

By Senator Jones

34-00974-23

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1 A bill to be entitled
2 An act relating to municipal water and sewer utility
3 rates; amending s. 180.191, F.S.; requiring a
4 municipality to charge customers receiving its utility
5 services in another municipality the same rates, fees,
6 and charges as it charges consumers within its
7 municipal boundaries under certain circumstances;
8 providing an effective date.

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

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12 Section 1. Present subsections (2), (3), and (4) of section
13 180.191, Florida Statutes, are redesignated as subsections (3),
14 (4), and (5), respectively, a new subsection (2) is added to
15 that section, and subsection (1) of that section is amended, to
16 read:

17 180.191 Limitation on rates charged consumer outside city
18 limits.—

19 (1) Any municipality within this ~~the~~ state operating a
20 water or sewer utility outside of the boundaries of such
21 municipality shall charge consumers outside the boundaries
22 rates, fees, and charges determined in one of the following
23 manners:

24 (a) It may charge the same rates, fees, and charges as
25 consumers inside the municipal boundaries. However, in addition
26 ~~thereto~~, the municipality may add a surcharge of not more than
27 25 percent of such rates, fees, and charges to consumers outside
28 the boundaries, except as provided in subsection (2). Fixing of
29 such rates, fees, and charges in this manner does ~~shall~~ not

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30 require a public hearing except as may be provided for service
31 to consumers inside the municipality.

32 (b) It may charge rates, fees, and charges that are just
33 and equitable and that ~~which~~ are based on the same factors used
34 in fixing the rates, fees, and charges for consumers inside the
35 municipal boundaries, except as provided in subsection (2). In
36 addition ~~thereto~~, the municipality may add a surcharge not to
37 exceed 25 percent of such rates, fees, and charges for said
38 services to consumers outside the boundaries. However, the total
39 of all such rates, fees, and charges for the services to
40 consumers outside the boundaries may ~~shall~~ not be more than 50
41 percent in excess of the total amount the municipality charges
42 consumers served within the municipality for corresponding
43 service. ~~No~~ Such rates, fees, and charges may not ~~shall~~ be fixed
44 until after a public hearing at which all of the users of the
45 water or sewer systems; owners, tenants, or occupants of
46 property served or to be served thereby; and all others
47 interested shall have an opportunity to be heard concerning the
48 proposed rates, fees, and charges. Any change or revision of
49 such rates, fees, or charges may be made in the same manner as
50 such rates, fees, or charges were originally established, but if
51 such change or revision is to be made substantially pro rata as
52 to all classes of service, both inside and outside the
53 municipality, no hearing or notice shall be required.

54 (2) Any municipality within this state that operates a
55 water or sewer utility providing service to customers in another
56 recipient municipality using a facility or water or sewer plant
57 located in the recipient municipality shall charge consumers in
58 the recipient municipality the same rates, fees, and charges as

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59 it does the consumers inside its own municipal boundaries.

60 Section 2. This act shall take effect July 1, 2023.