



AGENDA
FLORIDA DEPARTMENT OF LAW ENFORCEMENT
September 11, 2026

Attachments to the items below can be viewed at the following link:
<http://www.fdle.state.fl.us/Cabinet/Cabinet-Packages.aspx>

ITEM 1 Respectfully submit **Consideration of Emergency Rule 11RER26-1**

(See Attachment 1)

RECOMMEND APPROVAL

STATEMENTS

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC, HEALTH, SAFETY, OR WELFARE: As the White House explained earlier this year, the United States currently is under threat from narcoterrorists and transnational gangs; legacy Islamist terrorists; and violent left-wing extremists, including anarchists and anti-fascists. (United States Counterterrorism Strategy, <https://www.whitehouse.gov/wp-content/uploads/2026/05/2026-USCT-Strategy-1.pdf>). The timeline for committing terrorist acts has become increasingly short, providing less opportunity for law enforcement or public safety officials to intervene and dismantle terror threats. By its nature, terrorist activity presents an immediate danger to public health, safety, and welfare and therefore necessitates immediate protective measures. Accordingly, the Florida Department of Law Enforcement must adopt an emergency rule pursuant to which the Chief of Domestic Security can recommend designations of foreign and domestic terrorist organizations under section 943.03102, F.S. As the federal government has found, terrorist organization designations play a critical role in the fight against terrorism and are an effective means of curtailing support for terrorist activities. (<https://www.state.gov/foreign-terrorist-organizations/>).

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The procedure used to adopt this emergency rule is fair under the circumstances because terrorist activity presents an immediate danger to public health, safety, and welfare, and therefore necessitates immediate protective measures. The prompt implementation of section 943.03102, F.S., through emergency rulemaking is essential to domestic security because it will enable the Chief of Domestic Security to carry out his statutory functions without undue delay. This procedure provides at least the procedural protections given by other statutes, the State Constitution, and the United States Constitution, and takes only the action necessary to protect the public interest under the emergency procedure.

Attachment 1

THE FULL TEXT OF THE EMERGENCY RULE IS:

11RER26-1 Procedures

(1) Notice of Intent to Designate. In accordance with section 943.03102(2)(a), F.S., the Chief of Domestic Security will provide written notice to the Governor and Cabinet of his or her intent to designate an organization as a domestic or foreign terrorist organization, accompanied by a summary of the basis for such designation. Unless and until the Governor and Cabinet advise that they will hold a meeting to consider the notice of intent, the Chief of Domestic Security will take no further action on the notice of intent.

(2) Notice to Organization. If the Governor and Cabinet advise that they will hold a meeting to consider the notice of intent, the Chief of Domestic Security will add the date, time, and location of the meeting to the notice of intent and promptly provide that notice, along with any materials relating to the notice of intent that are not confidential, exempt, or otherwise protected from disclosure by state or federal law, to the organization pursuant to section 943.03102(2)(b), F.S.

(a) Objections. The notice will inform the organization that it may, within seven days of receipt, object to the proposed designation in writing and provide any information and documentation the organization believes would counsel against the designation. The Department will transmit all timely objections to the Governor and Cabinet for consideration prior to the meeting.

(b) Meeting. The Governor and Cabinet may permit, at their sole discretion, the organization to appear at the meeting and present argument, for a period of time specified by the Governor and Cabinet, as to why the information and documentation the organization previously submitted counsels against the designation.

(c) Petition for Removal. The notice will inform the organization that in the event the Governor and Cabinet approve the designation, the organization may petition the Department at any time following such approval for the removal of such designation. The petition for removal may include any information and documentation the organization believes would support removal of the designation.

(d) The notice will direct the organization to submit its objection or petition for removal, if any, to:

Florida Department of Law Enforcement

c/o Chief of Domestic Security

Agency Clerk

PO Box 1489

Tallahassee, FL 32302-1489

Email: designationappealorobjection@fdle.state.fl.us

(e) Appeals. The notice will inform the organization that it, or any of its members, may appeal a designation by challenging it in the circuit court of the Second Judicial Circuit in and for Leon County, Florida.

(3) Designation Publication. If the Governor and Cabinet approve the designation, the Department will publish a notice in the Florida Administrative Register within seven days after such approval in accordance with section 943.03102(2)(e), F.S., which notice will provide that the designation is effective 30 days after publication. The Department will also publish the designation on the Department's website as required by section 943.03102(1)(b), F.S.

(4) Membership in Designated Organization. The Department will not consider there to be cause for prosecution for a violation of sections 775.33 or 775.34, or Chapter 874, F.S., based solely on membership in the organization.

(5) Material Support or Resources. The Department will not consider there to be cause for prosecution for a violation of section 775.33 or Chapter 874, F.S., based solely on the provision of legal counsel or legal support services to the organization for purposes of representing or providing advice in connection with existing or anticipated litigation concerning a designation or defending against a criminal prosecution.

Rulemaking Authority 943.03102, 943.03 FS. Law Implemented 943.03102, 943.04 FS. History— New 9/11/2026.