Economic Infrastructure Subcommittee

Wednesday, January 14, 2026
8:00 AM - 10:00 AM
Reed Hall (102 HOB)

Daniel Perez
Speaker

Chip LaMarca
Chair

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Economic Infrastructure Subcommittee

Start Date and Time: Wednesday, January 14, 2026 08:00 AM

End Date and Time: Wednesday, January 14, 2026 10:00 AM

Location: Reed Hall (102 HOB)

Duration: 2.00 hrs

Consideration of the following bill(s):

HB 283 School Zone and Pedestrian Safety by Alvarez, J.
HB 379 Rural Electric Cooperatives by Shoaf
HB 387 Automatic Dependent Surveillance Broadcasts by Bankson, Kendall
HB 7009 OGSR/Public Service Commission by Government Operations Subcommittee, Greco

NOTICE FINALIZED on 01/12/2026 4:32PM by Marks.Amie

HB 283

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 283	**COMPANION BILL:** SB 498 (Rodriguez)
TITLE: School Zone and Pedestrian Safety	**LINKED BILLS:** None
SPONSOR(S): Alvarez, J.	**RELATED BILLS:** None

Committee References

Economic Infrastructure ➤ Transportation & Economic Development Budget ➤ Commerce

SUMMARY

Effect of the Bill:
The bill requires that all design and construction plans of crosswalks, located at any point other than a signalized intersection, after October 1, 2026, include certain lighted traffic control devices. The bill applies only to such crosswalks located in a school zone or on a public street, road, or highway with a speed limit greater than 35 mph.

Fiscal or Economic Impact:
The bill may have an indeterminate negative fiscal impact on state and local government expenditures.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill requires that all design and construction plans for crosswalks, located at any point other than a signalized intersection, in a school zone or other public street, road, or highway with a posted speed limit greater than 35 miles per hour, after October 1, 2026, include appropriate traffic control devices that conform to the following devices from the Manual on Uniform Traffic Control Devices (MUTCD)): (Section 1).

- "Pedestrian Hybrid Beacons"
- "Rectangular Rapid Flashing Beacons"
- "Flashing Beacons" or
- "In-Roadway Warning Lights"

The bill also requires in-roadway warning lights be used in conjunction with rectangular rapid flashing beacons or flashing beacons.

The bill has an effective date of July 1, 2026 (Section 2).

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

To the extent that the state is required to design and construct midblock crosswalks that include traffic control devices as required by the bill but would not otherwise have included such devices, the bill may increase costs for projects that include such midblock crosswalks. The bill does not require retrofitting of existing midblock crosswalks.

LOCAL GOVERNMENT:

To the extent that local governments are required to design and construct midblock crosswalks that include traffic control devices as required by the bill but would not otherwise have included such devices, the bill may increase costs for projects that include such midblock crosswalks. The bill does not require retrofitting of existing midblock crosswalks.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Florida law provides that the driver of a vehicle must stop for a pedestrian who is walking in a crosswalk in accordance with a traffic control signal or where signage indicates the driver must stop. If there are no traffic control signals or signage in place at a crosswalk, the driver of a vehicle must yield to a pedestrian who is on the half of the roadway on which the vehicle is traveling. If traffic control signals are in operation, pedestrians may not cross at any place except in a marked crosswalk. If there is no crosswalk, pedestrians crossing a roadway must yield to vehicles.[1]

The Department of Transportation (DOT) and local governments utilize various types of equipment or signals to indicate when pedestrians may safely cross at midblock crosswalks (crosswalks that are not at an intersection) as discussed below.

Manual on Uniform Traffic Control Devices (MUTCD)

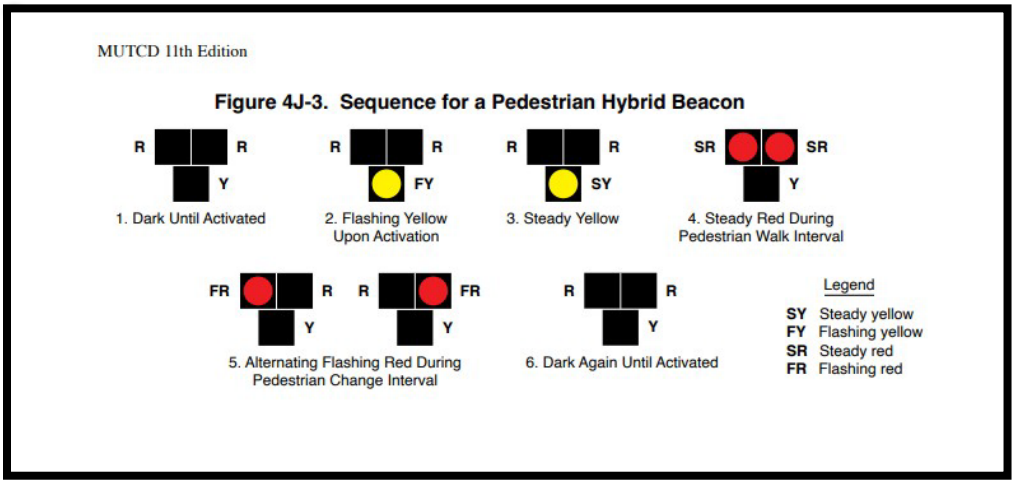
When pedestrian traffic control signals or signage is installed, such indicators must conform to the requirements of the most recent MUTCD. The MUTCD is a compilation of national standards for all traffic control devices, including road markings, highway signs, and traffic signals. It is updated periodically to accommodate the nation's changing transportation needs and address new safety technologies, traffic control tools, and traffic management techniques. [2]

