



# STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT



## Certification of Review

Pursuant to Section 120.74(1)(d), Florida Statutes, the undersigned hereby certify that they have reviewed the regulatory plan for the Division of Emergency management and that the Division regularly reviews all of its rules to determine if the rules remain consistent with the Division's rulemaking authority and the laws implemented, with the most recent review of its existing rules being completed in 2023.

Dated this 29<sup>th</sup> day of September, 2023.

  
Stephanie Stachowicz, General Counsel

  
Kevin Guthrie, Executive Director



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**Section 120.74(1)(a), Florida Statutes** – List each law enacted or amended during the previous 12 months which creates or modifies the duties or authority of the agency. For each law listed, state whether the agency must adopt rules to implement the law. If rulemaking is not necessary, provide a concise written explanation of the reasons why the law may be implemented without rulemaking.

**Response:**

Listed in the chart below are the laws enacted or amended during the previous 12 months which create or modify the duties or authority of the Florida Division of Emergency Management:



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Law enacted or modified that creates or modifies FDEM authority or duties	Is rulemaking necessary to implement the law?	If rulemaking is not necessary, statement explaining reasons why the law may be implemented without rulemaking	If rulemaking is necessary, has notice of rule development been published in the FAR? If yes, which FAR issue (include date, volume, and number)	When is notice of a proposed rule expected to be published?	Rule Number	Rule Title	Was the law listed in a previous regulatory plan requiring rulemaking to implement a law?
252.35 - Emergency management powers; Division of Emergency Management	No	The law is self-implementing	N/A	N/A	N/A	N/A	N/A
252.363 - Tolling and extension of permits and other authorizations	No	The law is self-implementing	N/A	N/A	N/A	N/A	N/A
252.3712 - Nonprofit Security Grant Program	Yes	N/A	No	December 2023 (Tentative)	N/A	N/A	N/A
252.391 - Emergency financial plans	No	The law is self-implementing.	N/A	N/A	N/A	N/A	N/A
252.40 - Mutual aid arrangements	No	The law is self-implementing	N/A	N/A	N/A	N/A	N/A
252.71 - Florida Emergency Management Assistance Foundation	No	The law is self-implementing	N/A	N/A	N/A	N/A	N/A



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**Section 120.74(1)(b), Florida Statutes** – List of laws not otherwise listed pursuant to section 120.74(1)(a) which the agency expects to implement by rulemaking before the following July 1. For each law, the plan must state whether the rulemaking is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary or redundant rules.

**Response:** Rule 27P-11.0061 – Funding, will become effective on October 12, 2023. The Division continues to evaluate the potential need for updates to its existing rules. Should the Division determine that rulemaking may be advisable prior to July 1, 2024, the Division will file an amended regulatory plan.

**Section 120.74(1)(c), Florida Statutes** – Describe any desired update to the prior year's regulatory plan or supplement published.

**Response:** Rule 27P-2.002 - State Comprehensive Emergency Management Plan Adopted and Rule 27P-14 – Hazardous Materials, became effective on June 4, 2023.

**Section 120.74(1)(d), Florida Statutes** – Certification executed on behalf of the agency by both the agency head and individual acting as principal legal advisor to the agency head.

**Response:** Certification attached.