



26 prevent erosion and provide for pollutant removal.

27 (a) A nonindustrial stormwater management system, in or  
 28 adjacent to residential or urban areas that are accessible to  
 29 the general public, side slope may be designed with a steeper  
 30 than 4:1 horizontal-to-vertical ratio if the slope incorporates  
 31 adequate temporary and permanent erosion and sediment control  
 32 best management practices. A system designed or authorized to be  
 33 steeper than 4:1 must be fenced, greenscaped, or other barriers  
 34 installed sufficiently to prevent accidental incursion into the  
 35 system.

36 (b) All side slope rules adopted by the department, water  
 37 management districts, or delegated local programs under this  
 38 part as of July 1, 2024, are superseded by this subsection and  
 39 may be repealed without further rulemaking pursuant to s. 120.54  
 40 by publication of a notice of repeal in the Florida  
 41 Administrative Register and subsequent filing of a list of the  
 42 rules repealed with the Department of State.

43 Section 2. Subsection (3) of section 376.313, Florida  
 44 Statutes, is amended to read:

45 376.313 Nonexclusiveness of remedies and individual cause  
 46 of action for damages under ss. 376.30-376.317.—

47 (3) Except as provided in s. 376.3078(3) and (11), ~~nothing~~  
 48 ~~contained in~~ ss. 376.30-376.317 do not prohibit a prohibits any  
 49 person from bringing a cause of action in a court of competent  
 50 jurisdiction for all damages to real or personal property

51 directly resulting from a discharge or other condition of  
52 pollution covered by ss. 376.30-376.317 and which was not  
53 authorized by any government approval or permit issued pursuant  
54 to chapter 373, chapter 376, or chapter 403. ~~Nothing in~~ This  
55 chapter does not ~~shall~~ prohibit or diminish a party's right to  
56 contribution from other parties jointly or severally liable for  
57 a prohibited discharge of pollutants or hazardous substances or  
58 other pollution conditions. Except as otherwise provided in  
59 subsection (4) or subsection (5), in any such suit, it is not  
60 necessary for such person to plead or prove negligence in any  
61 form or manner. Such person need only plead and prove the fact  
62 of the prohibited discharge or other pollutive condition and  
63 that it has occurred. The only strict-liability exceptions  
64 ~~defenses~~ to such cause of action are ~~shall be~~ those specified in  
65 s. 376.308 or s. 376.82.

66 Section 3. This act shall take effect July 1, 2024.