

**By** the Committees on Fiscal Policy; and Environment and Natural Resources; and Senators Harrell, Truenow, and Berman

594-02989-26

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1                   A bill to be entitled  
2           An act relating to perfluoroalkyl and polyfluoroalkyl  
3           substances; providing a short title; creating s.  
4           376.911, F.S.; defining the terms "aqueous film-  
5           forming foam" and "department"; prohibiting, beginning  
6           on a specified date, certain use and the sale,  
7           purchase, or distribution of aqueous film-forming foam  
8           in this state; requiring, beginning on a specified  
9           date, certain entities to submit aqueous film-forming  
10          foam inventories and disposal plans to the Department  
11          of Environmental Protection; prohibiting, beginning on  
12          a specified date, the possession and use of aqueous  
13          film-forming foam in this state; providing  
14          applicability; providing duties of the department;  
15          authorizing the department to administer certain  
16          grants or cost-share programs; providing penalties and  
17          injunctive relief; amending s. 403.086, F.S.;  
18          requiring certain public entities disposing of  
19          domestic wastewater biosolids and treated effluent to  
20          quarterly conduct specified samplings and submit the  
21          results to the department; requiring that such  
22          sampling be conducted in accordance with department  
23          rules; providing that such sampling is for  
24          informational purposes only, and may not be the basis  
25          for enforcement action or other causes of action,  
26          until the department adopts certain water quality  
27          standards; providing an effective date.

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

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Section 1. This act may be cited as the "Joe Casello Act."

Section 2. Section 376.911, Florida Statutes, is created to read:

376.911 Aqueous film-forming foam.—

(1) As used in this section, the term:

(a) "Aqueous film-forming foam" means any firefighting foam containing intentionally added perfluoroalkyl and polyfluoroalkyl substances, including perfluorooctanoic acid and perfluorooctane sulfonate as defined by the United States Environmental Protection Agency.

(b) "Department" means the Department of Environmental Protection.

(2) Effective July 1, 2026:

(a) Aqueous film-forming foam may not be used for any nonemergency instruction, training, or testing.

(b) All entities in possession of aqueous film-forming foam must report inventories to the department.

(3) Effective July 1, 2027:

(a) The sale, purchase, or distribution of aqueous film-forming foam within this state is prohibited.

(b) All entities with remaining inventories of aqueous film-forming foam must submit a disposal plan to the department.

(4) Effective July 1, 2029, the possession and use of aqueous film-forming foam is prohibited in this state.

(5) The prohibition under subsection (4) does not apply to:

(a) Airports as defined in s. 330.27.

(b) Military applications where alternatives do not exist.

(c) Emergency firefighting situations where alternative

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59 firefighting foam is not available, including mutual aid where  
60 state or local firefighting authorities may not have adequate  
61 equipment to dispense alternatives.

62 (d) Specific aqueous film-forming foam retrofit projects  
63 submitted under an application with state or local firefighting  
64 authorities.

65 (6) The department shall:

66 (a) Adopt rules for containment, collection, and disposal  
67 of aqueous film-forming foam.

68 (b) Maintain a registry of firefighting foam alternatives  
69 that do not contain perfluoroalkyl and polyfluoroalkyl  
70 substances.

71 (c) Provide technical assistance and grants for transition  
72 to products that do not contain perfluoroalkyl and  
73 polyfluoroalkyl substances.

74 (7) The department may administer grants or cost-share  
75 programs to assist local fire departments and airports in  
76 transitioning to products that do not contain perfluoroalkyl and  
77 polyfluoroalkyl substances.

78 (8) A person who violates this act is subject to:

79 (a) Civil penalties not to exceed \$10,000 for each  
80 violation for each day the violation persists.

81 (b) Additional penalties for failure to report inventories  
82 or submit disposal plans.

83 (9) The department may seek injunctive relief to enforce  
84 compliance with this section.

85 Section 3. Subsection (12) is added to section 403.086,  
86 Florida Statutes, to read:

87 403.086 Sewage disposal facilities; advanced and secondary

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88 waste treatment.-

89 (12) (a) All public entities disposing of domestic  
90 wastewater biosolids and treated effluent that have a designed  
91 average daily flow of 25,000 or more gallons per day must  
92 quarterly conduct at least one biosolids and treated effluent  
93 sampling, as applicable, for perfluoroalkyl and polyfluoroalkyl  
94 substances, including perfluorooctanoic acid and perfluorooctane  
95 sulfonate, and submit the results to the department. The  
96 sampling must be conducted in accordance with department rules.

97 (b) Until water quality standards for perfluoroalkyl and  
98 polyfluoroalkyl substances are established by the United States  
99 Environmental Protection Agency and adopted by the department,  
100 the sampling and reporting conducted pursuant to paragraph (a)  
101 is for informational purposes only and may not be the basis for  
102 any department enforcement action or other cause of action.

103 Section 4. This act shall take effect July 1, 2026.