

By Senator Rodriguez

40-00414-24

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1 A bill to be entitled
2 An act relating to the regulation of single-use
3 plastic products; amending s. 403.7033, F.S.;
4 requiring the Department of Environmental Protection
5 to submit updated retail bag reports with conclusions
6 and recommendations to the Legislature by specified
7 dates; creating s. 403.7034, F.S.; defining the term
8 "coastal community"; authorizing coastal communities
9 to establish pilot programs to regulate single-use
10 plastic products; providing requirements for
11 establishing such pilot programs; providing an
12 effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Section 403.7033, Florida Statutes, is amended
17 to read:

18 403.7033 Departmental analysis of particular recyclable
19 materials.—The Legislature finds that prudent regulation of
20 recyclable materials is crucial to the ongoing welfare of
21 Florida's ecology and economy. As such, the Department of
22 Environmental Protection shall review and periodically update
23 its 2010 report on retail bags, analyzing the need for new or
24 different regulation of auxiliary containers, wrappings, or
25 disposable plastic bags used by consumers to carry products from
26 retail establishments. The updated reports ~~report~~ must include
27 input from state and local government agencies, stakeholders,
28 private businesses, and citizens and must evaluate the efficacy
29 and necessity of both statewide and local regulation of these

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30 materials. To ensure consistent and effective implementation,
31 beginning in 2028, and every 5 years thereafter, the department
32 shall submit an ~~the~~ updated report with conclusions and
33 recommendations to the Legislature no later than December 31,
34 ~~2021~~. Until such time that the Legislature adopts the
35 recommendations of the department, and except as provided in s.
36 403.7034, a local government, local governmental agency, or
37 state governmental agency may not enact any rule, regulation, or
38 ordinance regarding the use, disposition, sale, prohibition,
39 restriction, or tax of such auxiliary containers, wrappings, or
40 disposable plastic bags.

41 Section 2. Section 403.7034, Florida Statutes, is created
42 to read:

43 403.7034 Coastal community pilot program to regulate
44 single-use plastic products.-

45 (1) As used in this section, the term "coastal community"
46 means a municipality with a population of less than 500,000
47 which abuts or borders the Gulf of Mexico; the Atlantic Ocean;
48 or a saltwater bay, sound, strait, inlet, lagoon, salt marsh,
49 coastal wetland, or other saltwater body immediately adjacent to
50 the Gulf of Mexico or the Atlantic Ocean.

51 (2) Notwithstanding s. 403.7033, a coastal community may
52 establish a pilot program to regulate single-use plastic
53 products.

54 (3) To establish a pilot program to regulate single-use
55 plastic products, a coastal community must do all of the
56 following:

57 (a) Adopt an ordinance to regulate single-use plastic
58 products within the community's jurisdiction. The ordinance must

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59 take effect on or after July 1, 2024, and must expire by June
60 30, 2027. The ordinance may not authorize or impose any new
61 taxes or fees for the use or distribution of single-use plastic
62 products or disposable plastic bags.

63 (b) Collect pertinent data relating to the effectiveness
64 and impacts of regulating single-use plastic products.

65 (c) By May 1, 2027, submit to its governing body a report
66 with data showing the effectiveness and impacts of regulating
67 single-use plastic products.

68 (d) Present the report under paragraph (c) at a publicly
69 noticed meeting of its governing body and receive public
70 comments on the report.

71 (e) Provide a copy of the report under paragraph (c) to the
72 department no later than June 30, 2027.

73 Section 3. This act shall take effect upon becoming a law.