



LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AE/2R	.	Floor: CA
03/11/2026 02:56 PM	.	03/12/2026 05:31 PM
	.	

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



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



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



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;

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; and

127 (d) The percentage of revenues generated from the provision



128 of utility services that were used to fund or finance nonutility
129 government functions or services of the municipality, and the
130 percentage of the municipality's nonutility budget that was
131 funded by such revenues.

132 (2) By March 31, 2028, and annually thereafter, the
133 commission shall compile the information provided pursuant to
134 subsection (1) and submit a report containing that information
135 to the Governor, the President of the Senate, and the Speaker of
136 the House of Representatives.

137 (3) Notwithstanding s. 367.171, the commission shall have
138 jurisdiction over all utilities identified in subsection (1) for
139 the limited purpose of enforcing the requirements of this
140 section. This section does not otherwise modify or extend the
141 authority of the commission provided by law with respect to any
142 municipal utility that is required to comply with subsection
143 (1).

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

147 (2) This section shall take effect upon this act becoming a
148 law.

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

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

154
155 ===== T I T L E A M E N D M E N T =====

156 And the title is amended as follows:



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157 Delete everything before the enacting clause
158 and insert:

159 A bill to be entitled
160 An act relating to utility services; amending s.
161 180.19, F.S.; requiring that a new agreement, or an
162 extension, renewal, or material amendment of an
163 existing agreement, made by a municipal utility to
164 certain entities to provide certain utility services
165 at retail be in writing; requiring that certain public
166 meetings be held as a condition precedent to the
167 effectiveness of a new or extended agreement under
168 which a municipality will provide specified utility
169 services in other municipalities or unincorporated
170 areas; specifying requirements for such public
171 meetings; requiring that rates, fees, and charges
172 imposed for water or sewer utility services comply
173 with specified provisions; requiring a representative
174 from certain municipalities to annually conduct public
175 customer meetings; providing requirements for such
176 meetings; defining the terms "appointed
177 representative" and "governing body"; amending s.
178 180.191, F.S.; revising provisions relating to
179 permissible rates, fees, and charges imposed by
180 municipal water and sewer utilities on consumers
181 located outside the municipal boundaries; authorizing
182 a municipality to continue to impose a surcharge on
183 certain consumers for a specified purpose; requiring
184 the phase-out of such surcharges upon retirement,
185 expiration, or refinancing of the applicable debt



186 obligation; creating s. 180.192, F.S.; requiring
187 municipalities that provide specified utility services
188 to report certain information by a specified date, and
189 annually thereafter, to the Florida Public Service
190 Commission; providing requirements for such
191 information; requiring the commission to compile such
192 information and submit a report by a specified date,
193 and annually thereafter, to the Governor and the
194 Legislature; authorizing commission jurisdiction over
195 specified utilities; providing construction;
196 preempting to the state the subject of a regional
197 utilities authority; providing a declaration of an
198 important state interest; providing effective dates.