

FLORIDA HOUSE OF REPRESENTATIVES

FINAL BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 295 TITLE: Comprehensive Waste Reduction and Recycling Plan SPONSOR(S): Casello and Hart	COMPANION BILL: SB 200 (Berman) LINKED BILLS: None RELATED BILLS: None
FINAL HOUSE FLOOR ACTION: 116 Y's 0 N's	GOVERNOR'S ACTION: Pending

SUMMARY

Effect of the Bill:

The bill requires the Department of Environmental Protection (DEP) to develop a statewide comprehensive waste reduction and recycling plan (recycling plan) based on the recommendations in its 2020 report on Florida's recycling goal. The bill also requires DEP to convene a technical assistance group to assist with the development of the recycling plan.

Fiscal or Economic Impact:

The bill may have an insignificant negative fiscal impact on DEP associated with developing the recycling plan.

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ANALYSIS

EFFECT OF THE BILL:

By July 1, 2026, the bill requires the Department of Environmental Protection (DEP) to develop a statewide comprehensive waste reduction and [recycling plan](#) (recycling plan) based on recommendations from its report on [Florida's recycling goal](#) titled "Florida and the 2020 75% Recycling Goal" ([2020 Report](#)). DEP must convene a technical advisory group to help develop the plan. (Section [1](#))

At a minimum, the bill requires the recycling plan to identify recycling goals based on sustainable materials management and waste diversion and include a three-year plan to implement the following strategies:

- [Recycling education and outreach](#). DEP must propose statewide solutions to provide local recycling information and education throughout the state.
- [Local government recycling assistance](#). DEP must evaluate the benefits and challenges of the former state Recycling and Education Grant Program and provide recommendations for reinstating the program or considering other means of providing recycling assistance to local governments.
- [Recycling materials market development](#). DEP must consider and recommend plans to develop and promote markets for recycling materials. (Section [1](#))

Upon completion of the recycling plan, the bill requires DEP to provide a report to the President of the Senate and the Speaker of the House of Representatives. The report must include recommendations for statutory changes necessary to achieve the recycling goals and strategies identified in the recycling plan. (Section [1](#))

Subject to the Governor's veto powers, the effective date of the bill is July 1, 2025. (Section [2](#))

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill provides for the development of a recycling plan that may negatively impact workload within DEP; the costs, however, can be absorbed within existing resources.

STORAGE NAME: h0295z.NRD

DATE: 5/5/2025

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Recycling

Recycling is any process by which solid waste, or materials that would otherwise become solid waste, are collected, separated, or processed and reused or returned to use in the form of raw materials or intermediate or final products.¹ These materials or products include, but are not limited to, crude oil, fuels, and fuel substitutes.² Local governments are responsible for collecting and transporting solid waste to solid waste processing facilities where the recyclables are separated by category.³

Local Government Solid Waste and Recycling Responsibilities

Each Florida county has the authority and responsibility to provide for the operation of solid waste disposal facilities to meet the needs of all incorporated and unincorporated areas of the county.⁴ Counties may charge reasonable fees for the handling and disposal of solid waste at their facilities.⁵ Municipalities are responsible for collecting and transporting solid waste from their jurisdictions to a solid waste disposal facility operated by a county or county contractor.⁶ Local governments are also authorized to provide for the collection of recyclable materials.⁷ A market must exist for the recyclable materials, and the local government must specifically intend for them to be recycled.⁸

Florida's Recycling Goal

In 2008, the Legislature set a statewide goal to recycle at least 75 percent of municipal solid waste (MSW)⁹ by 2020.¹⁰ DEP established numerous programs and initiatives to reach the 75 percent recycling goal.¹¹ In 2010, the Legislature built on this goal by requiring counties to implement local recycling programs with interim goals of recycling MSW as follows:¹²

Recycling Goal	Goal Date
40 percent	December 31, 2012
50 percent	December 31, 2014
60 percent	December 31, 2016
70 percent	December 31, 2018
75 percent	December 31, 2020

While Florida achieved the interim goals for 2012 and 2014, the state's recycling rate for 2016 was 56 percent, falling short of the 60 percent goal.¹³ Between 2016 and 2020, Florida's statewide recycling rate continued to

¹ Section [403.703, F.S.](#)

² *Id.*

³ Section [403.706\(1\), F.S.](#); municipalities are also authorized to construct and operate solid waste disposal facilities if certain statutory requirements are met. Rule [62-701, F.A.C.](#)

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ Section [403.706\(21\), F.S.](#)

⁸ *Id.*

⁹ "MSW" means any solid waste, except for sludge, resulting from the operation of residential, commercial, governmental, or institutional establishments that would normally be collected, processed, and disposed of through a public or private solid waste management service. MSW also includes yard trash but does not include solid waste from industrial, mining, or agricultural operations. Section [403.706\(5\), F.S.](#)

¹⁰ Section [403.7032, F.S.](#); MSW is measured by weight. DEP, *Florida and the 2020 75% Recycling Goal: Final Report*, 3, 8 (2020), available at <https://floridadep.gov/waste/permitting-compliance-assistance/documents/75-recycling-goal-final-report> (last visited Apr. 1, 2025) [hereinafter *2020 Report*].

