Bill No. HB 1737

Amendment No. \_\_\_\_ Barcode 513548

CHAMBER ACTION Senate House 1 2 3 4 5 6 7 8 9 10 Senator Pruitt moved the following amendment: 11 12 13 Senate Amendment (with title amendment) On page 8, between lines 8 and 9, 14 15 16 insert: 17 Section 3. Subsection (6) is added to section 18 163.3202, Florida Statutes, to read: 19 163.3202 Land development regulations.--20 (6)(a) The Legislature finds that electric utilities have a statutory duty pursuant to this chapter to provide 21 reasonably sufficient, adequate, and efficient service. The 22 Legislature further finds that electric substations are an 23 24 indispensable component of the grid system by which electric utilities deliver reliable electric service to all public and 25 26 private persons as required by law. The Legislature further 27 finds that electric utility substations are essential services for the public health, safety, and welfare and therefore are 28 29 in the public interest. 30 (b) Nothing in this section shall prohibit a local

government from adopting land development regulations which

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establish reasonable standards for setbacks, buffering, and landscaping and other such site conditions which ensure consistency with the local comprehensive plan for a substation that will be constructed or operated by an electric utility. Compliance with any such adopted standards shall render a substation compatible with adjacent land uses and consistent with the local comprehensive plan.

(c) Notwithstanding any other law, after an electric utility demonstrates by competent substantial evidence that it meets all criteria for approval of an application for a development permit for the location, construction, and operation of a substation, the local government may not deny the application unless the preponderance of the evidence applying a strict scrutiny standard of review demonstrates the application does not meet the requirements of the comprehensive plan or applicable land development regulations.

Section 4. Paragraph (b) of subsection (3) of section 380.04, Florida Statutes, is amended to read:

380.04 Definition of development.--

- (3) The following operations or uses shall not be taken for the purpose of this chapter to involve "development" as defined in this section:
- (b) Work by any utility and other persons engaged in the distribution or transmission of gas, electricity, or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like.

(Redesignate subsequent sections.)

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   ======== T I T L E A M E N D M E N T ==========
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   And the title is amended as follows:
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           On page 1, line 14, after "reference;"
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   and insert:
6
           amending s. 163.3202, F.S.; providing for the
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           siting of substations; amending s. 380.04,
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           F.S.; revising the definition of development;
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