

HB 1251

2017

1 A bill to be entitled
2 An act relating to private property rights; amending
3 s. 366.02, F.S.; exempting from the definition of
4 "public utility" specified property owners who own,
5 produce, and provide renewable energy to users on that
6 property; providing an effective date.

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

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10 Section 1. Subsection (1) of section 366.02, Florida
11 Statutes, is amended to read:

12 366.02 Definitions.—As used in this chapter:

13 (1) "Public utility" means every person, corporation,
14 partnership, association, or other legal entity and their
15 lessees, trustees, or receivers supplying electricity or gas
16 (natural, manufactured, or similar gaseous substance) to or for
17 the public within this state; ~~but~~ The term "public utility"
18 does not include either a cooperative now or hereafter organized
19 and existing under the Rural Electric Cooperative Law of the
20 state; a municipality or any agency thereof; a property owner
21 who owns and operates on that property a renewable energy source
22 device as defined in s. 193.624(1) with a capacity of up to 2.5
23 megawatts and who produces and provides or sells renewable
24 energy from that device to users located on the property; any
25 dependent or independent special natural gas district; any

26 | natural gas transmission pipeline company making only sales or
27 | transportation delivery of natural gas at wholesale and to
28 | direct industrial consumers; any entity selling or arranging for
29 | sales of natural gas which neither owns nor operates natural gas
30 | transmission or distribution facilities within the state; or a
31 | person supplying liquefied petroleum gas, in either liquid or
32 | gaseous form, irrespective of the method of distribution or
33 | delivery, or owning or operating facilities beyond the outlet of
34 | a meter through which natural gas is supplied for compression
35 | and delivery into motor vehicle fuel tanks or other
36 | transportation containers, unless such person also supplies
37 | electricity or manufactured or natural gas.

38 | Section 2. This act shall take effect July 1, 2017.