

A bill to be entitled  
 An act relating to the regulation of single-use  
 plastic products; creating s. 403.7034, F.S.; defining  
 the term "coastal community"; authorizing coastal  
 communities to establish pilot programs to regulate  
 single-use plastic products; providing requirements  
 for establishing such pilot programs; amending s.  
 403.7033, F.S.; requiring the Department of  
 Environmental Protection to submit updated retail bag  
 reports with conclusions and recommendations to the  
 Legislature by specified dates; removing an obsolete  
 provision; providing an effective date.

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

Section 1. Section 403.7034, Florida Statutes, is created  
 to read:

403.7034 Coastal community pilot program to regulate  
 single-use plastic products.—

(1) As used in this section, the term "coastal community"  
 means a municipality with a population of less than 100,000 that  
 abuts or borders the Gulf of Mexico; the Atlantic Ocean; or a  
 saltwater bay, sound, strait, inlet, lagoon, salt marsh, coastal  
 wetland, or other saltwater body immediately adjacent to the  
 Gulf of Mexico or the Atlantic Ocean.

26        (2) Notwithstanding s. 403.7033, a coastal community may  
27 establish a pilot program to regulate single-use plastic  
28 products.

29        (3) To establish a pilot program to regulate single-use  
30 plastic products, a coastal community must:

31        (a) Adopt an ordinance to regulate single-use plastic  
32 products within the community's jurisdiction. The ordinance must  
33 take effect on or after July 1, 2023, and must expire by June  
34 30, 2025. The ordinance may not authorize or impose any new  
35 taxes or fees for the use or distribution of single-use plastic  
36 products and disposable plastic bags.

37        (b) Collect pertinent data relating to the effectiveness  
38 and impacts of regulating single-use plastic products.

39        (c) By May 1, 2025, submit to its governing body a report  
40 with data showing the effectiveness and impacts of regulating  
41 single-use plastic products.

42        (d) Present the report under paragraph (c) at a publicly  
43 noticed meeting of its governing body and receive public  
44 comments on the report.

45        (e) Provide a copy of the report under paragraph (c) to  
46 the department no later than June 30, 2025.

47        Section 2. Section 403.7033, Florida Statutes, is amended  
48 to read:

49        403.7033 Departmental analysis of particular recyclable  
50 materials.—The Legislature finds that prudent regulation of

51 recyclable materials is crucial to the ongoing welfare of  
52 Florida's ecology and economy. As such, the Department of  
53 Environmental Protection shall review and update its 2010 report  
54 on retail bags analyzing the need for new or different  
55 regulation of auxiliary containers, wrappings, or disposable  
56 plastic bags used by consumers to carry products from retail  
57 establishments. The updated report must include input from state  
58 and local government agencies, stakeholders, private businesses,  
59 and citizens and must evaluate the efficacy and necessity of  
60 both statewide and local regulation of these materials. To  
61 ensure consistent and effective implementation, beginning in  
62 2026, and every 5 years thereafter, the department shall submit  
63 the updated report with conclusions and recommendations to the  
64 Legislature no later than December 31, ~~2021~~. Until such time  
65 that the Legislature adopts the recommendations of the  
66 department, a local government, local governmental agency, or  
67 state governmental agency may not enact any rule, regulation, or  
68 ordinance regarding use, disposition, sale, prohibition,  
69 restriction, or tax of such auxiliary containers, wrappings, or  
70 disposable plastic bags.

71 Section 3. This act shall take effect upon becoming a law.