

CS/SB 1450 – Environmental Enforcement

This bill amends s. 373.430, F.S., adding the following (in bold) to the Level 1, 3rd degree felony for causing pollution so as to harm or injure human health or welfare, animal, plant, or aquatic life or property: “a fine of not more than \$50,000 or by imprisonment for 5 years, or by both, for each offense. **Until a violation is resolved by order or judgment**, each day during any portion of which such violation occurs **or is not remediated** constitutes a separate offense.” This bill also amends s. 403.161, F.S., the Level 1, 3rd degree felony for causing pollution, except as otherwise provided in this chapter, so as to harm or injure human health or welfare, animal, plant, or aquatic life or property by inserting the same language. Finally, this language is also added to s. 376.16, F.S., which would impact the Level 4, 2nd degree felony for “any person who makes or causes to be made a false statement that the person does not believe to be true in response to requirements of ss. 376.011-376.21, F.S.” Therefore, this would expand the potential time period as well as adding the need for remediation within that time period, given that each passing day could constitute a separate offense.

Per DOC, in FY 18-19, there were no new commitments to prison for these felonies.

CONFERENCE ADOPTED ESTIMATE: Positive Insignificant

Requested by: Senate