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LEGISLATIVE ACTION

Senate

House

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Floor: WD

04/09/2025 08:31 AM

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Senator Burgess moved the following:

**Senate Amendment (with title amendment)**

Between lines 974 and 975  
insert:

Section 16. Subsection (4) is added to section 373.423,  
Florida Statutes, to read:

373.423 Inspection.—

(4) (a) For purposes of this subsection:

1. "MS4" means a municipal separate storm sewer system as  
defined in 40 C.F.R. s. 122.26(b).

2. "MS4 entity" means an MS4 permittee.



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(b) Each MS4 entity shall conduct an observation and a review of all permitted stormwater management systems owned or operated by the MS4 entity by September 1, 2026, and by September 1 every 5 years thereafter. As part of such observation and review, the MS4 entity shall identify any infrastructure within the MS4, or any component thereof, which:

1. Has a significant vulnerability to obstruction, blockage, deterioration, failure, or other deficiencies; and
2. Upon operational failure, would result in flooding and property damage.

(c) Any infrastructure identified that satisfies the conditions in subparagraph (b)1. or subparagraph (b)2. must be inspected by the MS4 entity annually by June 1 thereafter.

(d) The MS4 entity shall complete the stormwater facility inspection checklist developed by the department for the inspections required by paragraph (c). Completed inspection checklists must be submitted to the department and the Division of Emergency Management by each September 1 after the inspection takes place.

(e) This subsection does not apply to the Department of Transportation or to any entity that operates a toll facility in this state.

===== T I T L E   A M E N D M E N T =====

And the title is amended as follows:

Delete line 126

and insert:

available during normal business hours; amending s.

373.423, F.S.; defining the terms "MS4" and "MS4



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entity"; requiring each MS4 entity to conduct an observation and a review of certain stormwater management systems by a specified date and every 5 years thereafter; providing requirements for such observation and review; requiring that certain infrastructure be inspected by a specified date; requiring each MS4 entity to complete a stormwater facility inspection checklist for inspections of such infrastructure; requiring that such checklist be submitted to specified entities by a specified date; providing applicability; amending s.