

HB 1075

2026

A bill to be entitled
An act relating to municipal utility connections; amending s. 180.19, F.S.; requiring municipalities that operate utility services to allow other municipalities and property owners outside its municipal boundaries to connect with and use its utility services under specified conditions; requiring municipalities to make certain determinations within a specified timeframe; providing for appeal of such determinations; providing for the award of attorney fees and court costs; providing that municipalities are not liable for such fees and costs under certain conditions; providing construction; providing an effective date.

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

Section 1. Section 180.19, Florida Statutes, is amended to read:

180.19 Use by other municipalities and by individuals outside corporate limits.—

(1) (a) A municipality that operates utility services which constructs any works as are authorized under by this chapter shall allow a, may permit any other municipality or property owner and the owners or association of owners of lots or lands

26 outside of its municipal boundaries ~~corporate limits or within~~
27 the ~~limits of any other municipality~~, to connect with or use the
28 utility services if:

29 1. The utility system has sufficient treatment,
30 transmission, and distribution capacity to serve the requested
31 connection without materially impairing service to existing
32 utility customers; and

33 2. The requesting municipality or property owner agrees to
34 pay all applicable rates, fees, and charges authorized under s.
35 180.191.

36 (b) If the conditions in paragraph (a) are not met,
37 connection with or use of the utility services are utilities
38 ~~mentioned in this chapter~~ upon such terms and conditions as may
39 be agreed between the such municipalities or the municipality
40 and the property owner, and the owners or association of owners
41 ~~of such outside lots or lands.~~

42 (2) (a) A municipality that operates utility services must
43 make a written capacity determination within 30 days after
44 receipt of a completed application for connection from a
45 municipality or property owner under subsection (1). The
46 determination must be based on generally accepted engineering
47 standards and current system data. A denial of connection with
48 or use of utility services due to a lack of capacity must
49 include specific engineering findings identifying the deficient
50 components of the system.

51 (b) A requesting municipality or property owner denied
52 connection with or use of utility services may appeal the
53 capacity determination to the circuit court in the county in
54 which the municipality or property is located. The court must
55 review the determination de novo.

56 (c) If the court finds that the municipality refused to
57 allow the connection in violation of this subsection, the court
58 must order the connection and award the prevailing party
59 reasonable attorney fees and court costs to be paid by the
60 municipality operating the utility services.

61 (d) The municipality operating the utility services is not
62 liable for attorney fees or court costs under paragraph (c) if
63 the municipality demonstrates by clear and convincing evidence
64 that the denial was based on a good faith, reasonable
65 engineering determination of insufficient capacity.

66 (3)-(2) Any private company or corporation organized to
67 accomplish the purposes of set forth in this chapter that, which
68 has been granted a privilege or franchise by a municipality to
69 operate utility services, may allow a municipality or property
70 owner permit the owners or association of owners of lots or
71 lands outside of the boundaries of the granting said
72 municipality granting said privilege or franchise, or other
73 municipality, to connect with and use the utility services
74 operated by the said private company or corporation upon such
75 terms as may be agreed between the said private company or

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76 corporation and the ~~owners or association of owners of said lots~~
77 ~~or lands or the said municipality or property owner.~~

78 (4) This section does not prohibit a municipality from
79 imposing reasonable impact fees, connection fees, or
80 infrastructure contributions necessary to fund system expansion
81 required for a new connection.

82 **Section 2.** This act shall take effect July 1, 2026.