Committee on Regulated Industries

HB 11 — Municipal Water and Sewer Utility Rates

by Rep. Robinson, F. and others (CS/SB 202 by Rules Committee and Senators Jones and Davis)

The bill creates an exception to the maximum rates that municipalities may charge municipal water and sewer utility customers that are outside of the municipality's boundaries under s. 180.191, F.S. The bill provides that if a municipal utility provides water and sewer services to a second municipality, and serves that second municipality using a facility in that second municipality, that municipality must charge the customers within that second municipality the same rates, fees, and charges as the customers within its own municipal boundaries.

The bill provides the following definitions:

- "Facility" means a water treatment facility, wastewater treatment facility, intake station, pumping station, well, and other physical components of a water or wastewater system. The term "facility" in the bill does not include facilities that transport water from the point of entry to a wastewater treatment facility, or from a water source or treatment facility to the customer.
- "Wastewater treatment facility" means a facility that accepts and treats domestic or industrial wastewater.
- "Water treatment facility" means a facility within a water system which can alter the physical, chemical, or bacteriological quality of water.

The provisions of the bill are limited only to counties specified in s. 125.011(1), F.S. These counties are ones that have adopted a home rule charter, by resolution of its board of county commissioners, pursuant to ss. 10, 11, and 24 of Article VIII of the Florida Constitution of 1885, as preserved by Art. VIII, s. 6(e) of the State Constitution. Monroe, Hillsborough, and Miami-Dade counties are the only counties that could adopt a home rule charter under this provision, and, to date, only Miami-Dade has done so. Hillsborough has adopted a home rule charter, however, it has done so pursuant to Part IV of ch. 125, F.S., and, thus, would not meet the definition provided in s. 125.011(1), F.S.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.
Vote: Senate 36-2; House 111-0

Committee on Regulated Industries

CS/CS/SB 344 — Telecommunications Access System Act of 1991

by Appropriations Committee on Agriculture, Environment, and General Government; Regulated Industries Committee; and Senators Rodriguez and Berman

The bill revises Florida's Telecommunications Access System Act of 1991 (TASA), which provides for services to enable individuals with hearing or speech disabilities to connect them to standard (i.e. voice) telephone users. Specifically, the bill:

- Revises the intent of the TASA law to add a statement that "the telecommunications access system should provide access to specialized communications technology capable of using existing or future devices or equipment necessary for persons with hearing loss or speech impairment or who are deafblind to access telecommunications services;"
- Revises the TASA law to reflect modern advances in communications technology by:
  - Authorizing the use of advanced technologies beyond the landline telephone communications system authorized in TASA;
  - Allowing for the adoption of new, emerging, and not yet contemplated communications technologies as they come into the marketplace;
- Revises the membership of TASA's advisory committee;
- Establishes income qualifications for recipients of specialized communications technology. These requirements must be based upon income qualifications or participation in other state or federal programs based on income, which requirements must be set at no less than double, but no more than triple, the federal poverty level;
- Makes technical revisions, including updating terminology referencing persons with specific disabilities;
- Prohibits the Public Service Commission from increasing surcharges assessed to subscribers for each of their basic telecommunications access lines (i.e. landlines) to fund TASA services when excess funds exist in the TASA administrator's reserve fund; and
- Decreases the maximum permitted surcharge from $.25 to $.15, per land line, per month.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.
Vote: Senate 37-0; House 112-0

Committee on Regulated Industries

CS/SB 578 — Wine Containers

by Commerce and Tourism Committee and Senator Leek

The bill allows the sale of wine in any container holding 5.16 gallons. Under current law, wine may be sold in containers holding 5.16 gallons only if the containers are reusable. Wine may also be sold in glass containers holding 4.5 liters, 9 liters, 12 liters, or 15 liters of wine.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.
Vote: Senate 36-1; House 115-0

Committee on Regulated Industries

CS/SB 703 — Utility Relocation

by Commerce Committee and Rep. Robinson, W. and others (CS/CS/CS/SB 818 by Appropriations Committee; Rules Committee; Transportation Committee; and Senator McClain)

The bill amends the process under which utilities located within the right-of-way of a public road or publicly-owned rail corridor must be relocated when such utility is found by an authority (Florida Department of Transportation (FDOT) and local government entities) to be unreasonably interfering in any way with the convenient, safe, or continuous use, or the maintenance, improvement, extension, or expansion, of such public road or publicly-owned rail corridor. The general requirement is that utility owners must pay for such relocation.

