

By Senator Farmer

34-00686-21

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1                                   A bill to be entitled  
2       An act relating to well stimulation; providing a short  
3       title; amending s. 377.19, F.S.; defining the term  
4       "extreme well stimulation"; creating s. 377.2405,  
5       F.S.; prohibiting persons from engaging in extreme  
6       well stimulation; prohibiting the Department of  
7       Environmental Protection from issuing permits that  
8       authorize extreme well stimulation; prohibiting the  
9       department from authorizing certain permitholders to  
10      engage in extreme well stimulation on or after a  
11      specified date; imposing a specified fine for  
12      violations; providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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16       Section 1. This act may be cited as the "Stop Fracking  
17 Act."

18       Section 2. Present subsections (4) through (32) of section  
19 377.19, Florida Statutes, are redesignated as subsections (5)  
20 through (33), respectively, a new subsection (4) is added to  
21 that section, and present subsection (5) of that section is  
22 amended, to read:

23       377.19 Definitions.—As used in ss. 377.06, 377.07, and  
24 377.10-377.40, the term:

25       (4) "Extreme well stimulation" means all stages of a well  
26 intervention performed by injecting fluids into a rock formation  
27 in order to propagate fractures in or dissolve the rock  
28 formation to increase production at an oil or gas well by  
29 improving the flow of hydrocarbons from the formation into the

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30 wellbore. The term also includes, but is not limited to, acid  
31 fracturing, matrix acidizing, pneumatic fracturing, fracturing  
32 with dynamic loading, and other techniques the purpose of which  
33 is to physically deform the rock formation in such a manner as  
34 to significantly increase the flow of hydrocarbons from the  
35 formation into the wellbore. The term does not include routine  
36 well cleanout work; routine well maintenance; routine treatment  
37 for the purpose of removal of rock formation damage due to  
38 drilling or other well construction activity; any bottom hole  
39 pressure survey; any routine activity that does not affect the  
40 integrity of the well or the rock formation; the removal of  
41 scale or precipitate from well perforations, casing, or tubing;  
42 or a gravel pack treatment that does not exceed the formation  
43 fracture gradient.

44 (6) ~~(5)~~ "Gas" means all natural gas, including casinghead  
45 gas, and all other hydrocarbons not defined as oil in subsection  
46 (16) ~~(15)~~.

47 Section 3. Section 377.2405, Florida Statutes, is created  
48 to read:

49 377.2405 Well stimulation.-

50 (1) A person may not engage in extreme well stimulation in  
51 this state.

52 (2) The department may not issue an oil or gas drilling or  
53 operating permit authorizing extreme well stimulation.

54 (3) The department may not authorize any person holding a  
55 permit issued pursuant to this chapter or rules adopted  
56 thereunder to engage in extreme well stimulation on or after  
57 July 1, 2021.

58 (4) The department shall fix, impose, and collect a fine of

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59 up to \$50,000 for each offense against any person, firm,  
60 corporation, or governmental agency, or agent thereof, refusing  
61 to comply with or willfully violating this section or any rule  
62 or order prescribed by the department thereunder. Each day  
63 during any portion of which such violation occurs constitutes a  
64 separate offense.

65 Section 4. This act shall take effect July 1, 2021.