A bill to be entitled

An act relating to Santa Rosa County; providing for the creation and charter of the North Santa Rosa County Utilities Authority; providing legislative findings; providing for the purpose of the authority; providing for the creation of an interim authority; providing for staffing; providing for a preliminary report; providing for the election of the governing body of the authority; providing for duties and compensation; providing for powers of the authority; providing for ratemaking; providing for personnel; providing for personnel procedures; providing for procedures for appeal of decisions of the authority; providing for an executive director; providing for fiscal year and budgeting; providing for execution of documents; providing for a management efficiency audit; providing for enforcement and penalties for violation of rules and regulations relating to the operation of the authority and its services; providing that the act shall be liberally construed; providing severability; providing an effective date.

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

Section 1. The charter for the North Santa Rosa County Utilities Authority is created to read:

Section 1. Authority and service area created.—There is hereby created and established a local governmental body, corporate and politic, to be known as the “North Santa Rosa County Utilities Authority,” hereinafter referred to as the “authority.” The service area of the North Santa Rosa County Utilities Authority shall be within Santa Rosa County north of the Yellow River, East Bay, and Escambia Bay, and areas adjacent thereto. The authority is hereby declared to be an independent special district.

Section 2. Legislative findings.—The Legislature finds and declares that the health, welfare, and safety of the inhabitants of North Santa Rosa would be enhanced by the creation of an independent authority for the purposes enumerated in this charter; that the creation of an independent authority will serve a public purpose; that the new authority will be able to utilize economies of scale and thereby achieve cost savings to the public; that the establishment of an independent authority will enhance the likelihood of more favorable financing for the water and wastewater services in the county; that some of the existing sewer systems in certain areas of the county are near maximum capacity, while the sewer system in other areas of the county have excess capacity and are underutilized; and that the providing additional water and sewer capacity in the county will serve the public and serve a public purpose. Additionally, the Legislature finds that the continuing transition from septic to sewer that may be enhanced by the establishment and operation of the authority will benefit environmental quality of the county overall and help ensure the continuing pristine water quality of the Blackwater River.

Section 3. Purposes.—The authority is created for the purpose of acquiring, constructing, financing, owning, managing, providing, promoting, improving, expanding, maintaining, operating, regulating, franchising, and otherwise having authority to provide water, sewer, and such other additional utilities as provided in this act within Santa Rosa County north of the Yellow River, Escambia Bay, and East Bay, and areas adjacent thereto.

Section 4. Initial authority.—Effective upon this act becoming a law:

(a) The initial governing body of the authority shall consist of:

(1) The chair of the Board of County Commissioners of Santa Rosa County or his or her designee.

(2) The mayor of the City of Milton or his or her designee.

(3) The mayor of the City of Jay or his or her designee.

(4) The director of the Northwest Florida Water Management District or his or her designee.

(5) The general manager of the Pace Water System, Inc. or his or her designee.

(6) The Watershed Management Faculty at the University of Florida, Institute of Food and Agricultural Sciences West Florida Research and Education Center or his or her designee.

(7) A resident of Santa Rosa County who is a member of the Home Builders Association of West Florida. Such person shall be appointed by president of the association.

The members of the initial governing body of the authority shall serve until the members of the governing body of the authority takes office under section 4.

(b) The initial governing body shall have the power to appoint an interim executive director who shall have the same qualifications as provided in section 11 and shall serve until the governing body of the authority takes office under section 4. He or she may be reappointed by the governing body of the authority after it takes office.

(c) The interim executive director may employ up to 3 FTEs in performance of his or her duties, may lease office space, contract pay the costs and fees of consultants, advisors, and others to conduct a report pursuant to paragraph (d) and perform all other duties for the effective and efficient operation of the initial authority.

