



689478

LEGISLATIVE ACTION

Senate

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House

The Committee on Commerce and Tourism (Gruters) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 373.123, Florida Statutes, is amended to
read:

373.123 Penalty.—

(1) Any person, real or artificial, that shall construct or
enlarge, or cause to be constructed or enlarged, a canal or
shall enlarge or deepen a natural stream in such a manner as to



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11 permit salt water to move inland of an established saltwater
12 barrier line, shall be guilty of a misdemeanor of the second
13 degree, punishable as provided in s. 775.083. Each day such
14 movement of salt water shall continue, shall constitute a
15 separate offense of the provisions of this law.

16 (2) Notwithstanding s. 373.129(5), if a bottled water
17 operator withdraws quantities that exceed the quantities
18 authorized in its consumptive use permit issued under part II of
19 this chapter, the bottled water operator is subject to a civil
20 penalty equal to a rate of 12.5 cents per gallon of water
21 withdrawn above such authorized quantities. The civil penalty
22 must be paid by the bottled water operator to the water
23 management district that issued the consumptive use permit and
24 such fees must be used solely by the water management district
25 for the purposes of aquifer replenishment and creating
26 alternative water supplies. As used in this subsection, the term
27 "bottled water operator" means a person engaged in the business
28 of bottling or packaging for sale water extracted from waters of
29 the state who has received a permit in accordance with part II
30 of this chapter. The term does not include a person who bottles
31 or packages water from a public water system as defined in s.
32 403.852(2).

33 Section 2. This act shall take effect upon becoming a law.

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35 ===== T I T L E A M E N D M E N T =====

36 And the title is amended as follows:

37 Delete everything before the enacting clause
38 and insert:

39 A bill to be entitled



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40 An act relating to bottled water consumptive use
41 permit violations; amending s. 373.123, F.S.;
42 specifying a civil penalty for a bottled water
43 operator that withdraws quantities of water exceeding
44 its consumptive use permit; requiring such penalty to
45 be paid to the water management district issuing the
46 permit, to be used for certain purposes; defining the
47 term "bottled water operator"; providing an effective
48 date.