

MEMORANDUM

To: SEFLUC

From: Edward de la Parte and Nicolas Porter

Date: July 10, 2023

RE: 2023 Legislation – SEFLUC 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.

~~Strikethrough~~ bills have been laid on table in favor of companion bill.

List of Bills Contained in Memo:

Bills Signed Into Law:

1. **SB 346/~~HB 383~~ Public Construction (Chapter No. 2023-134) (DiCeglie/Griffitts)**
2. **HB 1379/~~SB 1632~~ Environmental Protection (Chapter No. 2023-169) (Steele/Brodeur)**
3. **~~HB 23~~/SB 162 Water and Wastewater Facility Operators (Chapter No. 2023-204)(Bell/Collins)**
4. **HB 111/~~SB 1170~~ Public Financing of Potentially At-risk Structures and Infrastructure (Chapter No. 2023-231) (Hunschofsky)**
5. **~~SB 194~~/HB 125 Utility System Rate Base Values (Chapter No. 2023-291) (Hooper/McClain)**
6. **SB 170/~~HB 1515~~ Local Ordinances (Trumbull/Brackett)**
7. **~~SB 880~~/HB 1405 Biosolids (Chapter No. 2023-293) (Brodeur/Tuck)**
8. **~~SB 7002~~/HB 7027 Ratification of Rules of DEP (Chapter No. 2023-308)**

Bills That Did Not Pass:

9. **SB 192/HB 175 Everglades Protection Area (Avila/Busatta Cabrera)**
10. **SB 734/HB 1079 Saltwater Intrusion Vulnerability Assessments (Polsky/Cross)**
11. **HB 1331 Municipal Utilities (Busatta Cabrera)**
12. **SB 172/HB 177 Safe Waterways Act (Berman/Gossett-Seidman)**
13. **HB 207/SB 592 Notice of Contaminated Water Systems (Edmonds/Powell)**

14. **HB 361/1712 Municipal Water and Sewer Utility Rates (Robinson/Jones)**
15. **HB 423/SB 1538 Implementation of the Recommendations of the Blue-Green Algae Task Force (Cross/Stewart)**
16. **SB 458/HB 827 Wastewater Grant Program (Rodriguez/Basabe)**
17. **HB 661/SB 1420 Sanitary Sewer Lateral Inspection Programs (Truenow/Rodriguez)**
18. **HB 1197/SB 1240 Land and Water Management (Maggard/Burgess)**
19. **SB 830 Competitive Award of Public Construction Work Contracts (Hooper)**

BILLS SIGNED INTO LAW

1. SB 346/HB 383 Public Construction (Chapter No. 2023-134) (DiCeglie/Griffitts)

Summary:

- Requires a local government’s or public entity’s contract for construction services to include a prescribed process that the contractor must use to determine the estimated cost to complete the projects that remain after substantial completion of the overall construction project.
- Distinguishes the reasonable time in which the parties to both local government and public entity construct contracts have to develop the punch list—allowing up to 30 days for contracts under \$10 million, and up to 45 days for contracts of \$10 million or more.
- Allows a local government to retain up to 150% of the estimated cost to complete items on the punch list after it receives a contractor’s request that it pay the contract balance, and clarifies that the local government must pay the withheld cost upon completion of those punch list projects—barring a good faith dispute.
- Requires a local government and public entity to present its good faith dispute in writing before it may refuse to pay on the basis thereof.
- Clarifies that a public entity must pay the remaining contract balance (excluding costs associated with the punch list) only after the punch list has been developed, and within 20 days of its receipt of a proper invoice or payment request.
- Defines a public works project as any activity that is paid for with any state appropriated funds, deleting any dollar threshold entirely. Prohibits geographic location restrictions for the sourcing of a contractor, supplier, or carrier; and wage rate and employee benefit prescriptions; and limits on the source of employee recruitment, training, or hiring.

Status:

SB 346

01/24/23 Filed

02/09/23 Referred to Community Affairs; Governmental Oversight and Accountability; Rules

03/15/23 Favorable with CS by Community Affairs; 6 Yeas, 3 Nays

03/17/23 Committee Substitute Text (C1) Filed

03/29/23 Favorable with CS by Governmental Oversight and Accountability; 7 Yeas, 1 Nay

03/30/23 Committee Substitute Text (C2) Filed

SENATE Now in Rules

04/14/23 On Committee agenda - Rules, 04/19/23, 8:30 am, 412 K
 04/19/23 Favorable by Rules; 19 Yeas, 0 Nays
 04/20/23 Placed on Calendar, on 2nd reading
 04/24/23 Placed on Special Order Calendar, 04/27/23
 04/27/23 Read Second Time; Read Third Time; Passed (Vote: 36 Yeas / 0 Nays)
 HOUSE In Messages
 05/01/23 HOUSE Received; Referred to House Calendar
 HOUSE Placed on Special Order Calendar, 05/02/23
 05/02/23 HOUSE Read Second Time; Placed on Third Reading, 05/03/23
 05/03/23 HOUSE Read Third Time; Passed (Vote: 83 Yeas / 29 Nays)
 SENATE Ordered enrolled
 05/04/23 SENATE Enrolled Text (ER) Filed
 05/16/23 Signed by Officers and presented to Governor (Governor must act on this bill
 by 05/31/23)
 05/25/23 Approved by Governor; Chapter No. 2023-134

