

By Senator Ingoglia

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A bill to be entitled

An act relating to solid waste management; amending s. 403.706, F.S.; prohibiting municipalities and counties from prohibiting or unreasonably restraining private entities from providing recycling or solid waste management services to certain properties; authorizing municipalities and counties to require such private entities to obtain permits, licenses, or nonexclusive franchise equivalents that meet certain requirements; requiring municipalities and counties to apply certain fees to all permit, license, and nonexclusive franchise equivalent holders; providing requirements for contracts or franchises in place as of a specified date; providing an effective date.

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

Section 1. Present subsection (23) of section 403.706, Florida Statutes, is redesignated as subsection (24), and a new subsection (23) is added to that section, to read:

403.706 Local government solid waste responsibilities.—

(23) A municipality or county may not prohibit or unreasonably restrain a private entity from providing recycling or solid waste management services to commercial, industrial, or multifamily residential properties, including condominiums, within the municipality or county.

(a) A municipality or county may require the private entity to obtain a permit, license, or nonexclusive franchise equivalent. The permit, license, or nonexclusive franchise

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equivalent may not cost more than the administrative cost to
issue the permit, license, or nonexclusive franchise equivalent.
Such costs must be commensurate with other industries, license
fees, insurance requirements, and qualifications for the
issuance of the permit, license, or nonexclusive franchise
equivalent.

(b) A municipality or county must:

1. Require any franchise fee in place to be paid by all
permit, license, or nonexclusive franchise equivalent holders.

2. Recognize and protect all contracts or franchises in
place as of January 1, 2023, until their current date of
expiration. A municipality or county may recognize a contract or
exclusive franchise in place as of January 1, 2023, which
contains a renewal option during the 2023 calendar year but may
not recognize an evergreen contract or an additional renewal or
extension of a contract.

Section 2. This act shall take effect July 1, 2023.