¹¹ DEP, *Recycling*, <https://floridadep.gov/waste/waste-reduction/content/recycling> (last visited Apr. 1, 2025).

¹² Section [403.706\(2\)\(a\), F.S.](#)

¹³ DEP, *2020 Report* at 2, available at <https://floridadep.gov/waste/permitting-compliance-assistance/documents/75-recycling-goal-final-report> (last visited Apr. 2, 2025).

decline, with a rate of 52 percent in 2019 and 50 percent in 2020.¹⁴ Only three of Florida's 36 large counties—Charlotte, Lee, and Pinellas—successfully met the 75 percent recycling goal by 2020.¹⁵ In 2022 and 2023, the single-family recycling participation rate was 48 percent, which was a 4 percent increase from 2020 but a 3 percent decrease from 2021.¹⁶ Commercial recycling participation rates also showed a slight increase (approximately 1 percent) during the same timeframe.¹⁷

2020 Report

DEP was required to submit a report to the President of the Senate and the Speaker of the House of Representatives each year in which the interim recycling goals were not met.¹⁸ These reports had to identify additional programs or statutory changes needed to achieve the recycling goals.¹⁹ In 2021, DEP released its final report, titled "Florida and the 2020 75% Recycling Goal" (2020 Report).²⁰ According to the 2020 Report, Florida generated the equivalent of over two tons of MSW per resident in 2020, which is approximately twice the national average.²¹ However, there is no universal methodology for measuring progress toward recycling goals. Moreover, Florida's MSW calculations do not account for tourists, while calculations by the U.S. Environmental Protection Agency and other states do.²²

In the 2020 Report, DEP recommends convening a technical advisory group (TAG) to develop a comprehensive waste reduction and recycling plan for Florida.²³ The TAG, if convened, would include the Florida Recycling Workgroup, local governments, and other interested parties, and the comprehensive plan would implement stakeholder recommendations by:

- Identifying a set of recycling goals that use sustainable materials management²⁴ and waste diversion²⁵ concepts;

¹⁴ *Id.* at 6. Prior to the implementation of the 75 percent recycling goal, Florida's recycling rate, which was calculated based on recycling traditional materials, was 30 percent. If the same methodology was applied to 2020, the recycling rate would be only 25 percent. *Id.*

¹⁵ *Id.* at 9. "Large counties" are those with a population of over 100,000. *Id.*

¹⁶ DEP, *2023 Single-Family Participation in Recycling* (2024), available at <https://floridadep.gov/sites/default/files/2023%20Single-Family%20Participation.pdf> (last visited Apr. 2, 2025); *2022 Single-Family Participation in Recycling* (2023), available at https://floridadep.gov/sites/default/files/2022_Single_Family_Participation.pdf (last visited Apr. 2, 2025); DEP, *2021 Single-Family Participation in Recycling* (2022), available at <https://floridadep.gov/sites/default/files/2021%20Single%20Family%20Recycling%20Participation%20in%20Florida.pdf> (last visited Mar. 2, 2025); DEP, *2020 Single-Family Participation in Recycling* (2021), available at <https://floridadep.gov/sites/default/files/2020%20Single-Family%20Participation%20in%20Recycling.pdf>. (last visited Mar. 2, 2025).

¹⁷ DEP, *2023 Commercial Participation in Recycling* (2024), available at <https://floridadep.gov/sites/default/files/2023%20Commercial%20Participation.pdf> (last visited Apr. 2, 2025); *2022 Commercial Participation in Recycling* (2023), available at https://floridadep.gov/sites/default/files/2022_Commercial_Participation.pdf (last visited Apr. 27, 2025); DEP, *2021 Commercial Participation in Recycling* (2022), available at <https://floridadep.gov/sites/default/files/2021%20Commercial%20Recycling%20Participation%20in%20Florida.pdf> (last visited Jan. 27, 2025); DEP, *2020 Commercial Participation in Recycling* (2021), available at <https://floridadep.gov/sites/default/files/2020%20Commercial%20Participation%20in%20Recycling.pdf>. (last visited Apr. 2, 2025).

¹⁸ Section 403.706(2)(e), F.S.; see s. 403.705(3), F.S. DEP must evaluate and report biennially to the President of the Senate and the Speaker of the House on the state's success in meeting the solid waste recycling goal.

¹⁹ Section 403.706(2)(e), F.S.

²⁰ DEP, *2020 Report* at 2, available at <https://floridadep.gov/waste/permitting-compliance-assistance/documents/75-recycling-goal-final-report> (last visited Apr. 2, 2025).

²¹ *Id.* at 8.

²² *Id.*

²³ *Id.* at 4.

