

By Senator Hutson

7-00988A-21

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1                   A bill to be entitled  
2           An act relating to the state preemption of energy  
3           infrastructure regulations; creating s. 377.6013,  
4           F.S.; defining the term "energy infrastructure";  
5           preempting to the state the regulation of the  
6           construction of energy infrastructure; providing  
7           construction; providing an effective date.

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9           WHEREAS, the Legislature finds that affordable, reliable,  
10          and sustainable energy throughout this state is dependent upon  
11          energy infrastructure networks extending beyond local  
12          governmental boundaries, and

13          WHEREAS, the Legislature recognizes the importance of  
14          consumer choice in the energy market, NOW, THEREFORE,

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

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18          Section 1. Section 377.6013, Florida Statutes, is created  
19          to read:

20                 377.6013 Construction of energy infrastructure;  
21                 preemption.-

22                 (1) As used in this section, the term "energy  
23                 infrastructure" means infrastructure used to support the  
24                 production, import, storage, and distribution of natural gas;  
25                 petroleum; petroleum products; electricity; biomass; renewable  
26                 fuels; hydrogen; or solar, wind, or geothermal energy.

27                 (2) The regulation of the construction of energy  
28                 infrastructure is expressly preempted to the state. A local  
29                 governmental entity may not do any of the following:

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30       (a) Implement any law, ordinance, regulation, policy, or  
31 resolution that prohibits, restricts, or requires, or has the  
32 effect of prohibiting, restricting, or requiring, the  
33 construction of new or the expansion, upgrading, or repair of  
34 existing energy infrastructure.

35       (b) Impose requirements that are more stringent than state  
36 law or rule.

37       Section 2. Any local governmental law, ordinance,  
38 regulation, policy, or resolution that is preempted by this act  
39 and that existed before, on, or after July 1, 2021, is void.

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