

1 A bill to be entitled
2 An act relating to governmental operations;
3 providing requirements for local governments;
4 providing solid waste collection services in
5 competition with private companies; providing
6 remedies for such private companies; providing
7 procedures and requirements; providing for
8 award of damages, costs, and attorney fees;
9 providing application; providing limitations
10 for local government solid waste collection
11 services outside the jurisdiction of the local
12 government; providing remedies for certain
13 injured parties; providing requirements and
14 procedures; prohibiting local governments from
15 displacing private waste collection companies
16 under certain circumstances; providing
17 requirements; providing procedures and
18 requirements for such displacement; providing
19 definitions; amending s. 171.062, F.S.;
20 providing for continuation of certain solid
21 waste services in certain annexed areas;
22 providing an exception; amending s. 165.061,
23 F.S.; providing for certain merger plans to
24 honor certain solid waste contracts; providing
25 limitations; amending s. 403.087, F.S.;
26 clarifying application of certain permit fees;
27 amending s. 403.706, F.S.; authorizing counties
28 and municipalities to grant certain solid waste
29 fee waivers under certain circumstances;
30 amending s. 403.722, F.S.; clarifying
31 requirements for obtaining certain hazardous

1 waste facility permits; creating s. 171.093,
2 F.S.; providing for the assumption of an
3 independent special district's service
4 responsibilities in an area that is within the
5 district's boundaries and that is annexed by a
6 municipality; providing that the municipality
7 may elect to assume such responsibilities;
8 providing for an interlocal agreement regarding
9 the transfer of such responsibilities;
10 providing for the provision of services and
11 payment therefor during a specified period if
12 the municipality and district are unable to
13 enter into an interlocal agreement; specifying
14 effect of a municipality's election not to
15 assume such responsibilities; providing for
16 contraction of the district's boundaries if the
17 municipality elects to assume such
18 responsibilities; providing for levy of ad
19 valorem taxes and assessments, user charges,
20 and impact fees; providing exceptions;
21 repealing s. 403.7165(5), F.S., relating to the
22 Applications Demonstration Center for Resource
23 Recovery from Solid Organic Materials;
24 repealing s. 403.7199, F.S., relating to the
25 Florida Packaging Council; amending s.
26 403.7046, F.S.; revising the local government
27 registration fee for recovered materials
28 dealers; revising local government authority
29 with respect to certain contracts between
30 recovered materials dealers and local
31 commercial establishments that generate

1 source-separated materials; providing an
2 effective date.

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

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6 Section 1. Paragraphs (b) and (d) of subsection (3) of
7 section 403.7046, Florida Statutes, are amended to read:

8 403.7046 Regulation of recovered materials.--

9 (3) Except as otherwise provided in this section or
10 pursuant to a special act in effect on or before January 1,
11 1993, a local government may not require a commercial
12 establishment that generates source-separated recovered
13 materials to sell or otherwise convey its recovered materials
14 to the local government or to a facility designated by the
15 local government, nor may the local government restrict such a
16 generator's right to sell or otherwise convey such recovered
17 materials to any properly certified recovered materials dealer
18 who has satisfied the requirements of this section. A local
19 government may not enact any ordinance that prevents such a
20 dealer from entering into a contract with a commercial
21 establishment to purchase, collect, transport, process, or
22 receive source-separated recovered materials.

23 (b) Prior to engaging in business within the
24 jurisdiction of the local government, a recovered materials
25 dealer must provide the local government with a copy of the
26 certification provided for in this section. In addition, the
27 local government may establish a registration process whereby
28 a recovered materials dealer must register with the local
29 government prior to engaging in business within the
30 jurisdiction of the local government. Such registration
31 process is limited to requiring the dealer to register its

