

By Senator Brandes

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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, by a specified date,
5 establish a sanitary sewer lateral inspection program;
6 providing parameters for such a program; creating s.
7 689.301, F.S.; requiring a seller of real property to
8 disclose any known defects in the property's sanitary
9 sewer lateral; defining the term "sanitary sewer
10 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 his or her 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;
24 contribute to water pollution; and have a significant impact on
25 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, 2022, 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 the county or
50 the 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 concerning properties where a defective,
56 damaged, or deteriorated sanitary sewer lateral has been
57 identified. For each property, the database must include, but is
58 not limited to, the address of the property, the names of any

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59 persons the county or municipality notified concerning the
60 faulty sanitary sewer lateral, and the date and method of such
61 notification.

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

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

71 Section 3. This act shall take effect July 1, 2020.