

By Senator Bennett

21-01234A-12

20121432

1 A bill to be entitled
2 An act relating to bottled water; creating s. 500.458,
3 F.S.; requiring the Department of Environmental
4 Protection to monitor certain consumptive use permits;
5 imposing a fee on certain water extracted; directing
6 proceeds to the Water Protection and Sustainability
7 Program Trust Fund; providing penalties for nonpayment
8 of fees; directing the department to adopt rules;
9 providing applicability; providing an effective date.

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

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13 Section 1. Section 500.458, Florida Statutes, is created to
14 read:

15 500.458 Bottled water; extraction monitoring and fee;
16 fine.—

17 (1) The Department of Environmental Protection shall
18 monitor the consumptive use permits for all bottled water
19 companies to ensure compliance with the limits of allowable
20 water extraction for natural water and water from an approved
21 source as defined in s. 500.03. To ensure compliance, water
22 shall be measured in gallons at the bottling facility.

23 (2) Bottled water companies shall be assessed a fee of 5
24 cents per gallon on water extracted for the production of
25 bottled water, including natural water and water from an
26 approved source as defined in s. 500.03. Proceeds from the fees
27 collected shall be deposited into the Water Protection and
28 Sustainability Program Trust Fund under s. 403.890.

29 (3) A daily fine not to exceed \$500 shall be imposed for

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30 each day a company withholds payment of the fees imposed under
31 subsection (2).

32 (4) The department shall adopt rules under ss. 120.536(1)
33 and 120.54 to implement and enforce the provisions of this
34 section.

35 (5) This section does not apply to bottled water companies
36 extracting less than 55 million gallons per calendar year.

37 Section 2. This act shall take effect July 1, 2012.