1989

**Session Law 89-007**

Florida Senate & House of Representatives

Follow this and additional works at: https://ir.law.fsu.edu/staff-analysis

Recommended Citation
https://ir.law.fsu.edu/staff-analysis/1015

This Article is brought to you for free and open access by the Florida Legislative Documents at Scholarship Repository. It has been accepted for inclusion in Staff Analysis by an authorized administrator of Scholarship Repository. For more information, please contact efarrell@law.fsu.edu.
S 56  GENERAL BILL by Kirkpatrick and others (Identical H 217)

**BOTTLED WATER PLANTS & DEALERS:** corrects omission of certain provisions regulating operation of bottled water plants & water dealers, etc. Reenacts 381.294(6).

Effective Date: 05/15/89.

- 12/22/88 SENATE Prefiled
- 01/18/89 SENATE Referred to Natural Resources and Conservation
- 02/20/89 SENATE On Committee agenda—Natural Resources and Conservation, 03/06/89, 3:15 pm, Room-2C
- 03/06/89 SENATE Comm. Report: Favorable by Natural Resources and Conservation, placed on Calendar
- 04/04/89 SENATE Introduced, referred to Natural Resources and Conservation—SJ 12; Comm. Report: Favorable by Natural Resources and Conservation, placed on Calendar—SJ 60
- 04/11/89 SENATE Placed on Special Order Calendar—SJ 116; Passed; YEAS 38 NAYS 0—SJ 120; Immediately certified—SJ 123
- 04/11/89 HOUSE In Messages
- 04/19/89 HOUSE Received, placed on Calendar—HJ 236
- 04/25/89 HOUSE Placed on Special Order Calendar; Substituted for HB 217; Read second time—HJ 270
- 04/27/89 HOUSE Read third time; Passed; YEAS 113 NAYS 0—HJ 280
- 04/28/89 HOUSE Ordered enrolled—SJ 247
- 05/08/89 HOUSE Signed by Officers and presented to Governor—SJ 287
- 05/15/89 HOUSE Approved by Governor; Chapter No. 89-7—SJ 360

**NOTES:** Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.
I. SUMMARY:

A. Present Situation:

Section 381.294, F.S., entitled the "Bottled Water Act," requires permits and establishes standards for the handling of bottled water by water dealers, transporters and plants. These regulations are to assure that bottled water is fit for human consumption. Subsection 381.294(6), F.S., provides standards for sampling and testing of bottled water. In 1988, subsections 6 (a)-(b), F.S., were amended with the passage of SB No. 995 (ch. 88-89, Laws of Florida). Provisions in a House amendment to that bill unintentionally failed to republish paragraphs (c)-(e) of Section 381.94(6), which existed prior to that amendment. Subsection (c) requires that all water plants keep records of water sampling and analysis for a period of not less than two years. Subsection (d), empowers the Department of Health and Rehabilitative Services (Department) to promulgate rules necessary for assuring the health, safety, and welfare of the public and for carrying out its departmental duties. Subsection (e) allows the Department to shut down the production of substandard bottled water by a water plant.

B. Effect of Proposed Changes:

This bill republishes and reenacts subsection (6) of section 381.294, Florida Statutes. This is needed to demonstrate that the Legislature did not intend to repeal paragraphs (c)-(e).

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

No direct charges would be imposed on the public by this bill. Public health costs resulting from the lack of regulation of bottled drinking water will be precluded by the reenactment of paragraphs (c)-(e).

B. Government:

No costs will be incurred by the government as a result of this bill.

III. COMMENTS:

IV. AMENDMENTS:

None.
I. SUMMARY:

A. PRESENT SITUATION:


During the 1988 Legislative Session, paragraphs (a) and (b) of subsection 381.29(6), F.S., were amended. Section 1 of Chapter 88-89, Laws of Florida, however, did not republish paragraphs (c), (d), and (e) of the subsection. Paragraph (c) requires all bottled water plants to keep records of water sampling and analysis at the plant for a period of not less than two years and requires that documents be available for official review upon request. Paragraph (d) provides rulemaking authority to HRS necessary to carry out its duties or to protect the health, safety and welfare of the public. Paragraph (e) requires HRS to order a bottled water plant operator to discontinue the operation of a bottled water plant under certain conditions.

B. EFFECT OF PROPOSED CHANGES:

Chapter 89-7, Laws of Florida, republishes and reenacts subsection (6) of section 381.294, F.S., in order to demonstrate that the Legislature did not intend to repeal paragraphs (c), (d)
C. SECTION-BY-SECTION ANALYSIS:

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:
   1. Non-recurring or First Year Start-Up Effects:
      None.
   2. Recurring or Annualized Continuation Effects:
      None.
   3. Long Run Effects Other Than Normal Growth:
      None.
   4. Appropriations Consequences:
      None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:
   1. Non-recurring or First Year Start-Up Effects:
      None.
   2. Recurring or Annualized Continuation Effects:
      None.
   3. Long Run Effects Other Than Normal Growth:
      None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:
   1. Direct Private Sector Costs:
      None.
   2. Direct Private Sector Benefits:
      N/A
   3. Effects on Competition, Private Enterprise, and Employment Markets:
      None.
D. FISCAL COMMENTS:

None.

III. LONG RANGE CONSEQUENCES:

Public health costs resulting from the lack of regulation of bottled water may be precluded by the reenactment of paragraphs (c), (d) and (e). Chapter 89-7, Laws of Florida, is consistent with goal 6 of the State Comprehensive Plan related to health.

IV. COMMENTS:

Chapter 89-7, Laws of Florida, is consistent with the Speaker's Mission statement to Committees:

To provide State and local governments necessary tools to manage public health services more efficiently and effectively.

V. SIGNATURES:

SUBSTANTIVE COMMITTEE:
Prepared by:
Lynda deMarsh-Mathye
Staff Director:
Judy C. Justice

SECOND COMMITTEE OF REFERENCE:
Prepared by:
Staff Director:

APPROPRIATIONS:
Prepared by:
Staff Director: