

By Senator Crist

12-593-07

1 A bill to be entitled

2 An act relating to public utility payments;

3 providing legislative intent regarding the

4 method of payment by customers for public

5 utility services; providing definitions;

6 requiring units of local government and public

7 utility companies that provide public utility

8 services to accept, by a specified date,

9 certain financial instruments as payment for

10 services rendered to utility customers;

11 authorizing a local government or utility

12 company to charge customers fees and service

13 charges for using credit and debit cards;

14 requiring a local government or utility company

15 to verify the credit of the customer proposing

16 to use the card; providing an effective date.

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

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20 Section 1. Payments for public utility services.--

21 (1) It is the intent of the Legislature to ensure that

22 consumers of public utility services in this state have access

23 to the most efficient methods by which to pay for public

24 utility services. To that end, the Legislature intends that

25 units of local government and public utility companies that

26 provide public utility services accept payment for the

27 customer's obligations as directed by this section.

28 (2) As used in this section, the term:

29 (a) "Cable television service" means any audio,

30 including telephonic, video, data, Internet, or other service

31 provided for payment by a cable television company over its

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

1 cable television system, including coaxial cable, wire, fiber
2 optic, or similar transmission services used in connection
3 with any cable television system.

4 (b) "Cellular telephone service" means a service
5 providing communication through a device containing a unique
6 electronic serial number that is programmed into its computer
7 chip by its manufacturer and whose operation is dependent on
8 the transmission of that electronic serial number along with a
9 mobile identification number, which is assigned by the
10 cellular telephone carrier, in the form of radio signals
11 through cell sites and mobile switching stations.

12 (c) "Internet service provider" means a business or
13 person who provides consumers authenticated access to, or
14 presence on, the Internet by means of a switched or dedicated
15 telecommunications channel upon which the provider provides
16 transit routing of Internet Protocol (IP) packets for and on
17 behalf of the consumer.

18 (d) "Public utility company" means a person,
19 corporation, partnership, association, or other legal entity,
20 whether fictitiously named or not, doing business in this
21 state supplying public utility services to or for consumers in
22 this state. The term includes a publicly owned utility
23 company, a municipally owned utility company, or a cooperative
24 utility company that provides a public utility service for
25 sale to consumers.

26 (e) "Public utility service" means electric or gas
27 services, cable television services, services provided by an
28 Internet service provider, telecommunications services,
29 including cellular telephone services, services of a
30 stormwater management system as defined in s. 403.031,
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1 services of a sewage disposal system as defined in s. 153.02,
2 or services of a public water system as defined in s. 403.852.

3 (f) "Telecommunications service" means the
4 transmission of signs, signals, writing, images, sounds,
5 messages, data, or other information of the user's choosing,
6 by wire, radio, light waves, or other electromagnetic means,
7 without change in the form or content of the information as
8 sent and received by the user and regardless of the facilities
9 used, including, without limitation, wireless facilities.

10 (g) "Unit of local government" means any political
11 subdivision as defined in s. 1.01, including any county,
12 municipality, special district, school district, utility
13 authority, or other authority, or any instrumentality, agency,
14 unit, or department thereof.

15 (3)(a) By July 1, 2008, each unit of local government
16 and each public utility company that provides public utility
17 services to customers in this state must accept payment for
18 services received using specified financial instruments or
19 procedures for the convenience of the utility customer. The
20 methods must include:

- 21 1. Cash;
- 22 2. Check;
- 23 3. Bank draft;
- 24 4. Money order;
- 25 5. Debit card or credit card; or
- 26 6. Electronic funds transfer.

27 (b) A unit of local government or a public utility
28 company may contract with a debit card or credit card vendor
29 for acceptance of debit cards or credit cards. The unit of
30 local government or public utility company may pay any
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1 applicable service charge that is associated with the use of a
2 debit card or credit card under this section.

3 (c) If there is a charge to the unit of local
4 government or public utility company for the use of a
5 financial instrument, the unit of local government or public
6 utility company may collect a sum equal to the amount of the
7 charge from the person who uses the financial instrument.

8 (d) A unit of local government and public utility
9 company shall verify the validity of any credit card or debit
10 card used under this section and the existence of appropriate
11 credit with respect to the person using the card. The unit of
12 local government or public utility company does not incur
13 liability as a result of such verification or any subsequent
14 action taken.

15 (4) This section does not prohibit a unit of local
16 government from continuing to accept credit cards or debit
17 cards under a contract that was entered into before July 1,
18 2007, unless specifically directed otherwise in the General
19 Appropriations Act. However, the contract may not be extended
20 or renewed after July 1, 2007, unless the renewal and
21 extension conform to the requirements of this section.

22 Section 2. This act shall take effect July 1, 2007.

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25 SENATE SUMMARY

26 Requires units of local government and public utility
27 companies that provide public utility services to accept,
28 by a specified date, certain financial instruments as
29 payment for services rendered to utility customers.
30 Authorizes the utilities to charge customers fees and
31 service charges for using credit and debit cards.
Requires the utilities to verify the credit of the
customer proposing to use the card.