

1 A bill to be entitled  
 2 An act relating to water and wastewater facility  
 3 operators; amending s. 403.865, F.S.; revising  
 4 legislative findings and intent; providing a  
 5 definition; amending s. 403.867, F.S.; conforming a  
 6 provision; creating s. 403.8721, F.S.; requiring the  
 7 Department of Environmental Protection to issue water  
 8 treatment plant operator licenses, water distribution  
 9 system operator licenses, and domestic wastewater  
 10 treatment plant operator licenses by reciprocity to  
 11 certain applicants; providing licensure requirements;  
 12 authorizing the department to issue temporary operator  
 13 licenses during a declared state of emergency;  
 14 requiring the department to waive the application fee  
 15 for temporary operator licenses; requiring the  
 16 department to adopt rules; providing an effective  
 17 date.

18  
 19 Be It Enacted by the Legislature of the State of Florida:

20  
 21 Section 1. Section 403.865, Florida Statutes, is amended  
 22 to read:

23 403.865 Water and wastewater facility personnel;  
 24 legislative purpose.—

25 (1) The Legislature finds that:

26 (a) Water and wastewater services are essential to the  
 27 health and well-being of all citizens.

28 (b) Water and wastewater facility personnel are essential  
 29 first responders. As used in this section, drinking water and  
 30 wastewater personnel are defined as any employee of a  
 31 governmental authority as defined in s. 367.021(7); a utility as  
 32 defined in s. 367.021(12); a state, municipal, or county  
 33 sewerage system as defined in s. 403.031(9); or a public water  
 34 system as defined in s. 403.852(2).

35 (c) The threat to the public health and the environment  
 36 from the operation of water and wastewater treatment plants and  
 37 water distribution systems mandates that qualified personnel  
 38 operate these facilities.

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

44 Section 2. Section 403.867, Florida Statutes, is amended  
 45 to read:

46 403.867 License required.—A person may not perform the  
 47 duties of an operator of a water treatment plant, water  
 48 distribution system, or ~~a~~ domestic wastewater treatment plant  
 49 unless he or she holds an active and valid operator ~~a current~~  
 50 ~~operator's~~ license issued by the department under s. 403.872 or

51 s. 403.8721.

52 Section 3. Section 403.8721, Florida Statutes, is created  
53 to read:

54 403.8721 Requirements for licensure by reciprocity.—

55 (1) The department shall issue a license by reciprocity to  
56 any applicant who, at a minimum:

57 (a) Is a water treatment plant operator, water  
58 distribution system operator, or domestic wastewater treatment  
59 plant operator and holds an active and valid license from  
60 another state, the federal government, a territory or tribal  
61 government that has been designated as the primary agency by the  
62 United States Environmental Protection Agency, or any unit  
63 thereof for which the licensure requirements, including  
64 education and operational experience, are comparable to or  
65 exceed the licensure requirements of s. 403.872.

66 (b) Has passed a licensure examination comparable to the  
67 licensure examination of the department, subject to approval by  
68 the department.

69 (c) Is not the subject of a disciplinary or enforcement  
70 action outside this state at the time of application for  
71 reciprocal licensure.

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

74 (e) Remits the application fee.

75 (2) (a) The department shall issue a license by reciprocity

76 to any applicant who:

77 1. Has performed duties comparable to a water treatment  
78 plant operator, water distribution system operator, or domestic  
79 wastewater treatment plant operator while serving in the United  
80 States Armed Forces for which the requirements for performing  
81 the duties, including education and operational experience, are  
82 comparable to or exceed the licensure requirements of s.  
83 403.872.

84 2. Has passed a skill assessment or competency examination  
85 comparable to the licensure examination of the department,  
86 subject to approval by the department.

87 3. Is not the subject of a disciplinary or enforcement  
88 action at the time of application for reciprocal licensure.

89 4. Submits a completed application for reciprocal  
90 licensure and any required supporting documentation.

91 5. Remits the application fee.

92 (b) If an applicant does not meet the requirements for  
93 licensure under this subsection, the department shall award  
94 education and operational experience credits for licensure under  
95 s. 403.872.

96 (3) During a declared state of emergency, the department:

97 (a) May issue a temporary water treatment plant operator  
98 license, water distribution system operator license, or domestic  
99 wastewater treatment plant operator license by reciprocity to  
100 any applicant who meets the requirements of subsection (1) or

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101 subsection (2).

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

104 (4) The department shall adopt rules to implement this  
105 section.

106 Section 4. This act shall take effect July 1, 2023.