

# HOW LEGISLATIVE AND EXECUTIVE OVERSIGHT HELPS FLORIDA *CUT AND CONTROL RED TAPE*



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# KEY FINDINGS



FLORIDA LEGISLATORS MUST APPROVE  
MILLION-DOLLAR RULES BEFORE  
THEY GO INTO EFFECT.



GOVERNOR-LED REVIEW OF OLD  
AND NEW REGULATIONS KEEPS  
BUREAUCRATS IN CHECK.



THE SUNSHINE STATE CONTINUES  
TO ROLL BACK RED TAPE AT  
A RECORD PACE.

## THE BOTTOM LINE:

STATES SHOULD FOLLOW FLORIDA'S LEAD  
ON REGULATORY REFORM TO CUT  
AND CONTROL RED TAPE.

## Overview

There has never been a better time to move to Florida. The state's economy is booming, and people are relocating to the state in record numbers. As of December 2022, Florida was the fastest-growing state in the nation.<sup>1-2</sup> Along with record population growth, the state's economy continues to work for Floridians, as Florida is home to four of the five largest metropolitan areas with the lowest unemployment in the country.<sup>3</sup> On top of that, March 2023 marked the 28th consecutive month where the state's unemployment rate was lower than the national rate.<sup>4</sup>

Florida's success is due in large part to its freedom-loving policies, making it one of the top states in the country for business.<sup>5-9</sup> Through the years, state lawmakers have carefully crafted a regulatory environment to promote business and job creation by exercising legislative and executive oversight on bureaucrats.<sup>10</sup> And under Governor Ron DeSantis's leadership, Florida has only continued to build on its track record of success.<sup>11-13</sup>



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## Legislative approval for million-dollar rules

Florida's regulatory review process is designed to cut old regulations on the back end and control new regulations on the front end. The legislative review process has helped legislators combat costly rules, as some elected state officials are not under the direction of the governor.<sup>14</sup>

In 2010, Florida lawmakers passed legislation over then-Governor Charlie Crist's veto to require legislative approval of proposed regulations with a price tag of \$1 million or more.<sup>15</sup> This made costly rules subject to the political process by requiring legislators to affirmatively support "million-dollar rules" before they can take effect.<sup>16-17</sup>

Along with requiring legislative approval for million-dollar rules, Florida implemented policies to increase executive oversight on bureaucrats.<sup>18</sup> Working together, legislative and executive oversight has helped Florida both cut and control red tape.



