

By the Committee on Regulated Industries and Senator Smith

315-1485-01

1 A bill to be entitled
 2 An act relating to electric utility service
 3 interruptions; creating s. 768.138, F.S.;
 4 providing electric utilities with a complete
 5 defense in certain actions for certain law
 6 enforcement assistance activities; providing an
 7 effective date.

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 9 Be It Enacted by the Legislature of the State of Florida:

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 11 Section 1. Section 768.138, Florida Statutes, is
 12 created to read:

13 768.138 Interruption of electric utility service by
 14 order of law enforcement; immunity.--The good-faith compliance
 15 by an electric utility, as defined in s. 366.02, or the
 16 utility's personnel, with a law enforcement or judicial order
 17 to interrupt or disconnect electric service at a location for
 18 the purpose of aiding law enforcement personnel in the
 19 performance of their duties constitutes an absolute defense
 20 for the electric utility and its personnel to any civil,
 21 criminal, or administrative action arising out of such
 22 interruption or disconnection, as long as the electric utility
 23 and its personnel exercise reasonable care in their actions.

24 Section 2. This act shall take effect upon becoming a
 25 law.

26
 27 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
 28 COMMITTEE SUBSTITUTE FOR
 29 SB 408

30 CS/SB 408 limits the grant of immunity so that it does not
 31 apply to the actions taken by the utility or its personnel in
 interrupting electric service unless these actions were done
 with reasonable care.