

Committee on Regulated Industries

CS/CS/HB 919 — Preemption Over Restriction of Utility Services

by Commerce Committee; Tourism, Infrastructure and Energy Subcommittee; Rep. Tomkow, and others (SB 1128 by Rules Committee; Community Affairs Committee; Regulated Industries Committee; and Senator Hutson)

The bill prohibits municipalities, counties, special districts, or other political subdivisions from enacting or enforcing a resolution, ordinance, rule, code, or policy that restricts or prohibits, or has the effect of restricting or prohibiting the types or the fuel sources of energy production used, delivered, converted, or supplied to customers by:

- Public or electric utilities;
- Entities created pursuant to an interlocal agreement that generate, sell, or transmit electrical energy;
- Natural gas utilities or transmission companies; or
- Liquid petroleum gas dealers, dispensers, or cylinder exchange operators.

The bill expressly states that a municipality's board or a governmental entity is not prevented from passing rules, regulations, or policies governing an electric or natural gas utility that it owns or operates and directly controls. The bill further states that it does not expand or alter the jurisdiction of the Public Service Commission over public or electric utilities. The bill voids any charter, resolution, ordinance, rule, code, policy, or action by any municipality, county, special district, or political subdivision, existing on or before the bill's effective date, which is preempted by this bill.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 27-13; House 81-34