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LEGISLATIVE ACTION

Senate

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House

The Committee on Environment and Natural Resources (Rodriguez) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 153.04, Florida Statutes, is amended to
read:

153.04 Construction of water supply systems, water system
improvements, sewage disposal systems, and sewer improvements.—

(1) Whenever a the county commission ~~of any of the several~~
~~counties of the state~~ by resolution chooses to exercise the



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11 powers granted by this chapter, or the governing board of an
12 independent special district chooses to exercise the powers
13 granted in the charter of the special district which are
14 coextensive with the powers granted by this chapter, it shall
15 make or cause to be made ~~such~~ surveys, investigations, studies,
16 borings, maps, plans, drawings and estimates of costs and ~~of~~
17 revenues as it deems ~~may deem~~ necessary to prepare or have
18 prepared so that the ~~such~~ county commission has ~~shall have~~
19 available to it a comprehensive study and report.

20 (a) The study and report must include setting forth either
21 or both of the following:

22 1. ~~(1)~~ The type and estimate of costs of each water supply
23 system, the purchase or construction of which is ~~shall be~~ deemed
24 by the county commission or the governing board of the
25 independent special district ~~it~~ to be desirable and feasible,
26 together with the location thereof, and of each integral part,
27 and also setting forth what water system improvements, if any,
28 are deemed ~~it deems~~ necessary to purchase or construct to
29 protect the health of and render fire protection to the
30 inhabitants of the county or the independent special district,
31 as applicable, together with the location by terminal points and
32 route of each ~~such~~ improvement, a description thereof by its
33 material, nature, character, and size, and an estimate of the
34 cost of its purchase or construction.

35 2. ~~(2)~~ (a) The type of treatment and estimate of cost of each
36 sewage disposal plant or system, the purchase, or construction
37 of which is ~~shall be~~ deemed by the county commission or
38 governing board of the independent special district to be
39 desirable and feasible, together with the location thereof and



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40 of each integral part, and also setting forth what sewer
41 improvements, if any, are deemed ~~it deems~~ necessary to purchase
42 or construct to protect the health of the inhabitants of the
43 county or the independent special district, as applicable,
44 together with the location by terminal points and route of each
45 such improvement, a description thereof by its material, nature,
46 character, and size and an estimate of the cost of its purchase
47 or construction.

48 ~~(b)~~ (b) If the ~~such~~ study and report reveals, or if it is a
49 fact that any parcel, plot, or area of land proposed to be
50 served by facilities owned and operated by a county or an
51 independent special district pursuant to ~~county-owned and~~
52 ~~operated facilities as contemplated by~~ this chapter is being
53 served by ~~or there is available to it for service such~~
54 facilities ~~which are~~ owned and operated by private individuals,
55 copartnerships, corporations or associations or service by such
56 facilities is available to the parcel, plot, or area of land,
57 ~~then~~ the county or the independent special district is ~~hereby~~
58 prohibited from furnishing the facilities provided by this
59 chapter to such land property without the written consent of the
60 owner or owners of the ~~such~~ privately owned and operated
61 facilities.

62 ~~(c)~~ (c) The obtaining of ~~such~~ surveys, investigations,
63 studies, borings, maps, plans, drawings and estimates pursuant
64 to this subsection serves ~~is hereby declared to be a public~~
65 ~~county~~ purpose and the costs thereof may be paid out of the
66 general funds of the county or the independent special district.

67 ~~(d)~~ (d) Upon receipt of the ~~such~~ report, the county
68 commission or the county commission for each county in which the



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69 independent special district is exercising the authority granted
70 under this section may authorize the purchase and ~~and/or~~
71 construction of ~~such~~ facilities as it deems ~~may deem~~ feasible
72 and practicable.

73 (e) ~~(e)~~ All public or private property damaged or destroyed
74 in carrying out the powers granted by this chapter must ~~shall~~ be
75 restored or repaired and placed in its original condition as
76 nearly as practicable or adequate compensation made therefor out
77 of the funds provided to the county by this chapter or, if the
78 damage or destruction is caused by an independent special
79 district, from the funds derived from the revenue sources
80 authorized for the district in its charter.

81 (f) ~~(f)~~ The state ~~hereby~~ consents to the use of all state
82 lands lying under water which are necessary for the
83 accomplishments or purposes of this chapter.

84 (2) The construction or maintenance of a water supply or
85 sewage disposal system by a county or an independent special
86 district is exempt from the requirements of s. 253.77, provided
87 the county or the independent special district utility completes
88 the requirements of subsection (1).

89 Section 2. This act shall take effect July 1, 2021.

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91 ===== T I T L E A M E N D M E N T =====

92 And the title is amended as follows:

93 Delete everything before the enacting clause
94 and insert:

95 A bill to be entitled
96 An act relating to construction and maintenance of
97 water supply and sewage disposal systems by counties



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98 and independent special districts; amending s. 153.04;
99 providing requirements for independent special
100 districts that choose to exercise certain powers;
101 providing an exception for certain entities to
102 construct water supply systems; providing an effective
103 date.