The bill creates the Utility Relocation Reimbursement Grant Program (grant program) within the Department of Commerce (DCM) to reimburse providers of communications services which are subject to the state's communications services tax provisions (service provider), for relocation expenses directly attributable to the physical relocation of facilities required by a county or municipal authority. The grant program is funded by a transfer of the tax remitted under s. 218.61, F.S. (the Local Government Half-Cent Sales Tax program). Specifically, the bill authorizes the Department of Revenue to distribute, by a nonoperating transfer in monthly installment, $50 million of the state communications services tax that gets distributed to counties and municipalities pursuant to the Local Government Half-Cent Sales Tax program to the DCM. The remainder of the funds transfer to the Local Government Half-cent Sales Tax Clearing Trust Fund, with 0.1018 percent distributed to the Public Employees Relations Commission (PERC). The bill directs the transfer to the PERC to begin October 1, 2025.

Service providers may apply to the grant program for reimbursement of expenses relating to the relocation of facilities required by a county or municipal authority. Reimbursement from the grant program is subject to funds availability. If the grant program lacks the funds to pay for such relocation, the county or municipal authority requiring the relocation remains not responsible for paying the expense of such relocation work, except as otherwise provided in the state's existing utility relocation law in s. 337.403(1), F.S.

The bill also revises the process for communications services providers that have permitted infrastructure within a planned or existing public right-of-way within 90 days after a project is added to the department's project schedule which may require the provider to relocate its infrastructure for roadway improvements to increase safety or reduce congestion. In addition to revising notification requirements, the bill requires—if the infrastructure relocation is a result of roadway improvements within the public right-of-way to increase safety or reduce congestion and the impacted infrastructure was, at the time of notification under this subsection, installed within the past seven state fiscal years—that the department incur at least 50 percent of the cost of the relocation. The department is defined as FDOT and the Greater Miami, Tampa, and Central Florida Expressway Authorities and the Jacksonville Transportation Authority.

The bill provides a legislative finding and declaration that the bill fulfills an important state interest. The bill also provides an appropriation of $50 million in nonrecurring funds from the DCM's Grants and Donations Trust Fund for the grant program for Fiscal Year 2025-2026.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2025.
Vote: Senate 37-0; House 106-0

Committee on Regulated Industries

CS/CS/HB 715 — Roofing Services

by Commerce Committee; Industries & Professional Activities Subcommittee; and Rep. Porras and others (CS/CS/SB 1076 by Rules Committee; Regulated Industries Committee; and Senator McClain)

The bill expands the scope of work for licensed roofing contractors to include evaluation and enhancement of roof-to-wall connections for structures with wood roof decking provided that any enhancement was properly installed and inspected in accordance with certain requirements.

The bill provides that a resident may cancel a roofing contract without penalty within 180 days of an event causing a state of emergency. The option to cancel a roofing contract entered into because of a state of emergency only applies to owners whose property is in the geographic area covered by the state of emergency.

Finally, the bill requires contractors to provide notice in contracts for the replacement or repair of residential roofs that states property owners should contact their insurance provider to confirm coverage and reimbursement of the proposed work before signing the contract.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 37-0; House 112-1

Committee on Regulated Industries

CS/HB 897 — Timeshare Plan Management

by Housing, Agriculture & Tourism Subcommittee; and Rep. Berfield and others (CS/SB 496 by Regulated Industries Committee and Senator McClain)

The bill revises regulations related to timeshare plans and their management. It clarifies that timeshare plans are governed by ch. 721, F.S., rather than created under that chapter. The bill provides that community association managers (CAMs) and CAM firms who manage timeshare plans are subject to s. 721.13, F.S., relating to the managing entities of timeshare plans, rather than to part VIII of ch. 468, F.S., relating to the regulation of CAMs, including record-keeping requirements that are applicable to the managing entities of timeshare plans.

The bill also exempts CAMs and CAM firms managing timeshares from the conflict-of-interest provisions that are applicable to the CAMs and community associations, such as condominium and homeowners' associations. The bill provides that CAMs and CAM firms managing timeshares are subject to the related party transaction disclosure that the managing entity of timeshare plans must make in the annual budget. Under current law, CAMs managing a community association must disclose any activity or proposed service which may reasonably be construed by the association's board to be a conflict of interest, and associations are required to follow a process for addressing potential conflicts of interest, such as considering multiple bids for the activity or proposed service.

The bill provides that timeshare management firms and their licensed employees are subject to the regulations governing timeshare managing entities, including violations related to refusal to mail any material requested by the purchaser and any failure of the managing entity to faithfully discharge the fiduciary duty to purchasers. The bill also includes the timeshare management firm, and any individual licensed as a CAM employed by the timeshare management firm, in the exemption from liability for monetary damages in s. 721.13(13)(a), F.S., as provided in s. 617.0834, F.S., unless the officer, director, agent, or firm does not qualify for an exemption.

Additionally, the bill requires timeshare boards to meet at least once annually, instead of at least once each quarter as required for the boards of condominium associations.

