authority	Laws implemented	Rulemaking is intended to
<p><u>Chapter 1A-36 – Florida Main Street Program</u></p> <ul style="list-style-type: none"> <li>• 1A-36.002 – Definitions</li> <li>• 1A-36.003 - Program Information</li> <li>• 1A-36.004 - Program Description</li> <li>• 1A-36.005 – Eligibility Requirements</li> <li>• 1A-36.006 – Application Procedures</li> <li>• 1A-36.007 - Ad Hoc Florida Main Street Advisory Committee</li> <li>• 1A-36.008 - Application Review</li> <li>• 1A-36.009 – Program Administration</li> <li>• 1A-36.010 – Active Local Programs</li> </ul>	<p>267.031, Division of Historical Resources; powers and duties</p>	<p>267.031, Division of Historical Resources; powers and duties</p> <p>267.0617, Historic Preservation Grant Program</p>	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>

<ul style="list-style-type: none"> <li>• 1A-36.011 – Secretary of State’s Florida Main Street Awards Program</li> </ul>			
<p><u>Chapter 1A-37 – Mission San Luis Facilities</u></p> <ul style="list-style-type: none"> <li>• <u>1A-37.001 – Mission San Luis – Site Uses</u></li> </ul>	<p>20.10, Department of State</p> <p>267.031, Division of Historical Resources; powers and duties</p> <p>267.17, Citizen support organizations; use of state administrative services and property; audit</p>	<p>267.031, Division of Historical Resources; powers and duties</p> <p>267.061, Historic properties; state policy, responsibilities</p> <p>267.17, Citizen support organizations; use of state administrative services and property; audit</p>	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>
<p><u>Chapter 1A-38 – Tax Exemptions for Historic Properties</u></p> <ul style="list-style-type: none"> <li>• 1A-38.007 – Certification of Local Historic Preservation Office</li> </ul>	<p>196.1997, Ad valorem tax exemptions for historic properties</p>	<p>196.1997, Ad valorem tax exemptions for historic properties</p> <p>196.1998, Additional ad valorem tax exemptions for historic properties open to the public</p>	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>
<p><u>Chapter 1A-39 – Historic Preservation Grant Programs</u></p> <ul style="list-style-type: none"> <li>• 1A-39.001 – Division of Historical Resources Grant Programs &amp; Requirements</li> </ul>	<p>267.031, Division of Historical Resources; powers and duties</p> <p>267.0617, Historic Preservation Grant Program</p>	<p>267.0617, Historic Preservation Grant Program</p>	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>
<p><u>Chapter 1A-40 – Administration of Permanent Collections</u></p> <ul style="list-style-type: none"> <li>• 1A-40.003 – Definitions</li> <li>• 1A-40.005 – Acquisition Procedures</li> </ul>	<p>267.031, Division of Historical Resources; powers and duties</p> <p>267.115, Objects of historical or archaeological value</p>	<p>267.031, Division of Historical Resources; powers and duties</p>	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>



<ul style="list-style-type: none"> <li>• 1A-40.008 – Loan of State-owned Artifacts</li> <li>• 1A-40.009 – Deaccession and Disposal of State-owned Artifacts</li> <li>• 1A-40.010 – Forms and Instructions</li> </ul>			
<p><u>Chapter 1A-46 – Archaeological and Historical Report Standards and Guidelines</u></p> <ul style="list-style-type: none"> <li>• 1A-46.001 – Standards and Guidelines for Reports</li> </ul>	<p>267.031, Division of Historical Resources; powers and duties</p>	<p>267.031, Division of Historical Resources; powers and duties</p> <p>267.061, Historic properties; state policy, responsibilities</p> <p>267.11, Designation of archaeological sites</p> <p>267.12, Research permits; procedure</p>	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>
<p><u>Chapter 1A-48 – Florida Historic Marker Program</u></p> <ul style="list-style-type: none"> <li>• 1A-48.002 – Definitions</li> <li>• 1A-48.003 – Responsibility for Florida Historic Marker Program</li> <li>• 1A-48.005 – Criteria for Florida Historic Markers</li> <li>• 1A-48.006 – Application Requirements</li> </ul>	<p>267.074, State Historical Marker Program</p>	<p>267.0743, State Historical Marker Council</p>	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>

<ul style="list-style-type: none"> <li>• 1A-48.007 – Application Review</li> <li>• 1A-48.009 – Withdrawal of Designation; Disposition of Markers</li> </ul>			
<p><u>Chapter 1T-12 - Museum of Florida History</u></p> <ul style="list-style-type: none"> <li>• 1T-12.001 – Definitions</li> <li>• 1T-12.002 – Acquisition Procedures</li> <li>• 1T-12.003 - Accessioning Procedures</li> <li>• 1T-12.004 – Inventory of State-owned Artifacts</li> <li>• 1T-12.005 – Loan of State-owned Artifacts</li> <li>• 1T-12.006 – Deaccession of State-owned Artifacts</li> </ul>	<p>267.031, Division of Historical Resources; powers and duties</p> <p>267.115, Objects of historical or archaeological value</p>	<p>267.0721, Museum of Florida History and programs; other historical museums</p> <p>267.0723, Property loaned to or abandoned at museums; obligations to lenders; notice; loan termination; acquisition of title; liens; conservation or disposal</p> <p>267.115, Objects of historical or archaeological value</p>	<ul style="list-style-type: none"> <li>• Clarify (Technical change)</li> </ul>