The MUTCD defines the standards used by road managers nationwide to install and maintain traffic control devices on all streets, highways, pedestrian and bicycle facilities, and site roadways open to public travel. The MUTCD is published by the Federal Highway Administration (FHWA). The MUTCD 11th edition was adopted on January 18, 2024.[3] Florida law provides that the minimum standards and criteria for the design, construction, maintenance, and operation of public roads be annually updated to be consistent with applicable federal regulations as found in the MUTCD.[4]

Pedestrian Hybrid Beacons

A pedestrian hybrid beacon is a special type of hybrid beacon used to warn and control traffic at an unsignalized location to assist pedestrians in crossing a street or highway at a marked crosswalk.[5] A pedestrian hybrid beacon face consists of three signal sections, with signal indication centered below two horizontally-aligned circular red signal indications.[6] Upon activiation by a pedestrian these signals operate as shown in the image below.[7]

[1] s. 316.075, F.S.
[2] U.S. Department of Transportation, *Current Edition of the Manual on Uniform Traffic Control Devices for Streets and Highways*, https://mutcd.fhwa.dot.gov/index.htm (last visited Jan. 8, 2026).
[3] *Id*.
[4] s. 334.044, F.S.
[5] U.S. Department of Transportation, Manual on Uniform Traffic Control Devices for Streets and Highways 727(11th ed. 2024).
[6] *Id*.
[7] *Id.* 730.



Rectangular Rapid Flashing Beacons

The rectangular rapid flash beacon (RRFB), consists of two rapidly and alternately flashing yellow rectangular LED lights that function as a warning beacon to drivers. Pedestrians press the call button to activate the yellow flashing lights but must wait for motorists to stop before crossing.[8] An RRFB is shown in the image below.



Flashing Beacons

A flashing beacon is a traffic signal with one or more signal sections that operates in a continuous flashing mode as specified by the operator who installs the device.[9] Flashing beacons can be intersection control beacons or provide warning.[10] A flashing beacon is shown in the image below.

[8] U.S. Department of Transportation, *Rectangular Rapid Flashing Beacons (RRFB)*, https://highways.dot.gov/safety/proven-safety-countermeasures/rectangular-rapid-flashing-beacons-rrfb (last visited Jan. 8, 2026).
[9] U.S. Department of Transportation, Manual on Uniform Traffic Control Devices for Streets and Highways 751 (11th ed. 2024).
[10] *Id.*



In-Roadway Warning Lights

In-Roadway Warning Lights are special types of highway traffic signals installed in the roadway surface to warn road users that they are approaching a condition on or adjacent to the roadway that might not be readily apparent and might require the road users to reduce their speed and/or come to a stop. This includes situations warning of marked school crosswalks, marked midblock crosswalks, marked crosswalks on uncontrolled approaches[11], marked crosswalks in advance of roundabouts and other roadway situations involving pedestrian crossings.[12] In-roadway warning lights are shown in the image below.



[11] U.S. Department of Transportation, Manual on Uniform Traffic Control Devices for Streets and Highways 28 (11th ed. 2024). As defined in the MUTCD, an uncontrolled approach is an approach on which vehicles are not controlled by a traffic control signal, hybrid beacon, STOP sign, or YIELD sign.

[12] U.S. Department of Transportation, Manual on Uniform Traffic Control Devices for Streets and Highways 757 (11th ed. 2024).

RECENT LEGISLATION:

YEAR	BILL #/SUBJECT	HOUSE/*SENATE* SPONSOR(S)	OTHER INFORMATION
2021	HB 1113 - Traffic and Pedestrian Safety	Fine	Passed the House and died in the Senate.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Economic Infrastructure Subcommittee			Keating	Ray
Transportation & Economic Development Budget Subcommittee				
Commerce Committee				

A bill to be entitled

An act relating to school zone and pedestrian safety; amending s. 336.045, F.S.; requiring that design and construction plans for the installation of crosswalks in school zones or on certain streets, roads, or highways include certain traffic control devices; providing an effective date.

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

Section 1. Subsection (7) is added to section 336.045, Florida Statutes, to read:

336.045 Uniform minimum standards for design, construction, and maintenance; advisory committees.—

(7) Notwithstanding any law to the contrary, beginning October 1, 2026, all design and construction plans for the installation of a crosswalk in a school zone, or on any public street, road, or highway with a posted speed limit exceeding 35 miles per hour, when located at any point other than at a signalized intersection, shall include appropriate traffic control devices that conform to either:

(a) Chapter 4J titled "Pedestrian Hybrid Beacons" of the most recent Manual on Uniform Traffic Control Devices and any other applicable standards of the department; or

(b) Chapter 4L titled "Rectangular Rapid Flashing

Beacons," Chapter 4S titled "Flashing Beacons," or Chapter 4U titled "In-Roadway Warning Lights" of the most recent Manual on Uniform Traffic Control Devices and any other applicable standards of the department. In-Roadway Warning Lights shall be used in conjunction with Rectangular Rapid Flashing Beacons or Flashing Beacons to improve visibility of the crosswalk.

Section 2. This act shall take effect July 1, 2026.