HB 383

01/23/23 Filed
 02/01/23 Referred to Local Administration, Federal Affairs & Special Districts
 Subcommittee; Commerce Committee; State Affairs Committee
 02/22/23 Favorable with CS by Local Administration, Federal Affairs & Special
 Districts Subcommittee; 14 Yeas, 4 Nays
 02/23/23 Committee Substitute Text (C1) Filed
 02/28/23 Reference to Commerce Committee removed; Remaining reference: State
 Affairs Committee
 HOUSE Now in State Affairs Committee
 04/17/23 On Committee agenda - State Affairs Committee, 04/19/23, 8:00 am, 212 K
 04/19/23 Favorable with CS by State Affairs Committee; 20 Yeas, 0 Nays
 04/20/23 Committee Substitute Text (C2) Filed
 04/21/23 Placed on Calendar, on 2nd reading
 05/02/23 Laid on Table, refer to CS/CS/SB 346

2. HB 1379/SB 1632 Environmental Protection (Chapter No. 2023-169) (Steele/Brodeur)

Summary:

- Requires any county or municipality with a basin management action plan (BMAP) within its jurisdiction to include within the capital improvement element of its comprehensive plan a list of projects necessary to achieve the pollutant load reductions attributable to the local government as established in the BMAP.
- Requires the applicable 5-year implementation milestone for new or revised BMAPs to include a list of projects that will achieve the pollutant load reductions needed to meet the total maximum daily load (TMDL) or the load allocations established pursuant to 403.067(6), F.S., and each project must include a planning-level cost estimate and an estimated date of completion.
- Prohibits the installation of new onsite sewage treatment and disposal systems (OSTDSs) within a BMAP area adopted under s. 403.067, F.S., a reasonable assurance plan, or a

pollution reduction plan where connection to a publicly owned or investor-owned sewerage system is available. In addition, on lots of 1 acre or less within such areas where a publicly owned or investor-owned sewerage system is not available, the bill requires the installation of enhanced nutrient-reducing OSTDSs or other wastewater treatment systems that achieve at least 50 percent nutrient reduction compared to a standard OSTDS.

- Authorizes DEP to provide grants for projects that reduce the amount of nutrients entering waters that: are not attaining nutrient or nutrient-related standards; have an established TMDL; or are located within a BMAP area, a reasonable assurance plan area adopted by final order, an accepted alternative restoration plan area, or a rural area of opportunity.
- Requires DEP, relevant local governments, and relevant local public and private wastewater utilities, as part of a BMAP that includes an Outstanding Florida Spring, to develop an OSTDS remediation plan for a spring if DEP determines OSTDSs within a BMAP contribute at least 20 percent of nonpoint source nitrogen pollution or if DEP determines remediation is necessary to achieve the TMDL.
- Establishes the Indian River Lagoon (IRL) Protection Program within DEP.
- Increases the contract price for a land acquisition agreement under the Florida Forever program that requires approval by the Board of Trustees of the Internal Improvement Trust Fund from \$1 million to \$5 million.

Status:

HB 1379

03/02/23 Filed
 03/09/23 Referred to Water Quality, Supply & Treatment Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; Infrastructure Strategies Committee
 03/29/23 Favorable with CS by Water Quality, Supply & Treatment Subcommittee; 14 Yeas, 0 Nays
 HOUSE Committee Substitute Text (C1) Filed
 04/12/23 HOUSE Favorable by Agriculture & Natural Resources Appropriations Subcommittee; 14 Yeas, 0 Nays
 04/17/23 Favorable with CS by Infrastructure Strategies Committee; 18 Yeas, 0 Nays
 04/20/23 Committee Substitute Text (C2) Filed
 HOUSE Placed on Calendar, on 2nd reading
 HOUSE Placed on Special Order Calendar, 04/25/23
 04/25/23 Read Second Time; Placed on Third Reading, 04/26/23
 04/26/23 Read Third Time; Passed (Vote: 115 Yeas / 0 Nays)
 SENATE In Messages
 SENATE Received; Referred to Fiscal Policy
 05/02/23 SENATE Withdrawn from Fiscal Policy; Placed on Calendar, on 2nd reading; Substituted for SB 1632; Read Second Time; Amendment Adopted (729674); Read Third Time; Passed (Vote: 40 Yeas / 0 Nays)
 HOUSE In returning messages
 05/03/23 HOUSE Received from Messages; Concurred with Amendment (729674); Passed (Vote: 116 Yeas / 0 Nays)
 HOUSE Ordered engrossed, then enrolled

05/04/23 HOUSE Engrossed Text (E1) Filed
HOUSE Enrolled Text (ER) Filed
05/16/23 Signed by Officers and presented to Governor (Governor must act on this bill
by 05/31/23)
05/30/23 Approved by Governor; Chapter No. 2023-169

SB 1632

03/03/23 Filed
03/09/23 Referred to Environment and Natural Resources; Appropriations Committee
on Agriculture, Environment, and General Government; Fiscal Policy
03/21/23 Committee Substitute Text (C1) Filed
03/22/23 Now in Appropriations Committee on Agriculture, Environment, and General
Government
04/13/23 On Committee agenda - Appropriations Committee on Agriculture,
Environment, and General Government, 04/18/23, 12:00 pm, 110 S
04/18/23 Favorable by Appropriations Committee on Agriculture, Environment, and
General Government; 14 Yeas, 0 Nays
04/19/23 Now in Fiscal Policy
04/20/23 On Committee agenda - Fiscal Policy, 04/25/23, 10:00 am, 412 K
04/25/23 Favorable with CS by Fiscal Policy; 19 Yeas, 0 Nays
04/27/23 Committee Substitute Text (C2) Filed
SENATE Placed on Calendar, on 2nd reading
SENATE Placed on Special Order Calendar, 05/02/23
05/02/23 Read Second Time; Substituted for HB 1379; Laid on Table, Refer to HB 1379

3. **HB-23/SB 162 Water and Wastewater Facility Operators** (Chapter No. 2023-204)
(Bell/Collins)

Summary:

- Requires issuance of reciprocity licenses for water and wastewater treatment plant operators who are licensed by another state, the federal government, a territory or tribal government with “comparable” license examination to Florida.
- Requires issuance of reciprocity licenses for applicants who performed comparable water or wastewater operator duties in U.S. Armed Forces.
- House Committee substitutes added definition of the term drinking water and wastewater personnel, and requires DEP to adopt rules to implement the provision.
- HB definition of “water and wastewater facility personnel” means any employee of a governmental authority, utility, state, municipal, or county sewerage system, or public water system.

