HOUSE RESEARCH

Bill Summary

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Subject: Mixed municipal solid waste services, government entry into business

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Requires a political subdivision to pay a person providing mixed municipal solid waste collection services the fair market value of the business lost if:

- the political subdivision begins to provide trash hauling and disposal services that were previously provided within the jurisdiction by the private person, or limits the number of private persons who may provide the service, effectively excluding the person,
- as a result, the person cannot continue in substantially the same business, and
- but for the political subdivision's actions, the person would be able to continue in business in substantially the same market.

Provides that the political subdivision does not have to pay if the person was providing the service under contract with the political subdivision that sets out terms and conditions for providing service or if the political subdivision does not renew the contract for collection services.

Provides that if the person and the political subdivision do not reach an agreement on the fair market value, either party may bring an action in district court for a determination of the amount of compensation. Requires an action to be commenced within six months of the day the political subdivision makes a final decision to provide or regulate mixed municipal solid waste collection services that are the subject of the dispute.

Effective the day after enactment and applies to contract entered into or ordinances enacted on or after that date.