

**Office of the Attorney General  
2016-2017 Annual Regulatory Plan**

Law enacted or amended on or after October 1, 2015 which creates or modifies the duties or authority of the agency.	1. Must agency adopt rules to implement the law?	2.a. If rulemaking is necessary, has a Notice of Rule Development been published? If yes, provide the Florida Administrative Register citation.	2.b. The date by which the Notice of Proposed Rule is intended to be published	3. If rulemaking is not necessary, provide a concise explanation
Part VII of Chapter 501:501.991-501.997, F.S.	No	N/A	N/A	The change in the Statute created the Patent Troll Prevention Act and made a violation an unfair and deceptive trade practice under Chapter 501 adding to the enforcement authority of the agency. Rulemaking is not necessary as the statute defines the requisites of the enforcement authority.
501.204(2), F.S.	No	N/A	N/A	The change in the Statute modified enforcement authority of the agency under Chapter 501 by bringing currently through 7/1/2015 the consideration and weight given to interpretations of the Federal Trade Commission and federal courts relating to s. 5(a)(1) of the Federal Trade Commission Act, 15 U.S.C. s. 45(a)(1). Rulemaking is not necessary as the statute defines the requisites of the enforcement authority.
895.06, F.S.	No	N/A	N/A	Florida's Racketeer Influenced and Corrupt Organization Act, Chapter 895, Florida Statutes. The Department of Legal Affairs may bring an action to obtain injunctive relief, attorney fees and costs incurred in the investigation and prosecution of Florida RICO actions. Under newly created civil penalties, individuals are subject to penalties of up to \$100,000, and businesses are subject to penalties of up to \$1 million. Money recovered for attorney fees and costs will be deposited into the legal affairs revolving trust fund, and money recovered on civil penalties will be deposited into the general revenue fund. The statute enhances the reach of an investigative agency to recover fair market value of property subject to forfeiture. An investigative agency can institute an action to recover fair market value of property subject to forfeiture that has diminished in value. Subpoenas contain a confidentiality provision, prohibiting a subpoenaed party from disclosing the existence of the subpoena to anyone other than his or her attorney for a period of 120 days (unless extended for good cause) versus the prior 90 day confidentiality pursuant to an ex parte court order. Proceeds are distributed to victims of the racketeering activity. The Legislative Staff Analysis summarized the changes as follows - 1. If property subject to forfeiture is diminished in value, an investigative agency may pursue an action in circuit court to recover fair market value of the property. 2. A court may order the forfeiture of any other property of the defendant up to the value of any property that is unavailable or is diminished in value. 3. Civil penalties of up to \$100,000 for a natural person and up to \$1 million for any other person may be imposed for violations of the RICO Act. 4. An investigatory subpoena issued pursuant to the RICO Act is confidential for 120 days after the date of its issuance. 5. Any party to a RICO Act civil action may petition the court for entry of a consent decree or for approval of a settlement agreement. 6. The court is required to order distribution of forfeiture proceeds to the victims of the racketeering activity.

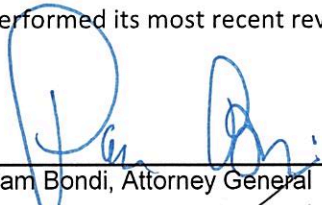
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Laws identified in last year's annual regulatory plan as requiring rulemaking for which Notice of Proposed Rule has not been published.	Has a Notice of Rule Development been published? If yes, provide the Florida Administrative Register citation.	If agency subsequently determined that rulemaking is not necessary, provide a concise explanation
N/A		

Laws not listed pursuant to section 120.74(1)(a) for which the agency expects to implement by rulemaking by July 1, 2017, except emergency rulemaking.	Intent of the rulemaking
16.555, F.S.	Increase efficiency
112.19, F.S.	Clarify
402.181, F.S.	Increase efficiency
741.401, F.S.	Clarify
741.402, F.S.	Clarify
741.403, F.S.	Clarify
741.404, F.S.	Clarify
741.405, F.S.	Clarify
741.406, F.S.	Clarify
741.408, F.S.	Clarify
741.409, F.S.	Clarify
741.465, F.S.	Clarify
741.4651, F.S.	Clarify
812.1701, F.S.	Increase efficiency
812.171, F.S.	Increase efficiency
812.172, F.S.	Increase efficiency
812.1725, F.S.	Increase efficiency
812.173, F.S.	Increase efficiency
812.174, F.S.	Increase efficiency
812.175, F.S.	Increase efficiency
812.176, F.S.	Increase efficiency
960.01, F.S.	Increase efficiency
960.02, F.S.	Increase efficiency
960.03, F.S.	Increase efficiency
960.045, F.S.	Increase efficiency
960.05, F.S.	Increase efficiency
960.065, F.S.	Increase efficiency
960.07, F.S.	Increase efficiency
960.12, F.S.	Increase efficiency
960.13, F.S.	Increase efficiency
960.15, F.S.	Increase efficiency
960.16, F.S.	Increase efficiency
960.17, F.S.	Increase efficiency
960.18, F.S.	Increase efficiency
960.195, F.S.	Increase efficiency
960.196, F.S.	Increase efficiency
960.198, F.S.	Increase efficiency
960.199, F.S.	Increase efficiency

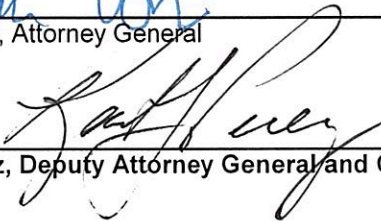
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This certification verifies that the undersigned have reviewed this Annual Regulatory Plan and verify that the Office of the Attorney General (OAG) regularly reviews its rules to determine if those rules remain consistent with OAG's rulemaking authority and the laws implemented and that OAG performed its most recent review during June through September of 2016.



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Pam Bondi, Attorney General



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Kent Perez, Deputy Attorney General and General Counsel