

CHAPTER 2026-2

Committee Substitute for Committee Substitute for Committee Substitute for House Bill No. 1417

An act relating to the Department of Environmental Protection; amending s. 20.255, F.S.; removing provisions creating the Environmental Regulation Commission; amending s. 163.3205, F.S.; requiring certain solar facility permit applicants to incorporate certain protections in the development and implementation of erosion and sediment control plans for the construction of such facilities; specifying requirements for such plans; providing requirements for certain operational phase stormwater management systems; requiring solar facility operators to implement specified construction and operational permit requirements; amending s. 255.065, F.S.; revising the definition of the term “qualifying project”; amending s. 373.469, F.S.; specifying that commercial and residential properties of a specified size with existing onsite sewage treatment and disposal systems, and located in a certain area, must connect to a central sewer or upgrade to a specified type of nutrient-reducing wastewater treatment system; requiring a permitting agency to notify a property owner of such requirement if the agency, before a certain date, receives an application to repair, modify, or replace a conventional onsite sewage treatment and disposal system on certain property; creating s. 380.0934, F.S.; providing definitions; authorizing the department to take certain actions to encourage private sector investment in coastal resiliency projects; requiring the department to publish certain information on its website; amending s. 403.0872, F.S.; revising the date by which certain major permitted sources of air pollution must pay an annual operation license fee; authorizing the department to impose penalties; removing provisions relating to certain administrative costs; repealing s. 403.804, F.S., relating to the powers and duties of the Environmental Regulation Commission; amending ss. 120.81, 373.421, 376.302, 403.031, 403.061, 403.067, 403.1838, 403.704, 403.707, 403.7222, 403.7234, 403.803, 403.805, 403.8055, and 403.814, F.S.; conforming provisions to changes made by the act; reenacting s. 373.4595, F.S., relating to the Northern Everglades and Estuaries Protection Program, to incorporate the amendment made to s. 403.067, F.S., in a reference thereto; reenacting s. 403.0873, F.S., relating to the Florida Air-Operation License Fee Account, to incorporate the amendment made to s. 403.1838, F.S., in a reference thereto; reenacting s. 403.1835(3)(d), F.S., relating to water pollution control financial assistance, to incorporate the amendment made to s. 403.1838, F.S., in a reference thereto; ratifying specified rules relating to the Lower Santa Fe and Ichetucknee Rivers and Priority Springs minimum flows and recovery strategy for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule exceeding the specified thresholds for likely adverse impact or increase in regulatory costs; providing construction; providing an effective date.

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

Section 8. Subsection (6) of section 120.81, Florida Statutes, is amended to read:

120.81 Exceptions and special requirements; general areas.—

(6)RISK IMPACT STATEMENT.—The Department of Environmental Protection shall prepare a risk impact statement for any rule that is proposed for adoption which approval by the Environmental Regulation Commission and that establishes or changes standards or criteria based on impacts to or effects upon human health. The Department of Agriculture and Consumer Services shall prepare a risk impact statement for any rule that is proposed for adoption that establishes standards or criteria based on impacts to or effects upon human health.

(a) This subsection does not apply to rules adopted pursuant to federally delegated or mandated programs where such rules are identical or substantially identical to the federal regulations or laws being adopted or implemented by the Department of Environmental Protection or Department of Agriculture and Consumer Services, as applicable. However, the Department of Environmental Protection and the Department of Agriculture and Consumer Services shall identify any risk analysis information available to them from the Federal Government that has formed the basis of such a rule.

(b) This subsection does not apply to emergency rules adopted pursuant to this chapter.

(c) The Department of Environmental Protection and the Department of Agriculture and Consumer Services shall prepare and publish notice of the availability of a clear and concise risk impact statement for all applicable rules. The risk impact statement must explain the risk to the public health addressed by the rule and shall identify and summarize the source of the scientific information used in evaluating that risk.

(d) ~~Nothing in~~ This subsection does not ~~shall be construed to~~ create a new cause of action or basis for challenging a rule nor diminish any existing cause of action or basis for challenging a rule.

Section 27. This act shall take effect July 1, 2026.

Approved by the Governor March 19, 2026.

Filed in Office Secretary of State March 19, 2026.