

1                                   A bill to be entitled  
 2           An act relating to municipal power regulation;  
 3           amending s. 366.02, F.S.; amending the definition of  
 4           "public utility" to include municipalities that  
 5           receive or purchase power from an entity created under  
 6           the Florida Interlocal Cooperation Act of 1969;  
 7           amending the definition of "electric utility" to  
 8           exempt municipalities that do not purchase or receive  
 9           power from an entity created under the Interlocal  
 10          Cooperation Act of 1969; providing an effective date.

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

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 14          Section 1. Subsections (1) and (2) of section 366.02,  
 15   Florida Statutes, are amended to read:

16          366.02 Definitions.—As used in this chapter:

17          (1) "Public utility" means every person, corporation,  
 18   partnership, association, or other legal entity and their  
 19   lessees, trustees, or receivers supplying electricity or gas  
 20   (natural, manufactured, or similar gaseous substance) to or for  
 21   the public within this state and includes a municipality or an  
 22   agency thereof that purchases or receives all or a portion of  
 23   its power from an entity created under the Florida Interlocal  
 24   Cooperation Act of 1969; but the term "public utility" does not  
 25   include either a cooperative now or hereafter organized and  
 26   existing under the Rural Electric Cooperative Law of the state;

27 a municipality or any agency thereof that does not purchase or  
28 receive any power from an entity created under the Florida  
29 Interlocal Cooperation Act of 1969; any dependent or independent  
30 special natural gas district; any natural gas transmission  
31 pipeline company making only sales or transportation delivery of  
32 natural gas at wholesale and to direct industrial consumers; any  
33 entity selling or arranging for sales of natural gas which  
34 neither owns nor operates natural gas transmission or  
35 distribution facilities within the state; or a person supplying  
36 liquefied petroleum gas, in either liquid or gaseous form,  
37 irrespective of the method of distribution or delivery, or  
38 owning or operating facilities beyond the outlet of a meter  
39 through which natural gas is supplied for compression and  
40 delivery into motor vehicle fuel tanks or other transportation  
41 containers, unless such person also supplies electricity or  
42 manufactured or natural gas.

43 (2) "Electric utility" means any municipal electric  
44 utility that does not purchase or receive any power from an  
45 entity created under the Florida Interlocal Cooperation Act of  
46 1969, investor-owned electric utility, or rural electric  
47 cooperative which owns, maintains, or operates an electric  
48 generation, transmission, or distribution system within the  
49 state.

50 Section 2. This act shall take effect July 1, 2014.