Representative Payne offered the following:

**Amendment to Amendment (061065)**

Between lines 969 and 970 of the amendment, insert:

Section 9. Effective July 1, 2021, paragraph (d) of subsection (7) and subsections (8) and (9) of section 381.00651, Florida Statutes, are amended to read:

381.00651 Periodic evaluation and assessment of onsite sewage treatment and disposal systems.—

(7) The following procedures shall be used for conducting evaluations:

(d) Assessment procedure.—All evaluation procedures used by a qualified contractor shall be documented in the
environmental health database of the department of Health. The qualified contractor shall provide a copy of a written, signed evaluation report to the property owner upon completion of the evaluation and to the county health department within 30 days after the evaluation. The report shall contain the name and license number of the company providing the report. A copy of the evaluation report shall be retained by the local county health department for a minimum of 5 years and until a subsequent inspection report is filed. The front cover of the report must identify any system failure and include a clear and conspicuous notice to the owner that the owner has a right to have any remediation of the failure performed by a qualified contractor other than the contractor performing the evaluation. The report must further identify any crack, leak, improper fit, or other defect in the tank, manhole, or lid, and any other damaged or missing component; any sewage or effluent visible on the ground or discharging to a ditch or other surface water body; any downspout, stormwater, or other source of water directed onto or toward the system; and any other maintenance need or condition of the system at the time of the evaluation which, in the opinion of the qualified contractor, would possibly interfere with or restrict any future repair or modification to the existing system. The report shall conclude with an overall assessment of the fundamental operational condition of the system.
(8) The county health department, in coordination with the department, shall administer any evaluation program on behalf of a county, or a municipality within the county, that has adopted an evaluation program pursuant to this section. In order to administer the evaluation program, the county or municipality, in consultation with the county health department, may develop a reasonable fee schedule to be used solely to pay for the costs of administering the evaluation program. Such a fee schedule shall be identified in the ordinance that adopts the evaluation program. When arriving at a reasonable fee schedule, the estimated annual revenues to be derived from fees may not exceed reasonable estimated annual costs of the program. Fees shall be assessed to the system owner during an inspection and separately identified on the invoice of the qualified contractor. Fees shall be remitted by the qualified contractor to the county health department. The county health department's administrative responsibilities include the following:

(a) Providing a notice to the system owner at least 60 days before the system is due for an evaluation. The notice may include information on the proper maintenance of onsite sewage treatment and disposal systems.

(b) In consultation with the department of Health, providing uniform disciplinary procedures and penalties for qualified contractors who do not comply with the requirements of the adopted ordinance, including, but not limited to, failure to
provide the evaluation report as required in this subsection to
the system owner and the county health department. Only the
county health department may assess penalties against system
owners for failure to comply with the adopted ordinance,
consistent with existing requirements of law.

(9)(a) A county or municipality that adopts an onsite
sewage treatment and disposal system evaluation and assessment
program pursuant to this section shall notify the Secretary of
Environmental Protection, the Department of Health, and the
applicable county health department upon the adoption of its
ordinance establishing the program.

(b) Upon receipt of the notice under paragraph (a), the
department of Environmental Protection shall, within existing
resources, notify the county or municipality of the potential
use of, and access to, program funds under the Clean Water State
Revolving Fund or s. 319 of the Clean Water Act, provide
guidance in the application process to receive such moneys, and
provide advice and technical assistance to the county or
municipality on how to establish a low-interest revolving loan
program or how to model a revolving loan program after the low-
interest loan program of the Clean Water State Revolving Fund.
This paragraph does not obligate the department of Environmental
Protection to provide any county or municipality with money to
fund such programs.

(c) The department of Health may not adopt any rule that
ALTERS THE PROVISIONS OF THIS SECTION.

(d) The department of Health must allow county health departments and qualified contractors access to the environmental health database to track relevant information and assimilate data from assessment and evaluation reports of the overall condition of onsite sewage treatment and disposal systems. The environmental health database must be used by contractors to report each service and evaluation event and by a county health department to notify owners of onsite sewage treatment and disposal systems when evaluations are due. Data and information must be recorded and updated as service and evaluations are conducted and reported.

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