**WORKING TOGETHER, LEGISLATIVE AND EXECUTIVE OVERSIGHT HAS HELPED FLORIDA BOTH CUT AND CONTROL RED TAPE.**

## Executive review to hold bureaucrats accountable

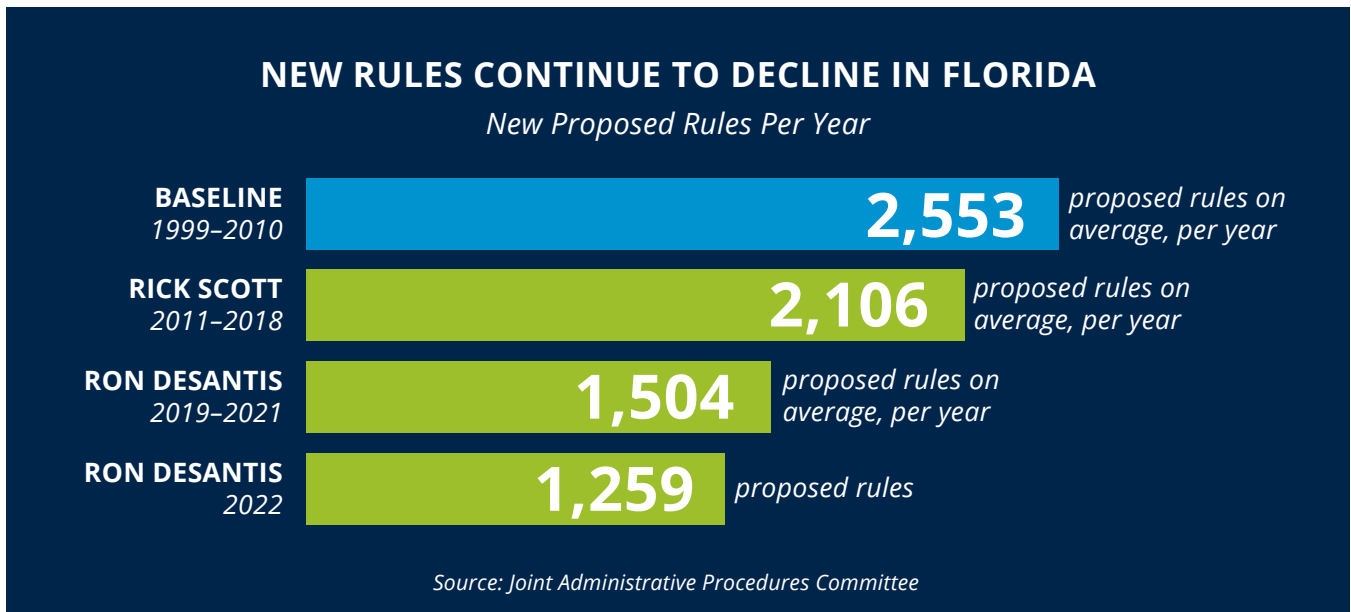
To hold bureaucrats accountable, Florida established an executive office for regulatory review and reduction that reports directly to the governor.<sup>19-23</sup> The executive-level oversight ensures that rules proposed by agencies align with statutory authority and governor priorities.<sup>24</sup> Agencies under the direction of the governor must submit the notice of proposed rulemaking for review and obtain approval before the rulemaking process can move forward.<sup>25</sup>

Taking a hands-on approach to regulatory review helps governors keep bureaucrats in check while prioritizing the administration's goals. Though Florida created a new office to strengthen regulatory oversight, states like Arkansas have reined in regulators by mandating that agencies submit proposed rules directly to the Governor's Office for review and approval.<sup>26</sup>

In addition to executive review of proposed rules, Florida requires agencies to annually review existing regulations to determine whether rules are outdated or unnecessarily burdensome.<sup>27</sup> In 2019, Gov. DeSantis continued Florida's deregulatory efforts with a directive to update reporting requirements for agencies and enhance rulemaking review procedures, such as an additional determination of whether the rule is the most cost-effective form of regulation.<sup>28-29</sup>

## The Sunshine State continues to roll back red tape at a record pace

Florida's regulatory review process has been successful in repealing outdated and burdensome regulations all while slowing the growth of new regulations.<sup>30</sup> From 1999 to 2010, an average of 2,553 new rules were proposed each year.<sup>31-33</sup> By 2021, the average number of proposed rules had fallen to roughly 1,500.<sup>34</sup> **Under Gov. DeSantis's leadership, the number of new proposed rules hit a record low in 2022.**<sup>35</sup> In 2022, only 1,259 new rules were proposed.



Not only have proposals for new rules declined, but Florida has worked to cut existing red tape through executive oversight. **Gov. DeSantis repealed 767 regulations during his first term in office.**<sup>36</sup>

## **THE BOTTOM LINE: States should follow Florida's lead on regulatory reform to cut and control red tape.**

Businesses and new residents continue to flock to Florida because of its freedom-loving policies. Over the years, governors and lawmakers have worked to cultivate the state's friendly regulatory environment. Florida's legislative approval requirement for million-dollar rules, along with its comprehensive executive review process, has helped the state cut and control red tape.

Other states should learn from Florida's success by adopting policies to strengthen legislative and executive oversight on bureaucratic agencies.