1 name, including the owner or operator of the dealer, and, if
2 the dealer is a business entity, its general or limited
3 partners, its corporate officers and directors, its permanent
4 place of business, evidence of its certification under this
5 section, and a certification that the recovered materials will
6 be processed at a recovered materials processing facility
7 satisfying the requirements of this section. All counties, and
8 municipalities whose population exceeds 35,000 according to
9 the population estimates determined pursuant to s. 186.901,
10 may establish a reporting process which shall be limited to
11 the regulations, reporting format, and reporting frequency
12 established by the department pursuant to this section, which
13 shall, at a minimum, include requiring the dealer to identify
14 the types and approximate amount of recovered materials
15 collected, recycled, or reused during the reporting period;
16 the approximate percentage of recovered materials reused,
17 stored, or delivered to a recovered materials processing
18 facility or disposed of in a solid waste disposal facility;
19 and the locations where any recovered materials were disposed
20 of as solid waste. Information reported under this subsection
21 which, if disclosed, would reveal a trade secret, as defined
22 in s. 812.081(1)(c), is confidential and exempt from the
23 provisions of s. 24(a), Art. I of the State Constitution and
24 s. 119.07(1). The local government may charge the dealer a
25 registration fee commensurate with and no greater than the
26 cost incurred by the local government in operating its
27 registration program. Registration program costs are limited
28 to those costs associated with the activities described in
29 this paragraph. Any reporting or registration process
30 established by a local government with regard to recovered
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1 materials shall be governed by the provisions of this section
2 and department rules promulgated pursuant thereto.

3 (d) In addition to any other authority provided by
4 law, a local government is hereby expressly authorized to
5 prohibit a person or entity not certified under this section
6 from doing business within the jurisdiction of the local
7 government; to enter into a nonexclusive franchise or to
8 otherwise provide for the collection, transportation, and
9 processing of recovered materials at commercial
10 establishments, provided that a local government may not
11 require a certified recovered materials dealer to enter into
12 such franchise agreement in order to enter into a contract
13 with any commercial establishment located within the local
14 government's jurisdiction ~~such franchise or provision does not~~
15 ~~prohibit a certified recovered materials dealer from entering~~
16 ~~into a contract with a commercial establishment to purchase,~~
17 ~~collect, transport, process, or receive source-separated~~
18 ~~recovered materials; and to enter into an exclusive franchise~~
19 ~~or to otherwise provide for the exclusive collection,~~
20 ~~transportation, and processing of recovered materials at~~
21 ~~single-family or multifamily residential properties.~~

22 Section 2. (1) SOLID WASTE COLLECTION SERVICES IN
23 COMPETITION WITH PRIVATE COMPANIES.--

24 (a) A local government that provides specific solid
25 waste collection services in direct competition with a private
26 company:

27 1. Shall comply with the provisions of local
28 environmental, health, and safety standards that also are
29 applicable to a private company providing such collection
30 services in competition with the local government.

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1 2. Shall not enact or enforce any license, permit,
2 registration procedure, or associated fee that:

3 a. Does not apply to the local government and for
4 which there is not a substantially similar requirement that
5 applies to the local government; and

6 b. Provides the local government with a material
7 advantage in its ability to compete with a private company in
8 terms of cost or ability to promptly or efficiently provide
9 such collection services. Nothing in this sub-subparagraph
10 shall apply to any zoning, land use, or comprehensive plan
11 requirement.

12 (b)1. A private company with which a local government
13 is in competition may bring an action to enjoin a violation of
14 paragraph (a) against any local government. No injunctive
15 relief shall be granted if the official action which forms the
16 basis for the suit bears a reasonable relationship to the
17 health, safety, or welfare of the citizens of the local
18 government unless the court finds that the actual or potential
19 anticompetitive effects outweigh the public benefits of the
20 challenged action.

21 2. As a condition precedent to the institution of an
22 action pursuant to this paragraph, the complaining party shall
23 first file with the local government a notice referencing this
24 paragraph and setting forth the specific facts upon which the
25 complaint is based and the manner in which the complaining
26 party is affected. The complaining party may provide evidence
27 to substantiate the claims made in the complaint. Within 30
28 days after receipt of such a complaint, the local government
29 shall respond in writing to the complaining party explaining
30 the corrective action taken, if any. If no response is
31 received within 30 days or if appropriate corrective action is

1 not taken within a reasonable time, the complaining party may
2 institute the judicial proceedings authorized in this
3 paragraph. However, failure to comply with this subparagraph
4 shall not bar an action for a temporary restraining order to
5 prevent immediate and irreparable harm from the conduct or
6 activity complained of.

7 3. The court may, in its discretion, award to the
8 prevailing party or parties costs and reasonable attorney's
9 fees.

10 (c) This subsection does not apply when the local
11 government is exclusively providing the specific solid waste
12 collection services itself or pursuant to an exclusive
13 franchise.

