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HB 1143 , Engrossed 1

2025 Legislature

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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:

22  
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;

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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~~

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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

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

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

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

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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

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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,

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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.