A bill to be entitled

An act relating to the preemption of recyclable and polystyrene materials; amending s. 403.7033, F.S.; removing the prohibition of local laws relating to the regulation of auxiliary containers, wrappings, and disposable plastic bags; repealing s. 500.90, F.S., relating to the preemption of local laws relating to the use or sale of polystyrene products to the Department of Agriculture and Consumer Services; providing an effective date.

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

Section 1. Section 403.7033, Florida Statutes, is amended to read:

403.7033 Departmental analysis of particular recyclable materials.—The Legislature finds that prudent regulation of recyclable materials is crucial to the ongoing welfare of Florida's ecology and economy. As such, the Department of Environmental Protection shall undertake an analysis of the need for new or different regulation of auxiliary containers, wrappings, or disposable plastic bags used by consumers to carry products from retail establishments. The analysis shall include input from state and local government agencies, stakeholders, private businesses, and citizens, and shall evaluate the

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efficacy and necessity of both statewide and local regulation of these materials. To ensure consistent and effective implementation, the department shall submit a report with conclusions and recommendations to the Legislature no later than February 1, 2010. ~~Until such time that the Legislature adopts the recommendations of the department, no local government, local governmental agency, or state government agency may enact any rule, regulation, or ordinance regarding use, disposition, sale, prohibition, restriction, or tax of such auxiliary containers, wrappings, or disposable plastic bags.~~

Section 2. Section 500.90, Florida Statutes, is repealed.

Section 3. This act shall take effect July 1, 2020.

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