Status:

HB 23

12/06/22 Filed

12/23/22 Referred to Water Quality, Supply & Treatment Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; Infrastructure Strategies Committee
 02/15/23 On Committee agenda - Water Quality, Supply & Treatment Subcommittee
 02/22/23 Favorable with CS by Water Quality, Supply & Treatment Subcommittee; 17 Yeas, 0 Nays
 02/28/23 Now in Agriculture & Natural Resources Appropriations Subcommittee
 03/15/23 Favorable by Agriculture & Natural Resources Appropriations Subcommittee; 14 Yeas, 0 Nays
 03/27/23 Favorable with CS by Infrastructure Strategies Committee; 22 Yeas, 0 Nays
 03/28/23 Committee Substitute Text (C2) Filed
 03/29/23 Placed on Calendar, on 2nd reading
 04/13/23 Placed on Special Order Calendar, 04/20/23
 04/20/23 Read Second Time; Substituted for SB 0162; Laid on Table, Refer to SB 0162

SB 162

01/10/23 Filed
 01/19/23 Referred to Environment and Natural Resources; Regulated Industries; Fiscal Policy
 03/20/23 Favorable with CS by Environment and Natural Resources; 9 Yeas, 0 Nays
 SENATE Committee Substitute Text (C1) Filed
 03/29/23 Favorable with CS by Regulated Industries; 8 Yeas, 0 Nays
 03/31/23 Committee Substitute Text (C2) Filed
 04/10/23 On Committee agenda - Fiscal Policy, 04/13/23, 10:30 am, 412 K
 04/13/23 Favorable with CS by Fiscal Policy; 18 Yeas, 0 Nays
 04/14/23 Committee Substitute Text (C3) Filed
 SENATE Placed on Calendar, on 2nd reading
 SENATE Placed on Special Order Calendar, 04/19/23
 04/19/23 Read Second Time; Read Third Time; Passed (Vote: 39 Yeas / 0 Nays); Immediately certified
 HOUSE In Messages
 HOUSE Received; Referred to House Calendar
 HOUSE Placed on Special Order Calendar, 04/20/23
 04/20/23 HOUSE Substituted for HB 0023; Read Second Time; Read Third Time; Passed (Vote: 114 Yeas / 0 Nays)
 SENATE Ordered enrolled
 04/21/23 SENATE Enrolled Text (ER) Filed
 06/05/23 Signed by Officers and presented to Governor (Governor must act on this bill by 06/20/23)
 06/08/23 Bill to be Discussed During the Office of EDR's Measures Affecting Revenue Conference, 06/13/23, 10:00 am, 117 K (No Votes Will Be Taken)
 06/09/23 Approved by Governor; Chapter No. 2023-204

4. HB 111/SB-1170 Public Financing of Potentially At-risk Structures and Infrastructure (Chapter No. 2023-231) (Hunschofsky/Calatayud)

Summary:

- Creates definitions for “areas at risk due to sea level rise” and “potentially at risk structure or infrastructure.”
- Beginning July 1, 2024, a state-financed constructor may not commence construction of a potentially at risk structure or infrastructure without preparing SLIP study and submit to DEP for publication, including design and siting alternatives and list of flood mitigation strategies evaluated as part of the design.
- HB CS expands Resilient Florida Grant Program to cities and counties for feasibility studies of nature-based solutions and WMD support for local government adaptation planning.

Status:

HB 111

01/04/23 Filed

01/10/23 Referred to Agriculture, Conservation & Resiliency Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; Infrastructure Strategies Committee

03/15/23 Favorable with CS by Agriculture, Conservation & Resiliency Subcommittee; 17 Yeas, 0 Nays

HOUSE Committee Substitute Text (C1) Filed

03/22/23 Favorable by Agriculture & Natural Resources Appropriations Subcommittee; 14 Yeas, 0 Nays

HOUSE Now in Infrastructure Strategies Committee

03/22/23 Favorable by Agriculture & Natural Resources Appropriations Subcommittee; 14 Yeas, 0 Nays

HOUSE Now in Infrastructure Strategies Committee

04/06/23 On Committee agenda - Infrastructure Strategies Committee, 04/10/23, 2:00 pm, 404 H

04/10/23 Favorable by Infrastructure Strategies Committee; 22 Yeas, 0 Nays

HOUSE Placed on Calendar, on 2nd reading

04/13/23 Placed on Special Order Calendar, 04/18/23

04/18/23 Read Second Time; Placed on Third Reading, 04/19/23

04/19/23 Read Third Time; Passed (Vote: 117 Yeas / 0 Nays)

SENATE In Messages

SENATE Received; Referred to Fiscal Policy

05/01/23 Withdrawn from Fiscal Policy; Placed on Calendar, on 2nd reading; Substituted for SB 1170; Read Second Time; Read Third Time; Passed (Vote: 37 Yeas / 0 Nays)

HOUSE Ordered enrolled

HOUSE Enrolled Text (ER) Filed

06/09/23 Signed by Officers and presented to Governor (Governor must act on this bill by 06/24/23)