(d) Upon departing office pursuant to paragraph (a), the initial governing body shall submit to the incoming governing body of the authority, as well as the Governor, President of the Senate, and Speaker of the House of Representatives, a report containing, at minimum:

(1) An assessment of current water and wastewater needs of the authority’s service area. This assessment shall include, but not be limited to, a discussion of the environmental, water quality, and water availability impacts from current wells, septic systems, and water and wastewater infrastructure currently being utilized in the authority’s service area.

(2) As assessment of the anticipated growth in water and wastewater needs in the authority’s service area.

(3) A 10-year plan recommendation to address the current and anticipated water and wastewater needs for the authority’s service area.

(4) Identification of any current water or wastewater system in, or adjacent to, the authority’s service area that would mutually benefit from consolidation with the authority through improved economies of scale, better access to lower material and supply costs, better access to capital, improvement in utility infrastructure, or improvement in the quality of service overall

(5) A financial assessment and recommendations to fund the recommended plan developed pursuant to paragraph (3) and any acquisition or consolidation identified in paragraph (4).

Section 5. Governing body.—

(a) The governing body of the authority shall consist of five members. Members shall be elected by a majority of their electors in partisan elections utilizing the primary and general election system provided for in chapter 100, Florida Statutes. Candidates shall qualify for nomination to such offices in the manner provided in chapter 99, Florida Statutes, for the qualification of candidates for the office of county commissioner, and shall qualify with the Supervisor of Elections of Santa Rosa County.

(b) Members shall be elected, in the primary and general elections held in 2026, by districts under the district plan of the Board of County Commissioners of Santa Rosa County (hereinafter referred to as the “Board”) as modified by this paragraph. Each member from Districts One and Three shall be an elector of the district from which he or she is elected and shall be elected by the qualified electors of that respective district. The member from District Two shall be an elector of that district north of the Yellow River, East Bay, and Escambia Bay and shall be elected by the qualified electors of that district north of the Yellow River, East Bay, and Escambia Bay. The two remaining Members shall be an elector of the service area of the North Santa Rosa County Utilities Authority and elected in an At-Large District by the qualified electors of the service area of the of the authority in Santa Rosa County north of the Yellow River, East Bay, and Escambia Bay. Members elected for Districts Two and Three at the general election held in 2026 shall be elected to a 2-year term. Members elected for District One and the At-Large Districts at the general election held in 2026 shall serve for a 4-year term. Thereafter each member shall be elected for a term of 4 years. The term of office of each member shall commence on the second Tuesday following the general election in which such member is elected. Upon the expiration of a term of office, a successor to the office shall be elected as designated in this paragraph; however, upon the occasion of a vacancy for any elected office which vacancy occurs prior to the expiration of the then present term of that office, a successor shall be appointed by the Governor and the successor shall be a resident of the district in which the vacancy occurred. Any person appointed to fill a vacancy shall be appointed to serve only for the remainder unexpired term, until a successor is duly elected pursuant to this paragraph. If the Governor fails to make an appointment with 90 days after the date of the vacancy, the chair of the Board shall nominate two persons from the district in which the vacancy occurred as potential candidates to fill the vacancy. The remaining members, excluding the chair, shall select, by majority vote, one of the two nominees to fill the vacancy.

(c) Members are eligible for reelection.

(d) Before entering upon his or her duties, each member shall take an oath to administer the duties of office faithfully and impartially, and a record of such oath shall be filed in the office of the Secretary of State.

(e) As compensation for performance of duties and responsibilities set forth herein, members of the authority and their successors shall receive from the authority monthly an amount to be determined by majority vote of the members of the authority, not to exceed the amount of compensation received monthly by members of the District School Board of Santa Rosa County, and shall also be reimbursed by the authority for per diem and travel expenses as provided in s. 112.061, Florida Statutes, for attending meetings of the board or performing official duties pertaining to the authority. Members may receive reimbursement from the authority for additional, unusual, or extraordinary expenses upon approval by the authority.

