

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED

Committee on Community Affairs

HB 231 — Intergovernmental Cooperation

by Rep. Harrell and others (CS/SB 396 by Communications, Energy, and Public Utilities Committee; and Senators Oelrich, Gaetz and Lynn)

Currently, state agencies are authorized to conduct public meetings, hearings and workshops by means of “communicative technology.” No such authorization exists for local governmental entities, including separate legal entities created by local government interlocal agreements.

The bill authorizes a separate legal entity that administers or executes an interlocal agreement, with member public agencies located in at least 5 counties, of which at least three are non-contiguous, to conduct public meetings and workshops by means of communications media technology. It provides that participation by an officer, board member, or other representative of a member public agency in a meeting or workshop conducted through communications media technology constitutes that individual’s presence at such meeting or workshop.

The term “communications media technology” is defined as a conference telephone, a video conference, or other communications technology by which all persons attending a public meeting or workshop may audibly communicate. The bill requires the notice for any such meeting or workshop to state that the meeting or workshop will be conducted through the use of communications media technology, to specify how persons interested in attending may do so, and to provide a location where communications media technology facilities are available.

The bill revises the definition of “electric utility” found in s. 361.11(2), F.S., to include those municipalities, authorities, commissions, special districts, or other public bodies that own, maintain, or operate an electrical generation, transmission, or distribution system within the state on June 25, 2008. The bill provides the legislative intent that electric utilities included in the revision to the definition of the term “electric utility” may exercise the powers and authority granted by s. 163.01(3)(f), F.S. The bill also provides that the revision is enacted in furtherance of and is consistent with the application of the Joint Power Act.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 38-1; House 115-0