

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [HB 1123](#)

TITLE: Sewer Collection Systems

SPONSOR(S): Cassel

COMPANION BILL: [SB 1784](#) (Pizzo)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Intergovernmental Affairs](#)

17 Y, 0 N



[Economic Infrastructure](#)



[State Affairs](#)

SUMMARY

Effect of the Bill:

The bill authorizes municipalities that operate a sewer utility to use revenue generated by a municipality's operation of a central sewage system to expand the central sewage system.

Fiscal or Economic Impact:

None

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ANALYSIS

EFFECT OF THE BILL:

The bill authorizes municipalities that operate a [sewer utility](#) to use [revenue](#) generated by a municipality's operation of a central sewage system to expand the central sewage system. (Section [1](#))

The effective date of the bill is July 1, 2025. (Section [2](#))

RELEVANT INFORMATION

SUBJECT OVERVIEW:

[Municipal Water and Sewer Utilities](#)

General law authorizes municipalities are authorized by general law to provide water and sewer utility services.¹ A municipality may use all of its corporate powers to provide water and sewer utility services, including to unincorporated areas outside of its municipal boundaries.² To begin initial construction or expansion of a water or sewer utility, the municipality must adopt an ordinance or resolution stating its purpose, the proposed area to be include, whether mortgage revenue certificates or debentures will be necessary to finance the project and the cost of those debt instruments, and any other provisions the city council deems necessary.³ The municipality must pass a second ordinance or resolution at least 40 days after the first to authorize construction to begin.⁴

If the municipality is proposing the construction or extension of a central sewage system, the ordinance or resolution must contain a report that includes a study of available information from the Department of Environmental Protection (DEP) including:

¹ Pursuant to [s. 180.06, F.S.](#), a municipality may provide water and alternative water supplies; provide for the collection and disposal of sewage, including wastewater reuse, and other liquid wastes; and construct reservoirs, sewerage systems, trunk sewers, intercepting sewers, pumping stations, wells, siphons, intakes, pipelines, distribution systems, purification works, collection systems, treatment and disposal works to accomplish these purposes.

² S. [180.02\(2\), F.S.](#)

³ S. [180.03\(1\), F.S.](#)

⁴ S. [180.04, F.S.](#)

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- The history of onsite sewage treatment and disposal systems currently in use in the area;
- A comparison of the projected costs to the typical lot or parcel owner of connecting to and using the proposed central sewage system versus installing, operating, and properly maintaining an onsite sewage treatment and disposal system that is approved by the DEP and that provides for the comparable level of environmental and health protection as the proposed central sewerage system;
- Consideration of the municipality's obligations for water body cleanup and protection under state or federal programs, including requirements for water bodies in the Clean Water Act; and
- Any other factors the municipality deems relevant.⁵

As part of operating a water or sewer utility, a municipality may:

- Clean and improve street channels or other bodies of water for sanitary purposes;
- Provide a means to regulate of the flow of streams for sanitary purposes;
- Provide water and alternative water supplies, including, but not limited to, reclaimed water, water from aquifer storage and recovery, and desalination systems for domestic, municipal or industrial uses;
- Provide for the collection and disposal of sewage, including wastewater reuse, and other liquid wastes;
- Provide for the collection and disposal of garbage;
- Construct reservoirs, sewerage systems, trunk sewers, intercepting sewers, pumping stations, wells, siphons, intakes, pipelines, distribution systems, purification works, collection systems, and treatment and disposal works;
- Construct airports, hospitals, jails, and golf courses, to maintain, operate and repair the same, and to construct and operate in addition thereto all machinery and equipment;
- Construct, operate, and maintain gas plants and distribution systems for domestic, municipal and industrial uses; and
- Construct such other buildings and facilities as may be required to properly and economically operate and maintain said works necessary for the fulfillment of the purposes of this chapter.⁶

Municipal Funding

Current law authorizes municipalities to raise the amounts of money necessary for the conduct of the municipal government.⁷ A municipality may do so by taxation and licenses authorized by Florida's constitution or general law, or by user charges or fees authorized by ordinance. Municipalities routinely transfer a portion of their utility earnings to their general funds for non-utility purposes, though the amounts and percentages may vary widely among municipalities.⁸ These transfers may be limited in some circumstances by ordinance, but they are not governed by state law.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Intergovernmental Affairs Subcommittee	17 Y, 0 N	3/19/2025	Darden	Darden
Economic Infrastructure Subcommittee				
State Affairs Committee				

⁵ S. [180.03\(3\), F.S.](#)

⁶ S. [180.06, F.S.](#)

⁷ S. [166.201, F.S.](#)

⁸ [Presentation on Florida Public Power by Florida Municipal Electric Association to House Energy, Communications & Cybersecurity Subcommittee on Feb. 9, 2023](#), slide 6, (last visited Mar. 15, 2025).

