

1 A bill to be entitled
 2 An act relating to preemption over restriction of
 3 utility services; creating s. 366.032, F.S.; defining
 4 the term "utility service provider"; prohibiting
 5 municipalities, counties, special districts, or other
 6 political subdivisions from restricting or prohibiting
 7 customers from selecting their utility service;
 8 authorizing municipalities to levy taxes on public
 9 services; 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
 16 to read:

17 366.032 Definition; preemption over utility service
 18 restrictions.-

19 (1) As used in this section, the term "utility service
 20 provider" means any person, any corporation, whether public or
 21 private, any partnership, any association, or any political
 22 subdivision, whether a municipality, county, special district,
 23 or other political subdivision that sells or supplies
 24 electricity or gas to the public within this state.

25 (2) A municipality, county, special district, or other

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26 | political subdivision of the state may not enact or enforce a
27 | resolution, ordinance, rule, code, policy, or take any action
28 | that restricts or prohibits or has the effect of restricting or
29 | prohibiting a property owner, tenant, or utility service
30 | customer from selecting his or her utility service, whether
31 | electric, manufactured gas, liquefied petroleum gas, natural
32 | gas, hydrogen, fuel oil, a renewable source, or any other source
33 | from a utility service provider that serves the affected
34 | property. However, nothing in this section restricts a
35 | municipality the right and power to levy taxes on public
36 | services under s. 166.231 or affect the right of any
37 | municipality to receive revenue from any public utility.

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

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