



# 2023 FLORIDA LEGISLATIVE SESSION

*Session: March 7 to May 5*

# BILLS INTEREST THAT DID NOT PASS

Bill Title	Significance	Bill Numbers	Sponsors
Public Meetings	<ul style="list-style-type: none"> <li>Allows local governments to conduct private meetings with attorneys that have made a Bert Harris Private Property Rights Act claim</li> </ul>	<a href="#">HB 397</a>	Rep Tuck
Land Development and Referendum	<ul style="list-style-type: none"> <li>Prohibits local initiative or referendum processes on land development regulations</li> </ul>	<a href="#">HB 41</a>  <a href="#">SB 856</a>	Rep Garcia  Sen Rodriguez
Implementation of the Recommendations of the Blue-Green Algae Task Force	<ul style="list-style-type: none"> <li>Requires 5-year septic system inspection program in critical springsheds</li> <li>BMAP strengthening</li> </ul>	<a href="#">HB 423</a>  <a href="#">SB 1538</a>	Rep Cross  Sen Stewart
Safe Waterways Act	<ul style="list-style-type: none"> <li>Healthy Beaches</li> <li>Testing and Beach Closure guidelines</li> <li>Requires public beach owners to notify the county health department within 24 hours of a failed water quality test and requires closure if DOH deems necessary</li> <li>Requires DOH to establish signage requirements for health advisories and establish a database for fecal indicator bacteria data for public beaches</li> </ul>	<a href="#">HB 177</a>  <a href="#">SB 172</a>	Rep Gossett-Seidman  Sen Berman

# BILLS INTEREST THAT DID NOT PASS

Bill Title	Significance	Bill Numbers	Sponsors
Excise Tax on Water Extracted for Commerce and Industrial Use	<ul style="list-style-type: none"> <li>Imposes excise tax on water withdrawals for commercial and industrial use, excluding public water supplies, agricultural producers, and sanitation facilities</li> <li>Requires taxed entities to maintain taxable withdrawal records for FDEP inspection</li> </ul>	<a href="#">SB 930</a>	Sen Stewart
Management and Storage of Surface Water	<ul style="list-style-type: none"> <li>Exempts environmental habitat creation, restoration, and enhancement activities and water quality improvements on agricultural and government-owned lands from surface water management and storage regulations</li> </ul>	<a href="#">HB 371</a>  <a href="#">SB 910</a>	Rep Killebrew  Sen Burton
Wastewater Grant Program	<ul style="list-style-type: none"> <li>Expands FDEP wastewater grant program for projects to restore impaired waterbodies</li> <li><b>Language moved to HB 1379 that <u>did</u> pass</b></li> </ul>	<a href="#">HB 827</a>  <a href="#">SB 458</a>	Rep Basabe Rep Lopez V.  Sen Rodriguez

# BILLS INTEREST THAT PASSED

Bill Title	Significance	Bill Numbers	Sponsors	Status
Land Use Development Regulations	<ul style="list-style-type: none"> <li>• Redefines definitions for urban sprawl and agricultural enclaves</li> <li>• Prohibits the denial of a development order for not meeting LOS standards</li> <li>• Removes local government discretion to reject a decision under FLUEDRA</li> </ul>	<a href="#">HB 439</a>  <a href="#">SB 1604</a>	Rep McClain  Sen Ingoglia	Passed in House 5/3/2023,  Passed in Senate 5/4/23,  <b>Approved by the Governor 5/8/23</b>
Local Comprehensive Plans	<ul style="list-style-type: none"> <li>• Allows prevailing party in challenges to comprehensive plan amendments to recover reasonable attorney's fees</li> </ul>	<a href="#">HB 359</a>  <a href="#">SB 540</a>	Rep Duggan  Sen DiCeglie	Passed in House on 5/2/23  Passed in Senate on 4/19/23
Local Ordinances	<ul style="list-style-type: none"> <li>• Requires local governments to submit business impact estimates before enacting ordinances</li> <li>• Allows courts to award attorney's fees and damages in civil actions filed against local governments related to ordinances</li> </ul>	<a href="#">HB 1515</a>  <a href="#">SB 170</a>	Rep Brackett  Sen Trumbull	Passed int the House 5/3/23  Passed Senate on 5/3/23

# BILLS INTEREST THAT PASSED

Bill Title	Significance	Bill Numbers	Sponsors	Status
Public Construction	<ul style="list-style-type: none"> <li>Requires a 180-day limit to resolve disputes between vendors and local government</li> <li>Revises conditions that require a public entity to pay for certain disputes or claims</li> <li>Revises provisions relating to payments for purchases of construction services by local government</li> </ul>	<a href="#">HB 383</a>  <a href="#">SB 346</a>	Rep Griffitts  Sen DiCeglie	Passed in House on 5/3/23  Passed in Senate on 4/27/2023
Public Financing of Potential At-Risk Structure and Infrastructure	<ul style="list-style-type: none"> <li>Expands SLIP to all areas at risk of sea level rise</li> </ul>	<a href="#">HB 111</a>  <a href="#">SB 1170</a>	Rep Hunschofsky  Sen Calatayud	Passed House on 4/19/2023  Passed in Senate on 5/1/23

