



786448

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2021	.	
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The Committee on Community Affairs (Hutson) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 366.032, Florida Statutes, is created to  
read:

366.032 Preemption over utility service restrictions.-

(1) A municipality, county, special district, or other  
political subdivision of the state may not enact or enforce a  
resolution, ordinance, rule, code, policy, or take any action



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11 that restricts or prohibits or has the effect of restricting or  
12 prohibiting the types or fuel sources of energy production which  
13 may be used, delivered, converted, or supplied by the following  
14 entities to customers that such entities are authorized to  
15 serve:

16 (a) A public utility or an electric utility as defined in  
17 this chapter;

18 (b) An entity formed under s. 163.01 that generates, sells,  
19 or transmits electrical energy;

20 (c) A natural gas utility as defined in s. 366.04(3)(c);

21 (d) A natural gas transmission company as defined in s.  
22 368.103; or

23 (e) A Category I liquefied petroleum gas dealer or Category  
24 II liquefied petroleum gas dispenser or Category III liquefied  
25 petroleum gas cylinder exchange operator as defined in s.  
26 527.01.

27 (2) This section does not expand or alter the jurisdiction  
28 of the commission over public utilities or electric utilities.

29 Section 2. Any municipality, county, special district, or  
30 political subdivision charter, resolution, ordinance, rule,  
31 code, policy, or action that is preempted by this act that  
32 existed before or on July 1, 2021, is void.

33 Section 3. This act shall take effect July 1, 2021.

34  
35 ===== T I T L E A M E N D M E N T =====

36 And the title is amended as follows:

37 Delete everything before the enacting clause  
38 and insert:

39 A bill to be entitled



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40 An act relating to preemption over restriction of  
41 utility services; creating s. 366.032, F.S.;  
42 prohibiting municipalities, counties, special  
43 districts, or other political subdivisions from  
44 restricting or prohibiting the types or fuel sources  
45 of energy production used, delivered, converted, or  
46 supplied by certain entities to customers; providing  
47 construction; voiding existing specified documents and  
48 policies that are preempted by this act; providing an  
49 effective date.