

By Senator Stewart

13-01011-18

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1 A bill to be entitled
2 An act relating to recyclable materials; amending s.
3 403.7033, F.S.; deleting a preemption of local law
4 relating to regulation of auxiliary containers,
5 wrappings, or disposable plastic bags; providing an
6 effective date.

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

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10 Section 1. Section 403.7033, Florida Statutes, is amended
11 to read:

12 403.7033 Departmental analysis of particular recyclable
13 materials.—The Legislature finds that prudent regulation of
14 recyclable materials is crucial to the ongoing welfare of
15 Florida's ecology and economy. As such, the Department of
16 Environmental Protection shall undertake an analysis of the need
17 for new or different regulation of auxiliary containers,
18 wrappings, or disposable plastic bags used by consumers to carry
19 products from retail establishments. The analysis shall include
20 input from state and local government agencies, stakeholders,
21 private businesses, and citizens, and shall evaluate the
22 efficacy and necessity of both statewide and local regulation of
23 these materials. To ensure consistent and effective
24 implementation, the department shall submit a report with
25 conclusions and recommendations to the Legislature no later than
26 February 1, 2010. ~~Until such time that the Legislature adopts~~
27 ~~the recommendations of the department, no local government,~~
28 ~~local governmental agency, or state government agency may enact~~
29 ~~any rule, regulation, or ordinance regarding use, disposition,~~

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30 ~~sale, prohibition, restriction, or tax of such auxiliary~~
31 ~~containers, wrappings, or disposable plastic bags.~~

32 Section 2. This act shall take effect July 1, 2018.