# BILLS OF INTEREST THAT PASSED

Bill Title	Significance	Bill Numbers	Sponsors	Status
Biosolids	<ul style="list-style-type: none"> <li>Expands FDEP wastewater grant program for class A and AA biosolids projects</li> <li><del>Restricts land application of Class B biosolids within the watersheds of nutrient impaired waterbodies</del></li> </ul>	<a href="#">HB 1405</a>  <a href="#">SB 880</a>	Rep Tuck  Sen Brodeur	Passed in House on 4/28/2023  Passed in Senate on 5/4/23
Water and Wastewater Facility Operators	<ul style="list-style-type: none"> <li>Requires FDEP to issue water and wastewater operator licenses by reciprocity to applicants holding a federal or out-of-state license</li> <li>Allows FDEP to issue temporary operator licenses with waived application fees during a declared state of emergency</li> </ul>	<a href="#">HB 23</a>  <a href="#">SB 162</a>	Rep Bell  Sen Collins	Passed in House on 4/20/2023  Passed in Senate on 4/20/2023

# BILLS OF INTEREST THAT PASSED

Bill Title	Significance	Bill Numbers	Sponsors	Status
Utility System Rate Base Values	<ul style="list-style-type: none"> <li>Establishes alternative procedure by which PSC may establish rate base value for certain acquired utility systems.</li> <li>requires that approved rate base value be reflected in acquiring utility's next general rate case for ratemaking purposes.</li> <li>establishes procedure for appraisal of acquired utility system.</li> <li>provides contents required for petition to PSC for approval of rate base value of acquired utility system.</li> <li>provides duties of PSC regarding petitions.</li> <li>authorizes PSC to set rates for &amp; classify certain acquired utility systems.</li> <li>requires PSC to take certain factors into consideration for certain rate base value petitions.</li> <li>requires PSC to adopt rules.</li> </ul>	<a href="#">HB 125</a>  SB 194	Rep McClain  Sen Hooper	Passed House on 4/27/2023  Passed in the Senate on 4/27/2023



An aerial photograph of a tropical island with a white sandy beach, green vegetation, and turquoise water. A blue rectangular box is overlaid on the image, containing white text.

# SB 1632 / HB 1379: Environmental Protection



Bill Title	Bill Numbers	Sponsors	Status
Environmental Protection	<a href="#">HB 1379</a>	Rep Steele Rep Overdorf Rep Bankson Rep Bartleman Rep Basebe Rep Buchanan Rep Cassel Rep Chaney Rep Garcia Rep Gossett-Seidman Rep Gottlieb Rep Lopez, J. Rep Lopez, V. Rep Massullo Rep Mooney Rep Porras Rep Woodson Rep Yarkosky	Passed House on 5/3/2023,
			Passed Senate on 5/2/2023,
	SB 1632	Sen Brodeur Sen Avila	Approved by the Governor.



# SB 1632 / HB 1379: ENVIRONMENTAL PROTECTION



## MAJOR SUBTOPICS

- Wastewater Treatment
- Onsite Sewage Treatment and Disposal Systems (OSTDS)
- Sanitary Sewer Services
- Basin Management Action Plans (BMAPs)
- Wastewater Grant Program
- Indian River Lagoon (IRL)
- Acquisition of State Lands







# SB 1632 / HB 1379: ENVIRONMENTAL PROTECTION

## WASTEWATER TREATMENT

- Advanced waste treatment will be required in existing sewage disposal facilities

Condition	Date of Implementation
Discharge to designated <b>Impaired Waters</b>	By January 1, 2033
Waters designated as <b>Impaired</b> after July 1, 2023	Within 10 years of designation