14 (2) SOLID WASTE COLLECTION SERVICES OUTSIDE
15 JURISDICTION.--

16 (a) Notwithstanding section 542.235, Florida Statutes,
17 or any other provision of law, a local government that
18 provides solid waste collection services outside its
19 jurisdiction in direct competition with private companies is
20 subject to the same prohibitions against predatory pricing
21 applicable to private companies under sections 542.18 and
22 542.19, Florida Statutes.

23 (b) Any person injured by reason of violation of this
24 subsection may sue therefor in the circuit courts of this
25 state and shall be entitled to injunctive relief and to
26 recover the damages and the costs of suit. The court may, in
27 its discretion, award to the prevailing party or parties
28 reasonable attorney's fees. An action for damages under this
29 subsection must be commenced within 4 years. No person may
30 obtain injunctive relief or recover damages under this
31 subsection for any injury that results from actions taken by a

1 local government in direct response to a natural disaster or
2 similar occurrence for which an emergency is declared by
3 executive order or proclamation of the Governor pursuant to s.
4 252.36, Florida Statutes, or for which such a declaration
5 might be reasonably anticipated within the area covered by
6 such executive order or proclamation.

7 (c) As a condition precedent to the institution of an
8 action pursuant to this subsection, the complaining party
9 shall first file with the local government a notice
10 referencing this subsection and setting forth the specific
11 facts upon which the complaint is based and the manner in
12 which the complaining party is affected. Within 30 days after
13 receipt of such complaint, the local government shall respond
14 in writing to the complaining party explaining the corrective
15 action taken, if any. If the local government denies that it
16 has engaged in conduct that is prohibited by this subsection,
17 its response shall include an explanation showing why the
18 conduct complained of does not constitute predatory pricing.

19 (d) For the purposes of this subsection, the
20 jurisdiction of a county, special district, or solid waste
21 authority shall include all incorporated and unincorporated
22 areas within the county, special district, or solid waste
23 authority.

24 (3) DISPLACEMENT OF PRIVATE WASTE COMPANIES.--

25 (a) As used in this subsection, the term
26 "displacement" means a local government's provision of a
27 collection service which prohibits a private company from
28 continuing to provide the same service that it was providing
29 when the decision to displace was made. The term does not
30 include:

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- 1 1. Competition between the public sector and private
2 companies for individual contracts;
- 3 2. Actions by which a local government, at the end of
4 a contract with a private company, refuses to renew the
5 contract and either awards the contract to another private
6 company or decides for any reason to provide the collection
7 service itself;
- 8 3. Actions taken against a private company because the
9 company has acted in a manner threatening to the public health
10 or safety or resulting in a substantial public nuisance;
- 11 4. Actions taken against a private company because the
12 company has materially breached its contract with the local
13 government;
- 14 5. Refusal by a private company to continue operations
15 under the terms and conditions of its existing agreement
16 during the 3-year notice period;
- 17 6. Entering into a contract with a private company to
18 provide garbage, trash, or refuse collection which contract is
19 not entered into under an ordinance that displaces or
20 authorizes the displacement of another private company
21 providing garbage, trash, or refuse collection;
- 22 7. Situations in which a majority of the property
23 owners in the displacement area petition the governing body to
24 take over the collection service;
- 25 8. Situations in which the private companies are
26 licensed or permitted to do business within the local
27 government for a limited time and such license or permit
28 expires and is not renewed by the local government. This
29 subparagraph does not apply to licensing or permitting
30 processes enacted after May 1, 1999, or to occupational
31 licenses; or

1 9. Annexations, to the extent that the provisions of
2 section 171.062(4), Florida Statutes, apply.

3 (b) A local government or combination of local
4 governments may not displace a private company that provides
5 garbage, trash, or refuse collection service without first:

6 1. Holding at least one public hearing seeking comment
7 on the advisability of the local government or combination of
8 local governments providing the service.

9 2. Providing at least 45 days' written notice of the
10 hearing, delivered by first-class mail to all private
11 companies that provide the service within the jurisdiction.

12 3. Providing public notice of the hearing.

13 (c) Following the final public hearing held under
14 paragraph (b), but not later than 1 year after the hearing,
15 the local government may proceed to take those measures
16 necessary to provide the service. A local government shall
17 provide 3 years' notice to a private company before it engages
18 in the actual provision of the service that displaces the
19 company. As an alternative to delaying displacement 3 years,
20 a local government may pay a displaced company an amount equal
21 to the company's preceding 15 months' gross receipts for the
22 displaced service in the displacement area. The 3-year notice
23 period shall lapse as to any private company being displaced
24 when the company ceases to provide service within the
25 displacement area. Nothing in this paragraph prohibits the
26 local government and the company from voluntarily negotiating
27 a different notice period or amount of compensation.