HB 379

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 379	**COMPANION BILL:** SB 288 (Rodriguez)
TITLE: Rural Electric Cooperatives	**LINKED BILLS:** None
SPONSOR(S): Shoaf	**RELATED BILLS:** None

Committee References

Economic Infrastructure ➤ Commerce

SUMMARY

Effect of the Bill:

The bill modifies current law to clarify that a rural electric cooperative is not prohibited from adopting policies or taking actions that have the effect of restricting its own choice in the types or fuel sources used to produce the electricity it purchases or generates, but a rural electric cooperative that sells electricity at retail still may not adopt fees or policies that restrict or prohibit the types or fuels sources of energy production used or provided by other specified entities.

Fiscal or Economic Impact:
None

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill modifies a prohibition on certain actions of rural electric cooperatives that restrict or prohibit, or that have the effect of restricting or prohibiting, the types or fuel sources of energy production which may be used, delivered, converted, or supplied by specified entities. The bill amends this prohibition to clarify that a rural electric cooperative may govern itself as to the types and fuel sources of energy used to produce electrical power it purchases or generates, but a rural electric cooperative that sells electricity at retail still may not take actions that have the effect of restricting another entity's energy choices. (Section 1)

To accomplish this, the bill provides that the prohibition applies only to rural cooperatives that sell electricity at retail and removes public utilities and electric utilities, including all municipal electric utilities and rural electric cooperatives, from the list of specified entities whose choice in energy production is protected by the prohibition. (Section 1)

The bill further clarifies that rural electric cooperatives may not adopt any bylaw, tariff, policy, or fee—including a "lot fee, developer fee, or surcharge"—that restricts or prohibits, or has the effect of restricting or prohibiting, the types or fuel sources of energy production which may be used, delivered, converted, or supplied by the following entities[1] to serve customers that such entities are authorized to serve:

- Entities formed by interlocal agreement to generate, sell, and transmit electrical energy;
- Investor-owned natural gas utilities;
- Gas districts;

[1] The bill cites to the entities listed in paragraphs (b)-(e) of s. 366.032(1), F.S.

- Municipal natural gas utilities;
- Natural gas transmission companies; and
- Certain liquefied petroleum gas dealers, dispensers, and gas cylinder exchange operators. (Section 1)

The bill has an effective date of July 1, 2026. (Section 2)

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Rural Electric Cooperatives

Rural electric cooperatives[2] are electric utilities that are owned by their members.[3] These private companies are generally nonprofit, with their principal purpose being to deliver electrical service to their members. Rural electric cooperatives are mostly located in rural areas where, at least historically, the return on investment for building or installing electrical infrastructure was not enough to incentivize investor-owned utilities to provide service.[4]

Rural electric cooperatives operate in 57 of Florida's 67 counties and have a total membership of more than 2.7 million customers.[5] In Florida, as in most of the U.S., rural electric cooperatives serve a large percentage of geographic area but have a low customer density. Specifically, Florida cooperatives serve approximately 10 percent of Florida's total electric utility customers, but their service territory covers 60 percent of Florida's total land mass.[6] Each cooperative is governed by a board of trustees elected by the cooperative's membership.[7]

In addition to providing electric service, cooperatives in Florida are authorized to own and operate water and sewer systems.[8] To promote economic development, a cooperative may provide any energy or nonenergy services to its membership.[9]

As of 2025, there were eighteen rural electric cooperatives in Florida.[10] Of those eighteen cooperatives, fifteen are non-generating retail utilities, two are wholesale-only generating utilities, and one is a retail utility capable of generating electricity with a standby generating unit.[11]

Electric Utilities

An electric utility is an investor-owned utility, municipally-owned utility, or a rural electric cooperative that owns, maintains, or operates an electric generation, transmission, or distribution system within the state.[12] There are four investor-owned electric utilities in Florida: Florida Power & Light Company, Duke Energy Florida, Tampa

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[2] The term "cooperative" is defined in s. 425.02, F.S., as "[c]ooperative, nonprofit, membership corporations" that are organized "for the purpose of supplying electric energy and promoting and extending the use thereof in rural areas."
[3] The term "member" is defined in s. 425.03, F.S., and may include "any natural person, firm, association, corporation, business trust, partnership, federal agency, state or political subdivision or agency thereof, or any body politic."
[4] University of Wisconsin Center for Cooperatives, *Research on the Economic Impact of Cooperatives*, https://reic.uwcc.wisc.edu/electric/ (last visited Jan. 9, 2026).
[5] Florida Electric Cooperative Association, *Our History*, https://feca.com/our-history/ (last visited Jan. 9, 2026).
[6] *Id.*
[7] *Id.*; s. 425.10(1), F.S.
[8] S. 425.04(4), F.S.
[9] S. 425.04(17), F.S.
[10] Florida Public Service Commission, *Facts & Figures of the Florida Utility Industry 2025*, p, 1, https://www.floridapsc.com/pscfiles/website-files/PDF/Publications/Reports/General/FactsAndFigures/April%202025.pdf, (last visited Jan. 9, 2026).
[11] Seminole Electric Cooperative and PowerSouth Energy are wholesale-only generating utilities that provide electricity to member distribution cooperatives, and Florida Keys Electric Cooperative is a distribution utility with a standby generating unit. *See* Florida Public Service Commission, *Statistics of the Florida Electric Utility Industry 2024*, p. 9, https://www.floridapsc.com/pscfiles/website-files/PDF/Publications/Reports/ElectricGas/Statistics/2024.pdf (last visited Jan. 9, 2026).
[12] S. 366.02(4), F.S.