(f) The authority shall elect a chair and a vice chair from the members of the authority, each of whom shall serve for 1 year or until his or her successor is chosen. The chair, or the vice chair in the chair’s absence, shall preside at all meetings of the authority, and shall perform such additional duties prescribed by the members or in the bylaws of the authority. The authority shall hold regular meetings at least monthly at such times and places as it may designate and may hold more frequent special meetings. A majority of the membership shall constitute a quorum for the purpose of meeting and transacting business. Each member of the authority shall have one vote. The authority may adopt bylaws and may make all policies, procedures, rules, and regulations not inconsistent with this act which it may deem necessary respecting the conduct of its affairs, including, but not limited to, the operation of its utility systems. Such policies, procedures, rules, and regulations shall provide for notice of all public meetings and shall provide that an agenda shall be prepared by the authority in time to ensure that a copy of the agenda will be available at least 3 days before any regular meeting of the authority. After the agenda has been made available, a change may be made only for good cause, as determined by the person designated to preside at the meeting, and stated in the record. Special or emergency meetings may be called by the chair upon no less than 24 hours’ notice. The authority shall publish and thereafter codify and index all rules, regulations, and resolutions formulated, adopted, or used by the authority in the discharge of its functions. Such rules, regulations, and resolutions must be made available for public inspection and copying, at no more than cost. The authority is not an “agency” within the meaning of chapter 120, Florida Statutes. The authority is an “agency” within the meaning of chapter 119, Florida Statutes, and all records of the authority shall be open to the public. The authority is an “agency” or “authority of the county” for purposes of section 286.011, Florida Statutes, the “Government in the Sunshine Law.” In addition to the provisions of the Code of Ethics for Public Officers and Employees, part III of chapter 112, Florida Statutes, a consultant to the authority may not have or hold any employment or contractual relationship with a business entity, other than the authority, in connection with any contract in which the consultant personally participated through decision, approval, disapproval, recommendation, rendering of advice, or investigation while the consultant. However, this provision does not preclude the award of a contract to a consultant if such contract is awarded after open competitive bidding, and if the consultant submits the low bid.

Section 6. Powers.—

(a) The authority has all powers and authorities necessary, convenient, or desirable to accomplish the purposes of this act. The authority has:

(1)a. The power to borrow and expend money to pay for any of the purposes of the authority, and to issue its bonds, notes in anticipation of the issuance of bonds, revenue certificates, or other evidences of indebtedness, including obligations issued to refund or refinance same, and to pledge for the repayment of same any revenues of the authority, including any revenues provided to the authority by governmental or other entities for pledge by the authority as security for payment of such obligations, all in the manner and subject to such limitations as may be prescribed by resolution of the authority, including, but not limited to, the powers granted under chapter 125, part I of chapter 153, part I of chapter 159, part II of chapter 166, and chapter 170, Florida Statutes, and chapter 57-1313, Laws of Florida. The bonds, notes, certificates, or other evidences of indebtedness authorized to be issued by this act may be validated in the manner prescribed in chapter 75, Florida Statutes. Any complaint for validation permitted by the preceding sentence must be filed in the Circuit Court of Santa Rosa County. The authority may enter into trust agreements with banks or other corporate entities possessing trust powers within or without the State of Florida. The authority may create liens upon or security interests in its assets, properties, funds, or revenues, of whatever kind or nature, and may specify the priority or order of such liens or security interests. Such creation and specification of priority or ordering may be made by resolution of the authority or in a trust agreement to which the authority is a party. The passage of such resolution or the execution of such trust agreement is sufficient to the creation and specification of priority and order of such liens and security interests, and it is not necessary to comply with the requirements of the Uniform Commercial Code respecting the filing of a financing statement to perfect a security interest granted by the authority.

b. In the exercise of the powers granted by this paragraph, the authority must comply in all respects with the requirements of chapter 218, Florida Statutes.

(2) All power and authority granted by law, ordinance, franchise, or otherwise to any county, municipality, special district, or other unit of local government as such powers and authority are related to sewage collection and disposal, and water supply, including, but not limited to, the powers granted under chapter 125, chapter 127, part I of chapter 153, part I of chapter 159, part I of chapter 163, part II of chapter 166, chapter 170, including the issuance of bonds or notes in anticipation thereof payable from special assessments under that chapter and chapter 180, Florida Statutes, and chapter 57-1313, Laws of Florida.