28 (4) DEFINITIONS.--As used in this section:

29 (a) "In competition" or "in direct competition" means
30 the vying between a local government and a private company to
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1 provide substantially similar solid waste collection services
2 to the same customer.

3 (b) "Private company" means any entity other than a
4 local government or other unit of government that provides
5 solid waste collection services.

6 Section 3. Subsection (5) is added to section 171.062,
7 Florida Statutes, to read:

8 171.062 Effects of annexations or contractions.--

9 (5) A party that has a contract that was in effect for
10 at least 6 months prior to the initiation of an annexation to
11 provide solid waste collection services in an unincorporated
12 area may continue to provide such services to an annexed area
13 for 5 years or the remainder of the contract term, whichever
14 is shorter. Within a reasonable time following a written
15 request to do so, the party shall provide the annexing
16 municipality with a copy of the pertinent portion of the
17 contract or other written evidence showing the duration of the
18 contract, excluding any automatic renewals or so-called
19 "evergreen" provisions. This subsection does not apply to
20 contracts to provide solid waste collection services to
21 single-family residential properties in those enclaves
22 described in s. 171.046.

23 Section 4. Paragraph (d) is added to subsection (2) of
24 section 165.061, Florida Statutes, to read:

25 165.061 Standards for incorporation, merger, and
26 dissolution.--

27 (2) The incorporation of a new municipality through
28 merger of existing municipalities and associated
29 unincorporated areas must meet the following conditions:

30 (d) In accordance with s. 10, Art. I of the State
31 Constitution, the plan for merger or incorporation must honor

1 existing solid waste contracts in the affected geographic area
2 subject to merger or incorporation; however, the plan for
3 merger or incorporation may provide that existing contracts
4 for solid waste collection services shall be honored only for
5 5 years or the remainder of the contract term, whichever is
6 shorter, and may require that a copy of the pertinent portion
7 of the contract or other written evidence of the duration of
8 the contract, excluding any automatic renewals or so-called
9 "evergreen" provisions, be provided to the municipality within
10 a reasonable time following a written request to do so.

11 Section 5. Paragraph (a) of subsection (6) of section
12 403.087, Florida Statutes, is amended to read:

13 403.087 Permits; general issuance; denial; revocation;
14 prohibition; penalty.--

15 (6)(a) The department shall require a processing fee
16 in an amount sufficient, to the greatest extent possible, to
17 cover the costs of reviewing and acting upon any application
18 for a permit or request for site-specific alternative criteria
19 or for an exemption from water quality criteria and to cover
20 the costs of surveillance and other field services and related
21 support activities associated with any permit or plan approval
22 issued pursuant to this chapter. However, when an application
23 is received without the required fee, the department shall
24 acknowledge receipt of the application and shall immediately
25 return the unprocessed application to the applicant and shall
26 take no further action until the application is received with
27 the appropriate fee. The department shall adopt a schedule of
28 fees by rule, subject to the following limitations:

29 1. The ~~permit~~ fee for any of the following ~~permits~~ may
30 not exceed \$32,500:

31 a. Hazardous waste, construction permit.

- 1 b. Hazardous waste, operation permit.
- 2 c. Hazardous waste, postclosure ~~closure~~ permit, or
- 3 clean closure plan approval.
- 4 2. The permit fee for a Class I injection well
- 5 construction permit may not exceed \$12,500.
- 6 3. The permit fee for any of the following permits may
- 7 not exceed \$10,000:
- 8 a. Solid waste, construction permit.
- 9 b. Solid waste, operation permit.
- 10 c. Class I injection well, operation permit.
- 11 4. The permit fee for any of the following permits may
- 12 not exceed \$7,500:
- 13 a. Air pollution, construction permit.
- 14 b. Solid waste, closure permit.
- 15 c. Drinking water, construction or operation permit.
- 16 d. Domestic waste residuals, construction or operation
- 17 permit.
- 18 e. Industrial waste, operation permit.
- 19 f. Industrial waste, construction permit.
- 20 5. The permit fee for any of the following permits may
- 21 not exceed \$5,000:
- 22 a. Domestic waste, operation permit.
- 23 b. Domestic waste, construction permit.
- 24 6. The permit fee for any of the following permits may
- 25 not exceed \$4,000:
- 26 a. Wetlands resource management--(dredge and fill),
- 27 standard form permit.
- 28 b. Hazardous waste, research and development permit.
- 29 c. Air pollution, operation permit, for sources not
- 30 subject to s. 403.0872.
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1 d. Class III injection well, construction, operation,
2 or abandonment permits.

