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LEGISLATIVE ACTION

Senate

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House

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Senator Martin moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (3) is added to section 180.19,  
Florida Statutes, to read:

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

(3) (a) A new agreement, or an extension, renewal, or  
material amendment of an existing agreement, to provide  
electric, water, natural gas, or sewer utility service by a



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12 municipality to any other municipality or the owners or  
13 association of owners of lots or lands outside of its corporate  
14 limits or within the limits of any other municipality at retail  
15 must be in writing. Such agreement may not become effective  
16 before an appointed representative of the municipality that  
17 provides the service or intends to provide the service, in  
18 conjunction with the governing body of each municipality and  
19 unincorporated area served or to be served, has participated in  
20 a public meeting. Such meeting is not required to be a separate  
21 public meeting, but it must be held within each municipality and  
22 unincorporated area served or to be served for purposes of  
23 providing information and soliciting public input on:

24 1. The nature of the services to be provided or changes to  
25 the services being provided;

26 2. The rates, fees, and charges to be imposed for the  
27 services provided or intended to be provided, including any  
28 differential with the rates, fees, and charges imposed for the  
29 same services on customers located within the boundaries of the  
30 serving municipality, the basis for the differential, and the  
31 length of time that the differential is expected to exist;

32 3. The extent to which revenues generated from the  
33 provision of the services will be used to fund or finance  
34 nonutility government functions or services; and

35 4. Any other matter deemed relevant by the parties to the  
36 agreement.

37 (b) Rates, fees, and charges imposed for water or sewer  
38 utility services provided pursuant to subsection (1) must comply  
39 with s. 180.191.

40 (c) A representative of each municipality that provides



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41 electric, water, natural gas, or sewer utility services pursuant  
42 to subsection (1), in conjunction with the governing body of  
43 each municipality and unincorporated area in which it provides  
44 services, shall annually conduct a public customer meeting. Such  
45 meeting is not required to be a separate public meeting, but  
46 must be held within each municipality and unincorporated area  
47 for purposes of soliciting public input on utility-related  
48 matters, including fees, rates, charges, and services.

49 (d) As used in this subsection, the term:

50 1. "Appointed representative" means an executive-level  
51 leadership employee of a municipality, or of such municipality's  
52 related and separate utility authority, board, or commission,  
53 specifically appointed by the governing body to serve as its  
54 representative for the purposes of this subsection.

55 2. "Governing body" means:

56 a. A governing body of a municipality in which services are  
57 provided or proposed to be extended; or

58 b. A board of county commissioners of a county in which  
59 services are provided or proposed to be extended, if services  
60 are provided or proposed to be extended in an unincorporated  
61 area within the county.

62 Section 2. Subsection (1) of section 180.191, Florida  
63 Statutes, is amended to read:

64 180.191 Limitation on rates charged consumer outside city  
65 limits.—

66 (1) Any municipality within this ~~the~~ state operating a  
67 water or sewer utility outside of the boundaries of such  
68 municipality shall charge consumers outside the boundaries  
69 rates, fees, and charges determined in one of the following



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70 manners:

71 (a) It may charge the same rates, fees, and charges as  
72 consumers inside the municipal boundaries. ~~However, in addition~~  
73 ~~thereto, the municipality may add a surcharge of not more than~~  
74 ~~25 percent of such rates, fees, and charges to consumers outside~~  
75 ~~the boundaries.~~ Fixing of such rates, fees, and charges in this  
76 manner may ~~shall~~ not require a public hearing except as may be  
77 provided for service to consumers inside the municipality.

78 (b) It may charge rates, fees, and charges that are just  
79 and equitable and which are based on the same factors used in  
80 fixing the rates, fees, and charges for consumers inside the  
81 municipal boundaries. ~~In addition thereto, the municipality may~~  
82 ~~add a surcharge not to exceed 25 percent of such rates, fees,~~  
83 ~~and charges for said services to consumers outside the~~  
84 ~~boundaries. However, the total of all Such rates, fees, and~~  
85 charges for the services to consumers outside the boundaries may  
86 ~~shall~~ not be more than 25 ~~50~~ percent in excess of the rates,  
87 fees, and charges ~~total amount~~ the municipality charges  
88 consumers served within the municipality for corresponding  
89 service. ~~No~~ Such rates, fees, and charges may not ~~shall~~ be fixed  
90 until after a public hearing at which all of the users of the  
91 water or sewer systems; owners, tenants, or occupants of  
92 property served or to be served thereby; and all others  
93 interested shall have an opportunity to be heard concerning the  
94 proposed rates, fees, and charges. Any change or revision of  
95 such rates, fees, or charges may be made in the same manner as  
96 such rates, fees, or charges were originally established, but if  
97 such change or revision is to be made substantially pro rata as  
98 to all classes of service, both inside and outside the



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99 municipality, a ~~no~~ hearing or notice is not shall be required.

