

STATE BOARD OF ADMINISTRATION OF FLORIDA ("SBA")
2020-2021 ANNUAL REGULATORY PLAN

[Required pursuant to Chapter 2015-162, Laws of Florida]

OCTOBER 1, 2020

- **Laws Amended/Created over previous 12 months that modify the agency's duties or authority (as required by Section 120.74(1)(a), Florida Statutes):**

There were no laws amended or created over the previous twelve (12) months that served to modify the agency's duties and/or authority.

NOTE: There are a few laws that affect all Florida governmental entities, but that do not need to be implemented by rulemaking by the governmental entities, nor by the sending of reports or other information to another governmental entity. The SBA recognizes the existence of these new laws and may revise, or has revised, its internal policies, procedures and contracts in view of these changes. The new laws are as follows:

Chapter No. 2020-120, Laws of Florida (SB 952): Senior Management Service Class within the Florida Retirement System ("FRS")

This law amends Section 121.055(1)(m), Florida Statutes, to provide that participation in the Senior Management Class of the FRS is compulsory for each appointed criminal conflict and civil regional counsel, as well as for each district's assistant regional counsel chiefs, administrative directors, and chief investigators. The law also allows such affected individuals to purchase and upgrade certain retirement credit.

Effective Date: July 1, 2020.

Chapter No. 2020-116, Laws of Florida (HB 5007): State Administered Retirement Systems

This law amends Section 121.71, Florida Statutes, to revise the required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System.

Effective Date: July 1, 2020.

Chapter No. 2020-182, Laws of Florida (HB 7009): Penalties for Violation of the Constitutional Prohibition against Abuse of Public Position

During the 2018 General Election, Florida voters approved Amendment 12 that amended Article II, Section 8 of the Florida Constitution to provide, *inter alia*, a prohibition on public officers and employees from abusing their public positions to obtain a disproportionate benefit for themselves or certain other persons or entities. This bill re-enacts Section 112.317, Florida Statutes, to specify the penalties for violations of the prohibition against abuse of a public position. These penalties will be the same as the penalties imposed for other violations of Article II, Section 8 of the Florida Constitution.

Effective Date: December 31, 2020.

Chapter No. 2020-149, Laws of Florida (SB 664): General Labor Regulations- E-verify

Effective January 1, 2021, this law, *inter alia*, adds Section 448.095, Florida Statutes, to require public employers, contractors and subcontractors to register with, and use, the E-verify system to verify the work authorization status of all newly-hired employees. A public employer, contractor, or subcontractor may not enter into a contract unless each party to the contract registers with and uses the E-verify system.

Effective Date: January 1, 2021.

Chapter No. 2020-19, Laws of Florida (SB 936): Disability Retirement Benefits

This law allows members of the Florida Retirement System that are receiving care at Federal Veterans Health Administration facilities to use the certification of two licensed physicians working at the facility to serve as proof of total and permanent disability for purposes of establishing eligibility for benefits.

Effective Date: January 1, 2021.

Chapter No. 2020-36, Laws of Florida (SB 1050): Disaster Volunteer Leave for State Employees

This law establishes the Florida Disaster Volunteer Leave Act that allows any employee of a state agency to be granted a leave of absence with pay of no more than 120 hours in any 12-month period to serve as a volunteer providing services in a disaster area in Florida, or, with the approval of the head of the employee's employing agency, a disaster area within the United States..

Effective Date: July 1, 2020.

Chapter No. 2020-13, Laws of Florida (CS for SB 1060): Public Records and Public Meetings Exemptions for Structural Elements of Structural Elements of 911, E911 or Public Safety Radio Communication System Infrastructure

This law establishes an exemption from public records for building plans, blueprints, drawings and diagrams depicting the structural elements of 911, E911 or public safety radio communication system infrastructure used to provide 911, E911 or public safety radio communication services that are owned and operated by an agency. Further, any portion of a public meeting that would reveal such information is made exempt and confidential. The bill also provides that no exempt portion of a public meeting as defined in section 286.011, F.S., may be off the record, but rather must be recorded and transcribed. Those recordings are considered confidential and exempt from disclosure unless a court of competent jurisdiction determines that the portion of the meeting was not confidential and exempt.

Effective Date: April 8, 2020.

