

HB 6039

2018

1 A bill to be entitled
2 An act relating to auxiliary containers, wrappings,
3 and disposable plastic bags used by retail
4 establishments; amending s. 403.7033, F.S.; removing
5 the state preemption on the regulation of certain
6 auxiliary containers, wrappings, and disposable
7 plastic bags; providing an effective date.
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9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Section 403.7033, Florida Statutes, is amended
12 to read:

13 403.7033 Departmental analysis of particular recyclable
14 materials.—The Legislature finds that prudent regulation of
15 recyclable materials is crucial to the ongoing welfare of
16 Florida's ecology and economy. As such, the Department of
17 Environmental Protection shall undertake an analysis of the need
18 for new or different regulation of auxiliary containers,
19 wrappings, or disposable plastic bags used by consumers to carry
20 products from retail establishments. The analysis shall include
21 input from state and local government agencies, stakeholders,
22 private businesses, and citizens, and shall evaluate the
23 efficacy and necessity of both statewide and local regulation of
24 these materials. To ensure consistent and effective
25 implementation, the department shall submit a report with

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26 | conclusions and recommendations to the Legislature no later than
27 | February 1, 2010. ~~Until such time that the Legislature adopts~~
28 | ~~the recommendations of the department, no local government,~~
29 | ~~local governmental agency, or state government agency may enact~~
30 | ~~any rule, regulation, or ordinance regarding use, disposition,~~
31 | ~~sale, prohibition, restriction, or tax of such auxiliary~~
32 | ~~containers, wrappings, or disposable plastic bags.~~

33 | Section 2. This act shall take effect July 1, 2018.