

1 A bill to be entitled
 2 An act relating to the management of wastewater; amending
 3 s. 514.023, F.S.; requiring the Department of Health to
 4 issue certain health advisories against swimming in beach
 5 waters; requiring the Department of Health to notify the
 6 municipality or county and the local office of the
 7 Department of Environmental Protection in which the
 8 affected beach is located of the health advisory;
 9 requiring the Department of Environmental Protection to
 10 investigate wastewater treatment facilities within a
 11 certain distance of the affected beach and provide
 12 specified notification to the municipality or county in
 13 which the affected beach is located of the results of its
 14 investigation; 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. Subsections (1) through (3) of section 514.023,
 19 Florida Statutes, are amended to read:

20 514.023 Sampling of beach waters; health advisories.--

21 (1)~~(3)~~ As used in ~~For purposes of~~ this section, the term
 22 "beach waters" means the waters along the coastal and
 23 intracoastal beaches and shores of the state, and includes salt
 24 water and brackish water.

25 (2)~~(1)~~ The department may adopt and enforce rules to
 26 protect the health, safety, and welfare of persons using the
 27 beach waters of the state. The rules must establish health

28 standards and prescribe procedures and timeframes for
29 bacteriological sampling of beach waters.

30 ~~(3)(2)~~ The department may issue health advisories if the
31 quality of beach waters fails to meet standards established by
32 the department. The issuance of health advisories related to the
33 results of bacteriological sampling of beach waters is preempted
34 to the state. When the Department of Health issues a health
35 advisory against swimming in beach waters on the basis of
36 finding elevated levels of fecal coliform or enterococci
37 bacteria in a water sample, the department shall
38 contemporaneously notify the relevant local government and the
39 local office of the Department of Environmental Protection,
40 which shall promptly investigate wastewater treatment facilities
41 within 1 mile of the affected beach to determine if a facility
42 experienced an incident that may have contributed to the
43 contamination. Upon completion, the Department of Environmental
44 Protection shall notify the relevant local government in writing
45 or by electronic correspondence of the results of its
46 investigation.

47 Section 2. This act shall take effect July 1, 2008.