

CHAPTER 2012-164

House Bill No. 231

An act relating to intergovernmental cooperation; amending s. 163.01, F.S.; revising the definition of the term “electric utility”; authorizing certain parties to an interlocal agreement to conduct public meetings and workshops by means of communications media technology; providing notice requirements; providing a definition; providing legislative intent that electric utilities included in the revision to the definition of the term “electric utility” may exercise the powers and authority granted by ch. 163, F.S.; providing legislative intent that the revision is enacted in furtherance of and is consistent with the application of the Joint Power Act; providing an effective date.

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

Section 1. Paragraph (f) of subsection (3) of section 163.01, Florida Statutes, is amended, and subsection (18) is added to that section, to read:

163.01 Florida Interlocal Cooperation Act of 1969.—

(3) As used in this section:

(f) “Electric utility” has the same meaning as in s. 361.11(2). The term also includes those municipalities, authorities, commissions, special districts, or other public bodies that own, maintain, or operate an electrical generation, transmission, or distribution system within the state on June 25, 2008.

(18) Any separate legal entity created under subsection (7) which has member public agencies located in at least five counties, of which at least three are not contiguous, may conduct public meetings and workshops by means of communications media technology. The notice for any such public meeting or workshop shall state that the meeting or workshop will be conducted through the use of communications media technology; specify how persons interested in attending may do so; and provide a location where communications media technology facilities are available. The participation by an officer, board member, or other representative of a member public agency in a meeting or workshop conducted through communications media technology constitutes that individual’s presence at such meeting or workshop. As used in this subsection, the term “communications media technology” means conference telephone, video conference, or other communications technology by which all persons attending a public meeting or workshop may audibly communicate.

Section 2. It is the intent of the Legislature that each electric utility that is included within the amendment to s. 163.01(3)(f), Florida Statutes, made by this act may exercise the powers granted by part II of chapter 361, Florida

Statutes, in conjunction with the exercise of the powers and authority granted by chapter 163, Florida Statutes. It is further the intent of the Legislature that the amendment is enacted in the furtherance of and is consistent with the application of part II of chapter 361, Florida Statutes, the Joint Power Act.

Section 3. This act shall take effect July 1, 2012.

Approved by the Governor April 27, 2012.

Filed in Office Secretary of State April 27, 2012.