3 7. The permit fee for Class V injection wells,
4 construction, operation, and abandonment permits may not
5 exceed \$750.

6 8. The permit fee for any of the following permits may
7 not exceed \$500:

8 a. Domestic waste, collection system permits.

9 b. Wetlands resource management--(dredge and fill and
10 mangrove alterations), short permit form.

11 c. Drinking water, distribution system permit.

12 9. The permit fee for stormwater operation permits may
13 not exceed \$100.

14 10. The general permit fees for permits that require
15 certification by a registered professional engineer or
16 professional geologist may not exceed \$500. The general
17 permit fee for other permit types may not exceed \$100.

18 11. The fee for a permit issued pursuant to s. 403.816
19 is \$5,000, and the fee for any modification of such permit
20 requested by the applicant is \$1,000.

21 12. The regulatory program and surveillance fees for
22 facilities permitted pursuant to s. 403.088 or s. 403.0885, or
23 for facilities permitted pursuant to s. 402 of the Clean Water
24 Act, as amended, 33 U.S.C. ss. 1251 et seq., and for which the
25 department has been granted administrative authority, shall be
26 limited as follows:

27 a. The fees for domestic wastewater facilities shall
28 not exceed \$7,500 annually. The department shall establish a
29 sliding scale of fees based on the permitted capacity and
30 shall ensure smaller domestic waste dischargers do not bear an
31 inordinate share of costs of the program.

1 b. The annual fees for industrial waste facilities
2 shall not exceed \$11,500. The department shall establish a
3 sliding scale of fees based upon the volume, concentration, or
4 nature of the industrial waste discharge and shall ensure
5 smaller industrial waste dischargers do not bear an inordinate
6 share of costs of the program.

7 c. The department may establish a fee, not to exceed
8 the amounts in subparagraphs 4. and 5., to cover additional
9 costs of review required for permit modification or
10 construction engineering plans.

11 Section 6. Paragraph (d) is added to subsection (17)
12 of section 403.706, Florida Statutes, to read:

13 403.706 Local government solid waste
14 responsibilities.--

15 (17) To effect the purposes of this part, counties and
16 municipalities are authorized, in addition to other powers
17 granted pursuant to this part:

18 (d) To grant a solid waste fee waiver to nonprofit
19 organizations that are engaged in the collection of donated
20 goods for charitable purposes and that have a recycling or
21 reuse rate of 50 percent or better.

22 Section 7. Subsection (1) of section 403.722, Florida
23 Statutes, is amended to read:

24 403.722 Permits; hazardous waste disposal, storage,
25 and treatment facilities.--

26 (1) Each person who intends to construct, modify,
27 operate, or close a hazardous waste disposal, storage, or
28 treatment facility shall obtain a construction permit,
29 operation permit, postclosure ~~or closure~~ permit, or clean
30 closure plan approval from the department prior to
31 constructing, modifying, operating, or closing the facility.

1 By rule, the department may provide for the issuance of a
2 single permit instead of any two or more hazardous waste
3 facility permits.

4 Section 8. Section 171.093, Florida Statutes, is
5 created to read:

6 171.093 Municipal annexation within independent
7 special districts.--

8 (1) The purpose of this section is to provide an
9 orderly transition of special district service
10 responsibilities in an annexed area from an independent
11 special district which levies ad valorem taxes to a
12 municipality following the municipality's annexation of
13 property located within the jurisdictional boundaries of an
14 independent special district, if the municipality elects to
15 assume such responsibilities.

16 (2) The municipality may make such an election by
17 adopting a resolution evidencing the election and forwarding
18 the resolution to the office of the special district and the
19 property appraiser and tax collector of the county in which
20 the annexed property is located. In addition, the municipality
21 may incorporate its election into the annexation ordinance.

