

By Representative Hafner

1 A bill to be entitled
2 An act relating to public swimming and bathing
3 places; amending s. 514.011, F.S.; modifying a
4 definition; creating s. 514.023, F.S.;
5 authorizing the Department of Health to set
6 standards for and sample beach waters, and
7 issue health advisories under certain
8 conditions; preempting to the state the
9 issuance of such health advisories; providing
10 an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Subsection (4) of section 514.011, Florida
15 Statutes, is amended to read:

16 514.011 Definitions.--As used in this chapter:

17 (4) "Public bathing place" means a body of water,
18 natural or modified by humans, for swimming, diving, and
19 recreational bathing, together with adjacent shoreline or land
20 area, buildings, equipment, and appurtenances pertaining
21 thereto, used by consent of the owner or owners and held out
22 to the public by any person or public body, irrespective of
23 whether a fee is charged for the use thereof. The bathing
24 water areas of public bathing places include, but are not
25 limited to, lakes, ponds, rivers, streams, ~~and~~ artificial
26 impoundments, and waters along the coastal and intracoastal
27 beaches and shores of the state.

28 Section 2. Section 514.023, Florida Statutes, is
29 created to read:

30 514.023 Sampling of beach waters; health advisories.--
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1 (1) The department is authorized to adopt and enforce
2 rules to protect the health, safety, and welfare of persons
3 using the beach waters of the state. The rules shall establish
4 health standards and prescribe procedures and timeframes for
5 bacteriological sampling of beach waters.

6 (2) The department may issue health advisories if the
7 quality of beach waters fails to meet standards established by
8 the department. The issuance of health advisories related to
9 the results of bacteriological sampling of beach waters is
10 hereby preempted to the state.

11 (3) For purposes of this section, "beach waters" means
12 the waters along the coastal and intracoastal beaches and
13 shores of the state, and includes saltwater and brackish
14 water.

15 Section 3. This act shall take effect upon becoming a
16 law.

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19 HOUSE SUMMARY

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21 Modifies the definition of "public bathing place," in
22 provisions authorizing regulation of such places by the
23 Department of Health, to include the waters along the
24 coastal and intracoastal beaches and shores of the state.
25 Authorizes the department to sample such waters and to
26 issue health advisories if such waters fail to meet
27 health standards developed by the department. Preempts to
28 the state the issuance of such health advisories.
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