²⁴ Sustainable materials management is a term for alternative approaches to recycling that recognize the differences among waste components with respect to environmental and resource outcomes. Sustainable materials management focuses on using and reusing materials more productively over their life cycles. *Id.*

²⁵ Waste diversion is the process of diverting waste from landfills; it is the amount of material that is reduced, reused, and/or recycled per capita and can be measured by the amount of waste not being disposed of in landfills. Waste diversion reduces disposal costs and the burden on landfills. United States Environmental Protection Agency (EPA), *Waste Diversion at EPA*,

- Developing objectives and proposing a three-year plan to develop a recycling market, education and outreach, and local government assistance; and
- Proposing statutory language to implement the revised recycling goals and strategies.²⁶

The 2020 Report also provides recommendations from the Florida Recycling Workgroup and a group of local governments, including:

- Replacing the current 75 percent weight-based goal with a goal or set of goals that are better indicators of program performance and desired environmental and economic outcomes;²⁷
- Using sustainable materials management to prioritize which materials to recycle based on environmental metrics and market availability and setting recycling goals for these specific materials; and
- Focusing on three strategies: education and outreach, funding and incentives to support local government recycling efforts, and developing recycling markets.²⁸

Recycling Education and Outreach

Education on the types of recycling services available, how materials are collected, and which materials are accepted is important for a successful recycling program. Because recycling programs within the state vary significantly, education should be tailored to local recycling programs.²⁹

Currently, DEP operates several education programs, including:

- The Florida Food Waste Prevention Week, which focuses on engagement with local municipalities, universities, national food recovery networks, and the hospitality industry to raise awareness about food waste;
- Phase Three of the Rethink.Reset.Recycle. Program, which focuses on providing counties and municipalities with a variety of customized digital products illustrating correct preparation of recyclables prior to disposing of them; and
- The Recycling Recognition Program, which encourages private businesses, institutions, schools, organizations, and the public to increase recycling by setting recycling goals.³⁰

According to the 2020 Report, the TAG, if convened, would propose an education and outreach approach that evaluates statewide solutions but is customized for local needs, including a possible application for mobile devices that provides recycling information based on location.³¹

Local Government Recycling Assistance

In 1988, the Solid Waste Management Act required counties to initiate recycling programs to address the growing costs and environmental problems associated with solid waste disposal in the state.³² To aid counties in setting up recycling programs, the Legislature established the Recycling and Education Grant Program. Under the program, counties received funds for initial capital costs, operations, recycling education, market development, and special projects. The program sunset in 2001.³³

The 2020 Report recommends that the TAG evaluate the benefits and problems of the now defunct Recycling and Education Grant Program, make a recommendation to reinstate the program, or consider other means to provide recycling assistance to local governments.³⁴

<https://www.epa.gov/greeningepa/waste-diversion-epa> (last visited Mar. 2, 2025); DEP, *2020 Report* at 4, available at <https://floridadep.gov/waste/permitting-compliance-assistance/documents/75-recycling-goal-final-report> (last visited Apr. 2, 2025).

²⁶ *Id.* at 5.

²⁷ *Id.* at 3. There is a consensus in Florida's recycling industry (as well as other states and at the federal level) that using a weight-based goal does not result in efficient or effective recycling. *Id.*

²⁸ *Id.* at 4.

²⁹ *Id.* at 5.

³⁰ *Id.* at 20-21.

³¹ *Id.* at 4.

³² *Id.* at 5.

³³ *Id.*

³⁴ *Id.*

Recycling Materials Market Development

In order for the recycling industry to operate efficiently and provide reasonable returns on investments, there must be a market for finished goods that are manufactured from recycled materials. When the markets for these finished goods increase, the demand for recycled materials will increase, driving up profitability and incentivizing increased investments in the collection, sorting, processing, and manufacturing sectors.³⁵

To increase markets for recyclable materials, the 2020 Report recommends that the following be considered when developing the comprehensive recycling plan:

- Tax incentives for usage of recycled materials as feed stocks in manufacturing processes;
- Tax incentives and credits to support materials recovery plant upgrades;
- Public/private partnerships to invest in new processing technologies;
- Investments in expansion of Recycling Business Assistance Center³⁶ activities;
- End-user purchase rebates for Florida Certified Compost; and
- Preference programs to use and purchase products made from recycled content material.³⁷

RECENT LEGISLATION:

YEAR	BILL #	HOUSE SPONSOR(S)	SENATE SPONSOR	OTHER INFORMATION
2024	HB 455	Casello	Stewart	This bill passed the House but died in the Senate

OTHER RESOURCES:

[Florida and the 2020 75% Recycling Goal Final Report](#)

³⁵ *Id.*

³⁶ The Recycling Business Assistance Center was established in 2010 to coordinate between state agencies and the private sector to develop new markets for recyclable materials locally and globally. DEP, *Recycling Business Assistance Center*, <https://floridadep.gov/waste/waste-reduction/content/recycling-business-assistance-center> (last visited Apr. 2, 2025).

³⁷ DEP, *2020 Report* at 5, available at <https://floridadep.gov/waste/permitting-compliance-assistance/documents/75-recycling-goal-final-report>. (last visited Apr. 2, 2025).