06/13/23 Approved by Governor; Chapter No. 2023-231

SB 1170

02/24/23 Filed
 03/02/23 Referred to Environment and Natural Resources; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy
 03/14/23 Favorable by Environment and Natural Resources; 9 Yeas, 0 Nays
 SENATE Now in Appropriations Committee on Agriculture, Environment, and General Government
 04/06/23 On Committee agenda - Appropriations Committee on Agriculture, Environment, and General Government, 04/12/23, 11:30 am, 110 S
 04/12/23 Favorable by Appropriations Committee on Agriculture, Environment, and General Government; 13 Yeas, 0 Nays
 04/13/23 Now in Fiscal Policy
 04/17/23 On Committee agenda - Fiscal Policy, 04/20/23, 9:30 am, 412 K
 04/20/23 Favorable with CS by Fiscal Policy; 19 Yeas, 0 Nays
 04/24/23 Committee Substitute Text (C1) Filed
 SENATE Placed on Calendar, on 2nd reading
 04/26/23 Placed on Special Order Calendar, 05/01/23
 05/01/23 Read Second Time; Substituted for HB 0111; Laid on Table, Refer to HB 0111

5. SB 194/HB 125 Utility System Rate Base Values(Chapter No. 2023-291)
(Hooper/McClain)

Summary:

- Establishes alternative procedure for establishing rate base values by a private utility when acquiring an existing utility system.
- CS requires a utility that petitions to establish an alternative valuation process to submit a rate stabilization plan, and establishes a list of factors for PSC to consider when reviewing alternative valuation petition.

Status:

SB 194

01/13/23 Filed
 01/26/23 Referred to Regulated Industries; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy
 03/21/23 Favorable with CS by Regulated Industries; 9 Yeas, 0 Nays
 03/23/23 Committee Substitute Text (C1) Filed
 04/06/23 On Committee agenda - Appropriations Committee on Agriculture, Environment, and General Government, 04/12/23, 11:30 am, 110 S
 04/12/23 Favorable by Appropriations Committee on Agriculture, Environment, and General Government; 14 Yeas, 0 Nays
 04/25/23 Favorable by Fiscal Policy; 20 Yeas, 0 Nays
 04/26/23 Placed on Calendar, on 2nd reading
 SENATE Placed on Special Order Calendar, 04/27/23
 04/27/23 Read Second Time; Substituted for HB 0125; Laid on Table, Refer to HB 0125

HB 125

01/06/23 Filed
01/17/23 Referred to Energy, Communications & Cybersecurity Subcommittee; State Administration & Technology Appropriations Subcommittee; Commerce Committee
02/08/23 On Committee agenda - Energy, Communications & Cybersecurity Subcommittee, 02/15/23, 9:00 am, 102 H
02/15/23 Favorable with CS by Energy, Communications & Cybersecurity Subcommittee; 18 Yeas, 0 Nays
HOUSE Committee Substitute Text (C1) Filed
02/21/23 Reference to State Administration & Technology Appropriations Subcommittee removed; Remaining reference: Commerce Committee
HOUSE Now in Commerce Committee
02/21/23 Reference to State Administration & Technology Appropriations Subcommittee removed; Remaining reference: Commerce Committee
HOUSE Now in Commerce Committee
04/13/23 On Committee agenda - Commerce Committee, 04/17/23, 2:00 pm, 212 K
04/18/23 Favorable with CS by Commerce Committee on 04/17/23; 17 Yeas, 0 Nays
HOUSE Committee Substitute Text (C2) Filed
04/19/23 Placed on Calendar, on 2nd reading
04/24/23 Placed on Special Order Calendar, 04/27/23
04/27/23 Read Second Time; Read Third Time; Passed (Vote: 112 Yeas / 2 Nays)
SENATE In Messages
SENATE Received; Referred to Fiscal Policy
SENATE Withdrawn from Fiscal Policy; Placed on Calendar, on 2nd reading; Substituted for SB 0194; Read Second Time; Read Third Time; Passed (Vote: 37 Yeas / 0 Nays); Reconsidered; Passed (Vote: 38 Yeas / 0 Nays)
HOUSE Ordered enrolled
04/28/23 **HOUSE** Enrolled Text (ER) Filed
06/26/23 Signed by Officers and presented to Governor (Governor must act on this bill by 07/11/23)
 Approved by Governor; Chapter No. 2023-291

6. SB 170/HB 1515 Local Ordinances (Trumbull/Brackett)

Summary:

- Before enactment of a proposed ordinance, local government must prepare a business impact estimate of direct economic impact of ordinance on private business, estimated regulatory costs, and number of businesses affected.
- Enforcement of ordinances suspended if challenged within 90 days of adoption.
- Does not apply to ordinances required for compliance with state or federal law or regulation, budgeting, implementation of a contract.
- Provides that courts may assess attorney's fees and costs against a local government if a local ordinance is challenged on the grounds that the ordinance is arbitrary or unreasonable.
- Provides for continuance of consideration of proposed ordinance at public meetings without further noticing, addressing recent appellate decision.

