

## CHAPTER 2022-203

### Committee Substitute for House Bill No. 1475

An act relating to cleanup of perfluoroalkyl and polyfluoroalkyl substances; creating s. 376.91, F.S.; defining terms; requiring the Department of Environmental Protection to adopt rules for statewide cleanup target levels for perfluoroalkyl and polyfluoroalkyl substances in drinking water, groundwater, and soil under a specified condition; prohibiting such rules from taking effect until ratified by the Legislature; providing that certain governmental entities and water suppliers are not subject to administrative or judicial action under certain circumstances; providing that certain statutes of limitations are tolled from a specified date; providing construction; providing a directive to the Division of Law Revision; providing an effective date.

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

Section 1. Section 376.91, Florida Statutes, is created to read:

376.91 Statewide cleanup of perfluoroalkyl and polyfluoroalkyl substances.—

(1) DEFINITIONS.—As used in this section, the term:

(a) “Department” means the Department of Environmental Protection.

(b) “PFAS” means perfluoroalkyl and polyfluoroalkyl substances, including perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS).

(2) STATEWIDE CLEANUP TARGET LEVELS.—

(a) If the United States Environmental Protection Agency has not finalized its standards for PFAS in drinking water, groundwater, and soil by January 1, 2025, the department shall adopt by rule statewide cleanup target levels for PFAS in drinking water, groundwater, and soil using criteria set forth in s. 376.30701, with priority given to PFOA and PFOS. The rules for statewide cleanup target levels may not take effect until ratified by the Legislature.

(b) Until the department’s rule for a particular PFAS constituent has been ratified by the Legislature, a governmental entity or private water supplier may not be subject to any administrative or judicial action under this chapter brought by any state or local governmental entity to compel or enjoin site rehabilitation, to require payment for the cost of rehabilitation of environmental contamination, or to require payment of any fines or penalties regarding rehabilitation based on the presence of that particular PFAS constituent.

(c) Until site rehabilitation is completed or rules for statewide cleanup target levels are ratified by the Legislature, any statute of limitations that would bar a state or local governmental entity from pursuing relief in accordance with its existing authority is tolled from the effective date of this act.

(d) This section does not affect the ability or authority to seek any recourse or relief from any person who may have liability with respect to a contaminated site and who did not receive protection under paragraph (b).

Section 2. The Division of Law Revision is directed to replace the phrase “the effective date of this act” wherever it occurs in this act with the date this act becomes a law.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor June 20, 2022.

Filed in Office Secretary of State June 20, 2022.