

ENROLLED  
 HB 707, Engrossed 1

2009 Legislature

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           notify local governments and local offices of the  
 5           Department of Environmental Protection when certain health  
 6           advisories are issued; requiring local offices of the  
 7           Department of Environmental Protection to conduct  
 8           investigations of certain wastewater treatment facilities  
 9           and provide the results of such investigations to local  
 10          governments; amending s. 514.025, F.S.; authorizing the  
 11          department to assign certain responsibilities and  
 12          functions relating to public swimming pools and bathing  
 13          places to multicounty independent special districts under  
 14          specified conditions; providing an effective date.

15  
 16   Be It Enacted by the Legislature of the State of Florida:

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 18           Section 1.   Section 514.023, Florida Statutes, is amended  
 19   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

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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.

35 (4) When the department issues a health advisory against  
36 swimming in beach waters on the basis of finding elevated levels  
37 of fecal coliform or enterococci bacteria in a water sample, the  
38 department shall concurrently notify the municipality or county  
39 in which the affected beach waters are located, whichever has  
40 jurisdiction, and the local office of the Department of  
41 Environmental Protection, of the advisory. The local office of  
42 the Department of Environmental Protection shall promptly  
43 investigate wastewater treatment facilities within 1 mile of the  
44 affected beach waters to determine if a facility experienced an  
45 incident that may have contributed to the contamination and  
46 provide the results of the investigation in writing or by  
47 electronic means to the municipality or county, as applicable.

48 ~~(5)-(4)~~ Contingent upon legislative appropriation to the  
49 department in the amount of \$600,000 nonrecurring, the  
50 department will perform a 3-year study to determine the water  
51 quality at beaches throughout the state. The study will be  
52 performed in all counties that have public-access saltwater and  
53 brackish water beaches.

54 Section 2. Subsection (3) is added to section 514.025,  
55 Florida Statutes, to read:

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56           514.025 Assignment of authority to county health  
57 departments.--

58           (3) The department may assign the responsibilities and  
59 functions specified in this section to any multicounty  
60 independent special district created by the Legislature to  
61 perform multiple functions, to include municipal services and  
62 improvements, to the same extent and under the same conditions  
63 as provided in subsections (1) and (2), upon request of the  
64 special district.

65           Section 3. This act shall take effect July 1, 2009.