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LEGISLATIVE ACTION

Senate

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House

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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 377.707, Florida Statutes, is created to  
read:

377.707 Express preemption of fuel retailers and related  
transportation infrastructure.—

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

(a) "Fuel retailer" means a fuel station or retail



11 establishment that sells fuel to provide power to vehicles.

12 (b) "Related transportation infrastructure" means  
13 underground storage tanks, pipelines, or any related equipment  
14 that is necessary to dispense fuel at a fuel retailer.

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

17 (a) Adopt a law, an ordinance, a regulation, a policy, or a  
18 resolution that prohibits the siting, development, or  
19 redevelopment of a fuel retailer or the related transportation  
20 infrastructure that is necessary to provide fuel to a fuel  
21 retailer within the entirety of the jurisdictional boundary of  
22 the municipality, county, special district, or political  
23 subdivision.

24 (b) Adopt or apply a law, an ordinance, a regulation, a  
25 policy, or a resolution that results in the de facto prohibition  
26 of a fuel retailer or the related transportation infrastructure  
27 that is necessary to provide fuel to a fuel retailer within the  
28 entirety of the jurisdictional boundary of a municipality,  
29 county, special district, or political subdivision.

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

33  
34 This section does not preempt a municipality, county, special  
35 district, or political subdivision from adopting and  
36 implementing a law, an ordinance, a regulation, a policy, or a  
37 resolution that is not otherwise inconsistent with general law  
38 relating to the siting, development, or redevelopment of fuel  
39 retailers or related transportation infrastructure necessary for



40 them to provide fuel, if such law, ordinance, regulation,  
41 policy, or resolution does not result in a de facto prohibition  
42 of fuel retailers or related transportation infrastructure  
43 necessary to provide fuel to fuel retailers from being sited,  
44 developed, or redeveloped within the entirety of the  
45 jurisdictional boundaries of the municipality, county, special  
46 district, or political subdivision.

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

48  
49 ===== T I T L E A M E N D M E N T =====

50 And the title is amended as follows:

51 Delete everything before the enacting clause  
52 and insert:

53 A bill to be entitled  
54 An act relating to the express preemption of fuel  
55 retailers and related transportation infrastructure;  
56 defining terms; prohibiting a municipality, county,  
57 special district, or political subdivision from taking  
58 certain actions to prohibit the siting, development,  
59 or redevelopment of fuel retailers and the related  
60 transportation infrastructure and from requiring fuel  
61 retailers to install or invest in a particular fueling  
62 infrastructure; providing construction; providing an  
63 effective date.