

## CHAPTER 97-31

### Senate Bill No. 52

An act relating to asbestos removal programs; amending s. 376.60, F.S.; providing for the Department of Environmental Protection to reimburse local governments that have been approved to conduct asbestos removal programs under certain circumstances; removing fees for inspection of residential dwellings; exempting specified persons from the fees; prohibiting local governments from charging certain fees while being reimbursed by the department; providing an appropriation; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 376.60, Florida Statutes, is amended to read:

376.60 Asbestos removal program inspection and notification fee.—The Department of Environmental Protection shall charge an inspection and notification fee, not to exceed ~~\$50 for a residential dwelling~~, \$300 for a small business as defined in s. 288.703(1), or \$1,000 for any other project, for any asbestos removal project. Schools, colleges, universities, residential dwellings, and those persons otherwise exempted from licensure under s. 469.004(7) Public school districts, the state universities, and private schools are exempt from the such fees. Any fee collected ~~must~~ shall be deposited in the asbestos program account in the Air Pollution Control Trust Fund to be used by the department to administer its asbestos removal program. ~~The department may contract with a local government to conduct asbestos removal programs within the jurisdiction of that local government.~~

(1) In those counties with approved local air pollution control programs, the department shall return 80 percent of the asbestos removal program inspection and notification fees collected in that county to the local government quarterly, if the county requests it.

(2) The fees returned to a county under subsection (1) must be used only for asbestos-related program activities.

(3) A county may not levy any additional fees for asbestos removal activity while it receives fees under subsection (1).

(4) If a county has requested reimbursement under subsection (1), the department shall reimburse the approved local air pollution control program with 80 percent of the fees collected in the county retroactive to July 1, 1994, for asbestos-related program activities.

(5) If an approved local air pollution control program that is providing asbestos notification and inspection services according to 40 C.F.R. Part 61 Subpart M, and is collecting fees sufficient to support the requirements of 40 C.F.R. Part 61 Subpart M, opts not to receive the state-generated asbes-

tos notification fees, the state may discontinue collection of the state asbestos notification fees in that county.

Section 2. The sum of \$700,000 is appropriated from the Air Pollution Control Trust Fund for the purpose of reimbursing local governments as prescribed in section 376.60(1) and (4), Florida Statutes.

Section 3. This act shall take effect July 1, 1997.

Became a law without the Governor's approval April 30, 1997.

Filed in Office Secretary of State April 29, 1997.