



Broward County

Legislation Details (With Text)

File #: 20-173 **Version:** 1

Status: Agenda Ready

In control: County Commission

On agenda: 1/28/2020 **Final action:** 1/28/2020

Title: MOTION TO ADOPT Resolution No. 2020-032, the title of which is as follows: (Commissioner Fisher)

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, URGING THE FLORIDA LEGISLATURE TO APPROVE SENATE BILL 182 AND HOUSE BILL 6043, REPEALING THE PREEMPTION OF LOCAL GOVERNMENT REGULATION OF AUXILIARY CONTAINERS, WRAPPINGS, DISPOSABLE PLASTIC BAGS, AND POLYSTYRENE MATERIALS; DIRECTING THE COUNTY ADMINISTRATOR TO PROVIDE A COPY OF THIS RESOLUTION TO THE OFFICIALS DESIGNATED HEREIN; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Copy of Proposed Resolution

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Lamar P. Fisher

Department: County Commission

Information

Requested Action

MOTION TO ADOPT Resolution No. 2020-032, the title of which is as follows: (Commissioner Fisher)

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, URGING THE FLORIDA LEGISLATURE TO APPROVE SENATE BILL 182 AND HOUSE BILL 6043, REPEALING THE PREEMPTION OF LOCAL GOVERNMENT REGULATION OF AUXILIARY CONTAINERS, WRAPPINGS, DISPOSABLE PLASTIC BAGS, AND POLYSTYRENE MATERIALS; DIRECTING THE COUNTY ADMINISTRATOR TO PROVIDE A COPY OF THIS RESOLUTION TO THE OFFICIALS DESIGNATED HEREIN; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Why Action is Necessary

Formal Board approval is necessary for the adoption of a Resolution.

What Action Accomplishes

Enables the adoption of the above Resolution.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

Section 403.7033, Florida Statutes, prohibits local governments from adopting any rule, regulation, or ordinance regarding use, disposition, sale, prohibition, restriction, or tax of auxiliary containers, wrappings, or disposable plastic bags. In addition, Section 500.90, Florida Statutes, preempts to the State the regulation of the use or sale of polystyrene products.

Senate Bill 182 and House Bill 6043, which have been filed for the 2020 Legislative Session, would repeal these two statutory sections. If enacted, the bills would allow local governments to adopt regulations of auxiliary containers, wrappings, disposable plastic bags, and polystyrene products.

This Resolution urges the Florida Legislature to adopt Senate Bill 182 and House Bill 6043, and directs the County Administrator to provide a copy of the Resolution to the designated elected officials.

Source of Additional Information

Fiscal Impact

Fiscal Impact/Cost Summary

None.