CS/CS/HB 1241

1	A bill to be entitled		
2	An act relating to local government solid waste and		
3	recycling collection services; amending s. 403.706,		
4	F.S.; prohibiting local governments from seeking		
5	liquidated damages or imposing administrative		
6	penalties for missed residential solid waste or		
7	recyclable materials collection services under		
8	specified conditions; providing that payment for such		
9	services is not required until the services are		
10	provided; providing applicability; providing an		
11	effective date.		
12			
13	Be It Enacted by the Legislature of the State of Florida:		
14			
15	Section 1. Subsection (23) of section 403.706, Florida		
16	Statutes, is renumbered as subsection (24) and a new subsection		
17	(23) is added to that section to read:		
18	(23) (a) Subject to the conditions below, a local		
19	government may not assess liquidated damages or impose		
20	administrative penalties for missed collections pursuant to a		
21	contract for the collection of solid waste or recyclable		
22	materials if:		
23	1. The person collecting solid waste or recyclable		
24	materials for the local government fails to provide timely		
25	collection service to a residential customer as a direct result		
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26 of a declared local, state, or federal emergency that is in 27 effect within the jurisdiction of the local government; 28 2. The person notifies the local government that its failure to provide timely residential collection service was due 29 30 to the emergency; and 3. The person provides the necessary collection service no 31 32 later than 36 hours after the time when the service should have 33 been provided. 34 35 To obtain relief under this paragraph, the person providing 36 collection services must demonstrate to the local government 37 that it complied with the requirements of this paragraph. 38 (b) The local government must pay for collection services 39 provided under subparagraph (a)3. However, the local government 40 is not required to pay the applicable fee for a specific 41 collection service for a residential customer until that service 42 is provided to the customer. 43 (c) This subsection applies to contracts for the collection of residential solid waste or recyclable material 44 45 that are executed or renewed after July 1, 2022. 46 (d) This subsection does not apply to: 47 1. A contract or contractual provision for the collection 48 of storm-generated yard trash as that term is defined in s. 49 403.703(42).

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2. Collections of solid waste or recyclable material

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51	missed due to the fault of the person providing collection
52	services.
53	Section 2. This act shall take effect July 1, 2022.

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