Electric Company, and Florida Public Utilities Corporation.[13] These investor-owned electric utilities are also "public utilities" as that term is defined in Florida law.[14]

Additionally, there are thirty-five municipal electric utilities and eighteen rural electric cooperatives.[15] Further, the Florida Municipal Power Agency was created through a series of interlocal agreements under s. 163.01, F.S., to provide wholesale power supply to municipal electric utilities.[16] Fuels that Florida electric utilities use to generate electric power include, but are not limited to: natural gas, nuclear, coal, and renewables like solar and biomass.[17]

Natural Gas Utilities

A natural gas utility is a utility that supplies natural or manufactured gas, or liquefied gas with air admixture, or a similar gaseous substance by pipeline, to or for the public. A natural gas utility can be an investor-owned utility, gas district, or municipal gas utility.[18] Currently, there are five investor-owned natural gas utilities, twenty-seven municipally owned natural gas utilities, and four gas districts.[19] These five investor-owned gas utilities are also "public utilities" as that term is defined in Florida law.[20]

Liquified Petroleum Gas

Liquefied petroleum gas is any material which is composed predominately of any of the following hydrocarbons, or mixtures: propane, propylene, butanes, and butylenes.[21] A category I liquid petroleum gas dealer is someone who sells or offers to sell by delivery, or at a stationary location, any liquified petroleum gas to a consumer for industrial, commercial, or domestic use.[22] A category II liquefied petroleum gas dispenser is a person who operates a liquefied petroleum gas dispensing unit for the purpose of serving liquid products to the consumer for industrial, commercial, or domestic use, and who sells, or offers to sell or lease equipment for the use of liquified petroleum gas.[23] A category III liquified petroleum gas cylinder exchange operator is a person who operates a storage facility used for the purpose of storing filled propane cylinders of certain capacities while awaiting sale to the consumer, or a facility used for the storage of empty or filled containers which have been offered for exchange.[24]

Preemption Over Utility Service Restrictions

Florida law expressly preempts the authority of local governments to restrict utility services.[25] It prohibits a body of local government or other political subdivision of the state from enacting or enforcing any policy, or from taking any action that restricts or prohibits, or has the effect of restricting or prohibiting, the types or fuel sources of energy production which may be used, delivered, converted, or supplied by the following entities to serve customers that these entities are authorized to serve:

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[13] Florida Public Service Commission, *Facts & Figures of the Florida Utility Industry 2025*, *supra* note 10, at p. 4.
[14] The term "public utility" is defined in s. 366.02(8), F.S., to mean "every person, corporation, partnership, association, or other legal entity . . . supplying electricity or gas . . . to or for the public within this state," but the term does not include rural electric cooperatives, municipal utilities, or certain other specified entities.
[15] Florida Public Service Commission, *Facts & Figures of the Florida Utility Industry 2025*, *supra* note 10, at 1.
[16] Currently, FMPA serves the following municipalities: Alachua, Bartow, Blountstown, Bushnell, Chattahoochee, Clewiston, Fort Meade, Fort Pierce, Gainesville, Green Cove Springs, Havana, Homestead, Jacksonville, Jacksonville Beach, Key West, Kissimmee, Lake Worth Beach, Lakeland, Leesburg, Moore Haven, Mount Dora, New Smyrna Beach, Newberry, Ocala, Orlando, Quincy, St. Cloud, Starke, Tallahassee, Wauchula, Williston, and Winter Park. Florida Municipal Power Agency, *Members*, https://fmpa.com/members/ (last visited Jan. 9, 2026).
[17] Florida Public Service Commission, *Facts & Figures of the Florida Utility Industry 2025*, *supra* note 10, at p. 2.
[18] S. 366.04(3)(c), F.S.
[19] Florida Public Service Commission, *Facts & Figures of the Florida Utility Industry 2025*, *supra* note 10, at p. 14.
[20] S. 366.02(8), F.S., *supra* note 14.
[21] S. 527.01(1), F.S.
[22] This category also includes "any person leasing or offering to lease, or exchanging or offering to exchange, any apparatus, appliances, and equipment for the use of liquefied petroleum gas; any person installing, servicing, altering, or modifying apparatus, piping, tubing, appliances, and equipment for the use of liquefied petroleum or natural gas; any person installing carburetion equipment; or any person requalifying cylinders." S. 527.01(6), F.S.
[23] S. 527.01(7), F.S.
[24] S. 527.01(8), F.S.
[25] S. 366.032, F.S.

- Investor-owned electric utilities;
- Municipal electric utilities;
- Rural electric cooperatives;
- Entities formed by interlocal agreement to generate, sell, and transmit electrical energy;
- Investor-owned gas utilities;
- Gas districts;
- Municipal natural gas utilities;
- Natural gas transmission companies; and
- Certain propane dealers, dispensers, and gas cylinder exchange operators.[26]

While the preemption prohibits actions of local government bodies that have restrictive effects on the entities listed above, it does not prevent a municipality or government entity which owns or operates and directly controls an electric or natural gas utility from passing rules, regulations, or policies governing the utility.[27]

Florida law similarly prohibits a rural electric cooperative from adopting or enforcing policies or actions that have the effect of restricting or prohibiting the types or fuel sources of energy production which may be used or supplied by the same entities listed above.[28] However, current law does not provide an explicit protection for a rural electric cooperative to adopt rules and policies governing its own energy choices.

