



189384

LEGISLATIVE ACTION

Senate

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House

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Floor: 1/AD/2R

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04/21/2021 12:05 PM

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Senator Hutson moved the following:

Senate Amendment (with title amendment)

Between lines 1180 and 1181

insert:

Section 19. Section 327.521, Florida Statutes, is created
to read:

327.521 No-discharge zones.-

(1) Effective immediately upon approval by the United
States Environmental Protection Agency of a no-discharge zone
determination for the waters of the United States within the
boundaries of aquatic preserves identified in s. 258.39, all



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12 waters of this state within such areas are designated no-
13 discharge zones within which a person may not discharge sewage
14 of any type, whether treated or untreated, from any vessel or
15 floating structure.

16 (2) A person who violates this section commits a
17 noncriminal infraction, punishable by a civil penalty of up to
18 \$250. If any discharge prohibited by this section is ongoing or
19 continuous, the person may be assessed a penalty of up to \$250
20 for each day the violation continues.

21 (3) (a) The owner or operator of a vessel or floating
22 structure convicted a second time for violating this section
23 shall, within 30 days after the conviction, remove the vessel or
24 floating structure from the waters of this state. For purposes
25 of this paragraph, the term "conviction" means a disposition
26 other than acquittal or dismissal.

27 (b) If the vessel or floating structure remains on the
28 waters of this state in violation of this subsection, law
29 enforcement officers charged with the enforcement of this
30 chapter under s. 327.70 shall apply to the appropriate court in
31 the county in which the vessel or floating structure is located
32 to order or otherwise cause the removal of such vessel or
33 floating structure from the waters of this state at the owner's
34 expense.

35 (c) If the owner cannot be found or otherwise fails to pay
36 the removal costs, s. 328.17 shall apply. If the proceeds under
37 s. 328.17 are not sufficient to pay all removal costs, funds
38 appropriated from the Marine Resources Conservation Trust Fund
39 pursuant to s. 327.53(6) (b) or s. 328.72(15) (c) may be used.

40 (4) The commission shall maintain a list of marine sewage



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41 pumpout facilities throughout this state, make the list
42 available on its website, and provide the list with information
43 about the Department of Environmental Protection's Clean Marina
44 Program to all counties for distribution to public and private
45 marinas.

46
47 ===== T I T L E A M E N D M E N T =====

48 And the title is amended as follows:

49 Delete line 96

50 and insert:

51 equipment requirements; creating s. 327.521, F.S.;

52 designating waters of this state within aquatic

53 preserves as no-discharge zones upon approval by the

54 United States Environmental Protection Agency;

55 prohibiting discharge of sewage from a vessel or

56 floating structure into such waters; providing civil

57 penalties; providing increased penalties for each day

58 the violation continues; requiring the owner or

59 operator to remove such vessel or structure within a

60 specified timeframe from the waters of this state upon

61 a second conviction; defining the term "conviction";

62 providing requirements for removal and sale of such

63 vessel or structure under certain circumstances;

64 requiring the commission to maintain and make

65 available to the public a list of marine sewage

66 pumpout facilities; amending s. 327.53, F.S.;