

ENROLLED

HB 11, Engrossed 1

2025 Legislature

1  
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 applicability; defining terms; making  
9       technical changes; providing an 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  
14       section 180.191, Florida Statutes, are redesignated as  
15       subsection (3), (4), and (5), respectively, a new subsection  
16       (2) is added to that section, and subsection (1) of that section  
17       is amended, to 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 municipal  
23       boundaries rates, fees, and charges determined in one of the  
24       following manners:

25       (a)   It may charge the same rates, fees, and charges as

ENROLLED

HB 11, Engrossed 1

2025 Legislature

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 municipal boundaries, except as provided in subsection (2).  
30 Fixing of such rates, fees, and charges in this manner does  
31 ~~shall~~ not require a public hearing except as may be provided for  
32 service 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 must ~~shall~~ have an opportunity to be heard concerning  
49 the proposed rates, fees, and charges. Any change or revision of  
50 such rates, fees, or charges may be made in the same manner as

ENROLLED

HB 11, Engrossed 1

2025 Legislature

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 is ~~shall be~~ required.

55 (2) A municipality within this state which operates a  
56 water or sewer utility providing service to customers in another  
57 recipient municipality, which also has a facility in that  
58 recipient municipality, shall charge consumers in the recipient  
59 municipality the same rates, fees, and charges as it does the  
60 consumers inside its own municipal boundaries. This subsection  
61 applies only to a municipality located within a county as  
62 defined in s. 125.011(1). As used in this subsection, the term:

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

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

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

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

75 (c) "Water treatment facility" means a facility within a

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2025 Legislature

76 | water system which can alter the physical, chemical, or  
77 | bacteriological quality of water.  
78 |       Section 2. This act shall take effect July 1, 2025.