

## CHAPTER 2021-262

### Committee Substitute for House Bill No. 1633

An act relating to Okaloosa Gas District, Okaloosa, Santa Rosa, and Walton Counties; amending ch. 2000-443, Laws of Florida; revising the territorial limits and area of service of the district to include all of Santa Rosa County and all of Walton County; providing exceptions; revising the membership of the Board of Directors to include one member appointed by each of the Board of County Commissioners of Santa Rosa and Walton Counties; revising the director's fee for each meeting attended by a member of the Board of Directors; providing an effective date.

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

Section 1. Sections 3 and 8 of section 2 of chapter 2000-443, Laws of Florida, are amended to read:

Section 3. Area of service.—The territorial limits and area of service of the District shall be Okaloosa County, Florida, and the following described areas in Santa Rosa County, Florida, and Walton County, Florida, to-wit:

(1) In Santa Rosa County, ~~all of Santa Rosa County an area 20 miles wide, extending from the eastern boundary of Santa Rosa County, to the western boundary of said county, the center line of which shall be the presently existing transmission line of the District, excepting, however, from the above described area of Santa Rosa County:~~

(a) ~~The area within the corporate limits of the City Town of Milton and the surrounding territory presently served by the gas distribution system of said city town; however, nothing in this act shall be construed to restrict or limit the City of Milton's right to serve gas customers within its territorial grants and in all areas where the district territories overlap with territories of the City of Milton authorized by chapter 61-2489 and chapter 71-773, Laws of Florida;~~

(b) The area adjacent to State Highway 87 (Brewton Highway) from the intersection of said highway and the transmission line of the District northerly along said highway for a distance of 2 miles;

(c) The area adjacent to the New Chumuckla Highway from the intersection of said highway and State Highway 87 (Brewton Highway) westerly along said New Chumuckla Highway for a distance of 2 miles; ~~and~~

(d) The area adjacent to said Highway and the transmission line of the District east of Milton, in a westerly direction along said Highway 90 to the corporate limits of the City Town of Milton;:-

(e) The area within the corporate limits of the City of Gulf Breeze and the area from the eastern boundary of the corporate limits of the City of Gulf

Breeze extending easterly approximately 11 miles to the line defined as the eastern boundary of Sections 4, 9, 16, 21 and 28 of Township 2 South, Range 27 West, which extends north and south from Santa Rosa Sound to East Bay;

(f) The area from the line defined as the eastern boundary of Sections 4, 9, 16, 21 and 28 of Township 2 South, Range 27 West, which extends north and south from Santa Rosa Sound to East Bay, and extending easterly to the line starting at the intersection US Highway 98 and Shannon Drive, going due south to Santa Rosa Sound, thence turning due north continuing to Manatee Road; thence turning west until the intersection of Basswood Drive; thence turning north until intersecting the Tom King Bayou tributary south of Cove Road; thence following this branch northwest to Tom King Bayou, thence north to East Bay is presently claimed as a service area by the District and by the City of Gulf Breeze and shall not be deemed to be included or excluded as a service area for the District. The service rights for this area shall be determined by a final nonappealable order of the Florida Public Service Commission or any successor agency; and

(g) The area within the corporate limits of the Town of Jay and the existing customers presently served by the gas distribution system of said town.

(2) In Walton County, all of Walton County extending from the eastern boundary of Walton County to the western boundary of said county, excepting, however, from the above described area of Walton County, that area lying south of the section lines commencing at the Western Boundary of Walton County at the Northwest corner of Section 31, Township 4 North, Range 21 West and running easterly along the northern section lines of Sections 31, 32, 33, 34, 35, and 36 of Township 4 North, Range 21 West, Sections 31, 32, 33, 34, 35, and 36 of Township 4 North, Range 20 West, Sections 31, 32, 33, 34, 35, and 36 of Township 4 North, Range 19 West, and Section 31, 32, and 33 of Township 4 North, Range 18 West, ending at the Eastern Boundary of Walton County located at the Northeast corner of Section 33, Township 4 North, Range 18, south to the current gas distribution system of the City of DeFuniak Springs, the area within the corporate limits of the City of DeFuniak Springs and the customers served by the gas distribution system of said city. However, should the District request in writing to the city and the city agrees through written agreement, the District is authorized to serve any mutually agreed portion of the excepted area above the area shall be all of that portion of Walton County lying south of Highway 20 and 10 miles north of Highway 20.

The District may acquire a supply of gas either within or without the District's territorial limits and area of service and may transport and transmit gas from the point of such acquisition to the system or systems of the District. The District may also sell and transport gas for delivery beyond the territorial limits and area of service of the District and acquire, finance, operate, maintain, extend, and improve gas transmission lines, laterals, and facilities beyond the territorial limits and area of service of the District for such purposes and also for the purpose of making direct sales to industrial

and institutional users and to line tap commercial and residential users, but the District shall not acquire, construct, own, or operate any gas distribution system in any area other than within Santa Rosa, Okaloosa, or Walton Counties the territorial limits and area of service of the District as provided in this section, unless authorized by special act of the Legislature to do so.

Section 8. The Board of Directors.—The District shall have a Board of Directors, consisting of one member of each member municipality and one member appointed by the Board of County Commissioners of Okaloosa, Santa Rosa, and Walton Counties ~~County~~, to represent the interest of the unincorporated areas and the interest of the nonmember cities. The member for each member municipality shall be appointed by the governing body of such member municipality and the Board of County Commissioners of the respective counties ~~Okaloosa County~~ shall appoint one member from each county. The member shall serve for a term of 4 years and until his or her successor is appointed in like manner and qualified. Appointments to fill a vacancy shall be for the unexpired term. The representative of each municipality may, but need not be, the mayor or chief executive officer of such municipality and the member appointed by the Board of County Commissioners of ~~Okaloosa County~~ may, but need not be, an elected official, except and provided that no member of the Board of County Commissioners of ~~Okaloosa County~~ shall serve in such capacity. The members of the Board of Directors shall serve without compensation, except that they shall be reimbursed for actual expenses incurred in and about the performance of their duties thereunder and, at the discretion of the Board of Directors, they may be paid a director’s fee of not exceeding \$244 ~~\$25~~ for each directors’ meeting attended by them, not exceeding one meeting during each calendar month. The appointing authority may remove any member of the Board of Directors within the term for which such member shall have been appointed for malfeasance or misfeasance in office or other just cause after giving to such member a copy of the charges against him or her and an opportunity to be heard in his or her defense.

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

Approved by the Governor June 29, 2021.

Filed in Office Secretary of State June 29, 2021.