HB 1281

1	A bill to be entitled					
2	An act relating to preemption over utility service					
3	restrictions; amending. s. 366.032, F.S.; preventing					
4	certain local governmental entities from enacting or					
5	enforcing a resolution, ordinance, rule, code, or					
6	policy or from taking any action that restricts or					
7	prohibits or has the effect of restricting or					
8	prohibiting the use of any major appliances; revising					
9	an exception to preemption; providing an effective					
10	date.					
11						
12	Be It Enacted by the Legislature of the State of Florida:					
13						
14	Section 1. Subsections (2) through (4) of section 366.032,					
15	Florida Statutes, are renumbered as (3) through (5),					
16	respectively, subsection (1) and present subsection (2) are					
17	amended, and a new subsection (2) is added to that section, to					
18	read:					
19	366.032 Preemption over utility service restrictions					
20	(1) A municipality, county, special district, or other					
21	political subdivision of the state may not enact or enforce a					
22	resolution, ordinance, rule, code, or policy or take any action					
23	that restricts or prohibits or has the effect of restricting or					
24	prohibiting the types or fuel sources of energy production which					
25	may be used, delivered, converted, or supplied by the following					
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26 entities to serve customers that such entities are authorized to 27 serve: 28 A public utility or an electric utility as defined in (a) 29 this chapter; An entity formed under s. 163.01 that generates, 30 (b) sells, or transmits electrical energy; 31 32 A natural gas utility as defined in s. 366.04(3)(c); (C) 33 A natural gas transmission company as defined in s. (d) 368.103; or 34 (e) A Category I liquefied petroleum gas dealer or 35 36 Category II liquefied petroleum gas dispenser or Category III 37 liquefied petroleum gas cylinder exchange operator as defined in s. 527.01. 38 39 (2) A municipality, county, special district, or other political subdivision of the state may not enact or enforce a 40 41 resolution, ordinance, rule, code, or policy or take any action 42 that restricts or prohibits or has the effect of restricting or 43 prohibiting the use of any major appliances, including a stove 44 or grill, which uses the types or fuel sources of energy production which may be used, delivered, converted, or supplied 45 by the entities listed in subsection (1). 46 (3) (2) Notwithstanding the restrictions of this section, 47 48 this section does not prevent the board of a municipality or 49 governmental entity which owns or operates and directly controls an electric or natural gas utility τ from passing rules, 50

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51 regulations, or policies governing the utility.
52 Section 2. This act shall take effect July 1, 2023.

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