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.
9
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, or
26 which has been regulated by such county within the preceding 5
27 years, unless the county demonstrates that the utility system
28 or facility to be condemned constitutes a present danger to
29 the public health, the environment, or has been abandoned. For
30 this purpose the county or its agency shall proceed as though
31 the county or agency is the commission. In all proceedings

CODING: Words ~~stricken~~ are deletions; words <u>underlined</u> are additions.

1 conducted by a county or its agency under the authority of
2 this chapter, the provisions of ss. 120.569 and 120.57 shall
3 apply.
4   Section 2. This act shall take effect upon becoming a
5 law.
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