

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Natural Resources & Public
2 Lands Subcommittee

3 Representative Fine offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (o) is added to subsection (3) of
8 section 381.0065, Florida Statutes, to read:

9 381.0065 Onsite sewage treatment and disposal systems;
10 regulation.—

11 (3) DUTIES AND POWERS OF THE DEPARTMENT OF HEALTH.—The
12 department shall:

13 (o) By January 1, 2019, identify all onsite sewage
14 treatment and disposal systems in the state, incorporate the
15 information and maintain the existing database of onsite sewage
16 treatment and disposal systems, identifying at a minimum the

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17 location, operational condition, and any other available
18 information the department deems appropriate. By January 1,
19 2019, the department must generate a report from the database
20 that includes, at a minimum, the total number of onsite sewage
21 treatment and disposal systems in the state, the number of
22 onsite sewage treatment and disposal systems in each county, and
23 a statewide map of the systems, and submit the report to the
24 Governor, the President of the Senate and the Speaker of the
25 House of Representatives.

26 Section 2. Section 689.30, Florida Statutes, is created to
27 read:

28 689.30 Sale of property; disclosure of onsite sewage and
29 treatment disposal system.-

30 (1) A seller of property must provide a prospective
31 purchaser with a disclosure summary before or at the execution
32 of the contract for sale if the property contains or will
33 contain an onsite sewage treatment and disposal system. The
34 prospective purchaser must acknowledge in writing the receipt of
35 the disclosure summary required by this section. The disclosure
36 summary must be conspicuous, in boldface type, and in a form
37 substantially similar to the following:

38 ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM

39 DISCLOSURE SUMMARY

40 THE PROPERTY CONTAINS AN ONSITE SEWAGE TREATMENT AND DISPOSAL
41 SYSTEM (SYSTEM). SYSTEMS THAT ARE NOT PROPERLY DESIGNED,

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42 CONSTRUCTED, AND MAINTAINED ARE OFTEN SOURCES OF NUTRIENTS AND
43 FECAL COLIFORM BACTERIA IN GROUNDWATER. GROUNDWATER IS THE
44 SOURCE OF MOST OF THE STATE'S DRINKING WATER. SYSTEMS HAVE A
45 LIFE SPAN OF APPROXIMATELY 25 YEARS IF PROPERLY MAINTAINED AND
46 UTILIZED. SYSTEM TANKS SHOULD BE PUMPED OUT EVERY THREE TO FIVE
47 YEARS TO PREVENT SYSTEM FAILURE. YOU SHOULD REQUEST AN
48 INSPECTION AND ASSESSMENT OF THE SYSTEM. ALL SYSTEM TANKS SHOULD
49 BE PUMPED AND VISUALLY INSPECTED TO DETERMINE THEIR CAPACITY AND
50 WATER TIGHTNESS. THE DRAINFIELD AREA SHOULD BE PROBED TO
51 DETERMINE ITS LOCATION, SIZE, CONFIGURATION, AND TYPE OF
52 DRAINFIELD MATERIAL. IF YOUR SYSTEM CONTAINS ADDITIONAL
53 COMPONENTS, SUCH AS PUMPS OR ALARMS, THEY SHOULD ALSO BE
54 INSPECTED. THE EVALUATOR MUST PROVIDE YOU A COPY OF THE
55 DEPARTMENT OF HEALTH'S *PROCEDURE FOR VOLUNTARY INSPECTION AND*
56 *ASSESSMENT OF EXISTING SYSTEMS* AND WRITTEN NOTICE OF YOUR RIGHT
57 TO REQUEST AN EVALUATION BASED ON ALL OR PART OF THE STANDARDS.
58 THE EVALUATION IS FOR YOUR USE AND IS INTENDED TO LET YOU MAKE
59 AN INFORMED DECISION. IF THE EVALUATION SHOWS THE SYSTEM IS
60 SUBSTANDARD, DAMAGED, OR THE FUNDAMENTAL OPERATIONAL CONDITION
61 IS NOT AS DESIGNED, IT IS STRONGLY RECOMMENDED THAT THE SYSTEM
62 IS REPAIRED, MODIFIED, OR REPLACED, AS APPROPRIATE. IF REPAIRS
63 OR MODIFICATIONS TO THE SYSTEM ARE MADE, A PERMIT IS REQUIRED
64 FROM THE COUNTY HEALTH DEPARTMENT. IF YOU HAVE ANY QUESTIONS
65 CONCERNING THE SYSTEM, CONTACT THE COUNTY HEALTH DEPARTMENT FOR
66 INFORMATION.

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67 (Purchaser's Initials)

68 (2) As used in this section, the term "onsite sewage
69 treatment and disposal system" has the same meaning as in s.
70 381.0065.

71 Section 2. This act shall take effect July 1, 2017.

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73
74 **T I T L E A M E N D M E N T**

75 Remove everything before the enacting clause and insert:
76 An act relating to onsite sewage treatment and disposal systems;
77 amending s. 381.0065, F.S.; requiring the Department of Health
78 to identify all onsite sewage treatment and disposal systems in
79 the state by a certain date; requiring the department to
80 maintain an existing database of onsite sewage treatment and
81 disposal system; requiring the department submit a report to the
82 Governor and Legislature on the number of onsite sewage
83 treatment and disposal systems in the state by a certain date;
84 creating s. 689.30, F.S.; requiring a seller of property to
85 provide a prospective purchaser with a disclosure summary before
86 or at the execution of the contract for sale if the property
87 contains or contain an onsite sewage treatment and disposal
88 system; requiring the purchaser to acknowledge in writing the
89 receipt of the summary disclosure; providing an onsite sewage
90 treatment and disposal system disclosure summary; defining an

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91 onsite sewage treatment and disposal system; providing an
92 effective date.