

By the Committee on Health, Aging and Long-Term Care; and
Senator Laurent

317-2205-99

1 A bill to be entitled
2 An act relating to public health; amending s.
3 163.3177, F.S.; providing guidelines for
4 determining the suitability of soils for septic
5 tanks; providing legislative intent; providing
6 an effective date.

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

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10 Section 1. Paragraph (c) of subsection (6) of section
11 163.3177, Florida Statutes, 1998 Supplement, is amended to
12 read:

13 163.3177 Required and optional elements of
14 comprehensive plan; studies and surveys.--

15 (6) In addition to the requirements of subsections
16 (1)-(5), the comprehensive plan shall include the following
17 elements:

18 (c) A general sanitary sewer, solid waste, drainage,
19 potable water, and natural groundwater aquifer recharge
20 element correlated to principles and guidelines for future
21 land use, indicating ways to provide for future potable water,
22 drainage, sanitary sewer, solid waste, and aquifer recharge
23 protection requirements for the area. The element may be a
24 detailed engineering plan including a topographic map
25 depicting areas of prime groundwater recharge. The element
26 shall describe the problems and needs and the general
27 facilities that will be required for solution of the problems
28 and needs. The element shall also include a topographic map
29 depicting any areas adopted by a regional water management
30 district as prime groundwater recharge areas for the Floridan
31 or Biscayne aquifers, pursuant to s. 373.0395. These areas

1 shall be given special consideration when the local government
2 is engaged in zoning or considering future land use for said
3 designated areas. For areas served by onsite sewage treatment
4 and disposal systems ~~septic tanks~~, soil surveys shall be
5 provided ~~which indicate the suitability of soils for septic~~
6 ~~tanks~~. The Legislature acknowledges the state land planning
7 agency's responsibility to review and evaluate comprehensive
8 plan amendments proposing the location, installation, or use
9 of onsite sewage treatment and disposal systems. Except in
10 areas of critical state concern, in reviewing comprehensive
11 plan amendments, the state land planning agency shall not
12 require the use of standards, conditions, or land-use
13 restrictions that are more stringent than or have the effect
14 of being more stringent than the applicable statutes or rules
15 adopted by the Department of Health regarding the location,
16 installation, or use of onsite sewage treatment and disposal
17 systems.

18 Section 2. This act shall take effect upon becoming a
19 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1580

Amends s. 163.3177, F.S., 1998 Supplement, deleting language requiring that soil surveys indicate the suitability of soils for septic tanks. Requires soil surveys for areas to be served by onsite sewage treatment and disposal systems. Provides a statement of legislative acknowledgment of the state land planning agency's responsibilities for review of state plan amendments proposing the location, installation, or use of onsite sewage treatment and disposal systems. Prohibits the state land planning agency (Department of Community Affairs or DCA), in its review of comprehensive plan amendments, from requiring standards, conditions or restrictions which are more restrictive than applicable statutes or rules adopted by the Department of Health regarding onsite sewage treatment and disposal systems, or which would have the effect of being more stringent. Deletes amendments to s. 381.0065, F.S., prohibiting the DCA from requiring the use of investor owned or other sewerage systems as an alternative to onsite sewage treatment and disposal systems when those onsite sewage treatment and disposal systems would be permissible under public health regulations.