

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
 14 to 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.

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