

By Senator Martin

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1 A bill to be entitled
2 An act relating to municipal water or sewer utility
3 rates, fees, and charges; amending s. 180.191, F.S.;
4 removing a provision that authorizes certain
5 municipalities serving consumers outside their
6 boundaries to add specific surcharges to the rates,
7 fees, and charges; removing a provision that does not
8 require a public hearing for adding specific
9 surcharges; requiring certain municipalities to
10 conduct rate studies at certain times; making
11 technical changes; providing an effective date.

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

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15 Section 1. Subsection (1) of section 180.191, Florida
16 Statutes, is amended, and a new subsection (5) is added to that
17 section, to read:

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

20 (1) Any municipality within the state operating a water or
21 sewer utility outside of the boundaries of such municipality
22 shall charge consumers outside the boundaries rates, fees, and
23 charges ~~determined in one of the following 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. Fixing of such rates, fees, and charges in this~~
29 ~~manner shall not require a public hearing except as may be~~

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30 ~~provided for service to consumers inside the municipality.~~

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

53 (5) Each municipality subject to subsection (1) must
54 conduct a rate study every 7 years, beginning October 1, 2031.

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