Representative Caldwell offered the following:

Substitute Amendment for Amendment (395653) (with title amendment)

Between lines 245 and 246, insert:

Section 2. Section 403.7033, Florida Statutes, is amended to read:

403.7033 Departmental analysis of particular recyclable materials.—

(1) The Legislature finds that prudent regulation of recyclable materials is crucial to the ongoing welfare of Florida's ecology and economy. As such, the Department of Environmental Protection shall undertake an analysis of the need for new or different regulation of auxiliary containers,
wrappings, or disposable plastic bags used by consumers to carry products from retail establishments. The analysis shall include input from state and local government agencies, stakeholders, private businesses, and citizens, and shall evaluate the efficacy and necessity of both statewide and local regulation of these materials. To ensure consistent and effective implementation, the department shall submit a report with conclusions and recommendations to the Legislature no later than February 1, 2010.

(2) Until such time that the Legislature adopts the recommendations of the department, no local government, local governmental agency, or state government agency may enact any rule, regulation, or ordinance regarding use, disposition, sale, prohibition, restriction, or tax of such auxiliary containers, wrappings, or disposable plastic bags. If the Legislature does not adopt, reject, or adopt in part the recommendations of the department before January 1, 2017, any local government or local government agency may enact any rule, regulation, or ordinance regarding use, disposition, sale, prohibition, restriction, or tax of such auxiliary containers, wrappings, or disposable plastic bags, only if such rule, regulation, or ordinance is expressly authorized by the Legislature.
Amendment No.

Between lines 4 and 5, insert:

amending s. 403.7033, F.S.; authorizing local
governments and local government agencies to enact
rules, regulations, and ordinances regarding use,
disposition, sale, prohibition, restriction, or tax of
on auxiliary containers, wrappings, or disposable
plastic bags disposable plastic bags under specified
conditions;