

Bill No. CS for CS for CS for SB's 310 & 380, 1st Eng.

Amendment No.      Barcode 530932

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Pruitt moved the following amendment:

**Senate Amendment (with title amendment)**

On page 101, between lines 28 and 29,

insert:

Section 37. Subsection (6) is added to section 163.3202, Florida Statutes, to read:

163.3202 Land development regulations.--

(6)(a) The Legislature finds that electric utilities have a statutory duty pursuant to this chapter to provide reasonably sufficient, adequate, and efficient service. The Legislature further finds that electric substations are an indispensable component of the grid system by which electric utilities deliver reliable electric service to all public and private persons as required by law. The Legislature further finds that electric utility substations are essential services for the public health, safety, and welfare and therefore are in the public interest.

(b) Nothing in this section shall prohibit a local government from adopting land development regulations which

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1 establish reasonable standards for setbacks, buffering, and  
2 landscaping and other such site conditions which ensure  
3 consistency with the local comprehensive plan for a substation  
4 that will be constructed or operated by an electric utility.

5 Compliance with any such adopted standards creates a  
6 presumption that the substation is compatible with adjacent  
7 land uses and consistent with the local comprehensive plan.

8 (c) If an electric utility demonstrates by competent  
9 substantial evidence that it meets all criteria for approval  
10 of an application for a development permit for the location,  
11 construction, and operation of a substation, the local  
12 government may not deny the application unless the  
13 preponderance of the evidence applying a strict scrutiny  
14 standard of review demonstrates the application does not meet  
15 the requirements of the comprehensive plan or applicable land  
16 development regulations.

17 Section 38. Paragraph (b) of subsection (3) of section  
18 380.04, Florida Statutes, is amended to read:

19 380.04 Definition of development.--

20 (3) The following operations or uses shall not be  
21 taken for the purpose of this chapter to involve "development"  
22 as defined in this section:

23 (b) Work by any utility and other persons engaged in  
24 the distribution or transmission of gas, electricity, or  
25 water, for the purpose of inspecting, repairing, renewing, or  
26 constructing on established rights-of-way any sewers, mains,  
27 pipes, cables, utility tunnels, power lines, towers, poles,  
28 tracks, or the like.

29  
30 (Redesignate subsequent sections.)

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 6, line 1, after the semicolon,

4

5 insert:

6 amending s. 163.3202, F.S.; providing for the

7 siting of substations; amending s. 380.04,

8 F.S.; revising the definition of development;

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