(3) The power to establish service districts and reasonable rate classifications for purposes of providing utilities services. The authority shall endeavor to provide that the costs of any improvements to or expansions of the systems are borne by those users of the systems who benefit from such improvements or expansions.

(4) The power to set, fix, pledge to establish, or establish, levy, or impose assessments, rates, fees, and other charges for the use of and for the services furnished or to be furnished by the authority’s systems, and to alter and amend same from time to time, which assessments, rates, fees, and charges, together with other revenues and receipts, shall result in the authority’s receiving or possessing an amount not less than is required to operate and maintain a self-liquidating or self-sustaining utility system.

(5) The power of eminent domain, as provided by general law, to carry out the purposes described in this act. As a condition precedent to instituting eminent domain proceedings, the authority shall first receive the approval of the governing body of the jurisdiction in which the subject property is located.

(6) The power to apply for and accept grants, loans, and subsidies from any governmental entity for the construction, operation, and maintenance of the systems, facilities, or functions under jurisdiction of the authority, and to comply with all requirements and conditions imposed in connection therewith.

(7) The power and authority to perform any of its functions by lease or contract with any other public or private entity.

(8) All other powers, not expressly prohibited by the United States or Florida Constitutions or by general law, necessary to effectuate and carry out the purposes and intent of this act.

(9) All privileges, immunities, and exemptions accorded political subdivisions of this state under the provisions of the constitution and laws of the state. Neither the members of the authority nor any person executing any contract or obligation on its behalf shall be personally liable or accountable thereon or by reason thereof.

(10) Only those powers granted by general law to counties or municipalities with respect to mandatory sewer taps or sewer utilization or with respect to the acquisition of privately or customer owned water systems. The authority shall determine fees, rates, and charges for connection to its system pursuant to Section 8 of this act.

(11) The power to purchase, own, convey, sell, lease, rent, or encumber air space, development rights, tower space, or any other interests in property above the surface of any land pursuant to such terms and conditions as the authority in its discretion may determine.

(12) The power to provide any and all utilities services authorized by this act to areas outside the territorial limits of Santa Rosa County, but adjacent thereto, if capacity is available.

(13) The power to establish civil penalties, including the imposition of fines, for the violation of rules or regulations of the authority pertaining to the disposal of waste or the use of the authority’s systems, facilities, or services. The authority may enforce the rules and regulations adopted pursuant to this section, by suit for injunction or other appropriate action in the courts of the state.

(14) All powers granted to municipalities and to counties with respect to membership and participation in and ownership of any separate legal entity created to the purposes of any financing program or loan pool as set forth in section 163.01(7)(d), Florida Statutes.

(b) Any power granted herein may be exercised by resolution of the authority duly adopted, and any such resolution must be recorded in the minutes of the authority.

(c) (1) If the authority determines that it is necessary or appropriate for the authority to provide, operate, or maintain resource recovery systems or solid waste collection, distribution, or disposal systems, the authority may specify such additional utility systems by resolution. Upon approval of such resolution by the governmental body of the jurisdiction which such other additional utility system or systems shall serve, the authority, with respect to these specified utility systems, shall be vested with all power set forth herein or in general law that would, but for the provisions of this act, apply to such specified utility systems. All powers granted to the authority by this act regarding such specified utilities systems shall only apply to areas outside the corporate limits of the city unless the Council, by resolution, irrevocably relinquishes its powers to provide, operate, or maintain such specified utilities systems or any one of them within the corporate limits of the city.

(2) In providing, operating, or maintaining resource recovery systems or solid waste collection, distribution, or disposal systems, the authority shall use the most cost-effective means of providing such systems and is encouraged to contract with private persons on a competitive basis for any and all such systems in order to ensure that such services are provided on the most cost-effective basis. In accordance with section 403.7063, Florida Statutes, the authority may not discriminate against private persons who provide resource recovery systems or solid waste collection, distribution, or disposal systems.

