

By Representative Attkisson

1 A bill to be entitled
 2 An act relating to local government regulation
 3 of water or wastewater utilities; amending s.
 4 367.171, F.S.; providing for regulation of
 5 certain utilities by certain counties;
 6 prohibiting exercise of eminent domain by
 7 certain governmental entities under certain
 8 circumstances; providing an effective date.

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

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 12 Section 1. Subsection (8) of section 367.171, Florida
 13 Statutes, is amended to read:

14 367.171 Effectiveness of this chapter.--

15 (8) Each county which is excluded from the provisions
 16 of this chapter or adopts a resolution pursuant to subsection
 17 (1) shall regulate the rates of all utilities in that county
 18 which would otherwise be subject to regulation by the
 19 commission pursuant to s. 367.081(1), (2), (3), and (6). The
 20 county shall not regulate the rates or charges of any system
 21 or facility which would otherwise be exempt from commission
 22 regulation pursuant to s. 367.022(2). No county, or authority
 23 or district within such county, shall exercise the power of
 24 eminent domain over any water or wastewater utility system or
 25 facility regulated by such county pursuant to this chapter.

26 For this purpose the county or its agency shall proceed as
 27 though the county or agency is the commission. In all
 28 proceedings conducted by a county or its agency under the
 29 authority of this chapter, the provisions of ss. 120.569 and
 30 120.57 shall apply.

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1 Section 2. This act shall take effect upon becoming a
2 law.

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5 HOUSE SUMMARY

6 Provides for regulation of certain utilities by certain
7 counties. Prohibits a county, or authority or district
8 in the county, from exercising the power of eminent
9 domain over any water or wastewater facility regulated by
10 the county.

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