

By Senator Jones

35-00886-22

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1                   A bill to be entitled  
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 an effective date.

9  
10   Be It Enacted by the Legislature of the State of Florida:

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12       Section 1. Present subsections (2), (3), and (4) of section  
13   180.191, Florida Statutes, are redesignated as subsections (3),  
14   (4), and (5), respectively, a new subsection (2) is added to  
15   that section, and subsection (1) of that section is amended, to  
16   read:

17       180.191 Limitation on rates charged consumer outside city  
18   limits.—

19       (1) Any municipality within this ~~the~~ state operating a  
20   water or sewer utility outside of the boundaries of such  
21   municipality shall charge consumers outside the boundaries  
22   rates, fees, and charges determined in one of the following  
23   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, except as provided in subsection (2). Fixing of  
29   such rates, fees, and charges in this manner does ~~shall~~ not

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30 require a public hearing except as may be provided for service  
31 to consumers inside the municipality.

32 (b) It may charge rates, fees, and charges that are just  
33 and equitable and that ~~which~~ are based on the same factors used  
34 in fixing the rates, fees, and charges for consumers inside the  
35 municipal boundaries, except as provided in subsection (2). In  
36 addition thereto, the municipality may add a surcharge not to  
37 exceed 25 percent of such rates, fees, and charges for said  
38 services to consumers outside the boundaries. However, the total  
39 of all such rates, fees, and charges for the services to  
40 consumers outside the boundaries may ~~shall~~ not be more than 50  
41 percent in excess of the total amount the municipality charges  
42 consumers served within the municipality for corresponding  
43 service. ~~No~~ Such rates, fees, and charges may not ~~shall~~ be fixed  
44 until after a public hearing at which all of the users of the  
45 water or sewer systems; owners, tenants, or occupants of  
46 property served or to be served thereby; and all others  
47 interested shall have an opportunity to be heard concerning the  
48 proposed rates, fees, and charges. Any change or revision of  
49 such rates, fees, or charges may be made in the same manner as  
50 such rates, fees, or charges were originally established, but if  
51 such change or revision is to be made substantially pro rata as  
52 to all classes of service, both inside and outside the  
53 municipality, no hearing or notice shall be required.

54 (2) Any municipality within this state operating a water or  
55 sewer utility providing service to customers in another  
56 recipient municipality from infrastructure located in the  
57 recipient municipality shall charge consumers in the recipient  
58 municipality the same rates, fees, and charges as it does the

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59 consumers inside its own municipal boundaries.

60 Section 2. This act shall take effect July 1, 2022.