

By Senator Polsky

29-01164-21

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1                                   A bill to be entitled  
2       An act relating to recyclable materials; amending s.  
3       403.7033, F.S.; requiring the Department of  
4       Environmental Protection to review and update a  
5       specified report on the regulation of certain  
6       auxiliary containers, wrappings, and disposable  
7       plastic bags; requiring submittal of the report to the  
8       Legislature by a specified date; prohibiting a local  
9       government, local governmental agency, or state  
10      government agency from enacting certain rules and  
11      regulations during a specified timeframe; providing an  
12      effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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16       Section 1. Section 403.7033, Florida Statutes, is amended  
17      to read:

18       403.7033 Departmental analysis of particular recyclable  
19      materials.—The Legislature finds that prudent regulation of  
20      recyclable materials is crucial to the ongoing welfare of  
21      Florida's ecology and economy. As such, the Department of  
22      Environmental Protection shall review and update the  
23      department's Retail Bags Report 2010 to analyze ~~undertake an~~  
24      ~~analysis of~~ the need for new or different regulation of  
25      auxiliary containers, wrappings, or disposable plastic bags used  
26      by consumers to carry products from retail establishments. The  
27      update must ~~analysis shall~~ include input from state and local  
28      government agencies, stakeholders, private businesses, and  
29      citizens, and must ~~shall~~ evaluate the efficacy and necessity of

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30 both statewide and local regulation of these materials. To  
31 ensure consistent and effective implementation, the department  
32 shall submit a report with conclusions and recommendations to  
33 the Legislature by December 31, 2021 ~~no later than February 1,~~  
34 ~~2010~~. Until ~~such time that~~ the Legislature adopts the  
35 recommendations of the department or until July 1, 2022,  
36 whichever is earlier, ~~a~~ ~~no~~ local government, local governmental  
37 agency, or state government agency may not enact any rule,  
38 regulation, or ordinance regarding use, disposition, sale,  
39 prohibition, restriction, or tax of such auxiliary containers,  
40 wrappings, or disposable plastic bags.

41 Section 2. This act shall take effect July 1, 2021.