

By Senator Truenow

13-01855A-25

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1 A bill to be entitled
2 An act relating to utility service restrictions;
3 amending s. 366.032, F.S.; including boards, agencies,
4 commissions, and authorities of counties, municipal
5 corporations, or other political subdivisions of the
6 state with the entities preempted from taking certain
7 actions that restrict, prohibit, or have the effect of
8 restricting or prohibiting the types or fuel sources
9 of energy produced, used, delivered, converted, or
10 supplied by certain entities to serve customers;
11 voiding existing specified documents and policies from
12 governmental entities that are preempted by the act;
13 providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Subsections (1), (2), and (5) of section
18 366.032, Florida Statutes, are amended to read:

19 366.032 Preemption over utility service restrictions.—

20 (1) A municipality; ~~a~~ county; ~~a~~ special district; a
21 board, an agency, a commission, or an authority of a county, a
22 municipal corporation, or other political subdivision of the
23 state; ~~a~~ community development district created pursuant to
24 chapter 190; ~~or~~ or other political subdivision of the state may
25 not enact or enforce a resolution, ordinance, rule, code, or
26 policy or take any action that restricts or prohibits or has the
27 effect of restricting or prohibiting the types or fuel sources
28 of energy production which may be used, delivered, converted, or
29 supplied by any of the following entities to serve customers

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30 that such entities are authorized to serve:

31 (a) A public utility or an electric utility as defined in
32 this chapter.~~†~~

33 (b) An entity formed under s. 163.01 that generates, sells,
34 or transmits electrical energy.~~†~~

35 (c) A natural gas utility as defined in s. 366.04(3)(c).~~†~~

36 (d) A natural gas transmission company as defined in s.
37 368.103.~~†~~~~or~~

38 (e) A Category I liquefied petroleum gas dealer,~~a~~~~or~~
39 Category II liquefied petroleum gas dispenser,or a Category III
40 liquefied petroleum gas cylinder exchange operator as defined in
41 s. 527.01.

42 (2) Except to the extent necessary to enforce the Florida
43 Building Code adopted pursuant to s. 553.73 or the Florida Fire
44 Prevention Code adopted pursuant to s. 633.202, a municipality;
45 a~~†~~ county; a~~†~~ special district; a board, an agency, a
46 commission, or an authority of a county, a municipal
47 corporation, or other political subdivision of the state; a~~†~~
48 community development district created pursuant to chapter 190;†
49 or other political subdivision of the state may not enact or
50 enforce a resolution, an ordinance, a rule, a code, or a policy
51 or take any action that restricts or prohibits or has the effect
52 of restricting or prohibiting the use of an appliance, including
53 a stove or grill, which uses the types or fuel sources of energy
54 production which may be used, delivered, converted, or supplied
55 by the entities listed in subsection (1). As used in this
56 subsection, the term "appliance" means a device or apparatus
57 manufactured and designed to use energy and for which the
58 Florida Building Code or the Florida Fire Prevention Code

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59 provides specific requirements.

60 (5) Any charter, resolution, ordinance, rule, code, policy,
61 or action of any municipality, county, special district,
62 community development district created pursuant to chapter 190,
63 or political subdivision, or any board, agency, commission, or
64 authority of such governmental entity which ~~charter, resolution,~~
65 ~~ordinance, rule, code, policy, or action that~~ is preempted by
66 this act and which ~~that~~ existed before or on July 1, 2021, is
67 void.

68 Section 2. This act shall take effect July 1, 2025.