RECENT LEGISLATION:

YEAR	BILL #/SUBJECT	HOUSE/*SENATE* SPONSOR(S)	OTHER INFORMATION
2025	CS/HB 1137 - Utility Service Restrictions	Shoaf	Became law on May 20, 2025
2024	CS/CS/HB 1645 - Energy Resources	Payne	Became law on July 1, 2024
2021	CS/CS/HB 919 - Preemption Over Restriction of Utility Services	Tomkow	Became law on July 1, 2021

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Economic Infrastructure Subcommittee			Keating	Rubottom
Commerce Committee				

[26] S. 366.032(1), F.S.
[27] S. 366.032(3), F.S.
[28] S. 425.041, F.S. The statute protects the types or fuel sources of energy production which may be used, delivered, converted, or supplied by the entities listed in s. 366.032(1), F.S.

A bill to be entitled

An act relating to rural electric cooperatives; amending s. 425.041, F.S.; prohibiting a cooperative that sells electricity at retail from adopting, enacting, or enforcing a fee meeting specified criteria; revising the applicability of such prohibition on the types or fuel sources of energy production which may be used, delivered, converted, or supplied by specified entities; providing an effective date.

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

Section 1. Section 425.041, Florida Statutes, is amended to read:

425.041 Prohibited fees, bylaws, tariffs, and policies.—A cooperative which sells electricity at retail may not adopt, enact, or enforce any fee, including a lot fee, developer fee, or surcharge, or any bylaw, tariff, or policy, ~~or take any other action,~~ that restricts or prohibits or has the effect of restricting or prohibiting:

(1) The types or fuel sources of energy production which may be used, delivered, converted, or supplied by the entities listed in s. 366.032(1)(b)-(e) ~~s. 366.032 (1)~~ to serve customers that such entities are authorized to serve.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

(2) The use of an appliance, including a stove or grill, which uses the types or fuel sources of energy production which may be used, delivered, converted, or supplied by the entities listed in s. 366.032(1). As used in this subsection, the term "appliance" means a device or apparatus manufactured and designed to use energy and for which the Florida Building Code or the Florida Fire Prevention Code provides specific requirements.

Section 2. This act shall take effect July 1, 2026.

HB 387

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 387	**COMPANION BILL:** SB 422 (Wright)
TITLE: Automatic Dependent Surveillance Broadcasts	**LINKED BILLS:** None
SPONSOR(S): Bankson and Kendall	**RELATED BILLS:** None

Committee References

Economic Infrastructure ➤ Intergovernmental Affairs ➤ Commerce

SUMMARY

Effect of the Bill:
The bill prohibits the use of flight data derived from "automatic dependent surveillance broadcast" (ADS-B) systems to calculate, generate, or collect fees from owners and operators of certain aircraft under 12,500 pounds.

Fiscal or Economic Impact:
None.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill prohibits the use of information derived from "automatic dependent surveillance broadcast" (ADS-B) systems to calculate, generate, or collect fees from owners or operators of certain aircraft[1] within the state. Specifically, the bill:

- Provides a definition of "aircraft" for purposes of the prohibition to include aircraft under 12,500 pounds gross weight that operate under the Federal Aviation Administration's (FAA) rules for general aviation aircraft. (Section 1).
- Provides a definition of "automatic dependent surveillance broadcast" (ADS-B).[2] (Section 1).
- Prohibits any aircraft or any public or private entity from using information derived from ADS-B systems as a means for calculating, generating, and collecting fees from aircraft owners or operators who operate within the state. (Section 1).

The effective date of the bill is July 1, 2026. (Section 2).

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Automatic Dependent Surveillance-Broadcast (ADS-B)

[1] For purposes of the bill, the term "aircraft" is defined as having the same meaning as in s. 330.27, F.S., except that the aircraft must have a gross weight of 12,499 pounds or less and operate under 14 C.F.R. part 91.
[2] The bill defines "Automatic dependent surveillance broadcast" to mean "an advanced aviation surveillance technology that combines an aircraft's positioning source, aircraft avionics, and a ground infrastructure to create an accurate surveillance interface between an aircraft and air traffic control. The term includes two different services, ADS-B In and ADS-B Out, that can provide information, such as an aircraft's global positioning system location, altitude, ground speed, and other data, to ground stations and other aircraft, as well as weather and traffic information to aircraft operators."

Automatic Dependent Surveillance–Broadcast (ADS–B) is an advanced, aircraft surveillance system that replaces radar technology with a satellite-based technology. An ADS-B system periodically transmits information with no operator involvement, relies on Global Positioning System (GPS) or other satellite-based navigation systems, and provides three-dimensional aircraft positioning and identification.[3] ADS-B technology includes two different services: "ADS-B Out" broadcasts information about an aircraft's GPS location, altitude, ground speed, and other data to ground stations and other aircraft, and "ADS-B In" provides operators with weather and traffic position information.[4] Information broadcast from an airplane equipped with an ADS-B system can be received by anyone with appropriate receiving equipment.[5]

As of January 1, 2020, the Federal Aviation Administration (FAA) requires the operation of ADS-B Out systems for aircraft flying in most U.S. airspace, unless authorized by Air Traffic Control.[6] Because real-time ADS-B information, including geographic location tracking, can be received by third parties, the FAA's ADS-B Out requirement has generated privacy concerns among aircraft operators.[7] To mitigate these concerns, the FAA offers a privacy protection program that allows owners of certain aircraft to request an alternate, temporary call-sign that limits the extent to which an aircraft can be identified by non-U.S. government entities while maintaining safety and efficiency for Air Traffic Control services.[8]