The bill provides that, if a management firm provides goods or services through arrangements with a parent, affiliate, or subsidiary of the timeshare management firm, the existence of such arrangements must be disclosed annually to the members of that owners' association as an explanatory note to the annual budget pursuant to s. 721.13(13)(c)1., F.S., in the management contract, by mail sent to each owner's address on file for providing notice, in the notice of an annual or special meeting of the owners, by posting on the website of the applicable timeshare plan, or by any owner communication used by the managing entity.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.
Vote: Senate 36-0; House 115-0

Committee on Regulated Industries

CS/SB 940 — Third-party Reservation Platforms

by Regulated Industries Committee and Senator McClain

The bill prohibits a third-party reservation platform (platform) from listing, advertising, promoting, or selling reservations for a public food service establishment through a platform's website, mobile application, or other Internet service without the platform having a contractual relationship or agreement with the food service establishment, or its contractual designee, to offer or arrange for reservations for on-premises service at such public food service establishment.

The bill defines the term "third-party reservation platform" to mean any website, mobile application, or other Internet service that:

- Offers or arranges for reservations for on-premises service for a customer at a food service establishment;
- Is owned and operated by a person other than the owner of the public food service establishment; and
- Does not have a contractual relationship or agreement with the public food service establishment, or its contractual designee, to offer or arrange for a reservation at the public food service establishment for on-premises service.

Under the bill, the term "third-party reservation platform" does not include a contractual designee of an individual customer which arranges for a personal and nontransferable reservation at a food service establishment at the request of the customer and at no cost to the customer, provided that the designee shares the individual customer's contact information with the food service establishment, allows the food service establishment to confirm the reservation with the individual customer, and honors requests from the food service establishment to opt out of future reservations created by the designee.

The Division of Hotels and Restaurants (division) within the Department of Business and Professional Regulation is authorized by the bill to impose a civil penalty on a platform not to exceed $1,000 for each violation of the prohibition in the bill, or of a division rule implementing the prohibition. Under the bill, violations may accrue on a daily basis for each day and each reservation for each food service establishment in which there has been a violation.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.
Vote: Senate 114-0; House 37-0

Committee on Regulated Industries

CS/CS/SB 1574 — Energy Infrastructure Investment

by Fiscal Policy Committee; Regulated Industries Committee; and Senator DiCeglie

The bill amends s. 366.075, F.S., to require the Florida Public Service Commission (PSC) to establish an experimental mechanism to facilitate energy infrastructure investment in gas using the administrative proceeding structure created for natural gas facilities relocation cost recovery in s. 366.99, (2) through (6), F.S. As used in the section, "gas" means anaerobically generated biogas, landfill gas, or wastewater treatment gas refined to a methane content of 90 percent or greater which may be used as a transportation fuel or for pipeline distribution. Such biogas, landfill gas, or wastewater treatment gas must be produced and collected within Florida.

In establishing this mechanism, the PSC is to consider the intent provided in s. 366.91(1), F.S., for renewable energy. The gas infrastructure investment may include only such investments that collect, prepare, clean, process, transport, or inject gas as a transportation fuel or for pipeline distribution.

The section also requires the PSC to propose a rule for adoption as soon as practicable, but not later than January 1, 2026. These rules must provide for the allocation to public utility customers of the benefit of any tradeable energy credits and tax savings associated with gas infrastructure investments made pursuant to this subsection. The rules must also address the treatment of revenues from sales of gas from such investments for transportation purposes.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.
Vote: Senate 37-0; House 112-0

Committee on Regulated Industries

SB 7006 — Public Records and Meetings/NG911 Systems

by Regulated Industries Committee

The bill saves from repeal the current public records exemptions in s. 119.071(3)(e), F.S., for the following information:

- Building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the structural elements of 911, E911, or public safety radio communication system infrastructure, including towers, antennas, equipment, or facilities used to provide 911, E911, or public safety radio communication services, or other 911, E911, or public safety radio communication structures or facilities owned and operated by an agency.
- Geographical maps indicating the actual or proposed locations of 911, E911, or public safety radio communication system infrastructure, including towers, antennas, equipment or facilities used to provide 911, E911, or public safety radio services, or other 911, E911, or public safety radio communication structures or facilities owned and operated by an agency.

The bill also saves from repeal a public meeting exemption in s. 286.0113(4), F.S., for any portion of a meeting that would reveal the above information, as well as a public record exemption for any recordings or transcripts of the exempt meetings. The bill also expands the public records exemption and public meeting exemption by adding information relating to Next Generation 911 (NG911) systems to the information protected from disclosure.

The Open Government Sunset Review Act requires the Legislature to review each public record and public meeting exemption 5 years after enactment. These exemptions are scheduled to repeal on October 2, 2025. The bill modifies the scheduled repeals and delays them to October 2, 2030.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.
Vote: Senate 38-0; House 115-0