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1 A bill to be entitled  
2 An act relating to ice skating rinks; amending s. 381.006,  
3 F.S.; requiring the Department of Health to include in its  
4 environmental health program the testing of the air in  
5 enclosed ice skating rinks; authorizing the department to  
6 adopt rules relating to air quality standards, monitoring,  
7 testing, recordkeeping, the maintenance and operation of  
8 equipment that affects air quality, assessment of fees,  
9 enforcement, and penalties; authorizing the department to  
10 enter and inspect an enclosed ice skating rink at  
11 reasonable hours to determine compliance with applicable  
12 air quality statutes or rules; amending s. 381.0061, F.S.;  
13 authorizing the department to impose a fine, which may not  
14 exceed a specified amount, for a violation of air quality  
15 standards for enclosed ice skating rinks; providing an  
16 effective date.

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

19  
20 Section 1. Subsection (19) is added to section 381.006,  
21 Florida Statutes, to read:

22 381.006 Environmental health.—The department shall conduct  
23 an environmental health program as part of fulfilling the  
24 state's public health mission. The purpose of this program is to  
25 detect and prevent disease caused by natural and manmade factors  
26 in the environment. The environmental health program shall  
27 include, but not be limited to:

28 (19) A function related to air quality inside an enclosed

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29 ice skating rink to protect the health and safety of visitors  
30 and employees of the enclosed ice skating rink from dangers  
31 associated with oxides of nitrogen (NOX), hydrocarbons (CXHX),  
32 carbon monoxide (CO), carbon dioxide (CO2), and other harmful  
33 gasses, vapors, or particles as identified by the department  
34 which change the air quality due to the operation of the ice  
35 rink. The department may adopt rules that include definitions;  
36 air quality standards and requirements for monitoring, testing,  
37 and recordkeeping; maintenance and operation requirements for  
38 equipment that affects air quality; requirements for ventilation  
39 of the facility; the required response activities if an operator  
40 violates air quality standards; the assessment of fees, which  
41 may not exceed the actual costs of administration; and  
42 requirements for enforcement, citations, and administrative  
43 penalties. The department may enter and inspect an enclosed ice  
44 skating rink at reasonable hours to determine compliance with  
45 applicable statutes or rules.

46

47 The department may adopt rules to carry out the provisions of  
48 this section.

49 Section 2. Subsection (1) of section 381.0061, Florida  
50 Statutes, is amended to read:

51 381.0061 Administrative fines.—

52 (1) In addition to any administrative action authorized by  
53 chapter 120 or by other law, the department may impose a fine,  
54 which shall not exceed \$500 for each violation, for a violation  
55 of s. 381.006(16), s. 381.006(19), s. 381.0065, s. 381.0066, s.  
56 381.0072, or part III of chapter 489, for a violation of any

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57 | rule adopted under this chapter, or for a violation of any of  
58 | the provisions of chapter 386. Notice of intent to impose such  
59 | fine shall be given by the department to the alleged violator.  
60 | Each day that a violation continues may constitute a separate  
61 | violation.

62 |       Section 3. This act shall take effect July 1, 2011.