

MEMORANDUM

To: SEFLUC

From: Edward P. de la Parte and Nicolas Porter

Date: February 10, 2020

RE: 2020 Legislation – SEFLUC January Update

The following is a summary of legislation which may be of interest to the Southeast Florida Utility Council (“SEFLUC”). A summary of proposed changes and an analysis of impacts to SEFLUC are presented for each bill. In some cases, because of the length of the bill, the analysis may be limited to only those provisions impacting SEFLUC. In the event a more extensive summary and analysis is required, a separate memo addressing the specific legislation can be prepared upon request.

List of Bills Contained in Memo:

1. **HB 147/SB 690 – Water Resources (Jacobs/Albritton)**
2. **SB 246/HB 101 Public Construction (Hooper/Andrade)**
3. **SB 454 – Discharge of Domestic Wastewater (Rodriguez)**
4. **SB 492 – Public Notification of Pollution (Cruz)**
5. **SB 504/HB 279 – Local Government Public Construction Works (Perry/Smith)**
6. **HB 405/SB 686 – Stormwater Management Systems (Good/Gruters)**
7. **SB 712 – Water Quality Improvements (Mayfield)**
8. **SB 200/HB 547 – Advanced Well Stimulation Treatment (Montford/Fitzhagen)**
9. **HB 637 - Impact Fees (DiCeglie)**
10. **HB 715 – Recycled Water (Maggard)**
11. **HB 729/SB 1238 - Regulatory Reform (Rodriguez/Sabatini)**
12. **SB 1112/HB 861 – Bottled Water Excise Tax (Taddeo/Willhite)**
13. **HB 865/SB 538 – Emergency Reporting (Rodriguez/Diaz)**
14. **HB 139 – Drinking Water in Public Schools (Jenne)**
15. **HB 801 – Public Records (Gregory)**
16. **SB 178/HB 579 – Public Financing of Construction Projects (Rodriguez/Aloupis)**
17. **SB 1340/HB 0007-Legal Notices (Gruters/Sabatini)**
18. **SB 1382 – Environmental Resource Management (Albritton)**
19. **HB 1067 – Florida Endangered and Threatened Species Act (Hattersley/Eskamani/Joseph)**
20. **SB 1450/HB 1091 – Environmental Enforcement (Gruters/Fine)**
21. **SB 150 – Sanitary Sewer Laterals (Brandes)**
22. **SB 1656 Reclaimed Water - 2020 (Albritton)**

23. **HB 1199 Environmental Protection Act – 2020 (Ingoglia)**
24. **HB 1343 Water Quality Improvements (Payne)**
25. **SB 1798 Environmental Protection (Bradley)**
26. **HB 1267 Biosolids Management – 2020 (Grall)**
27. **SB 1720/HB 1427 Florida Safe Drinking Water Act – 2020 (Cruz/Mercado)**
28. **HB 1095 Underground Facility Damage Prevention and Safety (Fitzenhagen)**
29. **SB 1464 – Underground Facility Damage Prevention and Safety (Flores)**
30. **SB 1382 – Environmental Resource Management (Albritton)**

BILLS

1. HB 147/SB 690 –Water Resources (Jacobs/Albritton)

Summary:

- Requires FDEP to conduct a comprehensive quantitative overview of the state’s water resources, including the funds needed for infrastructure capacity to meet future demands, funds necessary to provide expected levels of service and protection to public safety, funds necessary for infrastructure to be operated in compliance with regulations, replacement costs for infrastructure nearing end of service life, infrastructure and funds needed to protect and enhance state’s water, infrastructure and funds necessary to provide adequate flood protection.
- Overview must be based on short-term, 5-year, period and long-term 20-year period, and include water supply development and resource projects and conservations, water quality protection and restoration, wastewater, stormwater, flood control, and environmental restoration.
- Overview must identify potential public and private funding options.
- First report submitted in 2022, and every 5 years thereafter.

Impact on SEFLUC: Monitor

Status:

HB 147

9/11/19 – Filed

9/23/19 – Referred to Agriculture & Natural Resources Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee; Now in Agriculture & Natural Resources Subcommittee.

SB 690

10/28/19 – Filed

11/06/19 – Referred to Environment & Natural Resources; Appropriations Subcommittee on Agriculture, Environment, & General Government; Appropriations.

2. SB 246/HB 101 Public Construction (Hooper/Andrade)

Summary:

- Amends existing law to provide that for construction services, local government can withhold from each progress payment up to 5% of payment as retainage. Existing law allows 10% retainage up to 50% completion, and 5% after 50% completion.

Impact on SEFLUC: Monitor

Status:

SB 246

9/10/19 - Filed

9/19/19 – Referred to Government Oversight and Accountability; Community Affairs; Appropriations

10/7/19 – On Governmental Oversight and Accountability Agenda

10/14/19 – Favorable with CS by Governmental Oversight and Accountability

10/15/19 – Committee Substitute Text Filed

10/21/19 – Now in Community Affairs

10/28/19 – On Committee Agenda

11/04/19 – Favorable by Community Affairs

11/05/19 – Now in Appropriations

1/31/20 – On Committee agenda

2/03/20 – On Committee agenda

HB 101

8/29/19 – Filed

09/23/19 - Referred to Business & Professions Subcommittee; Oversight, Transparency & Public Management Subcommittee; Commerce Committee; Now in Business & Professions Subcommittee

10/30/19 – On Committee Agenda – Business & Professions Subcommittee

11/06/19 – Now in Oversight, Transparency & Public Management Subcommittee

12/05/19 – On Committee agenda – Oversight, Transparency & Public Management Subcommittee

12/12/19 – Favorable by Oversight, Transparency & Public Management Subcommittee.

