



26           (a) The property owner determines that the tree is  
 27 damaged, diseased, pest infested, or presents a danger to others  
 28 or property as a result of a tropical storm watch or warning,  
 29 tropical storm, hurricane watch or warning, hurricane, or  
 30 declared state of emergency; or

31           (b) The property owner obtains from an arborist certified  
 32 by the International Society of Arboriculture documentation that  
 33 the tree is damaged, diseased, pest infested, or presents a  
 34 danger to others or property.

35           (2) A local government may not require a property owner to  
 36 replant a tree that is pruned, trimmed, or removed in accordance  
 37 with this section.

38           Section 2. Section 163.3209, Florida Statutes, is amended  
 39 to read:

40           163.3209 Electric transmission and distribution line  
 41 right-of-way maintenance.—After a right-of-way for any electric  
 42 transmission or distribution line has been established and  
 43 constructed, no local government shall require or apply any  
 44 permits or other approvals or code provisions for or related to  
 45 vegetation maintenance and tree pruning or trimming within the  
 46 established right-of-way. The term "vegetation maintenance and  
 47 tree pruning or trimming" means the mowing of vegetation within  
 48 the right-of-way, removal of trees or brush within the right-of-  
 49 way, and selective removal of tree branches that extend within  
 50 the right-of-way. The provisions of this section do not include

51 the removal of trees outside the right-of-way, which may be  
52 allowed in compliance with applicable local ordinances. Prior to  
53 conducting scheduled routine vegetation maintenance and tree  
54 pruning or trimming activities within an established right-of-  
55 way, the utility shall provide the official designated by the  
56 local government with a minimum of 5 business days' advance  
57 notice. Such advance notice is not required for vegetation  
58 maintenance and tree pruning or trimming required to restore  
59 electric service or to avoid an imminent vegetation-caused  
60 outage or when performed at the request of the property owner  
61 adjacent to the right-of-way, ~~provided that the owner has~~  
62 ~~approval of the local government, if needed.~~ Upon the request of  
63 the local government, the electric utility shall meet with the  
64 local government to discuss and submit the utility's vegetation  
65 maintenance plan, including the utility's trimming  
66 specifications and maintenance practices. Vegetation maintenance  
67 and tree pruning or trimming conducted by utilities shall  
68 conform to ANSI A300 (Part I)-2001 pruning standards and ANSI  
69 Z133.1-2000 Pruning, Repairing, Maintaining, and Removing Trees,  
70 and Cutting Brush-Safety Requirements. Vegetation maintenance  
71 and tree pruning or trimming conducted by utilities must be  
72 supervised by qualified electric utility personnel or licensed  
73 contractors trained to conduct vegetation maintenance and tree  
74 trimming or pruning consistent with this section or by Certified  
75 Arborists certified by the Certification Program of the

76 International Society of Arboriculture. A local government shall  
77 not adopt an ordinance or land development regulation that  
78 requires the planting of a tree or other vegetation that will  
79 achieve a height greater than 14 feet in an established electric  
80 utility right-of-way or intrude from the side closer than the  
81 clearance distance specified in Table 2 of ANSI Z133.1-2000 for  
82 lines affected by the North American Electric Reliability  
83 Council Standard, FAC 003.1 requirement R1.2. This section does  
84 not supersede or nullify the terms of specific franchise  
85 agreements between an electric utility and a local government  
86 and shall not be construed to limit a local government's  
87 franchising authority. This section does not supersede local  
88 government ordinances or regulations governing planting,  
89 pruning, trimming, or removal of specimen trees or historical  
90 trees, as defined in a local government's ordinances or  
91 regulations, or trees within designated canopied protection  
92 areas. This section shall not apply if a local government  
93 develops, with input from the utility, and the local government  
94 adopts, a written plan specifically for vegetation maintenance,  
95 tree pruning, tree removal, and tree trimming by the utility  
96 within the local government's established rights-of-way and the  
97 plan is not inconsistent with the minimum requirements of the  
98 National Electrical Safety Code as adopted by the Public Service  
99 Commission; provided, however, such a plan shall not require the  
100 planting of a tree or other vegetation that will achieve a

101 height greater than 14 feet in an established electric right-of-  
 102 way. Vegetation maintenance costs shall be considered  
 103 recoverable costs.

104 Section 3. Section 70.002, Florida Statutes, is created to  
 105 read:

106 70.002 Property Owner Bill of Rights.-Each county property  
 107 appraiser office shall provide on its website a Property Owner  
 108 Bill of Rights. The purpose of the bill of rights is to identify  
 109 certain existing rights afforded to property owners but is not a  
 110 comprehensive guide. The Property Owner Bill of Rights does not  
 111 create a civil cause of action. The Property Owner Bill of  
 112 Rights must state:

113  
 114 PROPERTY OWNER

115 BILL OF RIGHTS

116 This Bill of Rights does not represent all of your rights under  
 117 Florida law regarding your property and should not be viewed as  
 118 a comprehensive guide to property rights. This document does not  
 119 create a civil cause of action and neither expands nor limits  
 120 any rights or remedies provided under any other law. This  
 121 document does not replace the need to seek legal advice in  
 122 matters relating to property law. Laws relating to your rights  
 123 are found in the State Constitution, Florida Statutes, local  
 124 ordinances, and court decisions. Your rights and protections  
 125 include:

- 126        1. The right to acquire, possess, and protect your  
 127 property.
- 128        2. The right to use and enjoy your property.
- 129        3. The right to exclude others from your property.
- 130        4. The right to dispose of your property.
- 131        5. The right to due process.
- 132        6. The right to just compensation for property taken for a  
 133 public purpose.
- 134        7. The right to relief, or payment of compensation, when a  
 135 new law, rule, regulation, or ordinance of the state or a  
 136 political entity unfairly affects your property.
- 137        Section 4. This act shall take effect July 1, 2019.