1	A bill to be entitled
2	An act relating to sampling of beach waters and public
3	bathing spaces; amending s. 514.023, F.S.; requiring,
4	rather than authorizing, the Department of Health to
5	adopt and enforce certain rules; revising requirements
6	for such rules; requiring, rather than authorizing,
7	the Department of Health to issue certain health
8	advisories; directing the department to require
9	closure of beach waters and public bathing places
10	under certain circumstances; requiring that such
11	closures remain in effect for a specified period;
12	requiring the department, municipalities and counties,
13	and owners of public boat docks, marinas, and piers to
14	provide certain notice; preempting the issuance of
15	certain health advisories for public bathing places to
16	the state; requiring the department to adopt by rule a
17	health advisory sign; providing requirements for such
18	sign; providing that municipalities and counties are
19	responsible for posting and maintaining such signs
20	around certain affected beach waters and public
21	bathing places; providing that the Department of
22	Environmental Protection is responsible for posting
23	and maintaining such signs around certain affected
24	beach waters and public bathing places; requiring the
25	Department of Health to coordinate with the Department
	Dece 1 of 5

Page 1 of 5

CODING: Words stricken are deletions; words underlined are additions.

2024

26	of Environmental Protection and the Fish and Wildlife
27	Conservation Commission to implement signage
28	requirements; providing an effective date.
29	
30	Be It Enacted by the Legislature of the State of Florida:
31	
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 <u>; signage</u> .—
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 <u>this</u> the state $_{ au}$ and includes salt water and brackish water.
39	(2) The department <u>shall</u> 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 <u>this</u> 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 notify the
46	department within 24 hours after a test result indicates that a
47	sample of the beach waters or public bathing place fails to meet
48	standards established by the department.
49	(3) The department shall, within 24 hours or the next
50	business day, whichever occurs first, may issue health
	Dogo 2 of 5
	Page 2 of 5

CODING: Words stricken are deletions; words underlined are additions.

2024

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

(4) (a) When the department issues a health advisory 63 64 against swimming in beach waters or a public bathing place on 65 the basis of finding elevated levels of fecal coliform, 66 Escherichia coli, or enterococci bacteria in a water sample, the department shall, within 24 hours or the next business day, 67 68 whichever occurs first, concurrently notify the municipality or 69 county in which the affected beach waters or public bathing 70 place is are located, whichever has jurisdiction, and the local 71 office of the Department of Environmental Protection, and the local affiliates of national television networks in the affected 72 73 area of the advisory. 74 (b) Municipalities and counties shall, within 24 hours or 75 the next business day, whichever occurs first, notify the

Page 3 of 5

CODING: Words stricken are deletions; words underlined are additions.

2024

2024

76	department of any incident that makes the water quality of beach
77	waters or public bathing places within their respective
78	jurisdictions unsafe. Owners of public boat docks, marinas, and
79	piers shall, within 24 hours or the next business day, whichever
80	occurs first, notify the jurisdictional municipality or county
81	of any incident that makes the water quality of beach waters in
82	which the dock, marina, or pier is located unsafe.
83	(c) The local office of the Department of Environmental
84	Protection shall promptly investigate wastewater treatment
85	facilities within 1 mile of the affected beach waters or public
86	bathing place to determine if a facility experienced an incident
87	that may have contributed to the contamination and provide the
88	results of the investigation in writing or by electronic means
89	to the municipality or county, as applicable.
90	(d) The department shall adopt by rule a sign that must be
	(d) The department shall adopt by rule a sign that must be used when it issues a health advisory against swimming in
90	
90 91	used when it issues a health advisory against swimming in
90 91 92	used when it issues a health advisory against swimming in affected beach waters or public bathing places due to elevated
90 91 92 93	used when it issues a health advisory against swimming in affected beach waters or public bathing places due to elevated levels of fecal coliform, <i>Escherichia coli</i> , or enterococci
90 91 92 93 94	used when it issues a health advisory against swimming in affected beach waters or public bathing places due to elevated levels of fecal coliform, <i>Escherichia coli</i> , or enterococci bacteria in the water. The department shall require that the
90 91 92 93 94 95	used when it issues a health advisory against swimming in affected beach waters or public bathing places due to elevated levels of fecal coliform, <i>Escherichia coli</i> , or enterococci bacteria in the water. The department shall require that the health advisory sign be no less than 16.5 inches by 30 inches in
90 91 92 93 94 95 96	used when it issues a health advisory against swimming in affected beach waters or public bathing places due to elevated levels of fecal coliform, <i>Escherichia coli</i> , or enterococci bacteria in the water. The department shall require that the health advisory sign be no less than 16.5 inches by 30 inches in diameter and posted at beach access points and in conspicuous
90 91 92 93 94 95 96 97	used when it issues a health advisory against swimming in affected beach waters or public bathing places due to elevated levels of fecal coliform, <i>Escherichia coli</i> , or enterococci bacteria in the water. The department shall require that the health advisory sign be no less than 16.5 inches by 30 inches in diameter and posted at beach access points and in conspicuous areas around affected beach waters and public bathing places
90 91 92 93 94 95 96 97 98	used when it issues a health advisory against swimming in affected beach waters or public bathing places due to elevated levels of fecal coliform, <i>Escherichia coli</i> , or enterococci bacteria in the water. The department shall require that the health advisory sign be no less than 16.5 inches by 30 inches in diameter and posted at beach access points and in conspicuous areas around affected beach waters and public bathing places until subsequent testing of the water demonstrates that the

Page 4 of 5

CODING: Words stricken are deletions; words underlined are additions.

2024

101	(e) Municipalities and counties are responsible for
102	posting and maintaining health advisory signs as described in
103	paragraph (d) around affected beach waters and public bathing
104	places owned by them. The Department of Environmental Protection
105	is responsible for posting and maintaining health advisory signs
106	around affected beach waters and public bathing places owned by
107	the state. The department shall coordinate with the Department
108	of Environmental Protection and the Fish and Wildlife
109	Conservation Commission as necessary to implement the signage
110	requirements of this subsection. Such signage must be posted and
111	maintained in compliance with this subsection until the health
112	advisory is no longer in effect.
113	Section 2. This act shall take effect July 1, 2024.

Page 5 of 5

CODING: Words stricken are deletions; words underlined are additions.