

Committee on Environment and Natural Resources

CS/CS/HB 1091 — Environmental Accountability

by State Affairs Committee; Agriculture and Natural Resources Subcommittee; and Rep. Fine and others (CS/CS/SB 1450 by Appropriations Committee; Environment and Natural Resources Committee; and Senator Gruters)

The bill makes numerous changes to the penalties for violating Florida's environmental laws. The bill increases required or maximum environmental penalties in various sections of the Florida Statutes. Most of these changes increase a penalty by 50 percent. The bill increases the amount in administrative penalties that the Department of Environmental Protection may impose under ch. 403, F.S., in a notice of violation from \$10,000 to \$50,000.

The bill changes the duration that several penalties may run, so that each day during any portion of which certain violations occur constitutes a separate offense. For administrative penalties imposed under ch. 403, F.S., the bill provides that each day the cause of an unauthorized discharge of domestic wastewater is not addressed constitutes a separate offense. For civil penalties imposed under ch. 403, F.S., the bill provides that, if a violation is an unauthorized discharge of domestic wastewater, each day the cause of the violation is not addressed constitutes a separate offense until the violation is resolved by order or judgement.

The bill requires a seller of real property to disclose to a prospective purchaser, before executing a contract for sale, any defects in the property's sanitary sewer lateral that are known to the seller. The bill also encourages municipalities and counties to voluntarily establish within their respective jurisdictions an evaluation and rehabilitation program for sanitary sewer laterals on residential and commercial properties to identify and reduce extraneous flow from leaking sanitary sewer laterals. The bill sets out certain requirements for such programs.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 38-0; House 115-0