Now in Commerce Committee

1/14/20 – On Committee agenda – Commerce Committee

1/16/20 - Favorable with CS by Commerce Committee 22 YEAS, 0 NAYS

Committee Substitute Text (C1) Filed.

1/16/20 – Placed on calendar, on 2nd reading.

1/16/20 – Placed on Special Order calendar, 1/22/20.

1/22/20 – Read Second Time; Read Third Time Passed (118 YEAS/1 NAY)

1/29/20 – In Messages

3. SB 454 – Discharge of Domestic Wastewater (Rodriguez)

Summary:

- Puts deep injection wells in similar category as ocean outfalls for domestic wastewater discharge
- Prohibits the construction of new deep injection wells for domestic wastewater discharge

- Requires wastewater utilities discharging through a deep injection well to install functioning reuse system (minimum 60% of flow for reuse)
- Discharge of domestic wastewater through deep injection wells prohibited after December 31, 2023, except as backup discharge as part of functioning reuse system or other wastewater management system.

Impact on SEFLUC: Monitor

Status:

SB 454

10/4/19 – Filed

10/15/19 – Referred to Environment and Natural Resources; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations

4. SB 492 – Public Notification of Pollution (Cruz)

Summary:

- Revises existing public notice of pollution statute to expand the definition of “reportable pollution release” to include discharge of PFOAs and other substances which “would result in a violation of water quality standards adopted by FDEP or Dept. of Health.
- Requires local government entities to notify installation owner and FDEP of any “reportable pollution release” it discovers, within 24 hours of discovery.

Impact on SEFLUC: Monitor

Status:

SB 492

10/9/19 – Filed

11/01/19 – Referred to Environment and Natural Resources; Community Affairs; Rules

5. SB 504/HB 279 – Local Government Public Construction Works (Perry/Smith)

Summary:

- Specifies the manner in which the estimated cost of a public building construction project is to be determined in deciding whether it is in the local government’s best interest to perform the project using its own services or through an outside contractor, by accounting for all costs associated, including employee compensation, equipment costs, insurance, cost of materials.
- SB CS removes provision that prohibits the local government from performing the project using its own employees and equipment if the project request and increase in the number of government employees or increase in such capital expenditures.
- HB CS raised the threshold above which a political subdivision seeking to construct or improve a public building or structure must competitively bid the project from \$300,000 to \$400,000, as well as raising the same threshold for electrical work from \$75,000 to \$100,000.

Impact on SEFLUC: Monitor

Status:

SB 504

10/15/19 – Filed

11/01/19 – Referred to Community Affairs; Governmental Oversight and Accountability; Rules

12/02/19 – On Committee agenda – Community Affairs

12/09/19 – Favorable by Community Affairs

12/10/19 – Now in Governmental Oversight and Accountability

1/06/20 – On Committee agenda – Governmental Oversight and Accountability

1/13/20 – Favorable with CS by Governmental Oversight and Accountability; 5 YEAS, 0 NAYS

1/14/20 – Committee Substitute Text (C1) Filed

1/16/20 – Now in Rules

HB 279

10/02/19 – Filed

10/14/19 – Referred to Oversight, Transparency & Public Management Subcommittee; Business & Professions Subcommittee; State Affairs Committee; Now in Oversight, Transparency & Public Management Subcommittee

1/27/20 – On Committee agenda – Oversight, Transparency & Public Management Subcommittee

1/29/20 – Favorable with CS by - Oversight, Transparency & Public Management Subcommittee; 11 YEAS, 3 NAYS

Committee Substitute Text (C1) Filed

1/30/20 – Now in Business & Professions Subcommittee

1/31/20 – On Committee agenda – Business & Professions Subcommittee

6. HB 405/SB 686 – Stormwater Management Systems (Good/Gruters)

Summary:

- Provides for FDEP and WMDs to amend ERP Applicant’s Handbook to include revised BMP design criteria that increase removal of nutrients from stormwater discharges for all new development and redevelopment projects and measure for consistent application of the net improvement performance standard to ensure new pollutant loadings are not discharged into impaired water bodies.
- Creates rebuttable presumption that SMS meeting design criteria does not cause or contribute to water quality violation.
-

Impact on SEFLUC: Monitor

Status:

HB 405

10/18/19 – Filed

10/30/19 – Referred to Agriculture & Natural Resources Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee.

SB 686

10/28/19 – Filed

11/06/19 – Referred to Environment and Natural Resources; Appropriations Subcommittee on Agriculture, Environment, and General Government Appropriations

Compare Bills

SB 712 – Water Quality Improvements (Mayfield)

HB 1343 – Water Quality Improvements (Payne)

7. SB 712 – Water Quality Improvements (Mayfield)

Summary:

