

# Department of the Lottery 2025- 26 Regulatory Plan (Second Amended)

11/20/2025



*This Regulatory Plan has been prepared in accordance with section 120.74(1), Florida Statutes.*

# Department of the Lottery 2025-26 Regulatory Plan



Below is the Department of the Lottery's (Lottery) Second Amended 2025-2026 Regulatory Plan which has been prepared in accordance with the requirements set forth in section 120.74(1), Florida Statutes. The initial Plan was submitted on August 26, 2025, and the First Amended Plan was submitted on September 4, 2025. This Second Amended Plan revises the information required under Section 120.5435, Florida Statutes, in accordance with recent direction from the Joint Administrative Procedures Committee (JAPC).

## 1. Plan Requirements of Section 120.74(1)(a), Florida Statutes:

*Section 120.74(1)(a), Florida Statutes, provides that an agency's plan must include a listing of each law enacted or amended during the previous 12 months which created or modified the duties or authority of the agency and a statement as to whether rulemaking is required to implement the law.*

*The following statutory sections were amended or added since the 2024-2025 Regulatory Plan was submitted:*

- (a) **Florida Statute 24.105** (Powers and duties of department – the department shall adopt rules governing the establishment and operation of the state lottery), **paragraph (9)(i)** was modified to state the manner and amount of compensation of retailers, except for the 2025-2026 fiscal year only, effective July 1, 2025, the commission for lottery ticket sales shall be 6 percent of the purchase price of each ticket sold or issued as a prize by a retailer. Any additional retailer compensation is limited to the Florida Lottery Retailer Bonus Commission program appropriated in Specific Appropriation 2561 of the 2025-2026 General Appropriations Act.

i. Effective date: July 1, 2025

ii. No rule change was needed since the amount of compensation/compensation provisions for Lottery retailers did not change.

- (b) **Florida Statute 120.5435** (Agency review of rules)

i. Effective date: July 1, 2025

ii. All but one of the Lottery's rules (Rule 53-1.007 – Internal Audit Function) are promulgated by emergency rulemaking, as permitted under Florida Statutes sections 24.105(9) (establishment and operation of the state lottery); 24.109 (administrative procedure); 24.112 (retailers of lottery tickets, authorization of vending machines to dispense lottery tickets); and 24.115 (payment of prizes).

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iii. The Lottery will review non-emergency Rule 53-1.007 – Internal Audit Function during the first fiscal year of the five-year rule review period.

(c) **Florida Statute 937.0401, subsection (2)** says the Department of Law Enforcement, in cooperation with the Department of Transportation, the Department of Highway Safety and Motor Vehicles, the Department of the Lottery, and local law enforcement agencies, shall establish and implement the Spectrum Alert to enhance the safety and well-being of children with ASD through immediate and effective community and emergency response. **Subsection (3)** says the Department of Law Enforcement, in cooperation with the Department of Transportation, the Department of Highway Safety and Motor Vehicles, the Department of the Lottery, and local law enforcement agencies, shall develop a training program and alert system for missing children with ASD which is compatible with existing alert systems.

i. Effective date: July 1, 2025

ii. No rulemaking has been done, or is planned, to implement the new statutory section. The statute section is self-executing and complete without the promulgation of a rule with respect to the Lottery's role.

## 2. Plan Requirements of Section 120.74(1)(b), Florida Statutes:

*Section 120.74(1)(b), Florida Statutes, provides that an agency's plan must include a listing of any other laws which the agency expects to implement by rulemaking before the following July 1<sup>st</sup>, except emergency rulemaking.*

All but one of the Lottery's rules (Rule 53-1.007) are promulgated by emergency rulemaking in accordance with the emergency rulemaking authority granted to the Lottery in Chapter 24, Florida Statutes. Laws implemented by emergency rulemaking are excluded from the requirements of section 120.74(1)(b), Florida Statutes.

The Lottery does not presently have plans to implement any other laws by non-emergency rulemaking before July 1, 2026, but will continue to assess and evaluate the Lottery's rulemaking on an on-going basis.

## 3. Plan Requirements of Section 120.74(1)(c), Florida Statutes:

*Section 120.74(1)(c), Florida Statutes, provides that an agency's plan must include any desired update to the prior year's regulatory plan; furthermore, if laws requiring rulemaking were identified in a prior year's plan but a notice of proposed rulemaking has not yet been published, the agency must make the statements as required in section 120.74(1)(c)1. and 2.*

No updates to the 2024-2025 Regulatory Plan are planned or necessary. No laws applicable to the Lottery required new rulemaking.

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## CERTIFICATION

I, John F. Davis, Secretary of the Department of the Lottery, and I, Rebecca McGinn, Acting General Counsel for the Department of the Lottery, hereby certify the following:

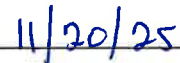
1. I have reviewed the Department of the Lottery's 2025-2026 Regulatory Plan (Second Amended); and

2. I have verified that the Department of the Lottery regularly reviews all its rules to determine if the rules remain consistent with the Department of the Lottery's rulemaking authority and laws implemented. The most recent review was completed in October of 2025.


By:

  
Rebecca McGinn, Acting General Counsel

Dated:



By:

  
John F. Davis, Secretary

Dated:

