

By the Committee on Community Affairs; and Senator Jones

578-03035-24

2024104c1

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           defining terms; making technical changes; providing an  
9           effective date.

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

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

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

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

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

578-03035-24

2024104c1

30 such rates, fees, and charges in this manner does ~~shall~~ not  
31 require a public hearing except as may be provided for service  
32 to consumers inside the municipality.

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

55 (2) A municipality within this state which operates a water  
56 or sewer utility providing service to customers in another  
57 recipient municipality, which also has a facility in that  
58 recipient municipality, must charge consumers in the recipient

578-03035-24

2024104c1

59 municipality the same rates, fees, and charges as it does the  
60 consumers inside its own municipal boundaries. As used in this  
61 subsection, the term:

62 (a) "Facility" means a water treatment facility, wastewater  
63 treatment facility, intake station, pumping station, well, and  
64 other physical components of a water or wastewater system. The  
65 term does not include:

66 1. Pipes, tanks, pumps, or other facilities that transport  
67 water from a water source or treatment facility to the consumer;  
68 or

69 2. Pipes, conduits, and associated appurtenances that  
70 transport wastewater from the point of entry to a wastewater  
71 treatment facility.

72 (b) "Wastewater treatment facility" means a facility that  
73 accepts and treats domestic wastewater or industrial wastewater.

74 (c) "Water treatment facility" means a facility within a  
75 water system which can alter the physical, chemical, or  
76 bacteriological quality of water.

77 Section 2. This act shall take effect July 1, 2024.