



October 29, 2015

UPDATE ON UTILITY RELOCATION ISSUE:

As originally filed [SB 416 \(Flores\)](#) required local governments to bear the costs of relocating utility equipment for non-transportation purposes within rights-of-way. In addition, the bill provided that a governmental authority bear the costs of relocating utility equipment if the equipment was located within an existing and valid utility easement granted by recorded plat, regardless of whether such land was subsequently acquired by the governmental authority by dedication, transfer of fee, or otherwise.

The Senate Community Affairs Committee unanimously adopted an amendment offered by Senator Brandes that removed the requirement that local governments bear the costs of utility equipment relocation if the equipment was located within the right-of-way and needed to be relocated for a non-transportation purpose.

This amendment is a considerable improvement to the bill. However, the provision requiring local governments to bear all utility relocation costs when utility equipment is located within a public utility easement and needs to be relocated still remains in both the House and Senate versions of the bill. The House version [HB 461 \(Ingram\)](#) was filed on 10/28/15 and contains the same language as the amended Senate version.

WHAT WE NEED FROM YOU:

Please provide input on the impact that this legislation as amended now has on your municipality.

Attached and linked is the amended version of [SB 416](#) and the recently filed [HB 461](#). In addition, attached is the Senate Community Affairs Staff Analysis that addresses SB 416 post amendment.

Please provide feedback on how this legislation will impact your city to Megan Sirjane-Samples at msirjanesamples@flcities.com or 561-352-3388 (cell). Also feel

free to contact Megan if you have any questions, concerns or need any additional information.

Thank you for your input on this issue.