

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 in certain counties; amending s. 377.242,
8 F.S.; requiring the Department of Environmental
9 Protection to consider certain factors when
10 determining whether the natural resources of certain
11 bodies of water and shore areas are adequately
12 protected from a potential accident or blowout;
13 providing requirements for a balancing test to make
14 such a determination; making technical changes;
15 reenacting ss. 377.243 and 377.37, F.S., relating to
16 conditions for granting permits for extraction through
17 well holes, and penalties, respectively, to
18 incorporate changes made by the act; providing an
19 effective date.

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

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

25 377.24 Notice of intention to drill well; permits;

26 | abandoned wells and dry holes.—

27 | (10) Notwithstanding any law or rule to the contrary, the
28 | drilling, exploration, or production of oil, gas, or other
29 | petroleum products is prohibited in counties designated as rural
30 | areas of opportunity under s. 288.0656 if the proposed site is
31 | within 10 miles of a national estuarine research reserve.

32 | Section 2. Section 377.242, Florida Statutes, is amended
33 | to read:

34 | 377.242 Permits for drilling or exploring and extracting
35 | through well holes or by other means.—

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

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

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

45 | a. On any submerged land within any bay or estuary.

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

50 | c.3. ~~No structure intended for the drilling for, or~~

51 ~~production of, oil, gas, or other petroleum products may be~~
52 ~~permitted or constructed~~ Within 1 mile of the seaward boundary
53 of any state, local, or federal park or aquatic or wildlife
54 preserve or on the surface of a freshwater lake, river, or
55 stream.

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

74 ~~2.5.~~ Without exception, after July 1, 1989, a ~~ne~~ structure
75 intended for the drilling for, or production of, oil, gas, or

76 other petroleum products may not be permitted or constructed
77 south of 26°00'00" north latitude off Florida's west coast and
78 south of 27°00'00" north latitude off Florida's east coast,
79 within the boundaries of Florida's territorial seas as defined
80 in 43 U.S.C. s. 1301. After July 31, 1990, no structure intended
81 for the drilling for, or production of, oil, gas, or other
82 petroleum products may be permitted or constructed north of
83 26°00'00" north latitude off Florida's west coast to the western
84 boundary of the state bordering Alabama as set forth in s. 1,
85 Art. II of the State Constitution, or located north of 27°00'00"
86 north latitude off Florida's east coast to the northern boundary
87 of the state bordering Georgia as set forth in s. 1, Art. II of
88 the State Constitution, within the boundaries of Florida's
89 territorial seas as defined in 43 U.S.C. s. 1301.

90 3.(b) Sub-subparagraphs 1.a. and d. Subparagraphs (a)1.
91 ~~and 4.~~ do not apply to permitting or construction of structures
92 intended for the drilling for, or production of, oil, gas, or
93 other petroleum products pursuant to an oil, gas, or mineral
94 lease of such lands by the state under which lease any valid
95 drilling permits are in effect on the effective date of this
96 act. In the event that such permits contain conditions or
97 stipulations, such conditions and stipulations shall govern and
98 supersede sub-subparagraphs 1.a. and d. subparagraphs (a)1. and
99 4.

100 4.(e) The prohibitions of subparagraph 1. subparagraphs

101 ~~(a)1. 4. in this subsection~~ do not include "infield gathering
102 lines," provided no other placement is reasonably available and
103 all other required permits have been obtained.

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

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

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

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

120 377.243 Conditions for granting permits for extraction
121 through well holes.—

122 (1) Prior to the application to the Division of Resource
123 Management for the permit to drill for oil, gas, and related
124 products referred to in s. 377.242(1), the applicant must own a
125 valid deed, or other muniment of title, or lease granting said

126 applicant the privilege to explore for oil, gas, or related
127 mineral products to be extracted only through the well hole on
128 the land or lands included in the application. However,
129 unallocated interests may be unitized according to s. 377.27.

130 Section 4. For the purpose of incorporating the amendment
131 made by this act to section 377.242, Florida Statutes, in a
132 reference thereto, paragraph (a) of subsection (1) of section
133 377.37, Florida Statutes, is reenacted to read:

134 377.37 Penalties.—

135 (1) (a) Any person who violates this law or any rule,
136 regulation, or order of the division made under this chapter or
137 who violates the terms of any permit to drill for or produce
138 oil, gas, or other petroleum products referred to in s.
139 377.242(1) or to store gas in a natural gas storage facility, or
140 any lessee, permitholder, or operator of equipment or facilities
141 used in the exploration for, drilling for, or production of oil,
142 gas, or other petroleum products, or storage of gas in a natural
143 gas storage facility, who refuses inspection by the division as
144 provided in this chapter, is liable to the state for any damage
145 caused to the air, waters, or property, including animal, plant,
146 or aquatic life, of the state and for reasonable costs and
147 expenses of the state in tracing the source of the discharge, in
148 controlling and abating the source and the pollutants, and in
149 restoring the air, waters, and property, including animal,
150 plant, and aquatic life, of the state. Furthermore, such person,

151 lessee, permitholder, or operator is subject to the judicial
152 imposition of a civil penalty in an amount of not more than
153 \$15,000 for each offense. However, the court may receive
154 evidence in mitigation. Each day during any portion of which
155 such violation occurs constitutes a separate offense. This
156 section does not give the department the right to bring an
157 action on behalf of any private person.

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