CS for SB 966

 ${\bf By}$ the Committee on Environmental Preservation and Conservation; and Senators Bullard, Soto, and Sobel

1A bill to be entitled2An act relating to disposable plastic bags; creating3s. 403.70325, F.S.; authorizing certain municipalities4to establish pilot programs for the regulation or ban5of disposable plastic bags; providing program6criteria; providing for expiration of the program;7directing participating municipalities to collect data8and submit reports to the municipal governing body and9the Department of Environmental Protection;10republishing s. 403.7033, F.S.; providing an effective11date.12Be It Enacted by the Legislature of the State of Florida:14for read:15Section 1. Section 403.70325, Florida Statutes, is created16to read:17403.70325 Municipal pilot program for regulation or ban of18disposable plastic bags19(1) Notwithstanding s. 403.7033, a municipality with a20population of fewer than 100,000 which is a coastal community21may establish a pilot program to regulate or ban disposable22plastic bags. A municipality establishing a pilot program shall,23by December 31, 2015, enact an ordinance for the regulation or24ban of disposable plastic bags that begins January 1, 2016, and25expires June 30, 2018. Such ordinance may not include any new26taxes or fees on the use or distribution of disposable plastic27bags.28(2) A municipality that establishes a pilot program shall:29		592-03760-15 2015966c1
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Page 1 of 2

CODING: Words stricken are deletions; words underlined are additions.

592-03760-15 2015966c1 30 regulation or ban. 31 (b) By April 1, 2018, submit a report on the impact of such 32 regulation or ban to the governing body of the municipality at a 33 public hearing that is open to comments from the public. 34 (c) Provide a copy of the report to the department. Section 2. Section 403.7033, Florida Statutes, is 35 36 republished to read: 37 403.7033 Departmental analysis of particular recyclable 38 materials.-The Legislature finds that prudent regulation of 39 recyclable materials is crucial to the ongoing welfare of 40 Florida's ecology and economy. As such, the Department of Environmental Protection shall undertake an analysis of the need 41 42 for new or different regulation of auxiliary containers, 43 wrappings, or disposable plastic bags used by consumers to carry 44 products from retail establishments. The analysis shall include 45 input from state and local government agencies, stakeholders, 46 private businesses, and citizens, and shall evaluate the 47 efficacy and necessity of both statewide and local regulation of 48 these materials. To ensure consistent and effective 49 implementation, the department shall submit a report with 50 conclusions and recommendations to the Legislature no later than 51 February 1, 2010. Until such time that the Legislature adopts 52 the recommendations of the department, no local government, 53 local governmental agency, or state government agency may enact 54 any rule, regulation, or ordinance regarding use, disposition, 55 sale, prohibition, restriction, or tax of such auxiliary 56 containers, wrappings, or disposable plastic bags. 57 Section 3. This act shall take effect upon becoming a law.

Page 2 of 2

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