

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

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1 Committee/Subcommittee hearing bill: Intergovernmental Affairs  
 2 Subcommittee

3 Representative Weinberger offered the following:

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**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

**Section 1. Present subsections (2) through (23) of section 403.706, Florida Statutes, are redesignated as subsections (3) through (24), respectively, and a new subsection (2) is added to that section, to read:**

403.706 Local government solid waste responsibilities.—

(2) A local government may not issue a construction permit pursuant to this section for a new solid waste disposal facility that uses an ash-producing incinerator or for a waste-to-energy facility, if the proposed location of such facility is sited within a one-half mile radius of any residential property or

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17 school, as measured from the stack. This subsection does not  
18 apply to any existing construction, current operation, or  
19 modification to such structure or operation in existence as of  
20 July 1, 2025.

21 **Section 2. Present subsections (6) through (14) of section**  
22 **403.707, Florida Statutes, are redesignated as subsections (7)**  
23 **through (15), respectively, and a new subsection (6) is added to**  
24 **that section, to read:**

25 403.707 Permits.—

26 (6) The department may not issue a construction permit  
27 pursuant to this section for a new solid waste disposal facility  
28 that uses an ash-producing incinerator or for a waste-to-energy  
29 facility, if the proposed location of such facility is sited  
30 within a one-half mile radius of any residential property or  
31 school, as measured from the stack. This subsection does not  
32 apply to any existing construction, current operation, or  
33 modification to such structure or operation in existence as of  
34 July 1, 2025.

35 **Section 3. Subsections (6), (7), and (21) of section**  
36 **403.703, Florida Statutes, are amended to read:**

37 403.703 Definitions.—As used in this part, the term:

38 (6) "Construction and demolition debris" means discarded  
39 materials generally considered to be not water-soluble and  
40 nonhazardous in nature, including, but not limited to, steel,  
41 glass, brick, concrete, asphalt roofing material, pipe, gypsum

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42 wallboard, and lumber, from the construction or destruction of a  
43 structure as part of a construction or demolition project or  
44 from the renovation of a structure, and includes rocks, soils,  
45 tree remains, trees, and other vegetative matter that normally  
46 results from land clearing or land development operations for a  
47 construction project, including such debris from construction of  
48 structures at a site remote from the construction or demolition  
49 project site. Mixing of construction and demolition debris with  
50 other types of solid waste will cause the resulting mixture to  
51 be classified as other than construction and demolition debris.  
52 The term also includes:

53 (a) Clean cardboard, paper, plastic, wood, and metal  
54 scraps from a construction project;

55 (b) Except as provided in s. 403.707(10)(j) ~~s.~~  
56 ~~403.707(9)(j)~~, yard trash and unpainted, nontreated wood scraps  
57 and wood pallets from sources other than construction or  
58 demolition projects;

59 (c) Scrap from manufacturing facilities which is the type  
60 of material generally used in construction projects and which  
61 would meet the definition of construction and demolition debris  
62 if it were generated as part of a construction or demolition  
63 project. This includes debris from the construction of  
64 manufactured homes and scrap shingles, wallboard, siding  
65 concrete, and similar materials from industrial or commercial  
66 facilities; and

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67 (d) De minimis amounts of other nonhazardous wastes that  
68 are generated at construction or destruction projects, provided  
69 such amounts are consistent with best management practices of  
70 the industry.

71 (7) "County," or any like term, means a political  
72 subdivision of the state established pursuant to s. 1, Art. VIII  
73 of the State Constitution and, when s. 403.706(20) ~~s.~~  
74 ~~403.706(19)~~ applies, means a special district or other entity.

75 (21) "Municipality," or any like term, means a  
76 municipality created pursuant to general or special law  
77 authorized or recognized pursuant to s. 2 or s. 6, Art. VIII of  
78 the State Constitution and, when s. 403.706(20) ~~s. 403.706(19)~~  
79 applies, means a special district or other entity.

80  
81 **Section 4. Subsection (5) of section 403.7049, Florida**  
82 **Statutes, is amended to read:**

83 403.7049 Determination of full cost for solid waste  
84 management; local solid waste management fees.-

85 (5) In order to assist in achieving the municipal solid  
86 waste reduction goal and the recycling provisions of s.  
87 403.706(3) ~~s. 403.706(2)~~, a county or a municipality which owns  
88 or operates a solid waste management facility is hereby  
89 authorized to charge solid waste disposal fees which may vary  
90 based on a number of factors, including, but not limited to, the  
91 amount, characteristics, and form of recyclable materials

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92 present in the solid waste that is brought to the county's or  
93 the municipality's facility for processing or disposal.

94 **Section 5. Paragraph (c) of subsection (2) and subsection**  
95 **(3) of section 403.705, Florida Statutes, are amended to read:**

96 403.705 State solid waste management program.—

97 (2) The state solid waste management program shall  
98 include, at a minimum:

99 (c) Planning guidelines and technical assistance to  
100 counties and municipalities to aid in meeting the municipal  
101 solid waste recycling goals established in s. 403.706(3) ~~s.~~  
102 ~~403.706(2)~~.

103 (3) The department shall evaluate and report biennially to  
104 the President of the Senate and the Speaker of the House of  
105 Representatives on the state's success in meeting the solid  
106 waste recycling goal as described in s. 403.706(3) ~~s.~~  
107 ~~403.706(2)~~.

108 **Section 6.** This act shall take effect July 1, 2025.  
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111 -----  
112 **T I T L E A M E N D M E N T**

113 Remove everything before the enacting clause and insert:

114 An act relating to waste incineration; amending ss.

115 403.706 and 403.707, F.S.; prohibiting a local

116 government or the Department of Environmental

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1609 (2025)

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117 Protection, respectively, from issuing a construction  
118 permit for a certain new solid waste disposal facility  
119 or a waste-to-energy facility in specified areas;  
120 amending ss. 403.703, 403.7049, and 403.705, F.S.;  
121 conforming cross-references; providing an effective  
122 date.