(3) The authority shall seek competitive bids for all construction-related activities pertaining to resource recovery systems or solid waste collection, distribution, or disposal systems when the estimated total cost of construction will exceed $5,000.

(d) The powers provided in this act are not intended to be exclusive or restrictive. It is the intent of the Legislature that the authority has all implied powers necessary or incidental to carrying out the expressed powers and the expressed purposes for which the authority is created. These implied powers include, but are not limited to, the authority to employ personnel, to borrow and expend money, to enter into contractual obligations, to employ legal counsel, and to purchase, lease, sell, or exchange real or personal property. That this act specifically provides that the authority possesses a certain power does not mean that the authority must exercise such power, unless so specifically required in this act. The authority’s power to levy special assessments does not grant it the authority the power to levy taxes.

Section 7. Public purpose.— The Legislature finds and declares that the creation of the authority and the carrying out of its purposes are in all respects for the benefit of the people of this state, and Santa Rosa; that the authority is performing an essential governmental function; that all property of such authority is and shall in all respects be considered to be public property, and title to such property shall be held by the authority for the benefit of the public; that the use of such property, until disposed of upon such terms as the authority may finds just, shall be for essential public and governmental purposes; and that all bonds, notes, revenue certificates, or other evidences of indebtedness and interest or income thereon and all of the property, facilities, services, and activities of the authority are declared to be nontaxable for any and all purposes by the state or any unit of government herein to the same extent as if owned or issued by or on behalf of a county or municipality of the state.

Section 8. Rate setting procedure.—

(a) The authority shall, subject to the provisions of this act, fix the initial schedule of assessments, rates, fees, and other charges for the use of and for the services furnished or to be furnished by the authority’s facilities, to be paid by the owner, tenant, or occupant of each lot or parcel of property which may be connected with and use any such facility by or through any part of the water, or other additional utility systems of the authority.

(b) After the system or systems shall have been in operation, the authority may revise such schedule of assessments, rates, fees, and charges from time to time upon its own motion, pursuant to the provisions of this act. Such assessments, rates, fees, and charges shall be so fixed and revised as to provide funds, with other funds available for such purposes, sufficient at all times to pay the cost of maintaining, repairing, and operating the system or systems, including the reserves for such purposes and for replacements and depreciation and necessary extensions, to pay the principal of and the interest on any bonds as the same shall become due and the reserves therefor, and to provide a margin of safety for making such payments. The authority shall charge and collect the assessments, rates, fees, and charges so fixed or revised.

(c) Assessments, rates, fees, and charges established, charged, and collected by the authority must be just, reasonable, compensatory, and not unfairly discriminatory, and may be based or computed upon the quantity of water consumed, upon the number and size of sewer connections, upon the number and kind of plumbing fixtures in use in the premises connected with the sewer system, upon the number or average number of persons residing or working in or otherwise connected with such premises, upon any other factor affecting the use of the facilities furnished, or upon any combination of the foregoing factors. Prior to fixing or revising such schedule of rates, fees, and charges, the authority shall cause to be prepared a statement of financial impact. Such statement shall be made available to the public during the ratemaking procedure.

(d) In cases where the amount of water furnished to any building or premises is such that it imposes an unreasonable burden upon the water system, an additional reasonable charge may be made therefor, or the authority may, if it reasonably finds it advisable for the operational health of the overall system, require the owners or occupants of such building or premises to reduce the amount of water consumed thereon in a manner to be specified by the authority, or the authority may refuse to furnish water to such building or premises.

(e) In cases where the character of the sewage from any manufacturing or industrial plant or any building or premises is such that it imposes an unreasonable burden upon any sewage disposal system, an additional charge may be made therefor, or the authority may, if it reasonably finds it advisable, require such manufacturing or industrial plant or such building or premises to treat such sewage in such manner as shall be specified by the authority before discharging such sewage into any sewer lines owned or maintained by the authority.

