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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/29/2023	.	
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The Committee on Regulated Industries (Collins) recommended the following:

Senate Amendment (with title amendment)

Delete lines 27 - 98
and insert:

(b) Drinking water and wastewater facility personnel are essential first responders. As used in this section, the term "drinking water and wastewater facility personnel" means any employee of a governmental authority as defined in s. 367.021; a utility as defined in s. 367.021; a state, municipal, or county sewerage system as defined in s. 403.031(9); or a public water



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11 system as defined in s. 403.852(2).

12 (c) The threat to the public health and the environment
13 from the operation of water and wastewater treatment plants and
14 water distribution systems mandates that qualified personnel
15 operate these facilities.

16 (2) It is the ~~legislative~~ intent of the Legislature that
17 any person who performs the duties of an operator and who falls
18 below minimum competency or who otherwise presents a danger to
19 the public be prohibited from operating a plant or system in
20 this state.

21 Section 2. Section 403.867, Florida Statutes, is amended to
22 read:

23 403.867 License required.—A person may not perform the
24 duties of an operator of a water treatment plant, water
25 distribution system, or a domestic wastewater treatment plant
26 unless he or she holds an active and valid operator ~~a current~~
27 ~~operator's~~ license issued by the department under s. 403.872 or
28 s. 403.8721.

29 Section 3. Section 403.8721, Florida Statutes, is created
30 to read:

31 403.8721 Requirements for licensure by reciprocity.—

32 (1) The department shall issue a license by reciprocity to
33 any applicant who, at a minimum, meets all of the following
34 requirements:

35 (a) Is a water treatment plant operator, water distribution
36 system operator, or domestic wastewater treatment plant operator
37 and holds an active and valid license from another state, the
38 Federal Government, a territory or tribal government that has
39 been designated as the primary agency by the United States



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40 Environmental Protection Agency, or any unit thereof for which
41 the licensure requirements, including education and operational
42 experience, are comparable to or exceed the licensure
43 requirements of s. 403.872.

44 (b) Has passed a licensure examination comparable to the
45 licensure examination of the department, subject to approval by
46 the department.

47 (c) Is not the subject of a disciplinary or enforcement
48 action outside this state at the time of application for
49 reciprocal licensure.

50 (d) Submits a completed application for reciprocal
51 licensure and any required supporting documentation.

52 (e) Remits the application fee.

53 (2) The department shall issue a license by reciprocity to
54 any applicant who has performed duties comparable to a water
55 treatment plant operator, water distribution system operator, or
56 domestic wastewater treatment plant operator while serving in
57 the United States Armed Forces for which the requirements for
58 performing the duties, including education and operational
59 experience, are comparable to or exceed the licensure
60 requirements of s. 403.872.

61 (a) Any person applying for a license by reciprocity under
62 this subsection must, at a minimum, meet all of the following
63 requirements:

64 1. Has passed a skill assessment or competency examination
65 comparable to the licensure examination of the department,
66 subject to approval by the department.

67 2. Is not the subject of a disciplinary or enforcement
68 action at the time of application for reciprocal licensure.



69 3. Submits a completed application for reciprocal licensure
70 and any required supporting documentation.

71 4. Remits the application fee.

72 (b) If an applicant does not meet the requirements for
73 licensure under subparagraphs (a)1. and 2., the department must
74 award education and operational experience credits for licensure
75 under s. 403.872.

76 (3) During a state of emergency declared pursuant to s.
77 252.36, the department:

78 (a) May issue a temporary water treatment plant operator
79 license, water distribution system operator license, or domestic
80 wastewater treatment plant operator license by reciprocity to
81 any applicant who meets the requirements of subsection (1) or
82 subsection (2).

83 (b) Shall waive the application fee for a temporary
84 operator license under this subsection.

85 (4) The department shall adopt rules to implement this
86 section.

87
88 ===== T I T L E A M E N D M E N T =====

89 And the title is amended as follows:

90 Delete lines 4 - 15

91 and insert:

92 legislative findings and intent; defining the term
93 "drinking water and wastewater facility personnel";
94 amending s. 403.867, F.S.; conforming a provision to
95 changes made by the act; creating s. 403.8721, F.S.;
96 requiring the Department of Environmental Protection
97 to issue water treatment plant operator licenses,



98 water distribution system operator licenses, and
99 domestic wastewater treatment plant operator licenses
100 by reciprocity to certain applicants; providing
101 licensure requirements; authorizing the department to
102 issue temporary operator licenses during a declared
103 state of emergency; requiring the department to waive
104 the application fee for temporary operator licenses;
105 requiring the department to adopt rules; providing an