

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Caldwell offered the following:

2
3 **Substitute Amendment for Amendment (395653) (with title**
4 **amendment)**

5 Between lines 245 and 246, insert:

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

8 403.7033 Departmental analysis of particular recyclable
9 materials.—

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

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

24 (2) Until such time that the Legislature adopts the
25 recommendations of the department, a no local government, local
26 governmental agency, or state government agency may not enact
27 any rule, regulation, or ordinance regarding use, disposition,
28 sale, prohibition, restriction, or tax of such auxiliary
29 containers, wrappings, or disposable plastic bags. If the
30 Legislature does not adopt, reject, or adopt in part the
31 recommendations of the department before January 1, 2017, any
32 local government or local government agency may enact any rule,
33 regulation, or ordinance regarding use, disposition, sale,
34 prohibition, restriction, or tax of such auxiliary containers,
35 wrappings, or disposable plastic bags, only if such rule,
36 regulation, or ordinance is expressly authorized by the
37 Legislature.

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

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41 Between lines 4 and 5, insert:
42 amending s. 403.7033, F.S.; authorizing local
43 governments and local government agencies to enact
44 rules, regulations, and ordinances regarding use,
45 disposition, sale, prohibition, restriction, or tax of
46 on auxiliary containers, wrappings, or disposable
47 plastic bags disposable plastic bags under specified
48 conditions;

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