

By the Committees on Community Affairs; and Regulated Industries; and Senator Hutson

578-02924-21

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1 A bill to be entitled
2 An act relating to preemption over restriction of
3 utility services; creating s. 366.032, F.S.;
4 prohibiting municipalities, counties, special
5 districts, or other political subdivisions from
6 restricting or prohibiting the types or fuel sources
7 of energy production used, delivered, converted, or
8 supplied by certain entities to customers; providing
9 construction; voiding existing specified documents and
10 policies that are preempted by this act; providing an
11 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 over utility service restrictions.-

18 (1) A municipality, county, special district, or other
19 political subdivision of the state may not enact or enforce a
20 resolution, ordinance, rule, code, policy, or take any action
21 that restricts or prohibits or has the effect of restricting or
22 prohibiting the types or fuel sources of energy production which
23 may be used, delivered, converted, or supplied by the following
24 entities to customers that such entities are authorized to
25 serve:

26 (a) A public utility or an electric utility as defined in
27 this chapter;

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

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

31 (d) A natural gas transmission company as defined in s.
32 368.103; or

33 (e) A Category I liquefied petroleum gas dealer or Category
34 II liquefied petroleum gas dispenser or Category III liquefied
35 petroleum gas cylinder exchange operator as defined in s.
36 527.01.

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

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

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