

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, the term "water and
 30 wastewater facility personnel" means 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

CS/CS/HB 23

2023

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.