- SB CS effectuates a type two transfer of septic system oversight from DOH to DEP rather than just a report, requires DEP to develop rules related to septic tank location.
- SB CS removes provision related to Florida-Friendly Fertilizer Ordinances.
- Requires certain agricultural operations that fail to adopt a basin management action plan (BMAP) or an alternative restoration plan within a specified timeframe
- Requires DEP, subject to appropriation, to establish a real-time water quality monitoring program and encourages the formation of public-private partnerships.
- Expands the septic remediation plan, currently in effect for springs, to be applied to all BMAPs.
- Makes agricultural BMPs enforceable in alternative restoration plan areas.
- SB CS Removes the provision requiring additional notification and penalties related to sanitary sewer overflows and replaces it with numerous requirements relating to the prevention of sanitary sewer overflows, inflow and infiltration, and leakage. Removes provisions increasing penalties but adds “failure to survey an adequate portion of the wastewater collection system and take steps to reduce sanitary sewer overflows, pipe leaks, and inflow and infiltration” to the penalty schedule.
- Proposed SB CS/CS would clarify that Department of Environmental Protection (DEP) may not fix or revise utility rates of budgets that utilities that need to report on infiltration and inflow and leakage, only need to submit one report to the DEP annually. Increases the cap on the DEP’s administrative penalties to \$50,000 from \$10,000.
- Proposed SB CS/CS clarifies that local governments with biosolids ordinances may retain those ordinance until repealed.

Impact on SEFLUC: Monitor

Status:

10/30/19 – Filed

11/18/19 – Referred to Community Affairs; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations

12/02/19 – On Committee Agenda

12/09/19 – Favorable with CS by Community Affairs

12/11/19 – Committee Substitute Text Filed

12/13/19 – Now in Appropriations Subcommittee on Agriculture, Environment, and General Government

1/17/20 – On Committee agenda – Appropriations Subcommittee on Agriculture, Environment and General Government

1/22/20 – Subcommittee Recommendation: Favorable with CS by Appropriations Subcommittee on Agriculture, Environment, and General Government; 9 YAYS, 0 NAYS

1/24/20 – Now in Appropriations

1/31/20 – On Committee agenda – Appropriations

2/3/20 – On Committee agenda - Appropriations

Compare Bills

HB 405 Stormwater Management Systems (Good)

SB 686 Stormwater Management Systems (Gruters)

HB 153 Indian River Lagoon State Matching Grant Program (Fine)

SB 640 Indian River Lagoon State Matching Grant Program (Harrell)

SB 1382 Environmental Resource Management (Albritton)

HB 1343 Water Quality Improvements (Payne)

HB 1363 Basin Management Action Plans (Overdorf)

8. SB 200/HB 547 – Advanced Well Stimulation Treatment (Montford/Fitzhagen)

Summary:

- Prohibits high pressure well stimulation and matrix acidization. The prohibition only applies to oil and gas wells.

Impact on SEFLUC: Monitor

Status:

SB 200

8/28/19 – Filed

9/19/19 – Referred to Environment and Natural Resources; Innovation, Industry and Technology; Appropriations

10/28/19 – On Committee agenda – Environment and Natural Resources

11/04/19 – Favorable by Environment and Natural Resources

11/05/19 – Now in Innovation, Industry and Technology

Similar Bills:

HB 547 Advanced Well Stimulation (Fizenhagen)

Status:

HB 547

11/6/19 - Filed

11/15/19 – Referred to Agriculture & Natural Resources Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee; Now in Agriculture & Natural Resources Subcommittee.

Now in Agriculture & Natural Resources Subcommittee

9. HB 637 - Impact Fees (DiCeglie)

Summary:

- Revises conditions that local governments must satisfy before enacting impact fees, including greater specificity in calculation of impact fees by excluding costs which do not meet the definition of a capital asset.
- Requires segregation of revenues and expenditures of any impact fees regarding infrastructure in a separate trust fund.
- Must prepare an annual financial report for each impact fee trust fund and post to website.
- Government may not require collection of impact fee earlier than the date the building permit is issued.
- Impact fees are assignable and transferrable from one development parcel to another in the same impact fee jurisdiction for the same type of public facility.
- Government must establish impact fee review committee.
- CS/CS provides definition of “infrastructure” to mean construction, reconstruction, or improvement of a public facility, excluding the cost of repairs or maintenance, that have a life expectancy of 5 or more years. Impact fee may only be assessed for infrastructure costs.

Impact on SEFLUC: Monitor

Status:

HB 637

11/14/19 – Filed

12/03/19 – Referred to Local, Federal & Veterans Affairs Subcommittee; Ways & Means Committee; State Affairs Committee; Now in Local, Federal & Veterans Affairs Subcommittee

1/13/20 – On Committee agenda – Local, Federal & Veterans Affairs Subcommittee

1/15/20 – Favorable with CS by Local, Federal & Veterans Affairs Subcommittee; 13 YEAS, 1NAY

1/16/20 – Committee Substitute Text (C1) Filed

1/20/20 – Now in Ways and Means Committee

1/30/20 – Bill to be discussed During the Office of EDR’s Revenue Estimating Impact Conference
On Committee agenda – Ways & Means Committee

2/03/20 – Favorable with CS by Ways and Means Committee; 12 YEAS, 2 NAYS

Similar Bills:

SB 1066 Impact Fees (Gruters)

Status:

SB 1066

11/26/19 – Filed

12/13/19 – Referred to Community Affairs, Finance and Tax; Appropriations

10. HB 715 – Recycled Water (Maggard)

Summary:

- Builds upon Potable Reuse Commission’s 2019 Report regarding potable reuse implementation framework.
- CS/HB renames from “recycled water” to “potable reuse” and makes a number of other clarifications.

