

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Fine offered the following:

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

4 Remove lines 1801-1836 and insert:

5 Section 22. Effective July 1, 2019, section 403.0771,  
6 Florida Statutes, is created to read:

7 403.0771 Sewage discharge notification.-

8 (1) In addition to the public notification requirements  
9 under s. 403.077, an owner or operator of a domestic wastewater  
10 treatment facility that has an unauthorized discharge of raw or  
11 partially treated domestic wastewater as defined in s.  
12 367.021(5), which requires notice to the department pursuant to  
13 s. 403.077, shall also provide notice to the county health

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14 department and to the local governments that have jurisdiction  
15 over the area where the discharge occurred.

16 (2) The county health department and the local governments  
17 notified by the owner or operator of the domestic wastewater  
18 treatment facility pursuant to subsection (1) shall publish on a  
19 website accessible by the public all notices submitted by such  
20 owner or operator within 24 hours after receiving notification  
21 of the discharge. Each notice must remain on the website until  
22 the discharge has ceased or, if the discharge endangers the  
23 public health or environment, until the danger no longer exists,  
24 whichever period is longer.

25 (3) The owner or operator of the domestic wastewater  
26 treatment facility, in coordination with the county health  
27 department, shall post signs indicating a discharge described in  
28 subsection (1) has occurred next to any surface water or  
29 publically accessible area impacted by the discharge. Each sign  
30 shall remain posted until the discharge has ceased or, if the  
31 discharge endangers the public health or environment, until the  
32 danger no longer exists, whichever period is longer.

33 (4) The local government shall make a good faith effort to  
34 notify the public of a discharge described in subsection (1)  
35 within 24 hours after receiving notice of the discharge through  
36 press releases, digital strategies, social media, and any other  
37 form of messaging deemed necessary and appropriate to notify the  
38 public.

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39       (5) The costs of notification for the unlawful discharge  
40 under this section shall be paid by the owner or operator of the  
41 domestic wastewater treatment facility or responsible entity.

42       (6) Beginning February 1, 2020, and each February 1  
43 thereafter, the owner or operator of a domestic wastewater  
44 treatment facility shall provide to each facility customer a  
45 report that identifies each unauthorized discharge of raw or  
46 partially treated domestic wastewater as defined in s.  
47 367.021(5), which requires notice to the department pursuant to  
48 s. 403.077, that occurred during the previous calendar year.

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

53       Remove lines 78-92 and insert:

54       403.0771, F.S.; requiring an owner or operator of a  
55       domestic wastewater treatment facility that unlawfully  
56       discharges raw or partially treated domestic  
57       wastewater to provide notice to the applicable county  
58       health department and local government; directing the  
59       county health department and local government to  
60       publish notice of such discharge on a publically  
61       accessible website for a specified period; requiring  
62       the owner or operator of the domestic wastewater  
63       treatment facility, in coordination with the county

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64 health department, to post certain signage for a  
65 specified period; requiring the local government to  
66 make a good faith effort to notify the public of such  
67 discharge through specified means; requiring the owner  
68 or operator of the domestic wastewater treatment  
69 facility or responsible entity to pay for certain  
70 notification costs; requiring the owner or operator of  
71 a domestic wastewater treatment facility to provide  
72 its customers with an annual report identifying  
73 certain unauthorized discharges; amending s. 403.086,  
74 F.S.;

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