

26 rule a health advisory sign; providing requirements
 27 for the sign; providing that municipalities and
 28 counties are responsible for posting and maintaining
 29 the health advisory signs around affected beach waters
 30 and public bathing places that they own; providing
 31 that the department is responsible for maintaining the
 32 health advisory signs around affected beach waters and
 33 public bathing places owned by the state; requiring
 34 the department to coordinate with the Department of
 35 Environmental Protection and the Fish and Wildlife
 36 Conservation Commission as necessary to implement such
 37 signage requirements; providing an effective date.

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

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41 Section 1. Effective July 1, 2024, section 514.023,
 42 Florida Statutes, is amended to read:

43 514.023 Sampling of beach waters~~;~~ and public bathing
 44 places; health advisories; signage.-

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

48 (2) The department shall ~~may~~ adopt and enforce rules to
 49 protect the health, safety, and welfare of persons using the
 50 beach waters and public bathing places of this ~~the~~ state. The

51 rules must establish health standards and prescribe procedures
52 and timeframes for bacteriological sampling of beach waters and
53 public bathing places. At a minimum, the rules must require
54 owners of beach waters and public bathing places to both notify
55 the department and resample the water within 24 hours after a
56 test result indicates that a sample of the beach waters or
57 public bathing place fails to meet standards established by the
58 department.

59 (3) The department must within 24 hours or the next
60 business day, whichever occurs first, ~~may~~ issue health
61 advisories if the quality of beach waters or a public bathing
62 place fails to meet standards established by the department and
63 must require closure of beach waters and public bathing places
64 that fail to meet the department's standards if it deems closure
65 is necessary to protect the health, safety, and welfare of the
66 public. Closures must remain in effect until the quality of the
67 beach waters or public bathing place is restored in accordance
68 with the department's standards and until the department has
69 removed any related health advisories that it issued. The
70 issuance of health advisories related to the results of
71 bacteriological sampling of beach waters and public bathing
72 places is preempted to the state.

73 (4) (a) When the department issues a health advisory
74 against swimming in beach waters or a public bathing place on
75 the basis of finding elevated levels of fecal coliform,

76 *Escherichia coli*, or enterococci bacteria in a water sample, the
77 department must within 24 hours or the next business day,
78 whichever occurs first, ~~shall~~ concurrently notify the
79 municipality or county in which the affected beach waters or
80 public bathing place is ~~are~~ located, whichever has jurisdiction,
81 ~~and~~ the local office of the Department of Environmental
82 Protection, and the local affiliates of national television
83 networks in the affected area of the advisory.

84 (b) Municipalities and counties must within 24 hours or
85 the next business day, whichever occurs first, notify the
86 department of any incident that negatively impacts the quality
87 of beach waters or public bathing places within their respective
88 jurisdictions. Public boat docks, marinas, and piers must within
89 24 hours or the next business day, whichever occurs first, shall
90 immediately notify the jurisdictional municipality or county of
91 any incident that negatively impacts the quality of beach waters
92 in which the dock, marina, or pier is located.

93 (c) The local office of the Department of Environmental
94 Protection shall promptly investigate wastewater treatment
95 facilities within 1 mile of the affected beach waters or public
96 bathing place to determine if a facility experienced an incident
97 that may have contributed to the contamination and provide the
98 results of the investigation in writing or by electronic means
99 to the municipality or county, as applicable.

100 (d) The department shall adopt by rule a sign that must be

101 used when it issues a health advisory against swimming in
102 affected beach waters or public bathing places due to elevated
103 levels of fecal coliform, *Escherichia coli*, or enterococci
104 bacteria in the water. The department shall require that each
105 sign be no less than 20 inches by 20 inches in diameter. The
106 department shall require that health advisory signs be displayed
107 at beach access points and in conspicuous areas around affected
108 beach waters and public bathing places until subsequent testing
109 of the water demonstrates that the bacteria levels meet the
110 standards established by the department.

111 (e) Municipalities and counties are responsible for
112 posting and maintaining health advisory signs as described in
113 paragraph (d) around affected beach waters and public bathing
114 places that they own. The Department of Environmental Protection
115 is responsible for posting and maintaining health advisory signs
116 around affected beach waters and public bathing places owned by
117 the state. The department shall coordinate with the Department
118 of Environmental Protection and the Fish and Wildlife
119 Conservation Commission as necessary to implement the signage
120 requirements of this subsection. Such signage shall be posted
121 and maintained in compliance with this subsection until the
122 health advisory is no longer in effect.

123 Section 2. Except as otherwise expressly provided in this
124 act, this act shall take effect upon becoming a law.