

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 certain information for onsite  
 6           sewage treatment and disposal systems, update the  
 7           current database of onsite sewage treatment and  
 8           disposal systems, and submit a report to the Governor  
 9           and Legislature; creating s. 689.30, F.S.; requiring  
 10          an onsite sewage treatment and disposal system  
 11          disclosure summary for certain properties before or at  
 12          the execution of a contract for sale; requiring that  
 13          prospective purchasers acknowledge in writing receipt  
 14          of such summary disclosures; providing a definition;  
 15          providing an effective date.

16  
 17 Be It Enacted by the Legislature of the State of Florida:

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

21           381.0065 Onsite sewage treatment and disposal systems;  
 22           regulation.—

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

25           (o) By January 1, 2019, the department shall:

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

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

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

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

42 689.30 Sale of property; disclosure of onsite sewage and  
43 treatment disposal system.-

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

51 substantially similar to the following:

52 ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM

53 DISCLOSURE SUMMARY

54 This property contains an onsite sewage treatment and disposal  
55 system (system), also known as a septic tank. A system that is  
56 not properly maintained is often a source of nutrients and fecal  
57 coliform bacteria in groundwater. A system has a life span of  
58 approximately 25 years if properly maintained and used. All  
59 system tanks should be pumped out every 3 to 5 years to prevent  
60 system failure. It is recommended that you request the latest  
61 inspection report and assessment of the system. If one does not  
62 exist, it is recommended that you request an inspection and  
63 assessment of the system. If you have any questions concerning  
64 the system, how to maintain it, or how to inspect it, contact  
65 the county health department for information.

66 (Purchaser's Initials)

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

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