**Other states should learn from Florida's success by adopting policies to strengthen legislative and executive oversight on bureaucratic agencies.**



## REFERENCES

1. Marc Perry, Luke Rogers and Kristie Wilder, "New Florida estimates show nation's third-largest state reaching historic milestone," U.S. Census Bureau (2022), <https://www.census.gov/library/stories/2022/12/florida-fastest-growing-state.html>.
2. Chris Pandolfo, "Florida is the fastest-growing state in the US for the first time since 1957: Census Bureau," Fox News (2022), <https://www.foxnews.com/us/florida-fastest-growing-state-us-first-time-since-1957-census-bureau>.
3. Eric Revell, "Florida is home to 4 of the 5 large metro areas with the lowest unemployment in the US," Fox Business (2023), <https://www.foxbusiness.com/economy/florida-home-4-5-large-metro-areas-lowest-unemployment-us>.
4. Governor Ron DeSantis, "Governor DeSantis announces Florida adds 34,000 private sector jobs, unemployment rate remains at a low 2.6 percent while the national rate increases," Florida Executive Office of the Governor (2023), <https://www.flgov.com/2023/03/24/governor-desantis-announces-florida-adds-34000-private-sector-jobs-unemployment-rate-remains-at-a-low-2-6-percent-while-the-national-rate-increases>.
5. Raymond J. Keating, "Small business policy index 2019: Ranking the states on policy measures and costs impacting small business and entrepreneurship," Small Business & Entrepreneurship Council (2019), <https://sbecouncil.net/wp-content/uploads/2019/05/SBPI2019-Report.pdf>.
6. Janelle Fritts and Jared Walczak, "2022 state business tax climate index," Tax Foundation (2022), <https://taxfoundation.org/2022-state-business-tax-climate-index>.
7. Chief Executive, "Best and worst states for business," Chief Executive Group (2022), <https://chiefexecutive.net/best-worst-states-business>.
8. Forbes, "Best states for business," Forbes (2023), <https://www.forbes.com/best-states-for-business/list>.
9. Dean Stansel et al., "Economic freedom of North America 2022," Fraser Institute (2022), <https://www.fraserinstitute.org/studies/economic-freedom-of-north-america-2022>.
10. Haley Holik, "Why Florida is a national model for regulatory reform," Foundation for Government Accountability (2022), <https://thefga.org/research/florida-is-a-national-model-for-regulatory-reform>.
11. Michael Greibrok and Madeline Malisa, "Florida's Office of Election Crimes and Security: A guide to restoring voter confidence in elections," Foundation for Government Accountability (2023), <https://thefga.org/research/florida-a-guide-to-restoring-voter-confidence>.
12. Hayden Dublois, "How the Sunshine State has used transparency and innovation to open up new workforce pathways," Foundation for Government Accountability (2023), <https://thefga.org/research/sunshine-state-open-up-new-workforce-pathways>.
13. Haley Holik and Alli Fick, "Florida's entrepreneurship agenda: A roadmap to removing barriers to work," Foundation for Government Accountability (2022), <https://thefga.org/research/florida-roadmap-to-removing-barriers>.
14. Haley Holik, "Why Florida is a national model for regulatory reform," Foundation for Government Accountability (2022), <https://thefga.org/research/florida-is-a-national-model-for-regulatory-reform>.
15. Kat Cammack and Tarren Bragdon, "To Rein in Biden, Look To Florida's Example," Newsweek (2022), <https://www.newsweek.com/rein-biden-look-floridas-example-opinion-1745178>.
16. Jonathan Ingram et al., "Congress must rein in President Biden's regulatory spending spree to tame inflation," Foundation for Government Accountability (2022), <https://thefga.org/paper/congress-must-rein-spending-to-tame.inflation>.
