

1                                   A bill to be entitled  
 2           An act relating to the express preemption of fuel  
 3           retailers and related transportation infrastructure;  
 4           creating s. 377.707, F.S.; defining terms; prohibiting  
 5           a municipality, county, special district, or political  
 6           subdivision from taking certain actions to prohibit  
 7           the siting, development, or redevelopment of fuel  
 8           retailers and the related transportation  
 9           infrastructure and from requiring fuel retailers to  
 10          install or invest in a particular kind of fueling  
 11          infrastructure; providing construction; providing an  
 12          effective date.

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

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 16           Section 1. Section 377.707, Florida Statutes, is created  
 17           to read:

18           377.707 Express preemption of fuel retailers and related  
 19           transportation infrastructure.-

20           (1) As used in this section, the term:

21           (a) "Fuel retailer" means a fuel station or retail  
 22           establishment that sells fuel to provide power to vehicles.

23           (b) "Related transportation infrastructure" means storage  
 24           tanks, pipelines, or any related equipment that is necessary to  
 25           deliver fuel to a fuel retailer or dispense fuel at a fuel

26 retailer.

27 (2) A municipality, county, special district, or political  
 28 subdivision may not do any of the following:

29 (a) Adopt a law, an ordinance, a regulation, a policy, or  
 30 a resolution that prohibits the siting, development, or  
 31 redevelopment of a fuel retailer or the related transportation  
 32 infrastructure that is necessary to provide fuel to a fuel  
 33 retailer within the entirety of the jurisdictional boundary of  
 34 the municipality, county, special district, or political  
 35 subdivision.

36 (b) Adopt or apply a law, an ordinance, a regulation, a  
 37 policy, or a resolution that results in the de facto prohibition  
 38 of a fuel retailer or the related transportation infrastructure  
 39 that is necessary to provide fuel to a fuel retailer within the  
 40 entirety of the jurisdictional boundary of a municipality,  
 41 county, special district, or political subdivision.

42 (c) Require a fuel retailer to install or invest in a  
 43 particular kind of fueling infrastructure, including, but not  
 44 limited to, electric vehicle charging stations.

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 46 This section does not preempt a municipality, county, special  
 47 district, or political subdivision from adopting and  
 48 implementing a law, an ordinance, a regulation, a policy, or a  
 49 resolution that is not otherwise inconsistent with general law  
 50 relating to the siting, development, or redevelopment of fuel

51 retailers or related transportation infrastructure necessary for  
52 them to provide fuel, if such law, ordinance, regulation,  
53 policy, or resolution does not result in a de facto prohibition  
54 of fuel retailers or related transportation infrastructure  
55 necessary to provide fuel to fuel retailers from being sited,  
56 developed, or redeveloped within zoning or land use  
57 classifications where such infrastructure is consistent with  
58 other allowable uses.

59 Section 2. This act shall take effect upon becoming a law.