

By Senator Brandes

24-01499C-19

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1                   A bill to be entitled  
2           An act relating to sanitary sewer laterals; defining  
3           the term "sanitary sewer lateral"; encouraging  
4           counties and municipalities to establish a sanitary  
5           sewer lateral inspection program by a specified date;  
6           providing parameters for such a program; creating s.  
7           689.301, F.S.; requiring a seller of real property to  
8           disclose any actually known defects of the property's  
9           sanitary sewer lateral; defining the term "sanitary  
10          sewer lateral"; providing an effective date.

11  
12           WHEREAS, a sanitary sewer lateral is the portion of the  
13          sewer network which connects private properties to the public  
14          sewer system, conveying wastewater from homes and businesses to  
15          centralized wastewater treatment plants, and

16           WHEREAS, a property owner is typically responsible for all  
17          maintenance, operation, cleaning, repair, and reconstruction of  
18          a sanitary sewer lateral on private property, and

19           WHEREAS, defects in private sanitary sewer laterals may  
20          occur due to system aging, structural failure, lack of proper  
21          maintenance, or poor construction and design practices, and

22           WHEREAS, defective sanitary sewer laterals can cause  
23          blockages, backups, or overflows into the environment, can  
24          contribute to water pollution, and can have a significant impact  
25          on the performance of a sewer system and treatment plant, and

26           WHEREAS, defective sanitary sewer laterals on private  
27          property can be difficult to detect, and

28           WHEREAS, inspections of sanitary sewer laterals are not  
29          required by state law, and

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30 WHEREAS, facts that materially affect the value of real  
31 estate must be disclosed in real estate transactions, NOW,  
32 THEREFORE,  
33

34 Be It Enacted by the Legislature of the State of Florida:  
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36 Section 1. Sanitary sewer lateral inspection program.-

37 (1) As used in this section, the term "sanitary sewer  
38 lateral" means a privately owned pipeline connecting a property  
39 to the main sewer line and which is maintained and repaired by  
40 the property owner.

41 (2) By July 1, 2021, counties and municipalities are  
42 encouraged to establish an evaluation and rehabilitation program  
43 for sanitary sewer laterals on residential and commercial  
44 properties within the county's or municipality's jurisdiction to  
45 identify and reduce extraneous flow from leaking sanitary sewer  
46 laterals. At a minimum, the program may do all of the following:

47 (a) Establish a system to identify defective, damaged, or  
48 deteriorated sanitary sewer laterals on residential and  
49 commercial properties within the jurisdiction of a county or a  
50 municipality.

51 (b) Consider economical methods for a property owner to  
52 repair or replace a defective, damaged, or deteriorated sanitary  
53 sewer lateral.

54 (c) Establish and maintain a publicly accessible database  
55 to store information on properties where a defective, damaged,  
56 or deteriorated sanitary sewer lateral has been identified. The  
57 database must include, but is not limited to, the address of the  
58 property, the names of any persons notified by the county or

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59 municipality of the faulty sanitary sewer lateral, and the date  
60 and method of such notification.

61 Section 2. Section 689.301, Florida Statutes, is created to  
62 read:

63 689.301 Disclosure of known defects of sanitary sewer  
64 laterals to prospective purchaser.—Before executing a contract  
65 for sale, a seller of real property shall disclose to a  
66 prospective purchaser any defects of the property's sanitary  
67 sewer lateral which are actually known to the seller. As used in  
68 this section, the term "sanitary sewer lateral" means the  
69 privately owned pipeline connecting a property to the main sewer  
70 line.

71 Section 3. This act shall take effect July 1, 2019.