

26 of Environmental Protection and the Fish and Wildlife
 27 Conservation Commission to implement signage
 28 requirements; providing an effective date.

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

32 Section 1. Section 514.023, Florida Statutes, is amended
 33 to read:

34 514.023 Sampling of beach waters~~;~~ and public bathing
 35 places; health advisories; signage.-

36 (1) As used in this section, the term "beach waters" means
 37 the waters along the coastal and intracoastal beaches and shores
 38 of this ~~the~~ state~~,~~ and includes salt water and brackish water.

39 (2) The department shall ~~may~~ adopt and enforce rules to
 40 protect the health, safety, and welfare of persons using the
 41 beach waters and public bathing places of this ~~the~~ state. The
 42 rules must establish health standards and prescribe procedures
 43 and timeframes for bacteriological sampling of beach waters and
 44 public bathing places. At a minimum, the rules must require
 45 owners of beach waters and public bathing places to both notify
 46 the department and resample the water within 24 hours after a
 47 test result indicates that a sample of the beach waters or
 48 public bathing place fails to meet standards established by the
 49 department.

50 (3) The department shall, within 24 hours or the next

51 business day, whichever occurs first, may issue health
52 advisories if the quality of beach waters or a public bathing
53 place fails to meet standards established by the department and
54 shall require closure of beach waters and public bathing places
55 that fail to meet the department's standards if it deems closure
56 is necessary to protect the health, safety, and welfare of the
57 public. Closures must remain in effect until the quality of the
58 beach waters or public bathing place is restored in accordance
59 with the department's standards and until the department has
60 removed any related health advisories that it issued. The
61 issuance of health advisories related to the results of
62 bacteriological sampling of beach waters and public bathing
63 places is preempted to the state.

64 (4)(a) When the department issues a health advisory
65 against swimming in beach waters or a public bathing place on
66 the basis of finding elevated levels of fecal coliform,
67 *Escherichia coli*, or enterococci bacteria in a water sample, the
68 department shall, within 24 hours or the next business day,
69 whichever occurs first, concurrently notify the municipality or
70 county in which the affected beach waters or public bathing
71 place is ~~are~~ located, whichever has jurisdiction, ~~and~~ the local
72 office of the Department of Environmental Protection, and the
73 local affiliates of national television networks in the affected
74 area of the advisory.

75 (b) Municipalities and counties shall, within 24 hours or

76 the next business day, whichever occurs first, notify the
77 department of any incident that negatively impacts the quality
78 of beach waters or public bathing places within their respective
79 jurisdictions. Owners of public boat docks, marinas, and piers
80 shall, within 24 hours or the next business day, whichever
81 occurs first, notify the jurisdictional municipality or county
82 of any incident that negatively impacts the quality of beach
83 waters in which the dock, marina, or pier is located.

84 (c) The local office of the Department of Environmental
85 Protection shall promptly investigate wastewater treatment
86 facilities within 1 mile of the affected beach waters or public
87 bathing place to determine if a facility experienced an incident
88 that may have contributed to the contamination and provide the
89 results of the investigation in writing or by electronic means
90 to the municipality or county, as applicable.

91 (d) The department shall adopt by rule a sign that must be
92 used when it issues a health advisory against swimming in
93 affected beach waters or public bathing places due to elevated
94 levels of fecal coliform, *Escherichia coli*, or enterococci
95 bacteria in the water. The department shall require that the
96 health advisory sign be no less than 20 inches by 20 inches in
97 diameter and posted at beach access points and in conspicuous
98 areas around affected beach waters and public bathing places
99 until subsequent testing of the water demonstrates that the
100 bacteria levels meet the standards established by the

101 department.

102 (e) Municipalities and counties are responsible for
 103 posting and maintaining health advisory signs as described in
 104 paragraph (d) around affected beach waters and public bathing
 105 places owned by them. The Department of Environmental Protection
 106 is responsible for posting and maintaining health advisory signs
 107 around affected beach waters and public bathing places owned by
 108 the state. The department shall coordinate with the Department
 109 of Environmental Protection and the Fish and Wildlife
 110 Conservation Commission as necessary to implement the signage
 111 requirements of this subsection. Such signage must be posted and
 112 maintained in compliance with this subsection until the health
 113 advisory is no longer in effect.

114 Section 2. This act shall take effect July 1, 2024.