## Division of Corporations

Rule	Lawmaking authority	Laws implemented	Rulemaking is intended to
<p><u>Chapter 1N-5 – Electronic Notarization</u></p> <ul style="list-style-type: none"> <li>• 1N-5.001 – Definitions</li> <li>• 1N-5.002 – Notary’s Electronic Signature</li> </ul>	<p>117.021, Electronic Notarization</p>	<p>117.021, Electronic Notarization</p>	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>
<p><u>Chapter 1N-7 – Remote Online Notarization</u></p> <ul style="list-style-type: none"> <li>• 1N-7.001 – Remote Online Notarization</li> <li>• 1N-7.005 – Online Notary Public and RON Service Provider Required Information</li> </ul>	<p>117.295, Standards for electronic and online notarization; rulemaking authority</p>	<p>117.245, Electronic journal of online notarizations</p> <p>117.295, Standards for electronic and online notarization; rulemaking authority</p>	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>

<b>Division of Elections</b>			
<b>Rule</b>	<b>Lawmaking authority</b>	<b>Laws implemented</b>	<b>Rulemaking is intended to</b>
<p><u>Chapter 1S-2 Elections</u></p> <ul style="list-style-type: none"> <li>• 1S-2.0001 – Designation of Division of Elections as Filing Office for Department of State; Requirements for Candidate Qualifying Papers; Withdrawal of Candidacy</li> <li>• 1S-2.015 – Minimum Security Procedures for Voting Systems</li> <li>• 1S-2.017 – Reporting Requirements for Campaign Treasurer’s Reports</li> <li>• 1S-2.021 - Cancellation of Registration of Political Committees and Electioneering</li> </ul>	<p>20.05, Heads of departments; powers and duties</p> <p>20.10, Department of State</p> <p>97.012, Secretary of State as chief election officer</p> <p>97.052, Uniform statewide voter registration application</p> <p>97.0575, Third-party voter registration organizations</p> <p>97.058, Voter registration agencies</p> <p>98.015, Supervisor of elections; election, tenure of office, compensation, custody of registration-related documents, office hours, successor, seal; appointment of deputy supervisors; duties</p> <p>98.035, Statewide voter registration system; implementation, operation, and maintenance</p> <p>98.045, Administration of voter registration</p>	<p>97.012, Secretary of State as chief election officer</p> <p>97.021, Definitions</p> <p>97.052, Uniform statewide voter registration application</p> <p>97.053, Acceptance of voter registration applications</p> <p>97.055, Registration books; when closed for an election</p> <p>97.0575, Third-party voter registration organizations</p> <p>97.058, Voter registration agencies</p> <p>97.061, Special registration for electors requiring assistance</p> <p>97.1031, Notice of change of residence, change of name, or change of party affiliation</p> <p>98.035, Statewide voter registration system; implementation, operation, and maintenance</p> <p>98.045, Administration of voter registration</p>	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>

