

By Senator Hays

20-00477C-12

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1 A bill to be entitled
2 An act relating to permits for alternative water
3 supplies; amending s. 373.236, F.S.; requiring that
4 certain permits approved for the development of
5 alternative water supplies by certain entities be
6 granted for 30 years; requiring that such permit be
7 extended under specified conditions; prohibiting a
8 reduction in permitted water quantities during the
9 extension of the permit; excluding from application of
10 the act a permit for nonbrackish groundwater or
11 nonalternative water supplies; providing an option for
12 the duration of an alternative water supply permit to
13 a county, special district, regional water supply
14 authority, multijurisdictional water supply entity, or
15 publicly or privately owned utility; providing an
16 effective date.

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

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20 Section 1. Subsection (5) of section 373.236, Florida
21 Statutes, is amended to read:

22 373.236 Duration of permits; compliance reports.—

23 (5) (a) Permits approved for the development of alternative
24 water supplies shall be granted for a term of at least 20 years.
25 However, if the permittee issues bonds for the construction of
26 the project, upon request of the permittee before ~~prior to~~ the
27 expiration of the permit, that permit shall be extended for such
28 additional time as is required for the retirement of bonds, not
29 including any refunding or refinancing of such bonds, provided

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30 that the governing board determines that the use will continue
31 to meet the conditions for the issuance of the permit. Such a
32 permit is subject to compliance reports under subsection (4).

33 (b)1. Permits approved on or after July 1, 2011, for the
34 development of alternative water supplies by a county, special
35 district, regional water supply authority, multijurisdictional
36 water supply entity, or publicly or privately owned utility
37 shall be granted for a term of at least 30 years. If, within 7
38 years after a permit is granted, the permittee issues bonds to
39 finance the project, completes construction of the project, and
40 requests an extension of the permit duration, the permit shall
41 be extended to expire upon the retirement of such bonds or 30
42 years after the date construction of the project is complete,
43 whichever occurs later. However, the duration of the permit may
44 not be extended more than 7 years after the original expiration
45 date of the permit.

46 2. A permit issued under this paragraph is subject to
47 compliance reports under subsection (4). However, the quantity
48 of alternative water allocated under the permit may not be
49 reduced during a compliance report review if the permittee
50 demonstrates that bonds issued to finance the project are
51 outstanding. Any quantity reductions required by an adopted
52 districtwide water shortage order apply to permits issued under
53 this paragraph.

54 3. A permit issued under this paragraph may not authorize
55 the use of nonbrackish groundwater supplies or nonalternative
56 water supplies.

57 (c) A county, special district, regional water supply
58 authority, multijurisdictional water supply entity, or publicly

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59 or privately owned utility may apply for an alternative water
60 supply permit under paragraph (a) or paragraph (b).

61 Section 2. This act shall take effect July 1, 2012.