- Identifies recycled water as a water source for public supply systems.
- Provides that consideration of emerging constituents may be required due to existing requirements such as antidegradation and discharge standards, including monitoring and treatment technology.
- Defines groundwater augmentation, raw water augmentation, and surface water augmentation as alternative water supplies eligible for AWS funding.
- Requires DEP to adopt rules for implementation of water recycling projects that revise existing regulations to account for recycled water as a source for public supply and other requirements.
- Requires DEP to convene technical advisory committees regarding rulemaking.
- Any rules adopted by DEP must be ratified by Legislature.
- Provides for working group to develop consensus regarding CUP impact offsets, extended permit duration incentives, and cost share funding.
- Provides that beginning January 1, 2026, domestic wastewater treatment facilities are prohibited from disposing of effluent, reuse, and reclaimed water by surface water discharge, excepting permitted surface water augmentation projects, permitted wet weather discharges, facilities in fiscally constrained counties, and facilities within a rural area of opportunity.
- HB/CS provides for a 3-year extension of deadlines for elimination of surface water discharges for public-private partnerships developing potable reuse projects, and given priority funding.

Impact on SEFLUC: Monitor

Status:

11/20/19 – Filed

12/03/19 – Referred to Agriculture & Natural Resources Subcommittee; Agricultural & Natural Resources Appropriations Subcommittee; State Affairs Committee

1/31/20 – On Committee agenda – Agriculture & Natural Resources Subcommittee

2/4/20 – Favorable with CS by Agricultural & Natural Resources Subcommittee; 9 Yeas, 0 Nays

11. HB 729/SB 1238 - Regulatory Reform (Rodriguez/Sabatini)

Summary

- Establishes Red Tape Reduction Advisory Counsel.
- Requires establishment of regulatory baseline of agency rules.
- Provides that new rules may not cause total number of rules to exceed regulatory baseline.
- CS/HB makes numerous changes to APA, including mandatory review of existing rules by JAPC, “repromulgation” of rules by agencies to assure consistency with enabling statutes, provides additional evaluations to be conducted in SERCs including direct and indirect compliance costs, consideration of LCRAs. Requires agency annual regulatory plan to include description of each rule agency plans to develop, adopt or repeal.

Impact on SEFLUC: Monitor

Status:

HB 729

11/21/19 – Filed

12/16/19 – Referred to Oversight, Transparency & Public Management Subcommittee, Appropriations Subcommittee.

Now in Oversight, Transparency & Public Management Subcommittee, Appropriations Subcommittee.

1/31/20 – On Committee agenda – Oversight, Transparency & Public Management Subcommittee

2/4/20 - Favorable with CS by Oversight, Transparency & Public Management Subcommittee; 12 Yeas, 0 Nays

SB 1238

12/12/19 – Filed

1/08/20 – Referred to Governmental Oversight and Accountability; Innovation, Industry, and Technology; Rules

12. SB 1112/HB 861 – Bottled Water Excise Tax (Taddeo/Willhite)

Summary

- Requires bottled water operators using waters extracted from waters of the state to pay excise tax of 12.5 cents per gallon extracted.
- Tax does not apply to water obtained from a public water system.

Impact on SEFLUC: Monitor

Status:

SB 1112

12/03/19 – Filed

12/13/19 – Referred to Commerce and Tourism, Finance and Tax; Appropriations

1/16/20 – On Committee agenda – Commerce and Tourism

1/21/20 – Temporarily Postponed by Commerce and Tourism

HB 0861

12/04/19 – Filed

12/16/19 – Referred to Ways & Means Committee; Agriculture & Natural Resources Appropriations Subcommittee Appropriations Committee

Now in Ways & Means Committee

13. HB 865/SB 538 – Emergency Reporting (Rodriguez/Diaz)

Summary

- Requires a local government to provide notification to the State Watch Office of various incidents, including Technical hazards or environmental concerns, including wastewater releases; hazardous material spills, environmental crimes, water quality issues, utility disruptions.
- HB/CS provides for SWO to create a list of reportable incidents, provide list to each political subdivision, establish forms for reporting.

Impact on SEFLUC: Monitor

Status:

HB 865

12/05/19 – Filed

12/19/19 – Referred to Oversight, Transparency & Public Management Subcommittee; Appropriations Committee; State Affairs Committee.

Now in Oversight, Transparency & Public Management Subcommittee.

1/27/20 – On Committee agenda, Oversight, Transparency & Public Management Subcommittee

1/29/20 – Favorable with CS by Oversight, Transparency & Public Management Subcommittee
Committee Substitute Text (C1) Filed

1/30/20 – Now in Appropriations Committee

SB 538

10/16/19 – Filed

11/01/19 – Referred to Infrastructure and Security; Community Affairs; Rules

1/16/20 – On Committee agenda – Infrastructure and Security

1/21/20 – Favorable with CS by Infrastructure and Security; 7 YEAS, 0 NAYS

1/22/20 – Committee Substitute Text (C1) Filed

1/23/20 – Now in Community Affairs

14. HB 139/168 – Drinking Water in Public Schools (Jenne/Cruz)

Summary

- Requires all schools built before 1986 to install a point of use lead filter at each drinking water source, post a sign communicating non drinking water sources are not to be used for human consumption, publish information about filtering of drinking water sources.

