

26 maintaining the health advisory signs around affected
 27 beach waters and public bathing places owned by the
 28 state; requiring the department to coordinate with the
 29 Department of Environmental Protection and the Fish
 30 and Wildlife Conservation Commission as necessary to
 31 implement such signage requirements; requiring the
 32 department to monitor the affected beach waters and
 33 public bathing places for compliance with the signage
 34 requirements; requiring the department to establish a
 35 public statewide interagency database for a specified
 36 purpose; requiring the department, in coordination
 37 with the Department of Environmental Protection, to
 38 adopt certain rules and procedures; providing
 39 requirements for the database; providing an effective
 40 date.

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42 Be It Enacted by the Legislature of the State of Florida:

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44 Section 1. This act may be cited as the "Safe Waterways
 45 Act."

46 Section 2. Section 514.023, Florida Statutes, is amended
 47 to read:

48 514.023 Sampling of beach waters~~;~~ and public bathing
 49 places; health advisories; signage; database.-

50 (1) As used in this section, the term "beach waters" means

51 the waters along the coastal and intracoastal beaches and shores
52 of this ~~the~~ state, and includes salt water and brackish water.

53 (2) The department shall ~~may~~ adopt and enforce rules to
54 protect the health, safety, and welfare of persons using the
55 beach waters and public bathing places of this ~~the~~ state. The
56 rules must establish health standards and prescribe procedures
57 and timeframes for bacteriological sampling of beach waters and
58 public bathing places. The rules must, at a minimum, require
59 owners of beach waters and public bathing places to both notify
60 the local county health department and resample the water within
61 24 hours after a test result indicates that the sample of the
62 beach waters or public bathing place fails to meet standards
63 established by the department.

64 (3) The department must ~~may~~ issue health advisories if the
65 quality of beach waters or a public bathing place fails to meet
66 standards established by the department and must require closure
67 of beach waters and public bathing places that fail to meet the
68 department's standards if it deems closure is necessary to
69 protect the health, safety, and welfare of the public. Closures
70 must remain in effect until the quality of the beach waters or
71 public bathing place is restored in accordance with the
72 department's standards and the department has removed any
73 related health advisories it issued. The issuance of health
74 advisories related to the results of bacteriological sampling of
75 beach waters and public bathing places is preempted to the

76 | state.

77 | (4) (a) When the department issues a health advisory
 78 | against swimming in beach waters or a public bathing place on
 79 | the basis of finding elevated levels of fecal coliform,
 80 | *Escherichia coli*, or enterococci bacteria in a water sample, the
 81 | department must ~~shall~~ concurrently notify the municipality or
 82 | county in which the affected beach waters or public bathing
 83 | place is ~~are~~ located, whichever has jurisdiction, and the local
 84 | office of the Department of Environmental Protection, of the
 85 | advisory.

86 | (b) The local office of the Department of Environmental
 87 | Protection shall promptly investigate wastewater treatment
 88 | facilities within 1 mile of the affected beach waters or public
 89 | bathing place to determine if a facility experienced an incident
 90 | that may have contributed to the contamination and provide the
 91 | results of the investigation in writing or by electronic means
 92 | to the municipality or county, as applicable.

93 | (c) The department shall adopt by rule a sign that must be
 94 | used when it issues a health advisory against swimming in
 95 | affected beach waters or public bathing places due to elevated
 96 | levels of fecal coliform, *Escherichia coli*, or enterococci
 97 | bacteria in the water. The sign must include the following
 98 | language: "THIS WATER BODY HAS BEEN VERIFIED TO BE CONTAMINATED
 99 | WITH FECAL BACTERIA. RESTORATION IN COMPLIANCE WITH STATE WATER
 100 | QUALITY STANDARDS IS REQUIRED. THIS WATER BODY PRESENTS A RISK

101 OF INFECTION OR ILLNESS. AVOID SWIMMING AND USE CAUTION TO AVOID
102 INGESTING THE WATER OR EXPOSING OPEN WOUNDS. SECTION 514.023,
103 FLORIDA STATUTES." The department shall require health advisory
104 signs to be displayed at beach access points and in conspicuous
105 areas around affected beach waters and public bathing places
106 until subsequent testing of the water demonstrates that the
107 bacteria levels meet the standards established by the
108 department.

109 (d) Municipalities and counties are responsible for
110 posting and maintaining health advisory signs as described in
111 paragraph (c) around affected beach waters and public bathing
112 places that they own. The department is responsible for posting
113 and maintaining health advisory signs around affected beach
114 waters and public bathing places owned by the state. The
115 department shall coordinate with the Department of Environmental
116 Protection and the Fish and Wildlife Conservation Commission as
117 necessary to implement the signage requirements of this
118 subsection.

119 (e) The department shall monitor affected beach waters and
120 public bathing places for compliance with the signage
121 requirements of this subsection, ensuring that only department-
122 approved health advisory signs are used and that such signage is
123 posted and maintained in compliance with this subsection until
124 the health advisory is no longer in effect.

125 (5) The department shall establish a public statewide

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126 | interagency database for the reporting of fecal indicator
127 | bacteria data for beach waters and public bathing places in this
128 | state. The department, in coordination with the Department of
129 | Environmental Protection, shall adopt rules and procedures for
130 | the sharing of fecal indicator bacteria data between agencies
131 | and for the reporting of such data in the database. Fecal
132 | indicator bacteria data relating to sampled beach waters and
133 | public bathing places must be published in the database within 5
134 | business days after receipt and confirmation of the data.

135 | Section 3. This act shall take effect July 1, 2023.