



1 A bill to be entitled
2 An act relating to onsite sewage treatment and
3 disposal systems; amending s. 381.0065, F.S.;
4 directing the Department of Health, by a specified
5 date, to identify certain information for onsite
6 sewage treatment and disposal systems, update the
7 current database of onsite sewage treatment and
8 disposal systems, and submit a report to the Governor
9 and Legislature; creating s. 689.30, F.S.; requiring
10 an onsite sewage treatment and disposal system
11 disclosure summary for certain properties before or at
12 the execution of a contract for sale; requiring that
13 prospective purchasers acknowledge in writing receipt
14 of such summary disclosures; providing a definition;
15 providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. Paragraph (o) is added to subsection (3) of
20 section 381.0065, Florida Statutes, to read:

21 381.0065 Onsite sewage treatment and disposal systems;
22 regulation.—

23 (3) DUTIES AND POWERS OF THE DEPARTMENT OF HEALTH.—The
24 department shall:

25 (o) By January 1, 2019, the department shall:



26 1. Identify all onsite sewage treatment and disposal
27 systems in the state, including, at a minimum, the location and
28 operational condition of the systems and any other available
29 information the department deems appropriate. The department may
30 only use existing information available from a state, local, or
31 commercial data source to identify onsite sewage treatment and
32 disposal systems and the operational condition of such systems
33 pursuant to this subparagraph. The department may not visit or
34 inspect a property to obtain information regarding an onsite
35 sewage treatment and disposal system or the operational
36 condition of such system pursuant to this subparagraph.

37 2. Incorporate the information identified under
38 subparagraph 1. into and update the current database of onsite
39 sewage treatment and disposal systems.

40 3. Generate a report from the database that includes, at a
41 minimum, the total number of onsite sewage treatment and
42 disposal systems in the state, the number of onsite sewage
43 treatment and disposal systems in each county, and a statewide
44 map of the systems, and submit the report to the Governor, the
45 President of the Senate, and the Speaker of the House of
46 Representatives.

47 Section 2. Section 689.30, Florida Statutes, is created to
48 read:

49 689.30 Sale of property; disclosure of onsite sewage and
50 treatment disposal system.-



51 (1) A seller of property must provide a prospective
52 purchaser with a disclosure summary before or at the execution
53 of the contract for sale if the property contains or will
54 contain an onsite sewage treatment and disposal system. The
55 prospective purchaser must acknowledge in writing the receipt of
56 the disclosure summary required by this section. The disclosure
57 summary must be conspicuous, in boldface type, and in a form
58 substantially similar to the following:

59 ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM

60 DISCLOSURE SUMMARY

61 This property contains an onsite sewage treatment and disposal
62 system (system), also known as a septic tank. A system that is
63 not properly maintained is often a source of nutrients and fecal
64 coliform bacteria in groundwater. A system has a life span of
65 approximately 25 years if properly maintained and used. All
66 system tanks should be pumped out every 3 to 5 years to prevent
67 system failure. It is recommended that you request the latest
68 inspection report and assessment of the system. If one does not
69 exist, it is recommended that you request an inspection and
70 assessment of the system. If you have any questions concerning
71 the system, how to maintain it, or how to inspect it, contact
72 the county health department for information.

73 (Purchaser's Initials)

74 (2) As used in this section, the term "onsite sewage
75 treatment and disposal system" has the same meaning as in s.



CS/CS/CS/HB 285, Engrossed 1

2017

76 | 381.0065.

77 | Section 3. This act shall take effect October 1, 2017.