

1 A bill to be entitled
2 An act relating to local government regulation
3 of water or wastewater utilities; amending s.
4 367.0816, F.S.; requiring a reduction in
5 utility rates by the amount of certain rate
6 case expenses after a time certain; amending s.
7 367.171, F.S.; providing for regulation of
8 certain utilities by certain counties;
9 prohibiting exercise of eminent domain by
10 certain governmental entities under certain
11 circumstances; striking provisions relating to
12 the application of ss. 120.569 and 120.57 to
13 county proceedings; providing an effective
14 date.

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

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18 Section 1. Section 367.0816, Florida Statutes, is
19 amended to read:

20 367.0816 Recovery of rate case expenses.--The amount
21 of rate case expense determined by the commission pursuant to
22 the provisions of this chapter to be recovered through a
23 public utilities rate shall be apportioned for recovery over a
24 period of 4 years. At the conclusion of the recovery period,
25 the rate of the public utility shall be reduced immediately by
26 the amount of rate case expense previously included in rates.

27 Section 2. Subsection (8) of section 367.171, Florida
28 Statutes, is amended to read:

29 367.171 Effectiveness of this chapter.--

30 (8) Each county which is excluded from the provisions
31 of this chapter or adopts a resolution pursuant to subsection

1 (1)shall regulate the rates of all utilities in that county
2 which would otherwise be subject to regulation by the
3 commission pursuant to s. 367.081(1), (2), (3), and (6). The
4 county shall not regulate the rates or charges of any system
5 or facility which would otherwise be exempt from commission
6 regulation pursuant to s. 367.022(2). No county, or authority
7 or district within such county, shall exercise the power of
8 eminent domain over any water or wastewater utility system or
9 facility regulated by such county pursuant to this chapter, or
10 which has been regulated by such county within the preceding 5
11 years, unless the county demonstrates that the utility system
12 or facility to be condemned constitutes a present danger to
13 the public health, the environment, or has been abandoned.For
14 this purpose the county or its agency shall proceed as though
15 the county or agency is the commission. ~~In all proceedings~~
16 ~~conducted by a county or its agency under the authority of~~
17 ~~this chapter, the provisions of ss. 120.569 and 120.57 shall~~
18 ~~apply.~~

19 Section 3. This act shall take effect upon becoming a
20 law.

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