Impact on SEFLUC: Monitor

Status:

HB 139

9/10/19 – Filed

9/23/19 – Referred to PreK-12 Innovation Subcommittee; PreK-12 Appropriations Subcommittee; Education Committee

Similar Bills:

SB 168 Drinking Water in Public Schools (Cruz)

Status:

SB 168

8/21/19 – Filed

9/19/19 – Referred to Education, Appropriations Subcommittee on Education, Appropriations

11/05/19 - On Committee agenda

11/12/19 - Favorable with CS by Education

11/13/19 – Committee Substitute Text Filed

11/18/19 – Reference to Appropriations on Subcommittee on Education removed; Reference to Appropriations Subcommittee on Agriculture, Environment and General Government; Appropriations; Appropriations added; Remaining References; Appropriations Subcommittee on Agriculture, Environment, and General Government Appropriations, Appropriations.
Now in Appropriations Subcommittee on Agriculture, and General Government.

15. HB 801 – Public Records (Gregory)

Summary

- Revises Public Records Act exemptions relating to trade secrets to state that amounts paid and types of commodities or services purchased are not exempt, and that trade secret exemption is waived if the record is not verified by submitter as a trade secret at time of submittal to the agency.

Impact on SEFLUC: Monitor

Status:

HB 801

11/26/19 – Filed

12/16/19 – Referred to Oversight, Transparency & Public Management Subcommittee; Commerce Committee.

Now in Oversight, Transparency & Public Management Subcommittee.

1/14/20 – On Committee agenda - Oversight, Transparency & Public Management Subcommittee

1/16/20 – Favorable by Oversight, Transparency & Public Management Subcommittee; 13 YEAS, 0 NAYS

1/20/20 – Now in Commerce Committee

1/28/20 – On Committee agenda – Commerce Committee

1/30/20 – Favorable by Commerce Committee; 21 YEAS, 0 NAYS

Now in State Affairs Committee

Linked Bills

HB 799 Pub. Rec./Trade Secrets (Gregory)

Status:

HB 799

11/26/19 – Filed

12/16/19 – Referred to Oversight, Transparency & Public Management Subcommittee; Commerce Committee.

Now in Oversight, Transparency & Public Management Subcommittee.

1/14/20 – On Committee agenda - Oversight, Transparency & Public Management Subcommittee

1/16/20 – Favorable by Oversight, Transparency & Public Management Subcommittee; 13 YEAS, 0 NAYS

Now in Commerce Committee

1/28/20 – On Committee agenda – Commerce Committee

1/30/20 - Favorable by Commerce Committee – 21 YEAS, 0 NAYS

Similar Bills

SB 1534 Public Records (Baxley)

Status

SB 1534

1/8/20 – Filed

1/13/20 – Referred to Commerce and Tourism; Governmental Oversight and Accountability; Rules

Compare Bills

SB 1532 Pub. Rec./Trade Secrets (Baxley)

16. SB 178/HB 579 – Public Financing of Construction Projects (Rodriguez/Aloupis)

Summary

- Requires a public entity that commissions or manages a construction project within the coastal building zone using funds appropriated from the state to conduct a sea-level impact projection (SLIP) study prior to commencing construction. The bill applies this requirement after July 1, 2021, only if certain baseline projections of sea-level rise and flooding impacts are ultimately adopted as the state’s official estimates by the Sea-Level Rise Task Force.
- Requires DEP to adopt rules establishing standards for the SLIP studies, and the standards must include certain requirements for how the studies will be conducted and the information they must contain.
- Authorizes DEP to bring a civil action to seek injunctive relief to cease construction, enforce the section or rules adopted pursuant thereto, or seek recovery of state funds expended on a coastal structure, if construction commences without complying with the section.

Impact on SEFLUC: Monitor

Status:

SB 178

8/23/19 – Filed

9/19/19 - Referred to Environment and Natural Resources; Infrastructure and Security; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations.

11/4/19 - Favorable by Environment and Natural Resources; YEAS 5 NAYS 0

12/9/19 - CS by Infrastructure and Security; YEAS 7 NAYS 0

12/10/19 – Committee Substitute Text

12/13/19 – Now in Appropriations Subcommittee on Agriculture, Environment, and General Government.

HB 579

11/7/19 – Filed

11/15/19 - Referred to Agriculture and Natural Resources Subcommittee; Appropriations Committee; State Affairs Committee.

Now in Agriculture & Natural Resources Subcommittee

1/31/20 – On Committee agenda - Agriculture & Natural Resources Subcommittee

2/4/20 - Favorable with CS by Agriculture & Natural Resources Subcommittee; 11 Yeas, 0 Nays

Compare Bills

HB 1073 Statewide Office of Resiliency (Stevenson)

SB 7016 Statewide Office of Resiliency by Infrastructure and Security

17. SB 1340/HB 7-Legal Notices (Gruters/Sabatini)

Summary:

- Allows county, municipality, or other unit of local government to public legal notices on certain public websites.

