

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Regulated Industries

CS/CS/HB 839 — Express Preemption of Fuel Retailers and Related Transportation Infrastructure

by Local Administration and Veterans Affairs Subcommittee; Tourism, Infrastructure and Energy Subcommittee; and Rep. Fabricio and others (CS/CS/SB 856 by Community Affairs Committee; Regulated Industries Committee; and Senator Hutson)

The bill expressly preempts a municipality, county, special district, or political subdivision from adopting a law, an ordinance, a regulation, a policy, or a resolution that:

- Prohibits the siting, development, or redevelopment of a fuel retailer or its necessary related transportation infrastructure;
- Results in a de facto prohibition on a fuel retailer or its necessary related transportation infrastructure;
- Requires a fuel retailer to install or invest in a particular kind of fuel infrastructure.

The bill does not preempt any such action which is consistent with zoning, land use, and other allowable uses and general law, as long as it does not result in a de facto prohibition of fuel retailers or related transportation infrastructure. Definitions for the terms “fuel retailer,” and “related transportation energy infrastructure” are provided for in the bill.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 26-12; House 79-38