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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/07/2022	.	
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	.	

The Committee on Environment and Natural Resources (Albritton) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (11) is added to section 403.182,
Florida Statutes, to read:

403.182 Local pollution control programs.-

(11) (a) Notwithstanding this section or any existing local
pollution control programs, the Secretary of Environmental
Protection has exclusive jurisdiction in setting standards or



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11 procedures for evaluating environmental conditions and assessing
12 potential liability for the presence of contaminants on land
13 that is classified as agricultural land pursuant to s. 193.461
14 and being converted to a nonagricultural use. The exclusive
15 jurisdiction includes defining what constitutes all appropriate
16 inquiry consistent with 40 C.F.R. part 312 and guidance
17 thereunder.

18 (b) The secretary may not delegate the authority to set
19 standards or procedures for evaluating environmental conditions
20 and assessing potential liability under paragraph (a) to a
21 county, a municipality, or another unit of local government
22 through a local pollution control program under this section.
23 This subsection does not preempt the enforcement authority of a
24 county, a municipality, or another unit of local government
25 through a local pollution control program under this section.

26 (c) This subsection does not apply to former agricultural
27 land for which a permit has been approved by a local government
28 to initiate development or for which development was completed
29 on or before July 1, 2022.

30 Section 2. This act shall take effect July 1, 2022.

31
32 ===== T I T L E A M E N D M E N T =====

33 And the title is amended as follows:

34 Delete everything before the enacting clause
35 and insert:

36 A bill to be entitled
37 An act relating to pollution control standards and
38 liability; amending s. 403.182, F.S.; providing that
39 the Secretary of Environmental Protection has



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40 exclusive jurisdiction in setting standards or
41 procedures for evaluating environmental conditions and
42 assessing potential liability for the presence of
43 contaminants on certain agricultural lands;
44 prohibiting the secretary from delegating such
45 authority to a local governmental entity; providing
46 construction and applicability; providing an effective
47 date.