

THE FLORIDA SENATE
2024 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/CS/HB 165 — Sampling of Beach Waters and Public Bathing Spaces

by Health & Human Services Committee; Water Quality, Supply & Treatment Subcommittee; and Reps. Gossett-Seidman, Cross, and others (CS/SB 338 by Health Policy Committee and Senators Berman and Rodriguez)

The bill requires the Department of Health (DOH) to adopt and enforce rules to protect the health, safety, and welfare of persons using beach waters and public bathing places. The DOH is required by the bill, rather than allowed, to issue a health advisory, within 24 hours or the next business day, if water quality does not meet certain standards and must require the closure of beach waters and public bathing places if necessary to protect public health, safety, and welfare. The closure must remain in effect until the water quality is restored.

The bill also provides a number of notification requirements for instances when beach waters or public bathing places fail water quality testing including notices:

- From owners of public beach waters and bathing places to the DOH within 24 hours of the waters failing such testing;
- From the DOH to local affiliates of national television networks when the DOH issues a health advisory against swimming in such waters; and
- From municipalities and counties to the DOH when incidents occur that make the water quality unsafe. Additionally, the owners of public docks, marinas, and piers must notify their jurisdictional municipality or county if such an incident occurs in the waters where such structures are located.

Additionally, the DOH must adopt by rule a sign that must be used when it issues a health advisory due to elevated fecal coliform, *Escherichia Coli* (E. coli), or enterococci bacteria, in tested waters which must be a specific size and be maintained by municipalities and counties around waters they own and by the Department of Environmental Protection around state waters.

If approved by the Governor, or allowed to become law without the Governor's signature, the bill takes effect July 1, 2024.

Vote: Senate 40-0; House 113-0