Status:

SB 170

01/24/23 Filed
01/26/23 Referred to Community Affairs; Rules
01/30/23 On Committee agenda - Community Affairs, 02/08/23, 9:30 am, 401 S
02/08/23 Favorable with CS by Community Affairs; 7 Yeas, 2 Nays
02/09/23 Committee Substitute Text (C1) Filed
SENATE Now in Rules
02/13/23 On Committee agenda - Rules, 02/23/23, 9:30 am, 412 K
02/23/23 Favorable with CS by Rules; 15 Yeas, 0 Nays
02/24/23 Committee Substitute Text (C2) Filed
SENATE Placed on Calendar, on 2nd reading
03/06/23 Placed on Special Order Calendar, 03/08/23
03/08/23 Read Second Time; Amendment Adopted (654388); Read Third Time; Passed
(Vote: 29 Yeas / 11 Nays); Immediately certified
SENATE Engrossed Text (E1) Filed
03/09/23 HOUSE In Messages
05/01/23 HOUSE Received; Referred to House Calendar
HOUSE Placed on Special Order Calendar, 05/02/23
05/02/23 HOUSE Read Second Time; Amendment Adopted (378465);
Amendments Failed (576671, 541225, 96465, 801715, 143911, 792009, 404201, 143377,
229075, 48075, 294057, 210035, 525837); Placed on Third Reading, 05/03/23
05/03/23 HOUSE Read Third Time; Passed (Vote: 82 Yeas / 33 Nays)
SENATE In returning messages
SENATE Received from Messages; Concurred with Amendment (378465); Passed
(Vote: 37 Yeas / 1 Nay); Reconsidered; Passed (Vote: 28 Yeas / 12 Nays)
SENATE Ordered engrossed, then enrolled
SENATE Engrossed Text (E2) Filed
05/04/23 SENATE Enrolled Text (ER) Filed
06/26/23 Signed by Officers and presented to Governor (Governor must act on
this bill by 07/11/23)
06/29/23 Approved by Governor

HB 1515

03/06/23 Filed
03/09/23 Referred to Local Administration, Federal Affairs & Special Districts
Subcommittee; Civil Justice Subcommittee; State Affairs Committee
03/15/23 Favorable by Local Administration, Federal Affairs & Special Districts
Subcommittee; 13 Yeas, 4 Nays
03/20/23 Favorable by Civil Justice Subcommittee; 10 Yeas, 5 Nays
HOUSE Now in State Affairs Committee
03/21/23 On Committee agenda - State Affairs Committee, 03/23/23, 8:00 am, 212 K
03/23/23 Favorable by State Affairs Committee; 14 Yeas, 6 Nays
HOUSE Placed on Calendar, on 2nd reading
05/02/23 Laid on Table, refer to CS/CS/SB 170

7. SB 880/HB 1405 Biosolids (Chapter No. 2023-293) (Brodeur/Tuck)

Summary:

- Establishes economic grant program for counties, municipalities, and special districts to support projects that evaluate and implement innovative solutions for biosolids disposal and for construction or upgrade of domestic facilities that convert wastewater residuals to Class AA biosolids, nonfertilizer disposal methods, and alternatives to synthetic fertilizers.
- Encourages applicants to form public-private partnerships.
- Requires DEP to prioritize projects based on environmental benefit.
- Requires DEP to develop annual requirements for grant recipients.
- Previous requirement prohibiting authorization of land application site permits for Class B biosolids within impaired waterbody subwatersheds unless there is a demonstration that the biosolids will not add to nutrient loads was removed in CS.

Status:

SB 880

02/16/23 **Filed**
02/23/23 **Referred to Environment and Natural Resources; Appropriations Committee on Agriculture, Environment, and General Government; Appropriations**
03/14/23 **Favorable with CS by Environment and Natural Resources; 9 Yeas, 0 Nays**
SENATE **Committee Substitute Text (C1) Filed**
03/15/23 **Now in Appropriations Committee on Agriculture, Environment, and General Government**
04/06/23 **On Committee agenda - Appropriations Committee on Agriculture, Environment, and General Government, 04/12/23, 11:30 am, 110 S**
04/12/23 **Favorable by Appropriations Committee on Agriculture, Environment, and General Government; 13 Yeas, 0 Nays**
04/13/23 **Now in Appropriations**

HB 1405

03/03/23 **HOUSE** **Filed**
03/09/23 **Referred to Water Quality, Supply & Treatment Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; Infrastructure Strategies Committee**
03/22/23 **Favorable with CS by Water Quality, Supply & Treatment Subcommittee; 17 Yeas, 0 Nays**
03/23/23 **Committee Substitute Text (C1) Filed**
03/29/23 **Favorable by Agriculture & Natural Resources Appropriations Subcommittee; 13 Yeas, 0 Nays**
HOUSE **Now in Infrastructure Strategies Committee**
04/17/23 **Favorable with CS by Infrastructure Strategies Committee; 18 Yeas, 0 Nays**
04/20/23 **Committee Substitute Text (C2) Filed**
HOUSE **Placed on Calendar, on 2nd reading**
HOUSE **Placed on Special Order Calendar, 04/25/23**
04/25/23 **Temporarily Postponed on Second Reading**
HOUSE **Placed on Calendar, on 2nd reading**

HOUSE Placed on Special Order Calendar, 04/28/23
04/28/23 Read Second Time; Read Third Time; Passed (Vote: 106 Yeas / 0 Nays)
SENATE In Messages
SENATE Received; Referred to Appropriations
05/02/23 **SENATE** Withdrawn from Appropriations
SENATE Placed on Calendar, on 2nd reading
SENATE Placed on Special Order Calendar, 05/04/23
05/04/23 **SENATE** Read Second Time; Read Third Time; Passed (Vote: 40 Yeas / 0 Nays)
HOUSE Ordered enrolled
05/05/23 Enrolled Text (ER) Filed
06/14/23 Signed by Officers and presented to Governor (Governor must act on this bill by 06/29/23)
06/26/23 Approved by Governor; Chapter No. 2023-293

8. SB-7002/HB 7027 Ratification of Rules of DEP (Chapter No. 2023-308)

Summary:

- Ratifies revisions to Ch. 62-600 FAC made by DEP pursuant to 2020 Clean Waterways Act concerning wastewater facilities
- Ratification required due to costs of annual reporting, preparation of power outage contingency plan, implementation of collection system action plan, and update of emergency response plan relating to cybersecurity.

