

By the Committee on Regulated Industries; and Senator Hutson

580-02583-21

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1 A bill to be entitled
2 An act relating to preemption on restriction of
3 utility services; creating s. 366.032, F.S.;
4 prohibiting municipalities, counties, special
5 districts, or other political subdivisions from
6 enacting or enforcing provisions or taking actions
7 that restrict or prohibit the types or fuel sources of
8 energy production which may be used, delivered,
9 converted, or supplied to customers by specified
10 entities; providing for preemption; providing for
11 retroactive application; providing an effective date.

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

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

17 366.032 Preemption on utility service restrictions and
18 prohibitions; retroactive applicability.-

19 (1) A municipality, a county, a special district, or
20 another political subdivision of the state may not enact or
21 enforce a resolution, an ordinance, a rule, a code, or a policy
22 or take any action that restricts or prohibits, or that has the
23 effect of restricting or prohibiting, the types or the fuel
24 sources of energy production which may be used, delivered,
25 converted, or supplied by a public utility as defined in this
26 chapter, a municipal electric utility, a natural gas utility as
27 defined in s. 366.04(3)(c), a natural gas transmission company
28 as defined in s. 368.103, or a category I liquefied petroleum
29 gas dealer or a category II liquefied petroleum gas dispenser as

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30 defined in chapter 527 to customers that such entities are
31 authorized to serve.

32 (2) Any municipality, county, special district, or
33 political subdivision charter, resolution, ordinance, rule,
34 code, policy, or action that is preempted by this section and
35 that existed before or on July 1, 2021, is void.

36 Section 2. This act shall take effect July 1, 2021.