

Amendment No.

## CHAMBER ACTION

SenateHouse

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Representative Bartleman offered the following:

**Amendment to Amendment (117705)**

Remove lines 17-161 of the amendment and insert:  
one or more dwelling units per acre or within 1 mile of any  
impoundment areas authorized by the Congress of the United  
States with an effective interior capacity of 800 acres or more  
for purposes of capturing, storing, and distributing surface  
water. The 1-mile radius must be measured from the stack of the  
facility. This subsection does not apply to any existing  
construction, current operation, or modification to such  
structure or operation in existence as of July 1, 2025.

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13        (3) A county with a population of 1.7 million or greater,  
14 or a municipality located in such county, may not issue a  
15 construction permit pursuant to this section for the expansion  
16 of any existing landfill that is located within a 1-mile radius  
17 of any property zoned residential unless the following  
18 requirements are met:

19        (a) A feasibility study is conducted before the permit is  
20 issued that:

21            1. Identifies potential alternatives to expanding the  
22 landfill, such as waste-to-energy technologies and processes  
23 that reduce landfill dependence and greenhouse gas emissions  
24 including, but not limited to, anaerobic digestion, plasma arc  
25 technology, and mixed waste processing.

26            2. Evaluates the financial costs of using such  
27 technologies and processes and the benefits of local siting and  
28 government ownership.

29            3. Evaluates the technical feasibility of expansion,  
30 considering engineering requirements, infrastructure needs,  
31 technological advancements, and regulatory compliance.

32            4. Evaluates relevant and appropriate data and analyses,  
33 such as surveys, studies, community goals and vision, and data  
34 used in preparation of the comprehensive plan, from  
35 professionally accepted sources.

36            5. Identifies and evaluates potential risks and challenges  
37 associated with the project.

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38        (b) The county or municipality holds a public meeting to  
39        review and discuss the results of the feasibility study and  
40        provides a rationale for expanding the landfill.

41        (6) (a) ~~(4) (a)~~ In order to promote the production of  
42        renewable energy from solid waste, each megawatt-hour produced  
43        by a renewable energy facility using solid waste as a fuel shall  
44        count as 1 ton of recycled material and shall be applied toward  
45        meeting the recycling goals set forth in this section. If a  
46        county creating renewable energy from solid waste implements and  
47        maintains a program to recycle at least 50 percent of municipal  
48        solid waste by a means other than creating renewable energy,  
49        that county shall count 1.25 tons of recycled material for each  
50        megawatt-hour produced. If waste originates from a county other  
51        than the county in which the renewable energy facility resides,  
52        the originating county shall receive such recycling credit. Any  
53        byproduct resulting from the creation of renewable energy that  
54        is recycled shall count towards the county recycling goals in  
55        accordance with the methods and criteria developed pursuant to  
56        paragraph (4) (h) ~~(2) (h)~~.

57        (b) A county may receive credit for one-half of the  
58        recycling goal set forth in subsection (4) ~~(2)~~ from the use of  
59        yard trash, or other clean wood waste or paper waste, in  
60        innovative programs including, but not limited to, programs that  
61        produce alternative clean-burning fuels such as ethanol or that  
62        provide for the conversion of yard trash or other clean wood

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waste or paper waste to clean-burning fuel for the production of energy for use at facilities other than a waste-to-energy facility as defined in s. 403.7061. The provisions of this paragraph apply only if a county can demonstrate that:

1. The county has implemented a yard trash mulching or composting program, and

2. As part of the program, compost and mulch made from yard trash is available to the general public and in use at county-owned or maintained and municipally owned or maintained facilities in the county and state agencies operating in the county as required by this section.

(c) A county with a population of 100,000 or less may provide its residents with the opportunity to recycle in lieu of achieving the goal set forth in this section. For the purposes of this section, the "opportunity to recycle" means that the county:

1.a. Provides a system for separating and collecting recyclable materials prior to disposal that is located at a solid waste management facility or solid waste disposal area; or

b. Provides a system of places within the county for collection of source-separated recyclable materials.

2. Provides a public education and promotion program that is conducted to inform its residents of the opportunity to recycle, encourages source separation of recyclable materials,

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87 and promotes the benefits of reducing, reusing, recycling, and  
88 composting materials.

89 ~~(8)-(6)~~ The department may reduce or modify the municipal  
90 solid waste recycling goal that a county is required to achieve  
91 pursuant to subsection (4) ~~(2)~~ if the county demonstrates to the  
92 department that:

93 (a) The achievement of the goal set forth in subsection  
94 (4) ~~(2)~~ would have an adverse effect on the financial  
95 obligations of a county that are directly related to a waste-to-  
96 energy facility owned or operated by or on behalf of the county;  
97 and

98 (b) The county cannot remove normally combustible  
99 materials from solid waste that is to be processed at a waste-  
100 to-energy facility because of the need to maintain a sufficient  
101 amount of solid waste to ensure the financial viability of the  
102 facility.

103  
104 The goal shall not be waived entirely and may only be reduced or  
105 modified to the extent necessary to alleviate the adverse  
106 effects of achieving the goal on the financial viability of a  
107 county's waste-to-energy facility. Nothing in this subsection  
108 shall exempt a county from developing and implementing a  
109 recycling program pursuant to this act.

110 ~~(9)-(7)~~ In order to assess the progress in meeting the goal  
111 set forth in subsection (4) ~~(2)~~, each county shall, by April 1

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each year, provide information to the department regarding its annual solid waste management program and recycling activities.

(a) The information submitted to the department by the county must, at a minimum, include:

1. The amount of municipal solid waste disposed of at solid waste disposal facilities, by type of waste such as yard trash, white goods, clean debris, tires, and unseparated solid waste;

2. The amount and type of materials from the municipal solid waste stream that were recycled; and

3. The percentage of the population participating in various types of recycling activities instituted.

(b) Beginning with the data for the 2012 calendar year, the department shall by July 1 each year post on its website the recycling rates of each county for the prior calendar year.

(22) ~~(20)~~ In addition to any other penalties provided by law, a local government that does not comply with the requirements of subsections (4) and (6) ~~is (2) and (4)~~ shall not be eligible for grants from the Solid Waste Management Trust Fund, and the department may notify the Chief Financial Officer to withhold payment of all or a portion of funds payable to the local government by the department from the General Revenue Fund or by the department from any other state fund, to the extent not pledged to retire bonded indebtedness, unless the local government demonstrates that good faith efforts to meet the

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requirements of subsections (4) and (6) ~~(2) and (4)~~ have been made or that the funds are being or will be used to finance the correction of a pollution control problem that spans jurisdictional boundaries.

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

403.707 Permits.—

(6) The department 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 1-mile radius of any school or any property zoned for residential use within that same county which has a density of one or more dwelling units per acre or within 1 mile of any impoundment areas authorized by the Congress of the United States with an effective interior capacity of 800 acres or more for purposes of capturing, storing, and distributing surface water. The 1-mile radius must be

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