

By Senator Sachs

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1 A bill to be entitled
2 An act relating to bear-resistant garbage receptacles;
3 creating s. 379.3019, F.S.; defining terms; requiring
4 the Fish and Wildlife Conservation Commission to adopt
5 rules, by a specified date, which establish standards
6 for the designation of areas of high human-bear
7 conflict and that designate certain garbage as bear-
8 attracting garbage; requiring the commission to apply,
9 by a specified date, the established standards to
10 identify areas of high human-bear conflict;
11 prohibiting, as of a specified date, the deposit of
12 bear-attracting garbage into receptacles other than
13 bear-resistant receptacles in high human-bear conflict
14 areas; requiring that specified information be posted
15 and maintained on the commission's website; specifying
16 a noncriminal infraction and a fine for violations;
17 providing an effective date.

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

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21 Section 1. Section 379.3019, Florida Statutes, is created
22 to read:

23 379.3019 Bear-resistant garbage receptacles.-

24 (1) As used in this section, the term:

25 (a) "Bear-attracting garbage" means garbage identified by
26 the commission by rule as likely to attract bears.

27 (b) "Bear-resistant garbage receptacle" means a container
28 used for the storage of garbage which has a design and a
29 structure that significantly impede access by bears to the
30 contents.

31 (c) "High human-bear conflict area" means an area
32 identified by the commission pursuant to subsection (3).

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33 (2) By July 1, 2017, the commission shall adopt by rule:

34 (a) Standards for the designation of specific areas of this
35 state as high human-bear conflict areas.

36 (b) The designation of certain garbage as bear-attracting
37 garbage.

38 (3) By February 1, 2018, the commission shall identify
39 areas of this state that qualify as high human-bear conflict
40 areas. The commission shall apply the standards developed
41 pursuant to paragraph (2) (a) in making this determination, which
42 must be reviewed and, if necessary, revised by the commission at
43 least once every 3 years.

44 (4) Notwithstanding any other law to the contrary,
45 effective July 1, 2019, a person may not deposit bear-attracting
46 garbage into an outdoor garbage receptacle, whether the
47 receptacle is curbside for collection or elsewhere, in a high
48 human-bear conflict area unless the receptacle is a bear-
49 resistant garbage receptacle.

50 (5) The commission shall post and maintain on its website
51 the current lists of high human-bear conflict areas and bear-
52 attracting garbage.

53 (6) A person who violates this section commits a
54 noncriminal infraction, punishable by a fine not to exceed \$500.

55 Section 2. This act shall take effect July 1, 2016.