<p>Communications Organizations</p> <ul style="list-style-type: none"> <li>• 1S-2.025 – Elections Fraud Complaints</li> <li>• 1S-2.027 – Standards for Determining Voter’s Choice on a Ballot</li> <li>• 1S-2.031 – Recount Procedures</li> <li>• 1S-2.032 – Uniform Design for Election Ballots</li> <li>• 1S-2.034 – Polling Place Procedures Manual</li> <li>• 1S-2.040 - Statewide Uniform Voter Registration Application</li> <li>• 1S-2.041- FVRS Address and Eligibility Records Maintenance</li> </ul>	<p>98.0655, Registration list maintenance forms</p> <p>98.075, Registration records maintenance activities; ineligibility determinations</p> <p>98.0981, Reports; voting history; statewide voter registration system information; precinct-level election results; book closing statistics; live turnout data</p> <p>99.061, Method of qualifying for nomination or election to federal, state, county, or district office</p> <p>101.015, Standards for voting systems</p> <p>101.151, Specifications for ballots</p> <p>102.014, Poll worker recruitment and training</p> <p>102.141, County canvassing board; duties</p> <p>102.166, Manual recounts of overvotes and undervotes</p> <p>103.022, Write-in candidates for President and Vice President</p>	<p>98.065, Registration list maintenance programs</p> <p>98.0655, Registration list maintenance forms</p> <p>98.075, Registration records maintenance activities; ineligibility determinations</p> <p>98.077, Update of voter signature</p> <p>98.093, Duty of officials to furnish information relating to deceased persons, persons adjudicated mentally incapacitated, persons convicted of a felony, and persons who are not United States citizens</p> <p>98.0981, Reports; voting history; statewide voter registration system information; precinct-level election results; book closing statistics; live turnout data</p> <p>98.461, Registration application, precinct register; contents</p> <p>99.021, Form of candidate oath</p> <p>99.0215, Name of candidate</p> <p>100.011, Opening and closing of polls, all elections; expenses</p> <p>100.061, Primary election</p> <p>101.001, Precincts and polling places; boundaries</p>	
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<ul style="list-style-type: none"> <li>• 1S-2.042 –Third-Party Voter Registration Organizations</li> <li>• 1S-2.048 - State and Federal-Designated NVRA Voter Registration Agencies-Responsibilities</li> <li>• 1S-2.052 – Election Day Delivery of Vote-by-Mail Ballots</li> <li>• 1S-2.053 - Election Results, Precinct-Level Election Results, Voting History, and Reconciliation Reporting</li> <li>• 1S-2.055 – Vote-by-mail Requests</li> </ul>	<p>103.101, Presidential preference primary</p> <p>105.041, Form of ballot</p> <p>106.03, Registration of political committees and electioneering communications organizations</p> <p>106.0705, Electronic filing of campaign treasurer’s reports</p> <p>106.22, Duties of the Division of Elections</p>	<p>101.015, Standards for voting systems</p> <p>101.021, Elector to vote the primary ballot of the political party in which he or she is registered</p> <p>101.031, Instructions for electors</p> <p>101.043, Identification required at polls</p> <p>101.045, Electors must be registered in precinct; provisions for change of residence or name</p> <p>101.048, Provisional ballots</p> <p>101.049, Provisional ballots; special circumstances</p> <p>101.051, Electors seeking assistance in casting ballots; oath to be executed; forms to be furnished</p> <p>101.111, Voter challenges</p> <p>101.131, Watchers at polls</p> <p>101.151, Specifications for ballots</p> <p>101.161, Referenda; ballots</p> <p>101.23, Election inspector to keep list of those voting</p> <p>101.49, Procedure of election officers where signatures differ</p>	
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		<p>101.56075, Voting methods</p> <p>101.5608, Voting by electronic or electromechanical method; procedures</p> <p>101.5610, Inspection of ballot by election board</p> <p>101.5611, Instructions to electors</p> <p>101.5614, Canvass of returns</p> <p>101.62, Request for vote-by-mail ballot</p> <p>101.69, Voting in person; return of vote-by-mail ballot</p> <p>101.733, Election emergency; purpose; elections emergency contingency plan</p> <p>102.012, Inspectors and clerks to conduct elections</p> <p>102.014, Poll worker recruitment and training</p> <p>102.031, Maintenance of good order at polls; authorities; persons allowed in polling rooms and early voting areas; unlawful solicitation of voters</p> <p>102.112, Deadline for submission of county returns to the Department of State</p> <p>102.141, County canvassing board; duties</p> <p>102.166, Manual recounts of overvotes and undervotes</p>	
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<p><u>Chapter 1S-5 – Certification of Electronic or Electromechanical Voting Systems</u></p>	<p>101.015, Standards for Voting Systems</p> <p>101.294, Purchase and sale of voting equipment</p> <p>101.591, Voting system audit</p> <p>101.5911, Rulemaking for voting system audit procedures</p>	<p>101.015, Standards for Voting Systems</p> <p>101.5601, Short title</p> <p>101.5605, Examination and approval of equipment</p> <p>101.5606, Requirements for approval of systems</p> <p>101.56062, Standards for accessible voting systems</p> <p>101.5607, Department of State to maintain voting system information; prepare software</p> <p>101.56075, Voting methods</p> <p>101.5608, Voting by electronic or electromechanical method; procedures</p> <p>101.591, Voting system audit</p>	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>
<p><u>Chapter 1S-9 – Elections Emergency Contingency Plan</u></p> <ul style="list-style-type: none"> <li>• 1S-9.005 - Comprehensive Emergency Suspension of Election Plan</li> </ul>	<p>101.733, Election emergency; purpose; elections emergency contingency plan</p>	<p>101.733, Election emergency; purpose; elections emergency contingency plan</p> <p>101.591, Voting system audit</p>	<ul style="list-style-type: none"> <li>• Clarify</li> <li>• Increase efficiency</li> <li>• Improve coordination</li> </ul>

## Certification

The undersigned certify that they have reviewed the Florida Department of State's 2023/2024 Annual Regulatory Plan and that the Florida Department of State regularly reviews all of its rules. The Florida Department of State's rules have also been reviewed over the last four months to determine if the rules remain consistent with the agency's rulemaking authority and the laws implemented.



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Secretary of State  
Florida Department of State

Date: 9-14-23



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General Counsel  
Florida Department of State

Date: 9/13/23