General Aviation Aircraft

"General Aviation" (GA) is defined by the International Civil Aviation Organization[9] as "all civil aviation operations other than scheduled air services and nonscheduled air transport operations for remuneration or hire."[10] Thus, GA activity includes flight training, firefighting, banner towing, pipeline patrols, medevac operations, and recreational flying, among other activities.[11]

Aircraft Fees in Florida

Florida law allows publicly owned and operated airports to assess fees for the use of airport[12] facilities by aircraft, and municipal airports are authorized to charge owners and operators of airplanes using such airports sufficient fees and charges to cover the cost of services provided.[13] However, publicly owned airports are prohibited from charging landing fees for aircraft operations conducted for flight training by certain accredited nonprofit institutions.[14] Florida law provides that the governing body of a publicly owned and operated airport has a lien upon all aircraft using its facilities when payment of fees and charges are not made immediately upon demand.[15]

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[3] Federal Aviation Administration, *Ins and Outs*, https://www.faa.gov/air_traffic/technology/equipadsb/capabilities/ins_outs (last visited Jan. 12, 2026).
[4] *Id.*
[5] *Id.*
[6] Federal Aviation Administration, *Advisory Circular No. 90-114C: Automatic Dependent Surveillance-Broadcast Operations*, issued Jan. 14, 2025, available at https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_90-114C.pdf (last visited Jan. 12, 2026).
[7] Federal Aviation Administration, *ADS-B Privacy*, https://www.faa.gov/air_traffic/technology/equipadsb/privacy (last visited Jan. 12, 2026).
[8] *Id.*
[9] The International Civil Aviation Organization (ICAO) is a United Nations agency of 193 member states that cooperate together to support and enable a global air transport network. *See* ICAO, *About ICAO*, https://www.icao.int/about-icao (last visited Jan. 12, 2026); ICAO, *Strategic Objectives*, https://www.icao.int/strategic-objectives (last visited Jan. 12, 2026).
[10] *See, e.g.*, Aircraft Owners and Pilots Association, *General Aviation Explained: The Backbone of America's Aviation System*, at p. 3, available at https://download.aopa.org/Media/General-Aviation-Explained-r5.pdf (last visited Jan. 12, 2026).
[11] *Id.*
[12] The term "airport" is defined in s. 330.27(3), F.S.
[13] *See* s. 329.40(1), F.S., and s. 332.08(1)(e), F.S.
[14] *See* s. 330.355, F.S. The accredited nonprofit institution must offer a 4-year collegiate aviation program in order for its flight training operations to be exempt from an airport's landing fees.
[15] *See* s. 329.40(1), F.S.

Several airports in Florida have recently considered implementing automated landing fees using ADS-B information.[16] Operators of general aviation aircraft have opposed the proposals, and at least some airports have delayed the implementation of such automated fees.[17] However, one vendor of automatic landing fee services that uses ADS-B data to bill and collect landing fees lists at least three Florida airports as clients.[18]

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Economic Infrastructure Subcommittee			Keating	Rubottom
Intergovernmental Affairs Subcommittee				
Commerce Committee				

[16] General Aviation News Staff, *Florida Airports Prepare to Impose Landing Fees*, General Aviation News, Sep. 7, 2024, https://generalaviationnews.com/2024/09/07/florida-airports-prepare-to-impose-landing-fees/ (last visited Jan. 12, 2026).
[17] Stacey Heaton, *Florida Airport Pauses Vote on New Landing Fee*, Aircraft Owners and Pilots Association, Jan. 28, 2025, https://www.aopa.org/news-and-media/all-news/2025/january/28/florida-airport-pauses-vote-on-new-landing-fee (last visited Jan. 12, 2026).
[18] Vector Airport Systems lists the following Florida airports as clients of its "PLANEPASS" service: Kissimmee Gateway Airport, Tallahassee International Airport, and St. George Island Airport. Vector Airport Systems, *About Our Clients*, https://www.vector-us.com/clients (last visited Jan. 12, 2026).

A bill to be entitled

An act relating to automatic dependent surveillance broadcasts; creating s. 330.42, F.S.; providing definitions; prohibiting certain entities from using information broadcast or collected by automatic dependent surveillance broadcast systems for specified purposes; providing an effective date.

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

Section 1. Section 330.42, Florida Statutes, is created to read:

330.42 Automatic dependent surveillance broadcasts.—

(1) For purposes of this section, the term:

(a) "Aircraft" has the same meaning as in s. 330.27, except that the aircraft must have a gross weight of 12,499 pounds or less and operate under 14 C.F.R. part 91.

(b) "Automatic dependent surveillance broadcast" means an advanced aviation surveillance technology that combines an aircraft's positioning source, aircraft avionics, and a ground infrastructure to create an accurate surveillance interface between an aircraft and air traffic control. The term includes two different services, ADS-B In and ADS-B Out, that can provide information, such as an aircraft's global positioning system location, altitude, ground speed, and other data, to ground

stations and other aircraft, as well as weather and traffic information to aircraft operators.

(2) An aircraft or a public or private entity may not use information broadcast or collected by automatic dependent surveillance broadcast systems, regardless of whether that data originates from ADS-B In or ADS-B Out, as a means for calculating, generating, and collecting fees from aircraft owners or operators who operate aircraft within the geographic boundaries of this state.

