

By Representative Bloom

1                                   A bill to be entitled  
2           An act relating to the Underground Facility  
3           Damage Prevention and Safety Act; amending s.  
4           556.101, F.S.; revising legislative intent;  
5           amending s. 556.102, F.S.; revising a  
6           definition; amending s. 556.103, F.S.;  
7           requiring membership in a specified  
8           corporation; amending s. 556.104, F.S.;  
9           requiring participation in a specified system;  
10          amending s. 556.110, F.S.; providing for  
11          monthly assessments for operating costs;  
12          exempting member operators from certain  
13          assessments under certain circumstances;  
14          repealing s. 556.106(2)(e), F.S., relating to  
15          certain required duties of excavators relating  
16          to notice; providing an effective date.

17

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

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20           Section 1. Subsection (3) of section 556.101, Florida  
21 Statutes, is amended to read:

22           556.101 Short title; legislative intent.--

23           (3) It is the purpose of this act to:

24           (a) Aid the public by preventing injury to persons or  
25 property and the interruption of services resulting from  
26 damage to an underground facility caused by excavation or  
27 demolition operations.

28           (b) Create a not-for-profit corporation comprised of  
29 operators of underground facilities in this state to  
30 administer the provisions of this act.

31

1 (c) Fund the cost of administration entirely and  
2 exclusively by assessed contributions from the member  
3 operators.

4  
5 ~~It is not the purpose of this act to create liability for~~  
6 ~~negligence on the part of any operator of an underground~~  
7 ~~facility who elects to not participate in the one-call~~  
8 ~~notification system created by this act.~~

9 Section 2. Subsection (7) of section 556.102, Florida  
10 Statutes, is amended to read:

11 556.102 Definitions.--As used in this act:

12 (7) "Member operator" means any person who furnishes  
13 or transports materials or services by means of an underground  
14 facility ~~and who elects to participate as a member of the~~  
15 ~~one-call notification center for any portion of the territory~~  
16 ~~served by the person.~~

17 Section 3. Subsection (1) of section 556.103, Florida  
18 Statutes, is amended to read:

19 556.103 Creation of the corporation; establishment of  
20 the board of directors; authority of the board; annual  
21 report.--

22 (1) The "Sunshine State One-Call of Florida, Inc." is  
23 hereby created as a not-for-profit corporation. Each ~~Any~~  
24 operator of an underground facility in this state shall ~~may~~ be  
25 a member of the corporation and shall ~~may~~ use and participate  
26 in the system. The corporation shall be formed by June 1,  
27 1993. The corporation shall administer the provisions of this  
28 act. The corporation shall exercise its powers through a  
29 board of directors established pursuant to this section.

30 Section 4. Section 556.104, Florida Statutes, is  
31 amended to read:

1           556.104 One-call notification system.--The corporation  
2 shall establish a one-call toll-free telephone notification  
3 system which shall be operational by June 1, 1994. Any person  
4 who furnishes or transports materials or services by means of  
5 an underground facility in this state shall ~~may elect to~~  
6 participate as a member operator of the system. The purpose  
7 of the system is to receive notification of planned excavation  
8 or demolition activities and to notify member operators of  
9 such planned excavation or demolition activities. The system  
10 shall provide a single toll-free telephone number within this  
11 state which excavators can use to notify member operators of  
12 planned excavation or demolition activities.

13           Section 5. Section 556.110, Florida Statutes, is  
14 amended to read:

15           556.110 Costs assessed among member operators.--Member  
16 operators shall proportionately share in the cost of operating  
17 the system through monthly assessments made upon each member  
18 operator. However, any member which receives fewer than 10  
19 notifications in any month shall not be assessed for such  
20 month.

21           Section 6. Paragraph (e) of subsection (2) of section  
22 556.106, Florida Statutes, is hereby repealed.

23           Section 7. This act shall take effect upon becoming a  
24 law.

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27           HOUSE SUMMARY

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29           Requires, rather than authorizes, operators of  
30           underground facilities to be members of Sunshine State  
31           One-Call of Florida, Inc. Provides for monthly  
          assessments of operators except operators who receive  
          less than 10 notifications in a month. See bill for  
          details.