Chapter No. 2020-25, Laws of Florida (CS for HB 821): Public Records and Public Meetings Exemptions for Portions of Records Held by an Agency Containing Network Schematics, Hardware and Software Configurations and Encryptions

This law makes confidential and exempt from Public Records Laws any portions of records held by an agency that contain network schematics, hardware and software configurations and encryptions. Further, any portion of a public meeting that would reveal such information also is made exempt and confidential. The bill also provides that no exempt portion of a public meeting as defined in section 286.011, F.S., may be off the record, but rather must be recorded and transcribed. Those recordings are considered confidential and exempt from disclosure unless a court of competent jurisdiction determines that the portion of the meeting was not confidential and exempt. In the event of such a judicial determination, only that portion of a record and transcript which reveals nonexempt data and information may be disclosed.

Effective Date: June 9, 2020.

- Laws not otherwise listed that the Agency expects to implement by rulemaking before the following July:

N/A

- Updates to prior year's plan or supplement. If in a prior year, a law was identified requiring rulemaking to implement but notice of proposed rule has not been published:

N/A

Additional Information: Proposed Changes to Rules that are required by existing laws:

See attached sheet.

**State Board of Administration/Florida Hurricane Catastrophe Fund
2019-2020 Annual Regulatory Plan**

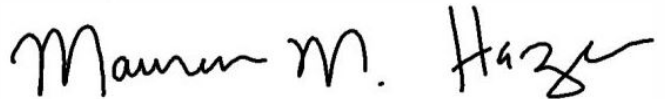
Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
19-8.010	Reimbursement Contract	Rule Amendment	Statutory Mandate (State statutory mandate; s. 215.555(17)(b) requires the SBA to adopt the Reimbursement Contract form no later than February 1 of each year.)	The Reimbursement Contract is annually reviewed and revised to accommodate statutory changes, technical issues, and any need for clarification.	Section 215.555, F.S., originally enacted in 1983, establishes the Florida Hurricane Catastrophe Fund within the SBA and provides for reimbursement of a portion of residential property insurers' hurricane losses. Rule 19-8.010 implements this statute by specifying the form of the annual Reimbursement Contract.	Revised definitions and Article XV to align with current law, as well as various clarifying and technical changes, are anticipated	None	Yes
19-8.028	Reimbursement Premium Formula	Rule Amendment	Statutory Mandate (State statutory mandate; s. 215.555(6) requires the SBA to adopt a formula for the "actuarially indicated" premium to be paid by insurers to the FHCF. To comply with the "actuarially indicated" requirement, the premium formula is revised annually.)	The annual revision of the Reimbursement Premium Formula also accommodates statutory changes, technical issues, and any need for clarification.	Section 215.555, F.S., originally enacted in 1983, establishes the Florida Hurricane Catastrophe Fund within the SBA and provides for reimbursement of a portion of residential property insurers' hurricane losses. Rule 19-8.028 implements this statute by providing the formula for determining premiums to be paid to the fund by participating insurers.	Implementation of actuarial recommendations pursuant to s. 215.555(5)(b), F.S., and technical and clarifying changes	None	Yes
19-8.029	Insurer Reporting Requirements and Responsibilities	Rule Amendment	Technical Changes	This rule provides for insurer reporting of insured values, as required by s. 215.555(5)(c), F.S., and instructions to insurers relating to examinations under s. 215.555(4)(f), F.S. It is revised annually to accommodate statutory changes, technical issues, and any need for clarification.	Section 215.555, F.S., originally enacted in 1983, establishes the Florida Hurricane Catastrophe Fund within the SBA and provides for reimbursement of a portion of residential property insurers' hurricane losses. Rule 19-8.029 implements this statute by providing for reporting of insured values to the fund and providing instructions relating to examination of insurers.	Only technical and clarifying changes are anticipated at this time.	None	Yes

STATE BOARD OF ADMINISTRATION OF FLORIDA
ANNUAL REGULATORY PLAN CERTIFICATION

I HEREBY CERTIFY that the Annual Regulatory Plan (ARP) for the State Board of Administration of Florida ("SBA"), including the Florida Hurricane Catastrophe Fund, as required pursuant to Section 120.74(1), Florida Statutes has been reviewed by the undersigned. I also certify that the SBA, including the Florida Hurricane Catastrophe Fund, at least annually reviews all of its rules, the most recent review occurring in August 2020, to determine whether the rules remain consistent with the SBA's rulemaking authority and the laws implemented.



Ashbel C. Williams
Executive Director & CIO
State Board of Administration of
Florida



Maureen M. Hazen
General Counsel
State Board of Administration of
Florida

ENTERED this 30th day of September, 2020.

A copy of this Regulatory Plan will be posted on the SBA's website on or before October 1, 2020.