

26 unreasonably restrain a private entity from providing recycling
27 or solid waste management services to commercial, industrial, or
28 multifamily residential properties, including condominiums,
29 within the municipality or county.

30 (a) A municipality or county may require the private
31 entity to obtain a permit, license, or nonexclusive franchise
32 equivalent. The permit, license, or nonexclusive franchise
33 equivalent may not cost more than the administrative cost to
34 issue the permit, license, or nonexclusive franchise equivalent.
35 Such costs must be commensurate with other industries, license
36 fees, insurance requirements, and qualifications for the
37 issuance of the permit, license, or nonexclusive franchise
38 equivalent.

39 (b) A municipality or county must:

40 1. Require any franchise fee in place to be paid by all
41 permit, license, or nonexclusive franchise equivalent holders.

42 2. Recognize and protect all contracts or franchises in
43 place as of January 1, 2023, until their current date of
44 expiration. A municipality or county may recognize a contract or
45 exclusive franchise in place as of January 1, 2023, which
46 contains a renewal option during the 2023 calendar year but may
47 not recognize an evergreen contract or an additional renewal or
48 extension of a contract.

49 (c) Notwithstanding paragraph (a), a municipality or
50 county that had a franchise fee in place as of January 1, 2023,

CS/HB 975

2023

51 that contains a surcharge may continue to impose such fee for
52 the duration of a contract recognized pursuant to subparagraph
53 (b)2. if the franchise fee otherwise complies with this
54 subsection.

55 (d) This subsection does not apply to a municipality or
56 county that is an exclusive provider of solid waste collection
57 services in its jurisdiction performed by employees of the
58 municipality or county using equipment owned by the municipality
59 or county.

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