22 (3) Upon a municipality's election to assume the
23 district's responsibilities, the municipality and the district
24 may enter into an interlocal agreement addressing the orderly
25 transfer of service responsibilities, real assets, equipment,
26 and personnel to the municipality. The agreement shall address
27 allocation of responsibility for special district services,
28 avoidance of double taxation of property owners for such
29 services in the area of overlapping jurisdiction, prevention
30 of loss of any district revenues which may be detrimental to
31 the continued operations of the independent district,

1 avoidance of impairment of existing district contracts,
2 disposition of property and equipment of the independent
3 district and any assumption of indebtedness for it, the status
4 and employee rights of any adversely affected employees of the
5 independent district, and any other matter reasonably related
6 to the transfer of responsibilities.

7 (4)(a) If the municipality and the district are unable
8 to enter into an interlocal agreement pursuant to subsection
9 (3), the municipality shall so advise the district and the
10 property appraiser and tax collector of the county in which
11 the annexed property is located and, effective October 1 of
12 the calendar year immediately following the calendar year in
13 which the municipality declares its intent to assume service
14 responsibilities in the annexed area, the district shall
15 remain the service provider in the annexed area for a period
16 of 4 years. During the 4-year period, the municipality shall
17 pay the district an amount equal to the ad valorem taxes or
18 assessments that would have been collected had the property
19 remained in the district.

20 (b) By the end of the 4-year period, or any extension
21 mutually agreed upon by the district the municipality, the
22 municipality and the district shall enter into an agreement
23 that identifies the existing district property located in the
24 municipality or primarily serving the municipality that will
25 be assumed by the municipality, the fair market value of such
26 property, and the manner of transfer of such property and any
27 associated indebtedness. If the municipality and district are
28 unable to agree to an equitable distribution of the district's
29 property and indebtedness, the matter shall proceed to circuit
30 court. In equitably distributing the district's property and
31 associated indebtedness, the taxes and other revenues paid the

1 district by or on behalf of the residents of the annexed area
2 shall be taken into consideration.

3 (c) During the 4-year period, or during any mutually
4 agreed upon extension, district service and capital
5 expenditures within the annexed area shall continue to be
6 rationally related to the annexed area's service needs.
7 Service and capital expenditures within the annexed area shall
8 also continue to be rationally related to the percentage of
9 district revenue received on behalf of the residents of the
10 annexed area when compared to the district's total revenue. A
11 capital expenditure greater than \$25,000 shall not be made by
12 the district for use primarily within the annexed area without
13 the express consent of the municipality.

14 (5) If the municipality elects not to assume the
15 district's responsibilities, the district shall remain the
16 service provider in the annexed area, the geographical
17 boundaries of the district shall continue to include the
18 annexed area, and the district may continue to levy ad valorem
19 taxes and assessments on the real property located within the
20 annexed area. If the municipality elects to assume the
21 district's responsibilities in accordance with subsection (3),
22 the district's boundaries shall contract to exclude the
23 annexed area at the time and in the manner provided in the
24 agreement.

25 (6) If the municipality elects to assume the
26 district's responsibilities and the municipality and the
27 district are unable to enter into an interlocal agreement, and
28 the district continues to remain the service provider in the
29 annexed area in accordance with subsection (4), the
30 geographical boundaries of the district shall contract to
31 exclude the annexed area on the effective date of the

1 beginning of the 4-year period provided for in subsection (4).
2 Nothing in this section precludes the contraction of the
3 boundary of any independent special district by special act of
4 the Legislature. The district shall not levy ad valorem taxes
5 or assessments on the annexed property in the calendar year in
6 which its boundaries contract and subsequent years, but it may
7 continue to collect and use all ad valorem taxes and
8 assessments levied in prior years. Nothing in this section
9 prohibits the district from assessing user charges and impact
10 fees within the annexed area while it remains the service
11 provider.

12 (7) In addition to any other authority provided by
13 law, a municipality is authorized to levy assessments on
14 property located in an annexed area to offset all or a portion
15 of the costs incurred by the municipality in assuming district
16 responsibilities pursuant to this section. Such assessments
17 may be collected pursuant to and in accordance with applicable
18 law.

19 (8) This section does not apply to districts created
20 pursuant to chapter 190 or chapter 373.

21 Section 9. Subsection (5) of section 403.7165 and
22 section 403.7199, Florida Statutes, are repealed.

23 Section 10. This act shall take effect upon becoming a
24 law.

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