Impact on SEFLUC: Monitor

Status:

SB 1340

12/20/19 – Filed

1/8/20 – Referred to Judiciary, Community Affairs; Rules

HB 7

12/13/19 – Filed

1/03/20 – Referred to Local, Federal & Veterans Affairs Subcommittee

1/13/20 – On Committee Agenda - Local, Federal & Veterans Affairs Subcommittee

1/15/20 – Favorable with CS by Local, Federal & Veterans Affairs Subcommittee; 7 YEAS, 5 NAYS

1/16/20 – Committee Substitute Text (C1) Filed

1/20/20 – Now in Judiciary Committee

1/28/20 – On Committee agenda

1/30/20 – Favorable with CS by Judiciary Committee; 11 YEAS, 7 NAYS

1/31/20 – Committee Substitute Text (C1) Filed

2/3/20 – Now in State Affairs Committee

18. SB 1382 – Environmental Resource Management – 2020 (Albritton)

Summary:

- Basin Management Action Plans (BMAPs) may include as an additional management strategy a cooperative agricultural regional water quality improvement element or a cooperative urban, suburban, commercial, or institutional water quality improvement element.
- Provides for implementation of new management strategies through cost-sharing program, including land acquisition through conservation easement, site specific water quality improvement or dispersed water management projects, reduction in stormwater nutrient loading.
- Provides for FDACs and IFAS studies evaluating BMAP effectiveness, effectiveness of BMPs.
- Establishes nutrient reduction cost-share program for retrofit of onsite sweater treatment and disposal systems, advanced waste treatment facilities, connection of OSTs to central sewer facilities.

- Local government cannot extend legal standing or legal rights under Florida Environmental Protection Act to a plant, animal, or body of water.
- CS requires BMPs or water quality monitoring to be adopted within 5 years of completion of a BMAP or amendment to a BMAP.

Impact on SEFLUC: Monitor

Status:

SB 1382

1/03/20 – Filed

1/13/20 – Referred to Environment and Natural Resources; Appropriations Subcommittee on Agriculture, Environment, and General Government Appropriations

1/22/20 – On Committee agenda – Environment and Natural Resources

1/27/20 – Favorable with CS by Environment and Natural Resources; 4 YAYS, 0 NAYS

1/28/20 – Committee Substitute Text (C1) Filed

1/30/20 – Now in Appropriations Subcommittee on Agriculture, Environment, and General Government

Compare Bills

SB 0712 - Water Quality Improvements (Mayfield)

HB 1199 – Environmental Protection Act (Ingoglia)

HB 1363 – Basin Management Action Plans (Overdorf)

HB 1343 – Water Quality Improvements (Payne)

19. HB 1067 – Florida Endangered and Threatened Species Act (Hattersley)

Summary:

- Adds effect of climate change as factor to be considered in designation of endangered and threatened species.
- Provides that notwithstanding declassification under Federal Endangered Species Act, department shall continue to protect species meeting the statutory definition of endangered or threatened as determined by department.
- Provides that FWCC may not consider economic cost of protecting a species as a factor in designating as endangered or threatened.

Impact on SEFLUC: Monitor

Status:

HB 1067

1/03/20 – Filed

1/13/20 – Referred to Agriculture & Natural Resources Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee

Now in Agriculture & Natural Resources Subcommittee

Similar Bills

SB 1360 Florida Endangered and Threatened Species Act (Rodriguez)

Status

SB 1360

1/03/20 – Filed

1/13/20 – Referred to Environment and Natural Resources; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations

20. SB 1450/HB 1091 – Environmental Enforcement – 2020 (Gruters/Fine)

Summary:

- Increases current daily maximum fines for waste and pollution violations in numerous existing environmental laws by 50%.
- Provides that daily fines apply “until a violation is resolved by order or judgment” and that each day when a violation occurs or is not remediated constitutes a separate offense.
- SB/CS removes the “willfully” standard of intent from applying to criminal penalties in two statutes for consistency with 404 dredge and fill program.

Impact on SEFLUC: Monitor

Status:

SB 1450

1/06/20 – Filed

1/13/20 – Referred to Environment and Natural Resources; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations

1/22/20 – On Committee agenda – Environment and Natural Resources

1/27/20 – Favorable with Cs by Environment and Natural Resources; 5 YEAS, 0 NAYS

1/28/20 – Committee Substitute Text (C1) Filed

1/30/20 – Reference to Appropriations Subcommittee on Agriculture, Environment, and General Government; removed; Reference to Appropriations Subcommittee on Criminal and Civil Justice added; Remaining references: Appropriations Subcommittee on Criminal and Civil Justice; Appropriations

Now in Appropriations Subcommittee on Criminal and Civil Justice

HB 1091

1/06/20 – Filed

1/13/20 – Referred to Agriculture & Natural Resources Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee

Now in Agriculture & Natural Resources Subcommittee

1/31/20 – On Committee agenda – Agriculture & Natural Resources Subcommittee

2/4/20 - Favorable with CS by Agriculture & Natural Resources Subcommittee; 11 Yeas, 0 Nays

21. SB 150 – Sanitary Sewer Laterals (Brandes)

Summary:

- Requires sellers of real property to disclose known defects in sanitary sewer lateral.
- Encourages local governments to establish programs to evaluate and rehabilitate private sewer laterals and establish database of known lateral defects by January 1, 2022.

Impact on SEFLUC: Monitor

Status:

SB 150

8/16/19 - Filed

9/3/19 - Referred to Environment and Natural Resources; Judiciary; Rules

11/5/19 - On Committee agenda-- Environment and Natural Resources,

11/13/19 - Favorable by Environment and Natural Resources; YEAS 4 NAYS 0

11/14/19 - Now in Judiciary

12/10/19 - Favorable by Judiciary; YEAS 6 NAYS 0

12/11/19 - Now in Rules

22. SB 1656 Reclaimed Water - (Albritton)

Summary:

- Prohibits domestic wastewater treatment facilities from disposing of effluent, reclaimed water, or reuse water by surface water discharge beginning January 1, 2026, with stated exceptions.
- SB/CS creates additional exemptions from discharge prohibition for wastewater treatment facilities with reuse systems that provide a minimum of 90 ninety percent of a facility's annual average flow and for treatment facilities located in municipalities that have less than \$10 million in total revenue.
- Provides for potable water reuse, deeming reclaimed water to be a water source for public water supply systems, declaring potable reuse to be an alternative water supply, declaring potable reuse projects to be eligible for alternative water supply funding, and prohibiting exclusion of use of potable reuse water from regional water supply planning.
- Requires DEP to review existing rules governing reclaimed water and potable reuse for necessary modifications and repeals and to adopt new rules. It requires DEP to initiate rulemaking by December 31, 2020, and submit the adopted rules for approval and incorporation into Ch. 403. CS requires rules to be submitted to Legislature by December 12, 2021.

