

By Senator Montford

3-00505A-20

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1 A bill to be entitled
2 An act relating to water testing for pollution;
3 creating s. 381.00621, F.S.; defining the term
4 "pollution"; authorizing specified persons or
5 businesses that suspect contamination of their private
6 water systems, multifamily water systems, or certain
7 public water systems to request that the Department of
8 Health or its agents test such source for pollution,
9 under certain circumstances; requiring such testing to
10 be done within a specified timeframe and follow
11 certain procedures; amending s. 381.0063, F.S.;
12 revising the specified purposes that funds in a County
13 Health Department Trust Fund may be used for to
14 include the costs and expenditures related to certain
15 water testing provisions; providing an effective date.

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

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19 Section 1. Section 381.00621, Florida Statutes, is created
20 to read:

21 381.00621 Testing for contamination.-

22 (1) DEFINITION.-As used in this section, the term
23 "pollution" means the presence in the outdoor land, air, or
24 waters of the state of any substance, contaminant, or manmade or
25 human-induced impairment or alteration of the chemical,
26 physical, biological, or radiological integrity of a water
27 source in quantities that are or may be potentially harmful or
28 injurious to human health or welfare.

29 (2) WATER TESTING.-

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30 (a) If a governmental entity discovers or confirms that
31 pollution exists in an area which could impact a private water
32 system, multifamily water system, or public water system not
33 subject to the Florida Safe Drinking Water Act, and result in a
34 violation of water quality standards adopted by the department
35 or the Department of Environmental Protection, any potentially
36 affected resident, business, or property owner may request the
37 department or its agents to test the water source for
38 contamination relating to the pollution identified by the
39 governmental entity.

40 (b) If the department receives a request under paragraph
41 (a), the department or its agents must collect water samples
42 from the system's water source, or receive water samples from
43 the system's water source collected using methods acceptable to
44 the department, and submit the samples to a department
45 laboratory or a department-certified drinking water laboratory
46 for contaminant analysis. The analysis must be completed as
47 expeditiously as possible, but not later than 7 business days
48 after the department's receipt of a request under paragraph (a).

49 (c) The department must provide information sufficient for
50 a resident, business, or property owner who makes a request and
51 receives the results of testing done under this section to
52 understand whether the sample contains contaminants that exceed
53 water quality standards.

54 Section 2. Section 381.0063, Florida Statutes, is amended
55 to read:

56 381.0063 Drinking water funds.—All fees and penalties
57 received from suppliers of water pursuant to ss. 403.860(5) and
58 403.861(7) (a) shall be deposited in the appropriate County

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59 Health Department Trust Fund to be used by the department to pay
60 the costs of expenditures required pursuant to ss. 381.0062,
61 381.00621, and 403.862(1)(c).

62 Section 3. This act shall take effect July 1, 2020.