Section 2. This act shall take effect July 1, 2026.

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 7009 PCB GOS 26-05	**COMPANION BILL:** SB 7006
TITLE: OGSR/Public Service Commission	**LINKED BILLS:** None
SPONSOR(S): Government Operations Subcommittee, Greco	**RELATED BILLS:** None

Committee References

Orig. Comm.: Government Operations 15 Y, 0 N	➤	Economic Infrastructure	➤	State Affairs

SUMMARY

Effect of the Bill:
The bill saves from repeal the public meeting exemption for portions of a hearing conducted by the Florida Public Service Commission during which proprietary confidential business information that is confidential and exempt from public record requirements is discussed.

Fiscal or Economic Impact:
None.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill removes the scheduled repeal date, created pursuant to the Open Government Sunset Review Act, for the public meeting exemption for portions of a hearing conducted by the Florida Public Service Commission during which proprietary confidential business information that is confidential and exempt from public record requirements is discussed. The public meeting exemption will repeal on October 2, 2026, if the bill does not become a law. (Section 1)

The effective date of the bill is upon becoming a law. (Section 2)

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Open Government Sunset Review Act

The Open Government Sunset Review Act (OGSR Act)[1] sets forth a legislative review process for newly created or substantially amended public record or public meeting exemptions. It requires an automatic repeal of the exemption on October 2nd of the fifth year after creation or substantial amendment, unless the Legislature reenacts the exemption.[2]

The OGSR Act provides that a public record or public meeting exemption may be created or maintained only if it serves an identifiable public purpose. In addition, it may be no broader than is necessary to meet one of the following purposes:

[1] S. 119.15, F.S.
[2] S. 119.15(3), F.S.

- Allow the state or its political subdivisions to effectively and efficiently administer a governmental program, which administration would be significantly impaired without the exemption;
- Protect sensitive personal information that, if released, would be defamatory or would jeopardize an individual's safety; however, only the identity of an individual may be exempted under this provision; or
- Protect trade or business secrets.[3]

If, and only if, in reenacting an exemption that will repeal, the exemption is expanded, then a public necessity statement and a two-thirds vote for passage are required. If the exemption is reenacted with grammatical or stylistic changes that do not expand the exemption, if the exemption is narrowed, or if an exception to the exemption is created, then a public necessity statement and a two-thirds vote are not required.[4]

Florida Public Service Commission

The Florida Public Service Commission (PSC), an arm of the legislative branch of government,[5] ensures that Florida consumers receive safe and reliable utilities services, including electric, natural gas, telecommunications, water, and wastewater at a fair and reasonable rate. The PSC consists of five commissioners appointed by the Governor from a pool of nominees selected by the PSC Nominating Council.[6] Each appointee is subject to confirmation by the Senate.[7]

The PSC exercises regulatory authority over utilities in the following areas: rate base or economic regulation; competitive market oversight; and monitoring of safety, reliability, and service issues.[8] In carrying out its duties, the PSC sets rates and charges for investor-owned electric, natural gas, water, and wastewater utilities;[9] approves territorial agreements and resolves service area disputes among electric and natural gas utilities;[10] certifies service areas for water and wastewater utilities,[11] and oversees carrier-to-carrier relationships and related interconnection agreements to prevent anticompetitive behavior in the telecommunications sector.[12] In 2024, the PSC regulated four investor-owned electric companies, five investor-owned natural gas utilities, and 153 investor-owned water and wastewater utilities, and exercised competitive market oversight over 276 telecommunications companies operating in the state.[13]

The PSC has broad statutory authority to obtain records from the utilities it regulates, including records containing proprietary confidential business information.[14] Under current law, a company or other person providing records to the PSC may request confidential treatment for records believed to contain proprietary confidential business

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[3] S. 119.15(6)(b), F.S.
[4] Art. I, s. 24(c), FLA. CONST.
[5] S. 350.001, F.S.
[6] Ss. 350.01(1) and 350.031(6), F.S. The PSC Nominating Council is a 12-member body responsible for screening and nominating candidates for appointment to the PSC. At least one member must be 60 years of age or older. Six members, including three members of the House of Representatives (one from the minority party) are appointed by and serve at the pleasure of the Speaker of the House of Representatives. Six members, including three members of the Senate (one from the minority party) are appointed by and serve at the pleasure of the President of the Senate. S. 350.031(1)(a), F.S.
[7] S. 350.031(8), F.S.
[8] PSC, *About the PSC* (last visited Jan. 8, 2026).
[9] Ss. 366.04(2)(b), 366.06(1), 367.011(2), and 367.081(1), F.S.
[10] S. 366.04(2)(d)-(e) and (3)(a)-(b), F.S.
[11] Ss. 367.031 and 367.045, F.S.
[12] *See* s. 364.16, F.S.
[13] PSC, *About the PSC* (last visited Jan. 8, 2026). While the PSC does not fully regulate publicly owned municipal or cooperative utilities, it retains limited jurisdiction, including territorial boundaries, over 35 municipally owned electric systems, 18 rural electric cooperatives, 27 municipally owned natural gas utilities, and 4 gas districts, and exercises statewide safety authority over all electric and natural gas systems.
[14] "Proprietary confidential business information" means information owned or controlled by a company that is intended to be and is treated as private because disclosure would cause harm to ratepayers or to the company's business operations. The term includes trade secrets, internal audit reports, security measures, certain bidding and contractual data, information concerning competitive interests, and certain personnel information. *See* ss. 364.183(3), 366.093(3), 367.156(3), and 368.108(3), F.S.

