

DATE: June 2, 2025

TO: FECA Members

FROM: Forrest Boone, Director of Regulatory Affairs

RE: 2025 Legislative Session Compliance Memorandum

The purpose of this memorandum is to provide information for Florida's electric cooperatives to comply with changes to Florida law from the 2025 legislative session. Please consult with your attorney if you need legal advice related to any of the issues herein.

Utility Service Restrictions-(SB 1002/CS HB 1137)

Sponsors: Rep. Shoaf/Sen. Truenow

Status: **Signed by the Governor on 5/19/2025.**

The bill prohibits electric cooperatives from taking any action which has the effect of restricting the types or fuel sources of energy production delivered by any utility. The bill further prohibits electric cooperatives from taking any action which has the effect of restricting the use of a gas or electric appliance. The bill provides an effective date of July 1, 2025.

Action Item: Co-ops should review policies and programs to ensure that they do not have the effect of restricting the types of fuel sources a member may use. Particular attention should be paid to actions which may affect natural gas service, or have a discriminatory effect. Any program or policy that raises these concerns should be discussed with counsel to evaluate the risk, if any. Please notify Statewide of any new issues related to compliance with this statute.

Department of Agriculture and Consumer Services-(CS SB 700/HB 651)

Sponsors: Sen. Truenow/Rep. Tuck

Status: **Signed by the Governor on 5/15/2025.**

The new statute, Section 366.20 F.S., requires that before an electric utility offers for sale or transfers any land, which was classified as agricultural lands within five years before the date of acquisition by the utility, the electric utility must offer the

land to the Department of Agriculture. It provides a retroactive date of January 1, 2009. The bill provides that a utility must notify the Commissioner of Agriculture of the intent to sell or transfer land 30 days before offering for sale to a private individual or entity. It states the Commissioner has 30 days from receipt of an intent to sell to issue an intent to purchase. It provides that if an intent to purchase is not issued or declined then a utility can move forward with the sale or transfer to a private individual or entity. The bill also broadens the Department of Agriculture's authority to regulate electric vehicle charging stations, expanding the definition of a charging station and giving broader enforcement powers to the Department. **The bill provides an effective date of July 31, 2026 for the utility owned lands section** while the remainder of the bill has an effective date of July 1, 2025.

Action Item: Co-ops should consult their attorney and investigate whether the co-op has conveyed or sold any land since 2009. These transactions should be reviewed for potential application of the statute beginning in July 2026. This will include inquiry into the agriculture classification of the lands in the five years prior to the co-op's ownership and a potential offer of the lands to the Department. Statewide will be assembling a list of these transactions for advocacy purposes, and then will discuss next steps with the relevant co-ops. While this may be a time-consuming process, all co-ops should discuss internally and with counsel about conducting such an inquiry, with a target date of submitting a list of identified transactions to Statewide by September 1st 2025.

For pending or future sales or conveyances of co-op-owned real property, a co-op should consult their attorney and consider that such transactions will also need to be evaluated under the statute. This will include inquiry into the agriculture classification of the lands in the five years prior to the co-op's ownership and a potential offer of the lands to the Department.

Statewide will be working with the Department and other stakeholders on implementation and rulemaking, if any, under the new law.

Assault or Battery on a Utility Worker-(SB 1386/HB 857)

Sponsors: Sen. Yarborough/Rep. Kincart Jonsson

Status: **Signed by the Governor on 5/22/2025.**

The bill increases penalties for criminal offenses committed against utility workers involved in work on critical infrastructure, including upgrading assault to a first-degree misdemeanor and battery or aggravated assault to a felony. It defines "utility worker," for the purposes of this law, as an employee or contractor visibly identified by a patch, emblem, or identification that links them to their utility, including those in electricity, gas, water, wastewater, telephone, or communications services. The bill provides an effective date of October 1, 2025.

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| <p>Action Item: Consider policies and training with employees and contractors to ensure that they fall under the protections of the law when prudent.</p> |
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