17. Haley Holik and Alli Fick, "How lawmakers can rein in regulations like the student loan bailout," Foundation for Government Accountability (2023), <https://thefga.org/research/lawmakers-can-rein-in-regulations-like-student-loan-bailout>.
18. Haley Holik, "Why Florida is a national model for regulatory reform," Foundation for Government Accountability (2022), <https://thefga.org/research/florida-is-a-national-model-for-regulatory-reform>.
19. Florida Executive Order 11-01 (2011), [https://www.floridahasarighttoknow.myflorida.com/content/download/132348/823565/EO\\_11\\_01\\_January\\_2011.pdf](https://www.floridahasarighttoknow.myflorida.com/content/download/132348/823565/EO_11_01_January_2011.pdf).
20. Florida Executive Order 11-72 (2011), [https://www.floridahasarighttoknow.myflorida.com/content/download/132349/823568/EO\\_11\\_72\\_April\\_2011.pdf](https://www.floridahasarighttoknow.myflorida.com/content/download/132349/823568/EO_11_72_April_2011.pdf).
21. Florida Executive Order 11-211 (2011), [https://www.floridahasarighttoknow.myflorida.com/content/download/132350/823571/EO\\_11\\_211\\_October\\_2011.pdf](https://www.floridahasarighttoknow.myflorida.com/content/download/132350/823571/EO_11_211_October_2011.pdf).
22. Laws of Florida, Ch. 2012-116, <http://laws.flrules.org/2012/116>.
23. Ron DeSantis, "Letter to Governor's agency heads," Florida Executive Office of the Governor (2019), [https://www.floridahasarighttoknow.myflorida.com/content/download/147113/980326/FINAL\\_Directive\\_to\\_Agencies\\_11.19.pdf](https://www.floridahasarighttoknow.myflorida.com/content/download/147113/980326/FINAL_Directive_to_Agencies_11.19.pdf).
24. Ibid.
25. Ibid.
26. Arkansas Executive Order 23-02 (2023), <https://governor.arkansas.gov/wp-content/uploads/EO-23-02-Reduce-Regulations.pdf>.
27. Florida Statutes § 120.74, [http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0100-0199/0120/Sections/0120.74.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0120/Sections/0120.74.html).
28. Ron DeSantis, "Letter to Governor's agency heads," Florida Executive Office of the Governor (2019), [https://www.floridahasarighttoknow.myflorida.com/content/download/147113/980326/FINAL\\_Directive\\_to\\_Agencies\\_11.19.pdf](https://www.floridahasarighttoknow.myflorida.com/content/download/147113/980326/FINAL_Directive_to_Agencies_11.19.pdf).
29. Haley Holik, "Why Florida is a national model for regulatory reform," Foundation for Government Accountability (2022), <https://thefga.org/research/florida-is-a-national-model-for-regulatory-reform>.
30. Ibid.

## REFERENCES CONT'D

31. Author's calculations based upon data provided by the Florida Legislature's Joint Administrative Procedures Committee on the average number of total proposed rules per year from 1999 to 2010.
32. Joint Administrative Procedures Committee, "2005 annual report," The Florida Legislature (2006), <https://www.japc.state.fl.us/Documents/Publications/2005%20Annual%20Report.pdf>.
33. Joint Administrative Procedures Committee, "2021 annual report," The Florida Legislature (2022), <https://www.japc.state.fl.us/Documents/Publications/2021AnnualReport.pdf>.
34. Author's calculations based upon data provided by the Florida Legislature's Joint Administrative Procedures Committee on the average number of total proposed rules per year from 2019 to 2021. See, e.g., Joint Administrative Procedures Committee, "2021 annual report," The Florida Legislature (2022), <https://www.japc.state.fl.us/Documents/Publications/2021AnnualReport.pdf>.
35. Joint Administrative Procedures Committee, "2022 annual report," The Florida Legislature (2023), <https://www.japc.state.fl.us/Documents/Publications/2022AnnualReport.pdf>.
36. Author's calculations based upon data provided by the Florida Legislature's Joint Administrative Procedures Committee on the number of rules repealed.



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