



225580

LEGISLATIVE ACTION

Senate

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House

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Floor: 1/F/2R

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04/29/2025 02:53 PM

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Senator Smith moved the following:

Senate Amendment (with title amendment)

Delete lines 100 - 130

and insert:

403.7033 Regulation of auxiliary containers ~~Departmental analysis of particular recyclable materials. The Legislature finds that prudent regulation of recyclable materials is crucial to the ongoing welfare of Florida's ecology and economy. As such, the Department of Environmental Protection shall review and update its 2010 report on retail bags analyzing the need for new or different regulation of auxiliary containers, wrappings,~~



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~~or disposable plastic bags used by consumers to carry products from retail establishments. The updated report must include input from state and local government agencies, stakeholders, private businesses, and citizens and must evaluate the efficacy and necessity of both statewide and local regulation of these materials. To ensure consistent and effective implementation, the department shall submit the updated report with conclusions and recommendations to the Legislature no later than December 31, 2021. Until such time that the Legislature adopts the recommendations of the department,~~

(1) The department shall develop uniform ordinances for the use, disposition, sale, or distribution of single-use, non recyclable auxiliary containers which may be adopted and enforced by local governments.

(2) The development of the uniform ordinances pursuant to this section must be a collaborative process that involves a broad range of stakeholders, with the objective of encouraging cooperation and achieving consensus on standards for auxiliary container regulation. In developing the uniform ordinances, the department shall hold at least two public workshops with stakeholders, local governments, environmental groups, businesses, and other members of the public. The department shall allow public participation in person and through communications media technology. To maximize public participation, a workshop may not be held in the same geographic region of this state more than once before all other regions have hosted a workshop.

(3) In developing the uniform ordinances pursuant to this section, the department shall consider all of the following:



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(a) Limiting the distribution and use of single-use, non recyclable auxiliary containers by requiring that such containers be provided only upon customer request or for a mandatory fee.

(b) Promoting the use of recyclable or compostable auxiliary containers and encouraging businesses to offer voluntary incentives for customers using reusable auxiliary containers.

(c) Establishing waste reduction and collection programs for single-use auxiliary containers.

(d) Creating enforcement mechanisms, including penalties, for businesses that do not comply with auxiliary container ordinances.

(4) The department shall begin engaging with stakeholders to develop uniform ordinances no later than October 1, 2025, and shall enact them by October 1, 2026.

(5) A local government ~~or~~, local governmental agency, ~~or state governmental agency~~ may not enact any rule, regulation, or ordinance regarding the use, disposition, sale, prohibition, restriction, or tax of such auxiliary containers which is inconsistent with the uniform ordinances developed pursuant to this section. This subsection does not apply to rules, regulations, or ordinances restricting the use of glass auxiliary containers within the boundaries of any public beach within the jurisdiction of a local government or local governmental agency, ~~wrappings, or disposable plastic bags.~~

===== T I T L E A M E N D M E N T =====
And the title is amended as follows:



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70 Delete lines 8 - 14
71 and insert:
72 update a specified report; requiring the department to
73 develop uniform ordinances for the use, disposition,
74 sale, or distribution of single-use, non recyclable
75 auxiliary containers; requiring that the development
76 of such ordinances be a collaborative process;
77 requiring the department to hold a specified number of
78 public workshops with certain groups; requiring the
79 department to allow in-person and electronic public
80 participation in the workshops; prohibiting a workshop
81 from being held in the same geographic region more
82 than once under certain circumstances; requiring the
83 department to consider certain information when
84 developing the uniform ordinances; requiring the
85 department to engage with stakeholders and develop the
86 uniform ordinances by a certain date; prohibiting
87 certain entities from enacting certain laws relating
88 to the use, disposition, sale, prohibition,
89 restriction, or tax of auxiliary containers which are
90 inconsistent with specified provisions; providing
91 applicability; amending ss. 403.706 and 403.707, F.S.;