(f) The authority may charge any owner or occupant of any building or premises receiving the services of the facilities herein provided such initial installation or connection charge or fee is just and reasonable.

(g)(1) Except as paragraph (2), assessments, rates, fees, or charges may not be fixed under the foregoing provisions of this section until after a public hearing at which all of the users of the authority’s facilities and owners, tenants, and occupants of property served or to be served thereby and all others interested shall have an opportunity to be heard concerning the proposed assessments, rates, fees, and charges. After the adoption by the authority of a resolution setting forth the preliminary schedule or schedules fixing such assessments, rates, fees, and charges, notice of such public hearing setting forth the schedule or schedules of assessments, rates, fees, and charges shall be given:

a. By publication in a newspaper of general circulation in the affected area;

b. By mail to all persons and organizations that have made requests for advance notice of the authority’s proceedings; and

c. By posting in appropriate places so that affected persons may be duly notified.

Such publication, mailing, and posting of notice must occur at least 14 days prior to the public hearing. Such hearing may be adjourned from time to time. After such hearing, such preliminary schedule, or schedules, either as originally adopted or as modified or amended, shall be adopted and put into effect. The assessments, rates, fees, or charges so fixed for any users or property served shall be extended to cover any additional users or property thereafter served that fall within the same class or classes without the necessity of any hearing or notice.

(2) The authority may fix the assessments, rates, fees, and charges to be paid by any such user, owner, tenant, or occupant as the authority reasonably finds to be unique with respect to its use of the authority’s systems or facilities. Such assessments, rates, fees, and charges may be fixed by resolution adopted at any regular meeting, or any special meeting of the authority called for that purpose, and such resolution shall state the basis for such finding.

(3) A copy of the schedule or schedules of such assessments, rates, fees, and charges as finally fixed in such resolution shall be kept on file in the headquarters of the authority and shall be open to inspection by all parties interested.

(4) Any change or revision of any assessments, rates, fees, or charges may be made in the same manner as such assessments, rates, fees, or charges were originally established as hereinabove provided.

Section 9. Personnel.—

(a) The authority may adopt policies for the appointment, removal, or suspension of employees or agents of the authority and fix their compensation, which policies shall be no less protective than the protections required under part II of chapter 110, Florida Statutes .

(b) The authority may provide social security for its employees pursuant to the provisions of chapter 650, Florida Statutes, and may bring its employees under the Florida Retirement System, the State and County Officers and Employees Retirement System, or any other qualified retirement program.

Section 10. Personnel disciplinary procedures .—The authority shall conduct all employee or agent disciplinary proceedings according to its policies adopted under section 9, which shall be no less protective than the rules of the Department of Management Services, or its successor, adopted pursuant to section 110.227, Florida Statutes, including, without limitation, proceedings for corrective action, termination of employees or agents, and appeals. Nothing in this section shall subject the authority to the jurisdiction of the Department of Management Services or it successor, or to include the authority within the definition of agency for purposes of chapter 110, Florida Statutes, or to require appeals to be handled by the Public Employees Relations Commission. The authority may engage the services of administrative law judges through the Division of Administrative Hearings to render nonbinding recommended orders to the executive director for the appeals. The executive director of the authority shall provide the administrative services required by the board.

Section 11. Process and procedure.—

(a) Any person wishing to appeal a termination of service, assessment of fees, charges, or fines; notice of claim of lien; or increase in security deposit that directly affects his or her substantial interests may file a petition for review within 10 days of the date the complained of action is taken. The authority shall consider such petitions for review and shall take action at a public meeting to grant or deny such petitions within 40 days after receipt.

(b) If the petition is granted, the petitioner, or his or her counsel, shall be afforded an opportunity, at a mutually convenient time and place and after reasonable written notice, to present to the authority or its designee written or oral evidence in opposition to the authority’s action. If a material issue of disputed fact is involved, the authority shall appoint a hearing officer to preside. The hearing officer shall hear the evidence and shall prepare recommended findings of fact and conclusions of law for approval of the authority.

