

By the Committee on Environmental Preservation and Conservation;
and Senator Stewart

592-04105-17

20171748c1

1 A bill to be entitled
2 An act relating to onsite sewage treatment and
3 disposal systems; amending s. 381.0065, F.S.;
4 directing the Department of Health, by a specified
5 date, to identify all onsite sewage treatment and
6 disposal systems, update the current database of
7 onsite sewage treatment and disposal systems, and
8 submit a report to the Governor and the Legislature;
9 creating s. 689.30, F.S.; requiring an onsite sewage
10 treatment and disposal system disclosure summary for
11 certain properties before or at the execution of a
12 contract for sale; requiring that prospective
13 purchasers acknowledge in writing receipt of such
14 summary disclosures; defining the term "onsite sewage
15 treatment and disposal system"; providing an effective
16 date.

17
18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Paragraph (o) is added to subsection (3) of
21 section 381.0065, Florida Statutes, to read:

22 381.0065 Onsite sewage treatment and disposal systems;
23 regulation.—

24 (3) DUTIES AND POWERS OF THE DEPARTMENT OF HEALTH.—The
25 department shall:

26 (o) By January 1, 2019:

27 1. Identify all onsite sewage treatment and disposal
28 systems in the state, including, at a minimum, the location of
29 the systems and any other available information the department

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30 deems appropriate.

31 2. Incorporate the information identified under
32 subparagraph 1. into and update the current database of onsite
33 sewage treatment and disposal systems.

34 3. Generate a report from the database which includes, at a
35 minimum, the total number of onsite sewage treatment and
36 disposal systems in the state, the number of onsite sewage
37 treatment and disposal systems in each county, and a statewide
38 map of the systems, and submit the report to the Governor, the
39 President of the Senate, and the Speaker of the House of
40 Representatives.

41 Section 2. Section 689.30, Florida Statutes, is created to
42 read:

43 689.30 Sale of property; disclosure of onsite sewage and
44 treatment disposal system.-

45 (1) A seller of property must provide a prospective
46 purchaser with a disclosure summary before or at the execution
47 of the contract for sale if the property contains or will
48 contain an onsite sewage treatment and disposal system. The
49 prospective purchaser must acknowledge in writing the receipt of
50 the disclosure summary required by this section. The disclosure
51 summary must be conspicuous, in boldface type, and in a form
52 substantially similar to the following:

53
54 ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM

55 DISCLOSURE SUMMARY

56
57 THIS PROPERTY CONTAINS AN ONSITE SEWAGE TREATMENT AND DISPOSAL
58 SYSTEM. WHEN NOT PROPERLY DESIGNED, CONSTRUCTED, AND MAINTAINED,

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59 SUCH SYSTEMS ARE OFTEN SOURCES OF SIGNIFICANT NUTRIENT AND OTHER
60 TYPES OF POLLUTION IN SURFACE WATER AND GROUNDWATER. SYSTEMS
61 SHOULD BE REGULARLY INSPECTED AND MAINTAINED TO MINIMIZE SYSTEM
62 FAILURE AND THE DISCHARGE OF POLLUTION. ADDITIONAL INFORMATION
63 MAY BE OBTAINED BY CONTACTING THE LOCAL COUNTY HEALTH
64 DEPARTMENT.

65

66 ...(Purchaser's Initials)...

67

68 (2) As used in this section, the term "onsite sewage
69 treatment and disposal system" has the same meaning as in s.
70 381.0065.

71

Section 3. This act shall take effect October 1, 2017.

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