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LEGISLATIVE ACTION

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| Senate | . | House |
| Comm: RCS | . | |
| 04/21/2021 | . | |
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The Committee on Rules (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 366.032, Florida Statutes, is created to
read:

366.032 Preemption over utility service restrictions.-

(1) A municipality, county, special district, or other
political subdivision of the state may not enact or enforce a
resolution, ordinance, rule, code, policy, or take any action
that restricts or prohibits or has the effect of restricting or



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12 prohibiting the types or fuel sources of energy production which
13 may be used, delivered, converted, or supplied by the following
14 entities to serve customers that such entities are authorized to
15 serve:

16 (a) A public utility or an electric utility as defined in
17 this chapter;

18 (b) An entity formed under s. 163.01 that generates, sells,
19 or transmits electrical energy;

20 (c) A natural gas utility as defined in s. 366.04(3)(c);

21 (d) A natural gas transmission company as defined in s.
22 368.103; or

23 (e) A Category I liquefied petroleum gas dealer or Category
24 II liquefied petroleum gas dispenser or Category III liquefied
25 petroleum gas cylinder exchange operator as defined in s.
26 527.01.

27 (2) Notwithstanding the restrictions of this section, this
28 section does not prevent the board of a municipality or
29 governmental entity which owns or operates and directly controls
30 an electric or natural gas utility, from passing rules,
31 regulations, or policies governing the utility.

32 (3) This section does not expand or alter the jurisdiction
33 of the commission over public utilities or electric utilities.

34 Section 2. Any municipality, county, special district, or
35 political subdivision charter, resolution, ordinance, rule,
36 code, policy, or action that is preempted by this act that
37 existed before or on July 1, 2021, is void.

38 Section 3. This act shall take effect July 1, 2021.

39
40 ===== T I T L E A M E N D M E N T =====



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41 And the title is amended as follows:

42 Delete everything before the enacting clause
43 and insert:

44 A bill to be entitled

45 An act relating to preemption over restriction of
46 utility services; creating s. 366.032, F.S.;
47 prohibiting municipalities, counties, special
48 districts, or other political subdivisions from
49 restricting or prohibiting the types or fuel sources
50 of energy production used, delivered, converted, or
51 supplied by certain entities to serve customers;
52 providing construction; voiding existing specified
53 documents and policies that are preempted by this act;
54 providing an effective date.