

By Senator Bronson

18-508-00

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A bill to be entitled
An act relating to rulemaking authority
regarding aquatic plants (RAB); amending s.
369.25, F.S.; authorizing the Department of
Environmental Protection to adopt rules
providing enforcement penalties, sanctions, and
remedies for violations of part I of ch. 369,
F.S.; providing an effective date.

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

Section 1. Subsection (4) of section 369.25, Florida
Statutes, is amended to read:

369.25 Aquatic plants; definitions; permits; powers of
department; penalties.--

(4) The department shall adopt rules to provide
enforcement penalties, sanctions, and remedies for violations
of this part. Such enforcement penalties, sanctions, and
remedies may include the authority to require the revegetation
of a site on sovereignty lands where excessive collection has
occurred. However, such rules must ~~which~~ limit the sanctions
available for violations under this act to quarantine and
confiscation:

(a) If the prohibited activity apparently results from
natural dispersion; or

(b) If a small amount of noxious aquatic plant
material incidentally adheres to a boat or boat trailer
operated by a person who is not involved in any phase of the
aquatic plant business and if that person is not knowingly
violating this act.

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

SENATE SUMMARY

Authorizes the Department of Environmental Protection to adopt rules to provide enforcement penalties, sanctions, and remedies for violations of part I of ch. 369, F.S.