Impact on SEFLUC: Monitor

Status:

SB 1656

1/09/20 – Filed

1/17/20 – Referred to Innovation, Industry and Technology; Appropriations Subcommittee on Agriculture, Environment and General Government; Appropriations

1/23/20 – Bill to be discussed During the Office of EDR's Revenue Estimating Impact Conference

1/29/20 – On Committee agenda – Innovation, Industry and Technology

2/3/20 – Favorable with CS by Innovation, Industry and Technology, 8 YEAS, 1 NAY

2/4/20 – Committee Substitute Text (C1) Filed

2/6/20 – Now in Governmental Oversight and Accountability

23. HB 1199 Environmental Protection Act (Ingoglia)

Summary:

- The bill amends the Florida Environmental Protection Act to prohibit local government from recognizing or granting any legal right to a plant, animal, body of water, or any other part of the natural environment that is not a person or political subdivision.

Impact on SEFLUC: Monitor

Status:

HB 1199

1/09/20 – Filed

1/13/20 – Referred to Civil Justice Subcommittee; Agriculture & Natural Resources Subcommittee; Judiciary Committee.

Now in Civil Justice Subcommittee.

1/27/20 – On Committee agenda – Civil Justice Subcommittee

1/29/20 – Favorable by Civil Justice Subcommittee; 14 YAYS, 1 NAY

1/30/20 – Now in Agriculture & Natural Resources Subcommittee

1/31/20 – On Committee agenda - Agriculture & Natural Resources Subcommittee

2/4/20 - Favorable by Agriculture & Natural Resources Subcommittee; 12 Yeas, 0 Nays

Compare Bills

SB 1382 Environmental Resource Management (Albritton)

24. HB 1343 Water Quality Improvements (Payne)

Summary:

- Transfers the Onsite Sewage Program from the DOH to DEP, requires the departments to submit recommendations to the Governor and Legislature regarding the transfer of the Onsite Sewage Program, repeals certain advisory committees related to OSTDSs; creates an OSTDS technical advisory committee to make recommendations that increase the availability of nutrient removing OSTDSs and assist DEP in the development of setback distances; and requires OSTDS remediation plans.
- Requires any facility for sanitary sewer disposal to have a power outage contingency plan that mitigates the impacts of power outages on systems.
- Requires sanitary sewage facilities that control a collection or transmission system of pipes and pumps to collect or transmit wastewater to the facility to take steps to prevent SSOs or underground pipe leaks and ensure collected wastewater reaches the facility. The bill further requires these facilities to develop pipe assessment, repair, and replacement action plans using I&I studies and leakage surveys.
- Requires DEP, by March 1 of each year, to submit a report to the Governor and the Legislature identifying all wastewater utilities that experienced a SSO in the preceding calendar year. The report must include the utility name, operator, number of overflows, and total quantity released. The bill further requires that, for each facility that experienced an overflow, DEP submit with the SSO report the annual report required for water pollution operation permits regarding facility revenues and expenditures.

Impact on SEFLUC: Monitor

Status:

HB 1343

1/10/20 – Filed

1/17/20 – Referred to Agriculture & Natural Resources Subcommittee; Appropriations Committee; State Affairs Committee

Now in Agriculture & Natural Resources Subcommittee

1/24/20 – On Committee agenda – Agriculture & Natural Resources Subcommittee

1/28/20 – Favorable by Agriculture & Natural Resources Subcommittee; 12 YAYS, 0 NAYS

Now in Appropriations Committee

Compare Bills

HB 0405 Stormwater Management Systems (Good)

SB 0686 Storm Water Management Systems (Gruters)

SB 0712 Water Quality Improvements (Mayfield)

HB 1363 Basin Management Action Plans (Overdorf)

SB 1382 Environmental Resource Management (Albritton)

25. SB 1798 Environmental Protection (Bradley)

Summary:

- Provides for WMD to charge a fee of at least \$1 million for a CUP to directly or indirectly use water from a spring for bottled drinking water.

Impact on SEFLUC: Monitor

Status:

SB 1798

1/10/20 – Filed

1/17/20 – Referred to Environment and Natural Resources; Commerce and Tourism; Appropriations.

26. HB 1267 Biosolids Management – 2020 (Grall)

Summary:

- Provides for expedited implementation of biosolids TAC recommendations.
- Prohibits land application where zone interacts with seasonal high water table.
- Does not apply to Class AA biosolids distributed as fertilizer products.

