

By Senator Bennett

21-936-04

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A bill to be entitled
An act relating to local government solid waste fees; amending s. 403.706, F.S.; waiving such fees for certain nonprofit organizations; providing an effective date.

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

Section 1. Subsections (10) and (17) of section 403.706, Florida Statutes, are amended to read:

403.706 Local government solid waste responsibilities.--

(10) In developing and implementing recycling programs, counties and municipalities shall give consideration to the collection, marketing, and disposition of recyclable materials by persons engaged in the business of recycling, whether or not the persons are operating for profit. Counties and municipalities are encouraged to use for-profit and nonprofit organizations in fulfilling their responsibilities under this act. Counties and municipalities shall grant solid waste fee waivers to nonprofit organizations that collect donated goods for charitable purposes and that have a recycling or reuse rate of 50 percent or greater.

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

(a) To contract with persons to provide resource recovery services or operate resource recovery facilities on behalf of the county or municipality.

(b) To indemnify persons providing resource recovery services or operating resource recovery facilities for

1 liabilities or claims arising out of the provision or
2 operation of such services or facilities that are not the
3 result of the sole negligence of the persons providing such
4 services or operating such facilities.

5 (c) To waive sovereign immunity and immunity from suit
6 in federal court by vote of the governing body of the county
7 or municipality to the extent necessary to carry out the
8 authority granted in paragraphs (a) and (b), notwithstanding
9 the limitations prescribed in s. 768.28.

10 ~~(d) To grant a solid waste fee waiver to nonprofit~~
11 ~~organizations that are engaged in the collection of donated~~
12 ~~goods for charitable purposes and that have a recycling or~~
13 ~~reuse rate of 50 percent or better.~~

14 Section 2. This act shall take effect July 1, 2004.

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17 SENATE SUMMARY

18 Requires local governments to waive solid waste fees for
19 certain nonprofit organizations that collect donated
20 goods for recycling purposes and have a recycling rate of
21 50 percent or more.
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