

CHAPTER 2025-193

House Bill No. 1143

An act relating to permits for drilling, exploration, and extraction of oil and gas resources; amending s. 377.24, F.S.; prohibiting the drilling, exploration, or production of specified petroleum products within a certain distance of national estuarine research reserves in certain counties; amending s. 377.242, F.S.; requiring the Department of Environmental Protection to consider certain factors when determining whether the natural resources of certain bodies of water and shore areas are adequately protected from a potential accident or blowout; providing requirements for a balancing test to make such a determination; making technical changes; reenacting ss. 377.243 and 377.37, F.S., relating to conditions for granting permits for extraction through well holes, and penalties, respectively, to incorporate changes made by the act; providing an effective date.

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

Section 1. Subsection (10) is added to section 377.24, Florida Statutes, to read:

377.24 Notice of intention to drill well; permits; abandoned wells and dry holes.—

(10) Notwithstanding any law or rule to the contrary, the drilling, exploration, or production of oil, gas, or other petroleum products is prohibited in counties designated as rural areas of opportunity under s. 288.0656 if the proposed site is within 10 miles of a national estuarine research reserve.

Section 2. Section 377.242, Florida Statutes, is amended to read:

377.242 Permits for drilling or exploring and extracting through well holes or by other means.—

(1) The department is vested with the power and authority:

~~(1)(a)~~ To issue permits for the drilling for, exploring for, or production of oil, gas, or other petroleum products which are to be extracted from below the surface of the land, including submerged land, only through the well hole drilled for oil, gas, and other petroleum products.

1. ~~A~~ No structure intended for the drilling for, or production of, oil, gas, or other petroleum products may not be permitted or constructed:

a. On any submerged land within any bay or estuary.

~~b.2. No structure intended for the drilling for, or production of, oil, gas, or other petroleum products may be permitted or constructed Within 1 mile seaward of the coastline of the state.~~

~~c.3. No structure intended for the drilling for, or production of, oil, gas, or other petroleum products may be permitted or constructed Within 1 mile of the seaward boundary of any state, local, or federal park or aquatic or wildlife preserve or on the surface of a freshwater lake, river, or stream.~~

~~d.4. No structure intended for the drilling for, or production of, oil, gas, or other petroleum products may be permitted or constructed Within 1 mile inland from the shoreline of the Gulf of Mexico, the Atlantic Ocean, or any bay or estuary or within 1 mile of any freshwater lake, river, or stream unless the department is satisfied that the natural resources of such bodies of water and shore areas of the state will be adequately protected in the event of accident or blowout. For purposes of this sub-subparagraph, the department's determination of whether a resource is adequately protected must balance the measures in place to protect the natural resources with the potential harm to the natural resources. This balancing test should assess the potential impact of an accident or a blowout on the natural resources of such bodies of water and shore areas, including ecological functions and any water quality impacts. The balancing test must consider the ecological community's current condition, hydrologic connection, uniqueness, location, fish and wildlife use, time lag, and the potential costs of restoration.~~

~~2.5. Without exception, after July 1, 1989, a ~~no~~ structure intended for the drilling for, or production of, oil, gas, or other petroleum products may not be permitted or constructed south of 26°00'00" north latitude off Florida's west coast and south of 27°00'00" north latitude off Florida's east coast, within the boundaries of Florida's territorial seas as defined in 43 U.S.C. s. 1301. After July 31, 1990, no structure intended for the drilling for, or production of, oil, gas, or other petroleum products may be permitted or constructed north of 26°00'00" north latitude off Florida's west coast to the western boundary of the state bordering Alabama as set forth in s. 1, Art. II of the State Constitution, or located north of 27°00'00" north latitude off Florida's east coast to the northern boundary of the state bordering Georgia as set forth in s. 1, Art. II of the State Constitution, within the boundaries of Florida's territorial seas as defined in 43 U.S.C. s. 1301.~~

~~3.(b) Sub-subparagraphs 1.a. and d. Subparagraphs (a)1. and 4. do not apply to permitting or construction of structures intended for the drilling for, or production of, oil, gas, or other petroleum products pursuant to an oil, gas, or mineral lease of such lands by the state under which lease any valid drilling permits are in effect on the effective date of this act. In the event that such permits contain conditions or stipulations, such conditions and stipulations shall govern and supersede sub-subparagraphs 1.a. and d. subparagraphs (a)1. and 4.~~

~~4.(e) The prohibitions of subparagraph 1. subparagraphs (a)1.-4. in this subsection do not include "infield gathering lines," provided no other~~

placement is reasonably available and all other required permits have been obtained.

(b)(2) To issue permits to explore for and extract minerals which are subject to extraction from the land by means other than through a well hole.

(c)(3) To issue permits to establish natural gas storage facilities or construct wells for the injection and recovery of any natural gas for storage in natural gas storage reservoirs.

(2) Each permit shall contain an agreement by the permitholder that the permitholder will not prevent inspection by division personnel at any time. The provisions of this section prohibiting permits for drilling or exploring for oil in coastal waters do not apply to any leases entered into before June 7, 1991.

Section 3. For the purpose of incorporating the amendment made by this act to section 377.242, Florida Statutes, in a reference thereto, subsection (1) of section 377.243, Florida Statutes, is reenacted to read:

377.243 Conditions for granting permits for extraction through well holes.—

(1) Prior to the application to the Division of Resource Management for the permit to drill for oil, gas, and related products referred to in s. 377.242(1), the applicant must own a valid deed, or other muniment of title, or lease granting said applicant the privilege to explore for oil, gas, or related mineral products to be extracted only through the well hole on the land or lands included in the application. However, unallocated interests may be unitized according to s. 377.27.

Section 4. For the purpose of incorporating the amendment made by this act to section 377.242, Florida Statutes, in a reference thereto, paragraph (a) of subsection (1) of section 377.37, Florida Statutes, is reenacted to read:

377.37 Penalties.—

(1)(a) Any person who violates this law or any rule, regulation, or order of the division made under this chapter or who violates the terms of any permit to drill for or produce oil, gas, or other petroleum products referred to in s. 377.242(1) or to store gas in a natural gas storage facility, or any lessee, permitholder, or operator of equipment or facilities used in the exploration for, drilling for, or production of oil, gas, or other petroleum products, or storage of gas in a natural gas storage facility, who refuses inspection by the division as provided in this chapter, is liable to the state for any damage caused to the air, waters, or property, including animal, plant, or aquatic life, of the state and for reasonable costs and expenses of the state in tracing the source of the discharge, in controlling and abating the source and the pollutants, and in restoring the air, waters, and property, including animal, plant, and aquatic life, of the state. Furthermore, such person, lessee, permitholder, or operator is subject to the judicial imposition of a civil

penalty in an amount of not more than \$15,000 for each offense. However, the court may receive evidence in mitigation. Each day during any portion of which such violation occurs constitutes a separate offense. This section does not give the department the right to bring an action on behalf of any private person.

Section 5. This act shall take effect July 1, 2025.

Approved by the Governor June 26, 2025.

Filed in Office Secretary of State June 26, 2025.