100 (c) Notwithstanding paragraphs (a) and (b), a municipality  
101 may continue to impose a surcharge on consumers outside the  
102 municipal boundaries only to the extent necessary to comply with  
103 the terms of bond covenants in effect as of July 1, 2024. Such  
104 surcharges must be phased out upon retirement, expiration, or  
105 refinancing of the applicable debt obligation.

106 Section 3. Effective July 1, 2027, section 180.192, Florida  
107 Statutes, is created to read:

108 180.192 Reporting requirements related to municipal utility  
109 service.-

110 (1) By January 1, 2028, and annually thereafter, each  
111 municipality that provides electric, water, natural gas, or  
112 sewer utility services outside of its municipal boundaries shall  
113 provide a report to the Florida Public Service Commission which  
114 identifies, for each type of utility service provided by the  
115 municipality:

116 (a) The number and percentage of customers that receive  
117 utility services provided by the municipality at a location  
118 outside the boundaries of the municipality;

119 (b) The volume and percentage of sales made to such  
120 customers, and the gross revenues generated from such sales; and

121 (c) Whether the rates, fees, and charges imposed on  
122 customers that receive services at a location outside the  
123 municipality's boundaries are different than the rates, fees,  
124 and charges imposed on customers within the boundaries of the  
125 municipality, and, if so, the amount and percentage of the  
126 differential.

127 (2) By March 31, 2028, and annually thereafter, the



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128 commission shall compile the information provided pursuant to  
129 subsection (1) and submit a report containing that information  
130 to the Governor, the President of the Senate, and the Speaker of  
131 the House of Representatives.

132 (3) Notwithstanding s. 367.171, the commission shall have  
133 jurisdiction over all utilities identified in subsection (1) for  
134 the limited purpose of enforcing the requirements of this  
135 section. This section does not otherwise modify or extend the  
136 authority of the commission provided by law with respect to any  
137 municipal utility that is required to comply with subsection  
138 (1).

139 Section 4. (1) The subject of a regional utilities  
140 authority created by the Legislature through charter amendment  
141 after January 1, 2023, is expressly preempted to the state.

142 (2) This section shall take effect upon this act becoming a  
143 law.

144 Section 5. The Legislature finds and declares that this act  
145 fulfills an important state interest.

146 Section 6. Except as otherwise expressly provided in this  
147 act and except for this section, which shall take effect upon  
148 becoming a law, this act shall take effect July 1, 2026.

150 ===== T I T L E A M E N D M E N T =====

151 And the title is amended as follows:

152 Delete everything before the enacting clause  
153 and insert:

154 A bill to be entitled  
155 An act relating to utility services; amending s.  
156 180.19, F.S.; requiring that a new agreement, or an



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157 extension, renewal, or material amendment of an  
158 existing agreement, made by a municipal utility to  
159 certain entities to provide certain utility services  
160 at retail be in writing; requiring that certain public  
161 meetings be held as a condition precedent to the  
162 effectiveness of a new or extended agreement under  
163 which a municipality will provide specified utility  
164 services in other municipalities or unincorporated  
165 areas; specifying requirements for such public  
166 meetings; requiring that rates, fees, and charges  
167 imposed for water or sewer utility services comply  
168 with specified provisions; requiring a representative  
169 from certain municipalities to annually conduct public  
170 customer meetings; providing requirements for such  
171 meetings; defining the terms "appointed  
172 representative" and "governing body"; amending s.  
173 180.191, F.S.; revising provisions relating to  
174 permissible rates, fees, and charges imposed by  
175 municipal water and sewer utilities on consumers  
176 located outside the municipal boundaries; authorizing  
177 a municipality to continue to impose a surcharge on  
178 certain consumers for a specified purpose; requiring  
179 the phase-out of such surcharges upon retirement,  
180 expiration, or refinancing of the applicable debt  
181 obligation; creating s. 180.192, F.S.; requiring  
182 municipalities that provide specified utility services  
183 to report certain information by a specified date, and  
184 annually thereafter, to the Florida Public Service  
185 Commission; providing requirements for such



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186 information; requiring the commission to compile such  
187 information and submit a report by a specified date,  
188 and annually thereafter, to the Governor and the  
189 Legislature; authorizing commission jurisdiction over  
190 specified utilities; providing construction;  
191 preempting to the state the subject of a regional  
192 utilities authority; providing a declaration of an  
193 important state interest; providing effective dates.