information. If the PSC finds that the records contain such information, the records are confidential and exempt[15] from public record requirements. A PSC finding that a record contains proprietary confidential business information is effective for a period set by the PSC not to exceed 18 months, unless the PSC finds, for good cause, that protection from disclosure should be for a specified longer period.[16]

Public Meeting Exemption under Review

In 2021, the Legislature created a public meeting exemption for portions of a PSC hearing during which proprietary confidential business information that is confidential and exempt from public record requirements is discussed.[17] All exempt portions of a hearing must be recorded and transcribed. The recordings and transcripts are confidential and exempt from disclosure as public records except to the extent that any portion of the recording or transcript is determined by a court of competent jurisdiction, upon review, to reveal nonexempt data.[18]

The 2021 public necessity statement[19] provided that:

> [T]he disclosure of proprietary confidential business information could significantly impair the ability of utilities regulated by the commission to fairly compete within the marketplace by revealing such information. Furthermore, such disclosure could harm the businesses with which such utilities contract by revealing the businesses' proprietary confidential business information and make it less likely for such businesses to do business with regulated utilities in the future. . . Given such harms, the disclosure of this information could negatively impact customers of regulated utilities and result in higher utility prices or lower quality of service overall.[20]

Pursuant to the OGSR Act, the exemption will repeal on October 2, 2026, unless reenacted by the Legislature.[21]

During the 2025 interim, House and Senate staff met jointly with staff from the PSC to discuss the public meeting exemption under review. PSC staff indicated that they have had no issue interpreting or applying the exemption and were unaware of any litigation concerning the exemption. PSC staff explained that hearings are generally structured to avoid discussion of proprietary confidential business information, allowing the proceedings to be conducted entirely in the sunshine. However, in rare cases, proprietary confidential business information may be so intertwined with the factual issues that a complete and fair hearing cannot be conducted without discussing such information. Without the exemption, the PSC would have to refer such cases to the Division of Administrative Hearings (DOAH),[22] where the proceedings could be closed; however, in those instances, the PSC's ability to apply its subject-matter expertise would be limited. Accordingly, PSC staff recommended reenacting the exemption as is.

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[15] There is a difference between records the Legislature designates *exempt* from public record requirements and those the Legislature designates *confidential and exempt*. A record classified as exempt from public disclosure may be disclosed under certain circumstances. *See WFTV, Inc. v. Sch. Bd. of Seminole*, 874 So.2d 48, 53 (Fla. 5th DCA 2004), *review denied*, 892 So.2d 1015 (Fla. 2004); *State v. Wooten*, 260 So. 3d 1060, 1070 (Fla. 4th DCA 2018); *City of Rivera Beach v. Barfield*, 642 So.2d 1135 (Fla. 4th DCA 1994); *Williams v. City of Minneola*, 575 So.2d 683, 687 (Fla. 5th DCA 1991). If the Legislature designates a record as confidential and exempt from public disclosure, such record may not be released by the custodian of public records to anyone other than the persons or entities specifically designated in statute. *See* Op. Att'y Gen. Fla. 04-09 (2004).

[16] *See* ss. 364.183, 366.093, 367.156, and 368.108, F.S.

[17] Ch. 2021-72, L.O.F.

[18] S. 350.01(9), F.S.

[19] Art. I, s. 24(c), FLA CONST., requires each public meeting exemption to "state with specificity the public necessity justifying the exemption."

[20] Ch. 2021-72, L.O.F.

[21] S. 350.01(9), F.S.

[22] DOAH is an independent agency housed within the Department of Management Services that conducts administrative hearings and resolves disputes under the Administrative Procedure Act. *See* s. 120.65, F.S.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Orig. Comm.: Government Operations Subcommittee	15 Y, 0 N	11/4/2025	Toliver	Villa
Economic Infrastructure Subcommittee			Keating	Rubottom
State Affairs Committee				

A bill to be entitled

An act relating to a review under the Open Government Sunset Review Act; amending s. 350.01, F.S., which provides an exemption from public meeting requirements for portions of a hearing before the Public Service Commission wherein certain proprietary confidential business information is discussed; removing the scheduled repeal of the exemption; providing an effective date.

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

Section 1. Subsection (9) of section 350.01, Florida Statutes, is amended to read:

350.01 Florida Public Service Commission; terms of commissioners; vacancies; election and duties of chair; quorum; proceedings; public records and public meetings exemptions.—

(9) Notwithstanding the provisions of subsection (8), those portions of a hearing conducted by the commission wherein proprietary confidential business information that is confidential or exempt from s. 119.07(1), pursuant to s. 364.183, s. 366.093, s. 367.156, or s. 368.108, is discussed are exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution. No exempt portion of a hearing may be off the record, and all exempt portions shall be recorded and

transcribed. Such recordings and transcripts are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, unless a court of competent jurisdiction, after an in camera review, determines that the hearing was not restricted to the discussion of proprietary confidential business information made confidential and exempt pursuant to s. 364.183, s. 366.093, s. 367.156, or s. 368.108. In the event of such a judicial determination, only that portion of the recording and transcript which reveals nonexempt information may be disclosed to a third party. ~~This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2026, unless reviewed and saved from repeal through reenactment by the Legislature.~~

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

CODING: Words ~~stricken~~ are deletions; words underlined are additions.