

Bill No. CS for CS for CS for SB's 310 & 380

Amendment No. Barcode 933582

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Pruitt moved the following amendment to amendment (085144):

Senate Amendment (with title amendment)

On page 108, between lines 16 and 17,

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

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1 government from adopting land development regulations which
2 establish reasonable standards for setbacks, buffering, and
3 landscaping and other such site conditions which ensure
4 consistency with the local comprehensive plan for a substation
5 that will be constructed or operated by an electric utility.
6 Compliance with any such adopted standards creates a
7 presumption that the substation is compatible with adjacent
8 land uses and consistent with the local comprehensive plan.

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

18 Section 38. Paragraph (b) of subsection (3) of section
19 380.04, Florida Statutes, is amended to read:

20 380.04 Definition of development.--

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

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

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31 (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 114, line 16, after the semicolon,

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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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