

By Senator Dockery

15-979A-05

1 A bill to be entitled
2 An act relating to resource recovery and
3 management; amending s. 403.703, F.S.; adding
4 the terms "wood" and "concrete" to the list of
5 materials included in the definition of the
6 term "recoverable materials"; amending s.
7 403.7046, F.S.; providing that construction and
8 demolition debris brought to specified waste
9 processing facilities is also considered
10 recovered material; providing that people
11 handling such material in accordance with a
12 Department of Environmental Protection permit
13 or other authorization will be considered
14 certified; providing an effective date.

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

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18 Section 1. Subsection (7) of section 403.703, Florida
19 Statutes, is amended to read:

20 403.703 Definitions.--As used in this act, unless the
21 context clearly indicates otherwise, the term:

22 (7) "Recovered materials" means metal, paper, glass,
23 plastic, textile, wood, concrete, or rubber materials that
24 have known recycling potential, can be feasibly recycled, and
25 have been diverted and source separated or have been removed
26 from the solid waste stream for sale, use, or reuse as raw
27 materials, whether or not the materials require subsequent
28 processing or separation from each other, but does not include
29 materials destined for any use that constitutes disposal.
30 Recovered materials as described above are not solid waste.

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1 Section 2. Paragraph (g) is added to subsection (3) of
2 section 403.7046, Florida Statutes, to read:

3 403.7046 Regulation of recovered materials.--

4 (3) Except as otherwise provided in this section or
5 pursuant to a special act in effect on or before January 1,
6 1993, a local government may not require a commercial
7 establishment that generates source-separated recovered
8 materials to sell or otherwise convey its recovered materials
9 to the local government or to a facility designated by the
10 local government, nor may the local government restrict such a
11 generator's right to sell or otherwise convey such recovered
12 materials to any properly certified recovered materials dealer
13 who has satisfied the requirements of this section. A local
14 government may not enact any ordinance that prevents such a
15 dealer from entering into a contract with a commercial
16 establishment to purchase, collect, transport, process, or
17 receive source-separated recovered materials.

18 (g) Solely for the purposes of paragraph (3), except
19 for the provisions of subparagraph (b) and (c), construction
20 and demolition debris that is collected and taken directly to
21 a permitted waste-processing facility for the purpose of
22 recycling is considered to be recovered material. Any person
23 handling such material in accordance with a department permit
24 or other authorization shall be considered to be certified.

25 Section 3. This act shall take effect July 1, 2005.
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SENATE SUMMARY

Provides that the terms "wood" and "concrete" are included in the definition of "recovered materials." Provides that construction and demolition debris also constitute recovered materials in certain situations. Provides that, at certain times, people handling such material in accordance with a permit or other authorization will be considered to be certified.