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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/06/2023	.	
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The Committee on Community Affairs (Collins) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Present subsections (2) through (4) of section 366.032, Florida Statutes, are redesignated as subsections (3) through (5), respectively, a new subsection (2) is added to that section, and present subsection (2) of that section is amended, to read:

366.032 Preemption over utility service restrictions.-



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11           (2) Except to the extent necessary to enforce the Florida  
12 Building Code adopted pursuant to s. 553.73 or the Florida Fire  
13 Prevention Code adopted pursuant to s. 633.202, a municipality,  
14 county, special district, or other political subdivision of the  
15 state may not enact or enforce a resolution, an ordinance, a  
16 rule, a code, or a policy or take any action that restricts or  
17 prohibits or has the effect of restricting or prohibiting the  
18 use of an appliance, including a stove or grill, which uses the  
19 types or fuel sources of energy production which may be used,  
20 delivered, converted, or supplied by the entities listed in  
21 subsection (1). As used in this subsection, the term "appliance"  
22 means a device or apparatus manufactured and designed to use  
23 energy and for which the Florida Building Code or the Florida  
24 Fire Prevention Code provides specific requirements.

25           ~~(3)(2)~~ Notwithstanding the restrictions of this section,  
26 this section does not prevent the board of a municipality or  
27 governmental entity which owns or operates and directly controls  
28 an electric or natural gas utility, from passing rules,  
29 regulations, or policies governing the utility.

30           Section 2. This act shall take effect July 1, 2023.

31  
32 ===== T I T L E   A M E N D M E N T =====

33 And the title is amended as follows:

34           Delete everything before the enacting clause  
35 and insert:

36                           A bill to be entitled  
37           An act relating to preemption over utility service  
38           restrictions; amending. s. 366.032, F.S.; prohibiting  
39           certain local governmental entities, subject to



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40 specified exceptions, from enacting or enforcing a  
41 resolution, an ordinance, a rule, a code, or a policy  
42 or from taking any action that restricts or prohibits  
43 or has the effect of restricting or prohibiting the  
44 use of appliances; revising an exception to  
45 preemption; defining the term "appliance"; providing  
46 an effective date.