(c) Decisions of the authority shall be in writing and shall contain findings of fact and conclusions of law. A person aggrieved by a decision of the authority shall have the same rights and remedies that would have been available to him or her under general law if the action complained of had been taken by Santa Rosa County.

Section 12. Executive director.—The authority shall employ and fix the compensation of an executive director, who shall manage the affairs of the utilities systems under the supervision of the authority and direct the activities of the employees of the authority. The executive director shall devote his or her entire working time to the performance of his or her duties and not have outside employment or business. The executive director shall be a college graduate. The executive director must either possess a degree in science, engineering, business management, or public administration or, alternatively, must be a licensed and registered engineer. The executive director shall have at least 6 years of experience in the field of engineering, operations, or management of a water and sewer utility system. The authority may allow the substitution of additional years of administrative or management experience in lieu of the specific educational or professional requirements set forth above.

Section 13. Fiscal year and budget.—The fiscal year of the authority shall begin on the first day of October and end on the last day of September of the following year. Prior to the beginning of each fiscal year, the authority shall adopt an annual budget that shall be balanced and that shall detail the anticipated expenses and revenues of the authority for the forthcoming fiscal year.

Section 14. Execution of documents; payment of bills.—All instruments in writing necessary to be executed by the authority shall be executed by the executive director upon authorization by the authority or by such other officer, agent, or employee of the authority as it may by resolution designate. The authority shall provide for the examination of all payrolls, bills, and other claims and demands against the authority to determine, before the same are paid, that they are duly authorized, in proper form, correctly computed, and legally due and payable and that the authority has funds on hand to make payment.

Section 15. Management efficiency audit.—The authority shall contract for a management efficiency audit by a private firm within 1 year of the effective date of the act, and at intervals of at least 3 years thereafter, to review program results and make recommendations for the proper, efficient, and economical operation and maintenance of the utilities systems, facilities, and functions under supervision of the authority.

Section 16. Citizens' advisory committee.—The authority shall make provision for and appoint a citizens’ advisory committee or committees. The appointees to such committees shall have no personal or business ties with the authority that could be construed as a conflict of interest.

Section 17. Enforcement and penalties.—Any violation of rules or regulations of the authority pertaining to the disposal of waste or the use of the authority’s systems, facilities, or services is declared to be a noncriminal violation and shall be punishable by fine, forfeiture, or penalty. Such fine, forfeiture, or penalty shall be established by resolution of the authority, and may not exceed $500 for each violation. However, the authority may specify, by resolution, that violation of a rule or regulation of the authority is punishable by fine, forfeiture, or penalty in an amount exceeding $500 but not exceeding $2,000 per day, if the authority must have authority to punish a violation of such rule or regulation by a fine, forfeiture, or penalty in an amount greater than $500 in order for the authority to carry out a federally mandated program. Any resolution of the authority establishing such fine, forfeiture, or penalty may provide that each day of a continuing violation shall constitute a separate violation. Violations of such authority rules and regulations may be prosecuted in the same manner as misdemeanors, or pursuant to section 6(a)(13) of this act. If such violations are prosecuted in the same manner as misdemeanors, they may be enforced by local law enforcement agencies and prosecuted in the name of the state in a court having jurisdiction of misdemeanors by the prosecuting attorney thereof. All fines, forfeitures, and penalties imposed for violations of authority rules and regulations shall be paid to the authority, provided that the local law enforcement agency is reimbursed from such fines, forfeitures, and penalties for its cost of enforcement.

Section 18. The provisions of this act shall be liberally construed to effectuate the purposes set forth in this act.

Section 19. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity may not affect other provisions or applications of the act that can be given effect without the invalid provision or application and to this end the provisions of this act are declared severable.

Section 2. This act shall take effect July 1, 2024.