Impact on SEFLUC: Monitor

Status:

1/10/20 – Filed

1/17/20 – Now in Agriculture & Natural Resources Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; Sate Affairs Committee

Now in Agriculture & Natural Resources Subcommittee

Similar Bills:

SB 1654 Biosolids Management (Mayfield)

Status:

1/09/20 – Filed

1/17/20 – Referred to Environment and Natural Resources; Appropriations Subcommittee on Agriculture, Environment and General Government; Appropriations

27. SB 1720/HB 1427 Florida Safe Drinking Water Act – 2020 (Cruz)

Summary:

- Requires DEP to adopt rules for state drinking water standards MCLs for PFOA, PFOS, PFAS, Chromium-6, 1,4-Dioxane, and any other pollutant for which two or more states have set limits for or issued guidance on.

Impact on SEFLUC: Monitor

Status:

SB 1720

1/10/20 – Filed

1/17/20 – Referred to Environment and Natural Resources; Appropriations Subcommittee on Agriculture, Environment and General Government; Appropriations

1/29/20 – On Committee agenda – Environment and Natural Resources

2/3/20 – Favorable by Environment and Natural Resources, 4 YEAS, 0 NAYS

2/4/20 – Now in Appropriations Subcommittee on Agriculture, Environment and General Government

HB 1427

1/13/20 – Filed

1/17/20 – Referred to Agriculture & Natural Resources Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; State Affairs Committee

Now in Agriculture & Natural Resources Subcommittee

28. HB 1095 Underground Facility Damage Prevention and Safety – 2020

Summary:

- Expands list of entities that may issue citations to include State Fire Marshal and local fire chiefs.
- Creates corporation to administer free-access notification system for underground facilities.
- Increases maximum penalties for certain violations.
- Requires annual reports regarding violations.

Impact on SEFLUC: Monitor

Status:

HB 1095

1/6/20 - Filed

1/13/20 – Referred to Energy and Utilities Subcommittee; Government Operations & Technology Appropriations Subcommittee; Commerce Committee

Now in Energy & Utilities Subcommittee

1/16/20 – On Committee agenda – Energy & Utilities Subcommittee

1/21/20 – Committee Substitute Text (C1) Filed

1/22/20 – Now in Government Operations & Technology Appropriations Subcommittee

1/24/20 – On Committee agenda – Government Operations & Technology Appropriations Subcommittee

1/28/20 – Favorable by Government Operations & Technology Appropriations Subcommittee; 11 YEAS, 0 NAYS

Now in Commerce Committee

29. SB 1464 – Underground Facility Damage Prevention and Safety (Flores)

Summary:

- Expands list of entities that may issue citations to include State Fire Marshal and local fire chiefs.
- Creates corporation to administer free-access notification system for underground facilities.
- Increases maximum penalties for certain violations.
- Requires annual reports regarding violations.

Impact on SEFLUC: Monitor

Status:

SB 1464

1/6/20 – Filed

1/13/20 – Referred to Infrastructure and Security; Banking and Insurance; Rules.

1/22/20 – On committee agenda -Infrastructure and Security

1/27/20 – Favorable with CS Infrastructure and Security, 7 YEAS, 0 NAYS

1/29/20 – Committee Substitute Text (C1) Filed

1/30/20 – Now in Banking and Insurance

Similar Bills:

HB 1095 – Underground Facility Damage Prevention and Safety (Fitzenhagen)

Status:

HB 1095

1/6/20 – Filed

1/13/20 – Referred to Energy & Utilities Subcommittee

1/16/20 – On Committee agenda – Energy & Utilities Subcommittee

1/21/20 – Favorable with CS by Energy & Utilities Subcommittee

1/22/20 – Now in Government Operations & Technology Appropriations Subcommittee, 11 YEAS, 0 NAYS

1/24/20 – On Committee agenda - Government Operations & Technology Appropriations Subcommittee

1/28/20 – Favorable by Government Operations & Technology Appropriations Subcommittee

Compare Bills

HB 0487 – Fire Prevention and Control (Fetterhoff)

SB 1092 - Fire Prevention and Control (Bean)

30. SB 1382 – Environmental Resource Management (Albritton)

Summary:

- Authorizes BMAPs to include cooperative agricultural regional water quality improvements (agricultural element) and cooperative urban, suburban, commercial, or regional water quality improvements (nonagricultural element), in addition to existing strategies such as best management practices and interim measures.
- Agricultural and nonagricultural elements shall be implemented through a cost-sharing program and may be included in a BMAP during the 5-year update.
- Requires adoption of nonpoint source BMPs, interim measures, or other measures adopted by rule within 5 years of adoption of the BMAP or BMAP amendment.
- Directs DEP, FDACS, and the Institute of Food and Agricultural Sciences (IFAS) of the University of Florida to address certain issues related to enhancing BMPs and the agricultural element.
- Creates a nutrient reduction cost-share program and requires DEP to prioritize certain projects. DEP must submit an annual report to the Governor and Legislature regarding the projects funded by this program.

Impact on SEFLUC: Monitor

Status:

1/3/20 – Filed

1/13/20 – Referred to Environment and Natural Resources; Appropriation Subcommittee on Agriculture, Environment, and General Government; Appropriations

1/22/20 – On Committee agenda – Environment and Natural Resources

1/27/20 – Favorable with CS by Environment and Natural Resources, 4 YAYS, 0 NAYS

1/28/20 – Committee Substitute Text (C1) Filed

1/30/20 – Now in Appropriations Subcommittee on Agriculture, Environment, and General Government

Compare Bills

SB 712 – Water Quality Improvements (Mayfield)

HB 1199 – Environmental Protection Act (Ingolia)

HB 1363 – Basin Management Action Plans (Overdorf)

HB 1343 - Water Quality Improvements (Payne)