

CHAPTER 2026-158

Committee Substitute for Committee Substitute for House Bill No. 1019

An act relating to perfluoroalkyl and polyfluoroalkyl substances; providing a short title; creating s. 376.911, F.S.; defining the terms “aqueous film-forming foam” and “department”; prohibiting, beginning on a specified date, certain use and the sale, purchase, or distribution of aqueous film-forming foam; requiring, beginning on a specified date, certain entities to submit aqueous film-forming foam inventories and disposal plans to the Department of Environmental Protection; prohibiting, beginning on a specified date, the possession and use of aqueous film-forming foam; providing applicability; providing duties of the department; authorizing the department to administer certain grants or cost share programs; providing penalties and injunctive relief; amending s. 403.086, F.S.; requiring certain public entities disposing of domestic wastewater biosolids and treated effluent to quarterly conduct specified samplings and submit the results to the Department of Environmental Protection; limiting the purpose of such samplings and results until specified standards are established by the United States Environmental Protection Agency and adopted by the department; providing an effective date.

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

Section 1. This act may be cited as the “Joe Casello Act.”

Section 2. Section 376.911, Florida Statutes, is created to read:

376.911 Aqueous film-forming foam.—

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

(a) “Aqueous film-forming foam” means any firefighting foam containing intentionally added perfluoroalkyl and polyfluoroalkyl substances, including perfluorooctanoic acid and perfluorooctane sulfonate as defined by the United States Environmental Protection Agency.

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

(2) Effective July 1, 2026:

(a) Aqueous film-forming foam may not be used for any nonemergency instruction, training, or testing.

(b) All entities in possession of aqueous film-forming foam must report inventories to the department.

(3) Effective July 1, 2027:

(a) The sale, purchase, or distribution of aqueous film-forming foam within this state is prohibited.

(b) All entities with remaining inventories of aqueous film-forming foam must submit a disposal plan to the department.

(4) Effective July 1, 2029, possession and use of aqueous film-forming foam is prohibited in this state.

(5) The prohibition under subsection (4) does not apply to:

(a) Airports as defined in s. 330.27.

(b) Military applications where alternatives do not exist.

(c) Emergency firefighting situations where alternative firefighting foam is not available, including mutual aid where state or local firefighting authorities may not have adequate equipment to dispense alternatives.

(d) Specific aqueous film-forming foam retrofit projects that have been submitted under an application with state or local firefighting authorities.

(6) The department shall:

(a) Adopt rules for containment, collection, and disposal of aqueous film-forming foam.

(b) Maintain a registry of firefighting foam alternatives that do not contain perfluoroalkyl and polyfluoroalkyl substances.

(c) Provide technical assistance and grants for transition to products that do not contain perfluoroalkyl and polyfluoroalkyl substances.

(7) The department may administer grants or cost share programs to assist local fire departments and airports in transitioning to products that do not contain perfluoroalkyl and polyfluoroalkyl substances.

(8) A person who violates this act is subject to:

(a) Civil penalties not to exceed \$10,000 for each violation for each day the violation persists.

(b) Additional penalties for failure to report inventories or submit disposal plans.

(c) The department may seek injunctive relief to enforce compliance with this section.

Section 3. Subsection (12) is added to section 403.086, Florida Statutes, to read:

403.086 Sewage disposal facilities; advanced and secondary waste treatment.—

(12)(a) All public entities disposing of domestic wastewater biosolids and treated effluent that have a designed average daily flow of 25,000 or more gallons per day must quarterly conduct at least one biosolids and treated effluent sampling, as applicable, for perfluoroalkyl and polyfluoroalkyl substances, including perfluorooctanoic acid and perfluorooctane sulfonate, and submit the results to the department. The sampling must be conducted in accordance with department rules.

(b) Until water quality standards for perfluoroalkyl and polyfluoroalkyl substances are established by the United States Environmental Protection Agency and adopted by the department, the sampling and reporting conducted pursuant to paragraph (a) is for informational purposes only and may not be the basis for any department enforcement action or other cause of action.

Section 4. This act shall take effect July 1, 2026.

Approved by the Governor June 16, 2026.

Filed in Office Secretary of State June 16, 2026.