# SB 1632 / HB 1379: ENVIRONMENTAL PROTECTION

## ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS (OSTDS)

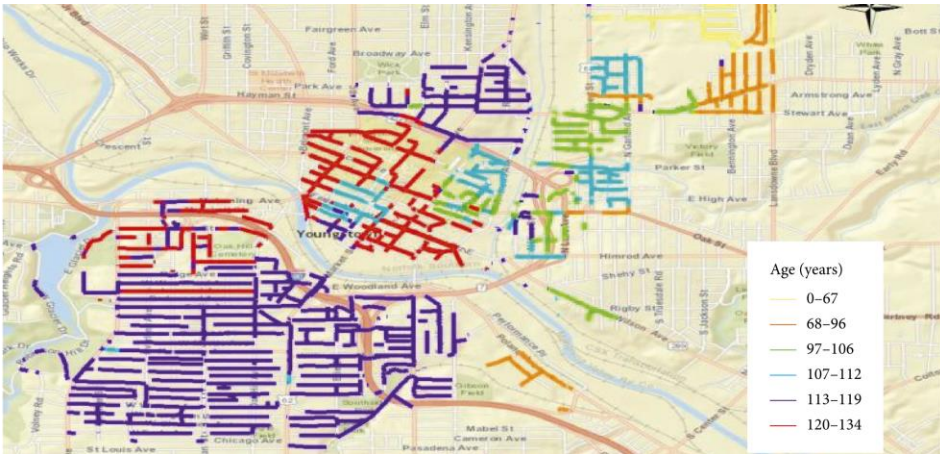
- Local governments to notify owners if grant funding or loans are available to connect OSTDS to sewer systems
  - Provide online access to funding information
- In Basin Management Action Plan Area (BMAPs):

Sewer Available	No Sewer Available
No NEW OSTDS Assurance Plan Pollution Reduction Plan	Lots < 1 acre new OSTDS must be system achieving at least 50% nutrient reduction compared to standard OSTDS

- Areas with Outstanding Florida Springs require OSTDS remediation plan for the entire BMAP



# SB 1632 / HB 1379: ENVIRONMENTAL PROTECTION



[This Photo](#)

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## SANITARY SEWER SERVICES

- Requirements for Local Governments
  - 10-year planning horizon to create a plan to provide services to residential developments greater than 50 lots with more than one OSTDS per acre
  - Must update comprehensive plans to include sanitary sewer planning element by July 1, 2024
  - Governments subject to BMAP will provide DEP with an annual status update on construction of sanitary sewer to serve areas
    - Also applies to areas where waters do not meet nutrient-related water quality standards





# SB 1632 / HB 1379: ENVIRONMENTAL PROTECTION



## BASIN MANAGEMENT ACTION PLANS (BMAPS)

- Plans must include 5-year milestones for WQ improvement
- Specific pollutant-load reduction requirements
- List of projects necessary to achieve pollutant load reductions



# SB 1632 / HB 1379: ENVIRONMENTAL PROTECTION

## WASTEWATER GRANT PROGRAM

- Expands the areas/types of waterbodies that are eligible to receive funding.
- Expands the types of eligible projects
  - wastewater
  - stormwater
  - agriculture
- Removes 50 percent local matching funds requirement
- Allows DEP to consider % cost-share when prioritizing projects
- Requires DEP to coordinate with local governments and stakeholders to identify the most effective and beneficial water quality improvement projects

