

1 A bill to be entitled
 2 An act relating to permits for drilling, exploration,
 3 and extraction of oil and gas resources; amending s.
 4 377.24, F.S.; prohibiting the drilling, exploration,
 5 or production of specified petroleum products within a
 6 certain distance of national estuarine research
 7 reserves; amending s. 377.242, F.S.; requiring the
 8 Department of Environmental Protection to consider
 9 certain factors when determining whether the natural
 10 resources of certain bodies of water and shore areas
 11 are adequately protected from a potential accident or
 12 blowout; providing requirements for a balancing test
 13 to make such a determination; making technical
 14 changes; reenacting ss. 377.243 and 377.37, F.S.,
 15 relating to conditions for granting permits for
 16 extraction through well holes, and penalties,
 17 respectively, to incorporate changes made by the act;
 18 providing an effective date.

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

21
 22 **Section 1. Subsection (10) is added to section 377.24,**
 23 **Florida Statutes, to read:**

24 377.24 Notice of intention to drill well; permits;
 25 abandoned wells and dry holes.—

26 (10) Notwithstanding any law or rule to the contrary, the
 27 drilling, exploration, or production of oil, gas, or other
 28 petroleum products is prohibited within 10 miles of a national
 29 estuarine research reserve.

30 **Section 2. Section 377.242, Florida Statutes, is amended**
 31 **to read:**

32 377.242 Permits for drilling or exploring and extracting
 33 through well holes or by other means.—

34 (1) The department is vested with the power and authority:

35 ~~(1)(a)~~ (a) To issue permits for the drilling for, exploring
 36 for, or production of oil, gas, or other petroleum products
 37 which are to be extracted from below the surface of the land,
 38 including submerged land, only through the well hole drilled for
 39 oil, gas, and other petroleum products.

40 1. A ~~No~~ structure intended for the drilling for, or
 41 production of, oil, gas, or other petroleum products may not be
 42 permitted or constructed:

43 a. On any submerged land within any bay or estuary.

44 ~~b.2. No structure intended for the drilling for, or~~
 45 ~~production of, oil, gas, or other petroleum products may be~~
 46 ~~permitted or constructed~~ Within 1 mile seaward of the coastline
 47 of the state.

48 ~~c.3. No structure intended for the drilling for, or~~
 49 ~~production of, oil, gas, or other petroleum products may be~~
 50 ~~permitted or constructed~~ Within 1 mile of the seaward boundary

51 of any state, local, or federal park or aquatic or wildlife
52 preserve or on the surface of a freshwater lake, river, or
53 stream.

54 d.4. ~~No structure intended for the drilling for, or~~
55 ~~production of, oil, gas, or other petroleum products may be~~
56 ~~permitted or constructed~~ Within 1 mile inland from the shoreline
57 of the Gulf of Mexico, the Atlantic Ocean, or any bay or estuary
58 or within 1 mile of any freshwater lake, river, or stream unless
59 the department is satisfied that the natural resources of such
60 bodies of water and shore areas of the state will be adequately
61 protected in the event of accident or blowout. For purposes of
62 this sub-subparagraph, the department's determination of whether
63 a resource is adequately protected must balance the measures in
64 place to protect the natural resources with the potential harm
65 to the natural resources. This balancing test should assess the
66 potential impact of an accident or a blowout on the natural
67 resources of such bodies of water and shore areas, including
68 ecological functions and any water quality impacts. The
69 balancing test must consider the ecological community's current
70 condition, hydrologic connection, uniqueness, location, fish and
71 wildlife use, time lag, and the potential costs of restoration.

72 ~~2.5.~~ Without exception, after July 1, 1989, ~~a~~ ~~no~~ structure
73 intended for the drilling for, or production of, oil, gas, or
74 other petroleum products may not be permitted or constructed
75 south of 26°00'00" north latitude off Florida's west coast and

76 south of 27°00'00" north latitude off Florida's east coast,
77 within the boundaries of Florida's territorial seas as defined
78 in 43 U.S.C. s. 1301. After July 31, 1990, no structure intended
79 for the drilling for, or production of, oil, gas, or other
80 petroleum products may be permitted or constructed north of
81 26°00'00" north latitude off Florida's west coast to the western
82 boundary of the state bordering Alabama as set forth in s. 1,
83 Art. II of the State Constitution, or located north of 27°00'00"
84 north latitude off Florida's east coast to the northern boundary
85 of the state bordering Georgia as set forth in s. 1, Art. II of
86 the State Constitution, within the boundaries of Florida's
87 territorial seas as defined in 43 U.S.C. s. 1301.