Status:

SB 7002

02/13/23 Filed
SENATE On Committee agenda - Environment and Natural Resources, 02/21/23, 9:30 am, 301 S
02/21/23 Submitted as Committee Bill and Reported Favorably by Environment and Natural Resources; 9 Yeas, 0 Nays
SENATE Committee Bill Text Filed
02/28/23 Referred to Community Affairs; Rules
03/15/23 Favorable by Community Affairs; 9 Yeas, 0 Nays
SENATE Favorable with CS by Community Affairs; 9 Yeas, 0 Nays
03/17/23 Committee Substitute Text (C1) Filed
SENATE Reference to Rules removed; Reference to Appropriations added; Remaining reference: Appropriations
SENATE Now in Appropriations
04/10/23 On Committee agenda - Appropriations, 04/13/23, 10:30 am, 110 S
04/13/23 Favorable by Appropriations; 19 Yeas, 0 Nays
SENATE Placed on Calendar, on 2nd reading
04/28/23 Placed on Special Order Calendar, 05/03/23
05/03/23 Read Second Time; Substituted for HB 7027; Laid on Table, Refer to HB 7027

HB 7027

03/08/23 Filed (Formerly PCB WST1)
03/13/23 Referred to Constitutional Rights, Rule of Law & Government Operations Subcommittee; Infrastructure Strategies Committee
03/22/23 Favorable by Constitutional Rights, Rule of Law & Government Operations Subcommittee; 14 Yeas, 0 Nays
HOUSE Now in Infrastructure Strategies Committee
04/13/23 On Committee agenda - Infrastructure Strategies Committee, 04/17/23, 2:00 pm, 404 H
04/17/23 Favorable by Infrastructure Strategies Committee; 18 Yeas, 0 Nays
HOUSE Placed on Calendar, on 2nd reading
04/20/23 Placed on Special Order Calendar, 04/25/23
04/25/23 Read Second Time; Placed on Third Reading, 04/26/23
04/26/23 Read Third Time; Passed (Vote: 111 Yeas / 0 Nays)
SENATE In Messages
SENATE Received; Referred to Appropriations
05/03/23 **SENATE** Withdrawn from Appropriations; Placed on Calendar, on 2nd reading; Substituted for SB 7002; Read Second Time; Placed on Third Reading, 05/04/23
05/04/23 **SENATE** Read Third Time; Passed (Vote: 38 Yeas / 0 Nays)
HOUSE Ordered enrolled
HOUSE Enrolled Text (ER) Filed
06/14/23 Signed by Officers and presented to Governor (Governor must act on this bill by 06/29/23)
06/28/23 Approved by Governor; Chapter No. 2023-308

BILLS THAT DID NOT PASS

9. SB 192/HB 175 Everglades Protection Area (Avila/Busatta Cabrera)

Summary:

- Requires comprehensive plan amendments within 2 miles of Everglades Protection Area to be reviewed by FDEP in consultation with all Indian tribes of the state, to determine if proposed plan amendment adversely impacts Everglades Protection Area or Everglades restoration and protection objectives.
- If DEP determines impacts will occur, local government must modify the plan to include measures to eliminate or mitigate the adverse impacts.
- SB CS limits scope to Miami-Dade and its municipalities.

Status:

SB 192

01/13/23 Filed
01/26/23 Referred to Community Affairs; Environment and Natural Resources; Rules
03/02/23 On Committee agenda - Community Affairs, 03/07/23, 4:00 pm, 401 S
03/07/23 Favorable with CS by Community Affairs; 9 Yeas, 0 Nays
03/09/23 Committee Substitute Text (C1) Filed
SENATE Now in Environment and Natural Resources

03/20/23 Favorable with CS by Environment and Natural Resources; 9 Yeas, 0 Nays
03/21/23 Committee Substitute Text (C2) Filed
03/30/23 Favorable by Rules; 18 Yeas, 2 Nays
SENATE Placed on Calendar, on 2nd reading
04/05/23 Placed on Special Order Calendar, 04/11/23
04/11/23 SENATE Read Second Time; Read Third Time; Passed (Vote: 39 Yeas / 0 Nays)
04/12/23 HOUSE In Messages

HB 175

01/10/23 Filed
01/17/23 Referred to Agriculture, Conservation & Resiliency Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; Infrastructure Strategies Committee
03/27/23 Favorable by Agriculture, Conservation & Resiliency Subcommittee; 17 Yeas, 0 Nays
HOUSE Now in Agriculture & Natural Resources Appropriations Subcommittee

10. SB 734/HB 1079 Saltwater Intrusion Vulnerability Assessments (Polsky/Cross)

Summary:

- Authorizes DEP to provide Resiliency Florida grants to coastal counties to conduct saltwater intrusion vulnerability assessments to analyze effect of intrusion on county water supply and threats to utility infrastructure.

