

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

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1 Committee/Subcommittee hearing bill: Civil Justice & Property  
 2 Rights Subcommittee  
 3 Representative Hawkins offered the following:

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:  
 7 Section 1. Subsection (23) of section 403.706, Florida  
 8 Statutes, is renumbered as subsection (24) and a new subsection  
 9 (23) is added to that section to read:

10 (23) (a) Subject to the conditions below, a local  
 11 government may not assess liquidated damages or impose  
 12 administrative penalties for missed collections pursuant to a  
 13 contract for the collection of solid waste or recyclable  
 14 materials if:

15 1. The person collecting solid waste or recyclable  
 16 materials for the local government fails to provide timely

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17 collection service to a residential customer as a direct result  
18 of a declared local, state, or federal emergency that is in  
19 effect within the jurisdiction of the local government;

20 2. The person notifies the local government that its  
21 failure to provide timely residential collection service was due  
22 to the emergency; and

23 3. The person provides the necessary collection service no  
24 later than 36 hours after the time when the service should have  
25 been provided.

26  
27 To obtain relief under this paragraph, the person providing  
28 collection services must demonstrate to the local government  
29 that it complied with the requirements of this paragraph.

30 (b) The local government must pay for collection services  
31 provided under subparagraph (a)3. However, the local government  
32 is not required to pay the applicable fee for a specific  
33 collection service for a residential customer until that service  
34 is provided to the customer.

35 (c) This subsection applies to contracts for the  
36 collection of residential solid waste or recyclable material  
37 that are executed or renewed after July 1, 2022.

38 (d) This subsection does not apply to:

39 1. A contract or contractual provision for the collection  
40 of storm-generated yard trash as that term is defined in s.  
41 403.703(42).

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42           2. Collections of solid waste or recyclable material  
43 missed due to the fault of the person providing collection  
44 services.

45           Section 2. This act shall take effect July 1, 2022.

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48                           **T I T L E   A M E N D M E N T**

49           Remove everything before the enacting clause and insert:  
50 An act relating to local government solid waste and recycling  
51 collection services; amending s. 403.706, F.S.; prohibiting a  
52 local government from seeking liquidated damages or imposing  
53 administrative penalties for missed collections pursuant to a  
54 contract for the collection of solid waste or recyclable  
55 materials under specified circumstances; specifying whether and  
56 when a local government must pay for a specific collection  
57 service; providing applicability; providing an effective date.