

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Richardson offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 245 and 246, insert:

5 Section 2. Section 403.7033, Florida Statutes, is amended
6 to read:

7 403.7033 Departmental analysis of particular recyclable
8 materials.—

9 (1) The Legislature finds that prudent regulation of
10 recyclable materials is crucial to the ongoing welfare of
11 Florida's ecology and economy. As such, the Department of
12 Environmental Protection shall undertake an analysis of the need
13 for new or different regulation of auxiliary containers,
14 wrappings, or disposable plastic bags used by consumers to carry

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15 products from retail establishments. The analysis shall include
16 input from state and local government agencies, stakeholders,
17 private businesses, and citizens, and shall evaluate the
18 efficacy and necessity of both statewide and local regulation of
19 these materials. To ensure consistent and effective
20 implementation, the department shall submit a report with
21 conclusions and recommendations to the Legislature no later than
22 February 1, 2010.

23 (2) Until such time that the Legislature adopts the
24 recommendations of the department, a ~~ne~~ local government, local
25 governmental agency, or state government agency may not enact
26 any rule, regulation, or ordinance regarding use, disposition,
27 sale, prohibition, restriction, or tax of such auxiliary
28 containers, wrappings, or disposable plastic bags. If the
29 Legislature does not adopt, reject, or adopt in part the
30 recommendations of the department before January 1, 2017, this
31 subsection expires on that date, and thereafter any local
32 government or local government agency may enact any rule,
33 regulation, or ordinance regarding use, disposition, sale,
34 prohibition, restriction, or tax on disposable plastic bags.

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37 **T I T L E A M E N D M E N T**

38 Between lines 4 and 5, insert:

39 amending s. 403.7033, F.S.; providing conditions for
40 the expiration of provisions preempting to the

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41 | Legislature the regulation of auxiliary containers,
42 | wrappings, or disposable plastic bags; authorizing
43 | local governments and local government agencies to
44 | enact certain rules, regulations, and ordinances
45 | regarding disposable plastic bags under such
46 | conditions;

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