

By Senator Altman

16-00582-15

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1                   A bill to be entitled  
2           An act relating to local government services; amending  
3           s. 153.03, F.S.; authorizing a county to provide  
4           certain services and facilities outside the boundaries  
5           of a municipality without the express consent of the  
6           municipality's governing body under certain  
7           circumstances; amending s. 180.02, F.S.; prohibiting a  
8           municipality from extending its corporate powers  
9           within unincorporated areas of a county without the  
10          express consent of the county's governing body;  
11          providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15           Section 1. Subsection (1) of section 153.03, Florida  
16 Statutes, is amended to read:

17           153.03 General grant of power.—Any of the several counties  
18 of the state which may hereafter come under the provisions of  
19 this chapter as hereinafter provided is hereby authorized and  
20 empowered:

21           (1) To purchase or ~~and/or~~ construct and ~~to~~ improve, extend,  
22 enlarge, and reconstruct a water supply system ~~or systems~~ or  
23 sewage disposal system ~~or systems~~, or both, within such county  
24 and any adjoining ~~county or~~ counties and to purchase or ~~and/or~~  
25 construct or reconstruct water system improvements or sewer  
26 improvements, or both, within such county and any adjoining  
27 ~~county or~~ counties and to operate, manage, and control all such  
28 systems so purchased or ~~and/or~~ constructed and all properties  
29 pertaining thereto and to furnish and supply water and sewage

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30 collection and disposal services to any of such counties and to  
 31 any municipalities and any persons, firms or corporations,  
 32 public or private, in any of such counties. ~~;~~ ~~provided,~~ However,  
 33 ~~that~~ none of the facilities provided by this chapter may be  
 34 constructed, owned, operated, or maintained by the county on  
 35 property located within the corporate limits of any municipality  
 36 without the consent of the governing council, commission or body  
 37 ~~having general legislative authority in the government~~ of such  
 38 municipality unless such facilities were owned by the county on  
 39 such property prior to the time such property was included  
 40 within the corporate limits of such municipality. A ~~No~~ county  
 41 may not shall furnish any of the facilities or services provided  
 42 by this chapter to a any property already being furnished such  
 43 like facilities or services by a any municipality without the  
 44 express consent of the governing council, commission or body  
 45 ~~having general legislative authority in the government~~ of such  
 46 municipality, unless the facilities or services are being  
 47 provided outside the boundary of the municipality and the prior  
 48 consent agreement between the parties related to the provision  
 49 of such facilities or services has expired.

50 Section 2. Subsection (2) of section 180.02, Florida  
 51 Statutes, is amended to read:

52 180.02 Powers of municipalities.-

53 (2) A ~~Any~~ municipality may extend and execute all of its  
 54 corporate powers to accomplish ~~applicable for the accomplishment~~  
 55 ~~of~~ the purposes of this chapter outside of its corporate limits,  
 56 as hereinafter provided and as may be desirable or necessary to  
 57 promote ~~for the promotion of~~ the public health, safety, and  
 58 welfare or to accomplish ~~for the accomplishment of~~ the purposes

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59 of this chapter. ~~;~~ ~~provided,~~ However, such ~~that~~ ~~said~~ corporate  
60 powers do ~~shall~~ not extend or apply within the corporate limits  
61 of another municipality or extend or apply within the  
62 unincorporated areas of a county without the express consent of  
63 the governing body of such county.

64 Section 3. This act shall take effect July 1, 2015.