

## House Bill No. 707

An act relating to the management of wastewater; amending s. 514.023, F.S.; requiring the Department of Health to notify local governments and local offices of the Department of Environmental Protection when certain health advisories are issued; requiring local offices of the Department of Environmental Protection to conduct investigations of certain wastewater treatment facilities and provide the results of such investigations to local governments; amending s. 514.025, F.S.; authorizing the department to assign certain responsibilities and functions relating to public swimming pools and bathing places to multicounty independent special districts under specified conditions; providing an effective date.

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

Section 1. Section 514.023, Florida Statutes, is amended to read:

514.023 Sampling of beach waters; health advisories.—

~~(1)~~<sup>(3)</sup> As used in ~~For purposes of~~ this section, the term “beach waters” means the waters along the coastal and intracoastal beaches and shores of the state, and includes salt water and brackish water.

~~(2)~~<sup>(1)</sup> The department may adopt and enforce rules to protect the health, safety, and welfare of persons using the beach waters of the state. The rules must establish health standards and prescribe procedures and timeframes for bacteriological sampling of beach waters.

~~(3)~~<sup>(2)</sup> The department may issue health advisories if the quality of beach waters fails to meet standards established by the department. The issuance of health advisories related to the results of bacteriological sampling of beach waters is preempted to the state.

(4) When the department issues a health advisory against swimming in beach waters on the basis of finding elevated levels of fecal coliform or enterococci bacteria in a water sample, the department shall concurrently notify the municipality or county in which the affected beach waters are located, whichever has jurisdiction, and the local office of the Department of Environmental Protection, of the advisory. The local office of the Department of Environmental Protection shall promptly investigate wastewater treatment facilities within 1 mile of the affected beach waters to determine if a facility experienced an incident that may have contributed to the contamination and provide the results of the investigation in writing or by electronic means to the municipality or county, as applicable.

~~(5)~~<sup>(4)</sup> Contingent upon legislative appropriation to the department in the amount of \$600,000 nonrecurring, the department will perform a 3-year study to determine the water quality at beaches throughout the state. The study will be performed in all counties that have public-access saltwater and brackish water beaches.

Section 2. Subsection (3) is added to section 514.025, Florida Statutes, to read:

514.025 Assignment of authority to county health departments.—

(3) The department may assign the responsibilities and functions specified in this section to any multicounty independent special district created by the Legislature to perform multiple functions, to include municipal services and improvements, to the same extent and under the same conditions as provided in subsections (1) and (2), upon request of the special district.

Section 3. This act shall take effect July 1, 2009.

Approved by the Governor June 24, 2009.

Filed in Office Secretary of State June 24, 2009.