

2012 SUMMARY OF AMENDMENTS TO CHAPTER 120

Chapter 2012-5, Laws of Florida, a reviser's bill, amended paragraphs 120.745(2)(g) and 120.745(3)(i) to correct erroneous cross-references.

Effective date: 60 days after adjournment sine die (May 8, 2012).

Chapter 2012-27, Laws of Florida, amended paragraph 120.54(3)(b) to change current references to the Small Business Regulatory Advisory Council (SBRAC) to the "rules ombudsman in the Executive Office of the Governor," and to delete the authority of SBRAC to request that OPPAGA take certain actions. Paragraphs 120.745(5)(a) and (c) are amended to change current references to SBRAC to the rules ombudsman in the Executive Office of the Governor.

Effective date: July 1, 2012.

Chapter 2012-30, Laws of Florida, amended subsection 120.80(10) to change current references to "unemployment" to "reemployment assistance."

Effective date: July 1, 2012.

Chapter 2012-31, Laws of Florida, amended section 120.536 to provide for the nullification of a rule or part of a rule when the law implemented by the rule is repealed. If the repeal of a provision of law creates uncertainty as to the enforceability of a rule, the Department of State is directed to use the summary removal process described in newly-created section 120.555. The summary removal process includes notice to and review by the affected agency, or the Governor if no agency can be identified. If the Department of State is advised that the rule is no longer in effect, or if no timely response is received, the Department must publish notice that the rule will be summarily repealed and removed from the Florida Administrative Code. An objection to the summary repeal may be filed within 21 days of publication of the notice.

Effective date: 60 days after becoming law (May 27, 2012).

Chapter 2012-63, Laws of Florida, amended subparagraph 120.54(3)(b)2. to include a reference to the rules ombudsman in the Executive Office of the Governor. The chapter law also amended section 120.55 to provide for continuous revision and publication of the electronic Florida Administrative Code, which shall be the official compilation of Florida administrative rules. The chapter law renames the Florida Administrative Weekly as the Florida Administrative Register and provides for continuous revision and electronic publication. The Department of State is no longer required to publish a printed version of the Register.

Effective date: October 1, 2012.

Chapter 2012-116, Laws of Florida, created section 120.515 to provide that Chapter 120 does not limit or impinge upon the assignment of executive power under Art. IV of the State Constitution or the legal authority of an appointing authority to direct and supervise those appointees serving at the pleasure of the appointing authority. The chapter law also amended subsection 120.52(3), the definition of "agency head," to provide that an agency head appointed by and serving at the pleasure of an appointing authority remains subject to the direction and supervision of the appointing authority, but actions taken by the agency head as authorized by statute are official acts.

Effective date: July 1, 2012.

Chapter 2012-212, Laws of Florida, amended subsection 120.60(5) to delete a requirement that certain legal notices be published in Leon County.

Effective date: July 1, 2012.