Status:

SB 734

02/13/23 Filed
02/23/23 Referred to Environment and Natural Resources; Appropriations Committee on Agriculture, Environment, and General Government; Appropriations
03/14/23 Favorable by Environment and Natural Resources; 9 Yeas, 0 Nays
SENATE Now in Appropriations Committee on Agriculture, Environment, and General Government
03/14/23 Favorable by Environment and Natural Resources; 9 Yeas, 0 Nays
SENATE Now in Appropriations Committee on Agriculture, Environment, and General Government
04/13/23 On Committee agenda - Appropriations Committee on Agriculture, Environment, and General Government, 04/18/23, 12:00 pm, 110 S
04/18/23 Favorable by Appropriations Committee on Agriculture, Environment, and General Government; 14 Yeas, 0 Nays
04/19/23 Now in Appropriations
04/20/23 On Committee agenda - Appropriations, 04/25/23, 10:00 am, 110 S
04/25/23 Favorable by Appropriations; 19 Yeas, 0 Nays
SENATE Placed on Calendar, on 2nd reading
SENATE Placed on Special Order Calendar, 04/27/23

04/27/23 **Read Second Time; Read Third Time; Passed (Vote: 36 Yeas / 0 Nays)**
HOUSE **In Messages**

HB 1079

02/23/23 **Filed**

02/28/23 **Referred to Agriculture, Conservation & Resiliency Subcommittee;
Agriculture & Natural Resources Appropriations Subcommittee; Infrastructure Strategies
Committee**

HOUSE **Now in Agriculture, Conservation & Resiliency Subcommittee**

11. HB 1331 Municipal Utilities (Busatta Cabrera)

Summary:

- Original HB would have authorized surcharge of up to 10% by municipality on customers located outside municipal boundaries, excluded municipalities that own, operate, manage, or provide water or wastewater utilities from exemption from regulation by Public Service Commission, and provided that municipality that owns water or wastewater utility may transfer portion of earning to general fund at a fixed percentage established by local referendum.
- HB CS is not as extensive as original language however:
 - The CS limits municipal utility revenue transfers to the general fund to a rate equal to the amount derived by applying the rate of return on equity established annually by order of the PSC. These transfers are further limited based on the percentage of utility customers located outside the city's boundaries. For example, if more than 15% of the utility's customers are located outside municipal boundaries, the transfer rate is reduced by 150 basis points, and if more than 45% of the utility's customers are located outside municipal boundaries, the transfer rate is reduced by 450 basis points.
 - The CS removes the existing provision allowing municipal water and wastewater utilities to add a 25% surcharge to customers outside its boundaries, and adds a provision providing that rates established for customers outside municipal boundaries shall not be more than 25 percent greater than the amount charged to consumers within the municipality (current law allows the rates to be up to 50% greater).
 - The CS creates a requirement that a municipal water or wastewater utility that provides service to consumers within the boundaries of a separate municipality, using a water treatment plant or sewer treatment plant located within the boundaries of that separate municipality, may charge no more than the rates, fees, and charges imposed on consumers inside its own municipal boundaries.
 - The act would take effect July 1, 2024.
- See also SB 1712 and HB 361 which provides for charging municipality that operates as water or sewer utility providing service to customers in a recipient municipality using a facility located in the recipient municipality shall charge the same rate to consumers in the recipient municipality as those inside its own boundaries.

Status:

HB 1331

03/02/23 Filed
03/10/23 Reference to Education & Employment Committee removed; Reference to Energy, Communications & Cybersecurity Subcommittee added; Remaining references: Energy, Communications & Cybersecurity Subcommittee; Appropriations Committee; Commerce Committee
03/21/23 Favorable with CS by Energy, Communications & Cybersecurity Subcommittee; 17 Yeas, 1 Nay
03/22/23 Committee Substitute Text (C1) Filed
03/23/23 Reference to Appropriations Committee removed; Remaining reference: Commerce Committee
HOUSE Now in Commerce Committee

12. SB 172/HB 177 Safe Waterways Act (Berman/Gossett-Seidman)

Summary:

- Requires Department of Health to adopt rules that require owners of beach waters and public bathing places to notify local county health department and resample water within 24 hours of a test result indicating the sample fails to meet Department standards.
- Department must issue health advisories and require beach waters and public bathing place closures if they fail to meet standards and if necessary to protect public health, safety, or welfare until water quality is restored.
- Municipalities and Counties required to post health advisory signs around beach waters and public bathing areas they own when health advisory is issued.

Status:

SB 172

01/12/23 Filed
01/19/23 Referred to Health Policy; Appropriations Committee on Health and Human Services; Fiscal Policy

HB 177

01/11/23 Filed
01/17/23 Referred to Healthcare Regulation Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee
04/03/23 Favorable by Healthcare Regulation Subcommittee; 17 Yeas, 0 Nays
HOUSE Now in Health Care Appropriations Subcommittee

13. HB 207/SB 592 Notice of Contaminated Water Systems (Edmonds/Powell)

Summary:

- Adds requirement that water suppliers regulated by the Department of Health must provide notice of water problems and corrective measures via text message to each owner or

occupant of affected residences when health hazards exist due to contamination from pollutants or hazardous substances.

- Applicable to water systems not covered by Florida Safe Drinking Water Act

Status:

HB 207

01/17/23 Filed

01/25/23 Referred to Healthcare Regulation Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

HOUSE Now in Healthcare Regulation Subcommittee

SB 592

02/08/23 SENATE Filed

02/16/23 SENATE Referred to Health Policy; Environment and Natural Resources; Rules

14. HB 361/SB 1712 Municipal Water and Sewer Utility Rates (Robinson/Jones)

Summary:

- Any municipality providing water or sewer service to customers in another municipality using facilities located in the recipient municipality must charge the same rates and fees to the recipient municipality customers as within its own municipal boundaries.

Status:

HB 361

01/23/23 Filed

02/01/23 Referred to Energy, Communications & Cybersecurity Subcommittee; Local Administration, Federal Affairs & Special Districts Subcommittee; Commerce Committee

02/01/23 Now in Energy, Communications & Cybersecurity Subcommittee

SB 1712

03/06/23 Filed

03/09/23 Referred to Regulated Industries; Community Affairs; Rules

03/30/23 On Committee agenda - Regulated Industries, 04/04/23, 2:00 pm, 401 S

04/04/23 Favorable by Regulated Industries; 9 Yeas, 0 Nays

04/05/23 Now in Community Affairs

15. HB 423/SB 1538 Implementation of the Recommendations of the Blue-Green Algae Task Force (Cross/Stewart)

Summary:

- Require inspection of OSTs at least every 5 years through program implemented by FDEP.

