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2 A bill to be entitled
3 An act relating to interruption of services; amending
4 s. 180.06, F.S.; prohibiting a municipality or private
5 company from charging for garbage pick-up services
6 that are not rendered within a specified period;
7 requiring municipality or private company to issue
8 credit or refund on monthly bill; requiring payment of
9 fine if credit or refund is not issued within
10 specified period; amending s. 364.04, F.S.;
11 prohibiting a telecommunications company from charging
12 for services that are interrupted for longer than a
13 specified period; requiring a telecommunications
14 company to issue a credit or refund; requiring the
15 Public Service Commission to impose a fine in a
16 specified amount if the telecommunications company
17 fails to provide credit or refund within specified
18 period; amending s. 610.108, F.S.; prohibiting a cable
19 and video service provider from charging for services
20 that are interrupted for longer than a specified
21 period; requiring a cable or video service provider to
22 issue a credit or refund; requiring the Department of
23 Agriculture and Consumer Services to impose a fine in
24 a specified amount if a provider fails to provide
25 credit or refund within specified period; providing an

26 | effective date.

27 |

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

29 |

30 | Section 1. Section 180.06, Florida Statutes, is amended to
31 | read:

32 | 180.06 Activities authorized by municipalities and private
33 | companies; garbage pick-up services.-

34 | (1) Any municipality or private company organized for the
35 | purposes contained in this chapter, is authorized:

36 | (a)~~(1)~~ To clean and improve street channels or other
37 | bodies of water for sanitary purposes;

38 | (b)~~(2)~~ To provide means for the regulation of the flow of
39 | streams for sanitary purposes;

40 | (c)~~(3)~~ To provide water and alternative water supplies,
41 | including, but not limited to, reclaimed water, and water from
42 | aquifer storage and recovery and desalination systems for
43 | domestic, municipal or industrial uses;

44 | (d)~~(4)~~ To provide for the collection and disposal of
45 | sewage, including wastewater reuse, and other liquid wastes;

46 | (e)~~(5)~~ To provide for the collection and disposal of
47 | garbage;

48 | (f)~~(6)~~ And incidental to such purposes and to enable the
49 | accomplishment of the same, to construct reservoirs, sewerage
50 | systems, trunk sewers, intercepting sewers, pumping stations,

51 wells, siphons, intakes, pipelines, distribution systems,
52 purification works, collection systems, treatment and disposal
53 works;

54 (g)~~(7)~~ To construct airports, hospitals, jails and golf
55 courses, to maintain, operate and repair the same, and to
56 construct and operate in addition thereto all machinery and
57 equipment;

58 (h)~~(8)~~ To construct, operate and maintain gas plants and
59 distribution systems for domestic, municipal and industrial
60 uses; and

61 (i)~~(9)~~ To construct such other buildings and facilities as
62 may be required to properly and economically operate and
63 maintain said works necessary for the fulfillment of the
64 purposes of this chapter.

65
66 However, a private company or municipality shall not construct
67 any system, work, project or utility authorized to be
68 constructed hereunder in the event that a system, work, project
69 or utility of a similar character is being actually operated by
70 a municipality or private company in the municipality or
71 territory immediately adjacent thereto, unless such municipality
72 or private company consents to such construction.

73 (2) A municipality or private company, as applicable, may
74 not charge a customer for garbage pick-up service that was not
75 provided on a normally scheduled pick-up date if the garbage

76 | pick-up service is not provided within 3 business days after the
77 | originally scheduled pick-up date. The municipality or private
78 | company, as applicable, shall issue a credit or refund on the
79 | customer's monthly bill to adjust on a prorated basis the number
80 | of times the garbage was not picked up. A municipality or
81 | private company, as applicable, that fails to provide a credit
82 | or refund within 60 days shall pay a fine to each customer whose
83 | garbage pick-up was not provided as set forth above, equal to 10
84 | times the charge billed for the service that was not provided.

85 | Section 2. Subsection (1) of section 364.04, Florida
86 | Statutes, is amended to read:

87 | 364.04 Schedules of rates, tolls, rentals, and charges;
88 | filing; service interruptions; public inspection.—

89 | (1) (a) Every telecommunications company shall publish
90 | through electronic or physical media schedules showing the
91 | rates, tolls, rentals, and charges of that company for service
92 | to be offered within the state. The commission shall have no
93 | jurisdiction over the content or form or format of such
94 | published schedules. A telecommunications company may, as an
95 | option, file the published schedules with the commission or
96 | publish its schedules through other reasonably publicly
97 | accessible means, including on a website. A telecommunications
98 | company that does not file its schedules with the commission
99 | shall inform its customers where a customer may view the
100 | telecommunications company's schedules.

101 (b) A telecommunications company may not charge a customer
102 for service that has been interrupted for longer than 24
103 consecutive hours unless the service interruption is caused by a
104 negligent or willful act by the customer or as a result of
105 damage on the customer's side of the service demarcation point
106 that prevents the receipt or use of service that is otherwise
107 available. Restoration of service for less than one hour during
108 the service interruption does not toll the time for purposes of
109 calculating the period of the service interruption. The credit
110 or refund shall be calculated by identifying the number of days
111 beyond the first 24 hours that service was interrupted, dividing
112 that number by the number of days in the billing period, and
113 multiplying the resulting fraction by the normal billing amount.
114 The credit or refund must be provided within 30 days after the
115 service is restored or the date of the customer's next bill
116 following service restoration, whichever is later.
117 Notwithstanding any other provision of law to the contrary, the
118 commission shall impose a fine equal to 10 times the credit or
119 refund amount upon any telecommunications company that fails to
120 provide a credit or refund as specified in this paragraph. The
121 commission may adopt rules to implement this paragraph.

122 Section 3. Subsection (1) of section 610.108, Florida
123 Statutes, is amended to read:

124 610.108 Customer service standards.—

125 (1) (a) All cable or video service providers shall comply

126 | with customer service requirements in 47 C.F.R. s. 76.309(c).

127 | (b) A cable or video service provider may not charge a
128 | customer for cable or video service that has been interrupted
129 | for longer than 24 consecutive hours unless the service
130 | interruption is caused by a negligent or willful act by the
131 | customer or as a result of damage on the customer's side of the
132 | service demarcation point that prevents the receipt or use of
133 | service that is otherwise available. Restoration of service for
134 | less than one hour during the service interruption does not toll
135 | the calculation of time for purposes of determining the length
136 | of the service interruption. The credit or refund shall be
137 | calculated by identifying the number of days beyond the first 24
138 | hours that service was interrupted, dividing that number by the
139 | number of days in the billing period, and multiplying the
140 | resulting fraction by the normal billing amount. The credit or
141 | refund must be provided within 30 days after the service is
142 | restored or the date of the customer's next bill following
143 | service restoration, whichever is later. Notwithstanding any
144 | other provision of law to the contrary, the Department of
145 | Agriculture and Consumer Services shall impose a fine equal to
146 | 10 times the credit or refund amount upon any cable or video
147 | service provider that fails to provide a credit or refund as
148 | specified in this paragraph.

149 | Section 4. This act shall take effect July 1, 2018.