

Committee Substitute for Senate Bill No. 408

An act relating to electric utility service interruptions; creating s. 768.138, F.S.; providing electric utilities with a complete defense in certain actions for certain law enforcement assistance activities; providing an effective date.

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

Section 1. Section 768.138, Florida Statutes, is created to read:

768.138 Interruption of electric utility service by order of law enforcement; immunity.—The good-faith compliance by an electric utility, as defined in s. 366.02, or the utility's personnel, with a law enforcement or judicial order to interrupt or disconnect electric service at a location for the purpose of aiding law enforcement personnel in the performance of their duties constitutes an absolute defense for the electric utility and its personnel to any civil, criminal, or administrative action arising out of such interruption or disconnection, as long as the electric utility and its personnel exercise reasonable care in their actions. However, this provision does not create a duty of care where none existed prior to the enactment of this section.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 6, 2001.

Filed in Office Secretary of State June 6, 2001.