- Require pollutant load reductions in BMAPs to meet or exceed total amount of pollutant load reductions needed to meet the total TMDL requirements.
- Require BMAPs to consider projected increases in pollutant loading related to population growth and agricultural growth.
- SB CS removes provisions requiring periodic inspections of onsite sewage treatment and disposal systems and language requiring new or revised basin management action plans to include a list that identifies and prioritizes spatially focused suites of projects in areas likely to yield maximum pollutant reductions.

Status:

HB 423

01/24/23 **Filed**
 02/01/23 **Referred to Water Quality, Supply & Treatment Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; Infrastructure Strategies Committee**
 02/01/23 **Now in Water Quality, Supply & Treatment Subcommittee**

SB 1538

03/03/23 **Filed**
 03/09/23 **Referred to Environment and Natural Resources; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy**
 04/04/23 **Favorable with CS by Environment and Natural Resources; 9 Yeas, 0 Nays**
 SENATE **Committee Substitute Text (C1) Filed**
 04/05/23 **Now in Appropriations Committee on Agriculture, Environment, and General Government**
 04/13/23 **On Committee agenda - Appropriations Committee on Agriculture, Environment, and General Government, 04/18/23, 12:00 pm, 110 S**
 04/18/23 **Favorable by Appropriations Committee on Agriculture, Environment, and General Government; 14 Yeas, 0 Nays**
 04/19/23 **Now in Fiscal Policy**

16. SB 458/HB 827 Wastewater Grant Program (Rodriguez/Basabe)

Summary:

- Expands projects that qualify for FDEP wastewater grants to include those that are directed to a water body listed as impaired. Existing law limits grants to areas under BMAP or restoration plan.

Status:

SB 458

01/31/23 **Filed**
 02/09/23 **Referred to Environment and Natural Resources; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy**
 03/06/23 **Favorable with CS by Environment and Natural Resources; 8 Yeas, 0 Nays**
 03/06/23 **Committee Substitute Text (C1) Filed**

03/08/23 Now in Appropriations Committee on Agriculture, Environment, and General Government

HB 827

02/14/23 Filed

02/21/23 Referred to Water Quality, Supply & Treatment Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; Infrastructure Strategies Committee

HOUSE Now in Water Quality, Supply & Treatment Subcommittee

03/08/23 Favorable by Water Quality, Supply & Treatment Subcommittee; 17 Yeas, 0 Nays

03/15/23 Favorable by Agriculture & Natural Resources Appropriations Subcommittee; 14 Yeas, 0 Nays

HOUSE Now in Infrastructure Strategies Committee

17. **HB 661/SB 1420 Sanitary Sewer Lateral Inspection Programs (Truenow/Rodriguez)**

Summary:

- **HB 661** – Local government is encouraged to establish SSL evaluation and rehabilitation program. If damages to SSL is identified and a program to eliminate extraneous flow is established, specifies procedures and timelines for notice to property owner, and makes local government responsible for cost of repair work on private property. Specifications for repair and inspection.
- **SB 1420** – Local government “may” establish evaluation and rehabilitation program. If damages to SSL is identified and a program to eliminate extraneous flow is established, specifies procedures and timelines for notice to property owner, and makes local government responsible for cost of repair work on private property. Specifications for repair and inspection.

Status:

HB 611

02/08/23 Filed

02/14/23 Referred to Water Quality, Supply & Treatment Subcommittee; Local Administration, Federal Affairs & Special Districts Subcommittee; Infrastructure Strategies Committee

HOUSE Now in Water Quality, Supply & Treatment Subcommittee

03/06/23 On Committee agenda - Water Quality, Supply & Treatment Subcommittee, 03/08/23, 8:00 am, 404 H

03/08/23 Temporarily Postponed by Water Quality, Supply & Treatment Subcommittee

SB 1420

03/02/23 SENATE Filed

03/09/23 Referred to Environment and Natural Resources; Community Affairs; Fiscal Policy

03/27/23 Favorable by Environment and Natural Resources; 9 Yeas, 0 Nays
SENATE Now in Community Affairs

18. HB 1197/SB 1240 Land and Water Management (Maggard/Burgess)

Summary:

- Prohibits a county or municipality from adopting law or regulation relating to water quality, water quantity, pollution control, pollutant discharge prevention or removal, or wetlands.
- Preempts the regulation of all such subjects to the state.
- Does not apply to regulation of county or municipality's own water, wastewater, or stormwater system.

Status:

HB 1197

02/27/23 Filed

03/06/23 Referred to Water Quality, Supply & Treatment Subcommittee; Local Administration, Federal Affairs & Special Districts Subcommittee; Infrastructure Strategies Committee

HOUSE Now in Water Quality, Supply & Treatment Subcommittee

SB 1240

02/27/23 Filed

03/06/23 Referred to Environment and Natural Resources; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy

19. SB 830 Competitive Award of Public Construction Work Contracts (Hooper)

Summary:

- Amends Section 255.20, F.S. regarding competitive awards of contracts for public construction to provide that an addition, extension, or upgrade may not be considered substantial if a consortium or cooperative purchasing agreement is utilized.

Status:

SB 830

02/15/23 Filed

02/23/23 Referred to Governmental Oversight and Accountability; Community Affairs; Rules