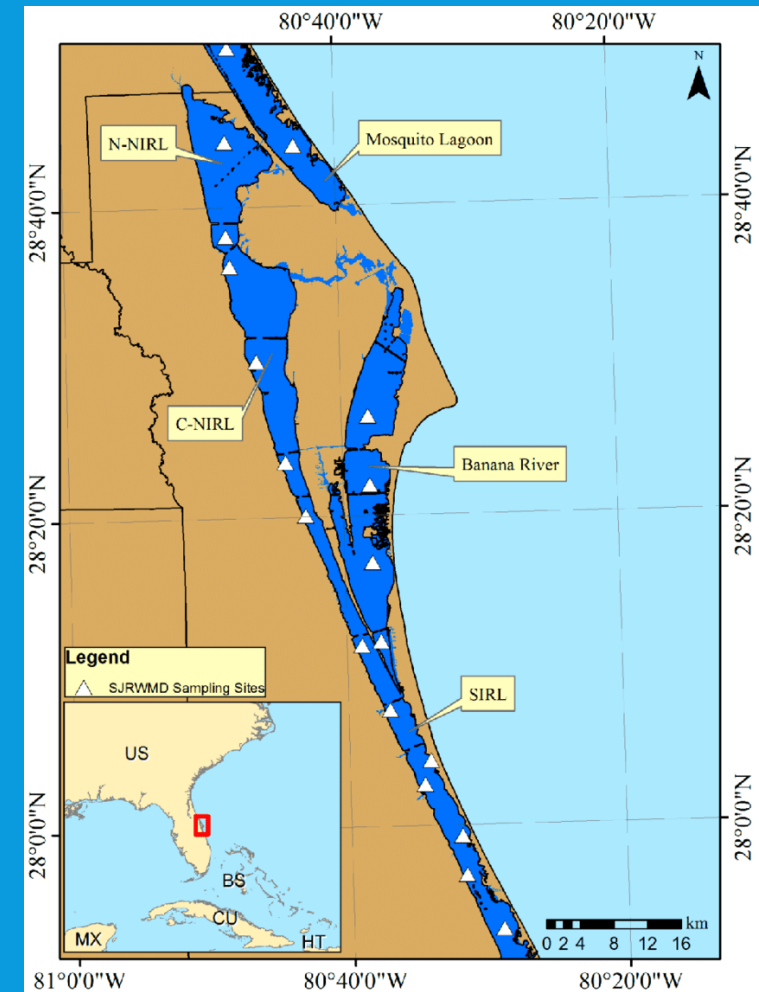




# SB 1632 / HB 1379: ENVIRONMENTAL PROTECTION

## INDIAN RIVER LAGOON (IRL)

- Establishes the Protection Program including:
  - Banana River Lagoon BMAP,
  - Central Indian River Lagoon BMAP,
  - North Indian River Lagoon BMAP
  - Mosquito Lagoon Reasonable Assurance Plan.

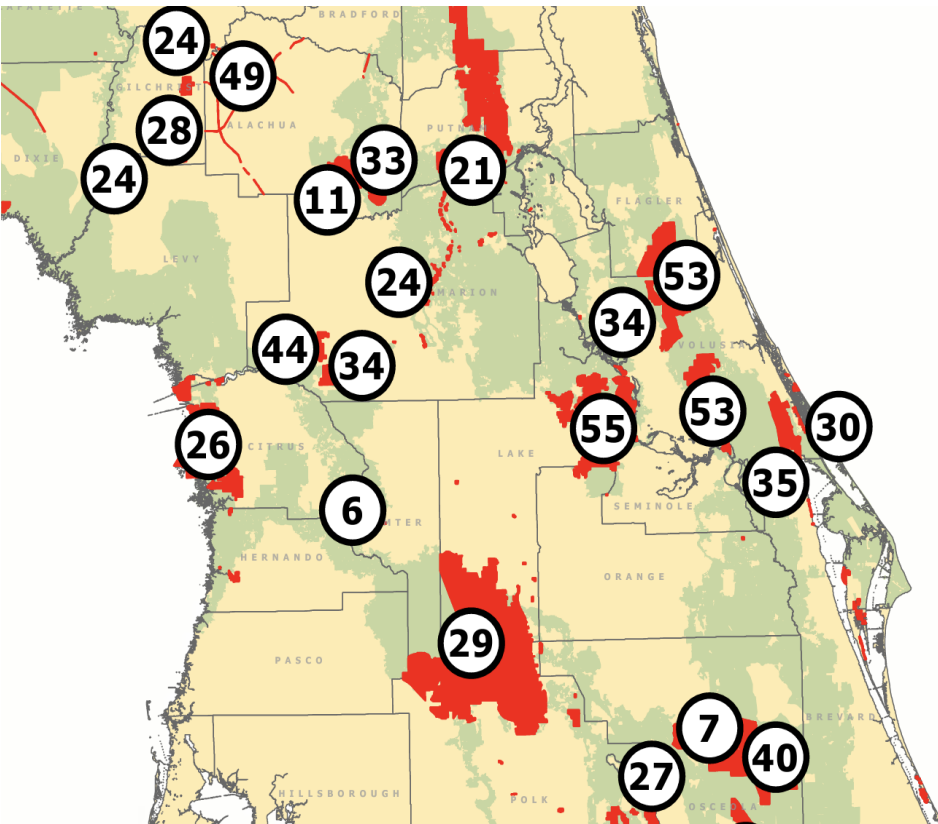




# SB 1632 / HB 1379: ENVIRONMENTAL PROTECTION

## ACQUISITION OF STATE LANDS

- Raises the property value and contract price threshold from \$1 million to \$5 million
  - for when two appraisals of a parcel are required
  - for Board of Trustees involvement in approval of agreement to acquire real property
- Removes Board of Trustees (BOT) approval requirement for acquisitions of an initial purchase in a Florida Forever project
- \$100 million for Florida Forever



**Florida Forever BOT Projects**  
**Florida Wildlife Corridor**

# Encourages land acquisition to complete critical linkages within the Florida Wildlife Corridor



**PASSED**

## HB 7027 / SB 7002 - Ratification of the Rules of the Florida Department of Environmental Protection

- Ratifies FDEP rules to enact statewide septic tank system remediation plan
- Creates new regulations for wastewater treatment facilities to prevent sanitary sewer overflows and leaks



800 SoF / Florida Times-Online

**1000**  
**FRIENDS**  
of **FLORIDA**





## BUDGET LINE ITEM 146: LOCAL FERTILIZER ORDINANCE PREEMPTION

- SB 2500 includes a line item appropriating \$250,000 in nonrecurring funds for a study “to evaluate the effectiveness of timing of seasonal fertilizer restrictions” and preempts local governments from adopting or amending their fertilizer ordinances with prohibited application periods, weakening their ability to protect their local water supplies from nutrient pollution.
- 1000 Friends has submitted a request to Gov. DeSantis to exercise his line-item veto authority .