88 3.(b) Sub-subparagraphs 1.a. and d. ~~Subparagraphs (a)1.~~
89 ~~and 4.~~ do not apply to permitting or construction of structures
90 intended for the drilling for, or production of, oil, gas, or
91 other petroleum products pursuant to an oil, gas, or mineral
92 lease of such lands by the state under which lease any valid
93 drilling permits are in effect on the effective date of this
94 act. In the event that such permits contain conditions or
95 stipulations, such conditions and stipulations shall govern and
96 supersede sub-subparagraphs 1.a. and d. ~~subparagraphs (a)1. and~~
97 ~~4.~~

98 4.(e) The prohibitions of subparagraph 1. ~~subparagraphs~~
99 ~~(a)1.-4. in this subsection~~ do not include "infield gathering
100 lines," provided no other placement is reasonably available and

101 all other required permits have been obtained.

102 (b)~~(2)~~ To issue permits to explore for and extract
103 minerals which are subject to extraction from the land by means
104 other than through a well hole.

105 (c)~~(3)~~ To issue permits to establish natural gas storage
106 facilities or construct wells for the injection and recovery of
107 any natural gas for storage in natural gas storage reservoirs.

108 (2) Each permit shall contain an agreement by the
109 permit holder that the permit holder will not prevent inspection
110 by division personnel at any time. The provisions of this
111 section prohibiting permits for drilling or exploring for oil in
112 coastal waters do not apply to any leases entered into before
113 June 7, 1991.

114 **Section 3. For the purpose of incorporating the amendment**
115 **made by this act to section 377.242, Florida Statutes, in a**
116 **reference thereto, subsection (1) of section 377.243, Florida**
117 **Statutes, is reenacted to read:**

118 377.243 Conditions for granting permits for extraction
119 through well holes.—

120 (1) Prior to the application to the Division of Resource
121 Management for the permit to drill for oil, gas, and related
122 products referred to in s. 377.242(1), the applicant must own a
123 valid deed, or other muniment of title, or lease granting said
124 applicant the privilege to explore for oil, gas, or related
125 mineral products to be extracted only through the well hole on

126 the land or lands included in the application. However,
127 unallocated interests may be unitized according to s. 377.27.

128 **Section 4. For the purpose of incorporating the amendment**
129 **made by this act to section 377.242, Florida Statutes, in a**
130 **reference thereto, paragraph (a) of subsection (1) of section**
131 **377.37, Florida Statutes, is reenacted to read:**

132 377.37 Penalties.—

133 (1) (a) Any person who violates this law or any rule,
134 regulation, or order of the division made under this chapter or
135 who violates the terms of any permit to drill for or produce
136 oil, gas, or other petroleum products referred to in s.
137 377.242(1) or to store gas in a natural gas storage facility, or
138 any lessee, permitholder, or operator of equipment or facilities
139 used in the exploration for, drilling for, or production of oil,
140 gas, or other petroleum products, or storage of gas in a natural
141 gas storage facility, who refuses inspection by the division as
142 provided in this chapter, is liable to the state for any damage
143 caused to the air, waters, or property, including animal, plant,
144 or aquatic life, of the state and for reasonable costs and
145 expenses of the state in tracing the source of the discharge, in
146 controlling and abating the source and the pollutants, and in
147 restoring the air, waters, and property, including animal,
148 plant, and aquatic life, of the state. Furthermore, such person,
149 lessee, permitholder, or operator is subject to the judicial
150 imposition of a civil penalty in an amount of not more than

151 \$15,000 for each offense. However, the court may receive
152 evidence in mitigation. Each day during any portion of which
153 such violation occurs constitutes a separate offense. This
154 section does not give the department the right to bring an
155 action on behalf of any private person.

156 **Section 5.** This act shall take effect July 1, 2025.