

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

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1 Committee/Subcommittee hearing bill: Commerce Committee  
2 Representative Fischer offered the following:

3  
4 **Amendment (with title amendment)**

5 Between lines 102 and 103, insert:

6 Section 5. Subsection (2) of section 337.401, Florida  
7 Statutes, is amended to read:

8 337.401 Use of right-of-way for utilities subject to  
9 regulation; permit; fees.-

10 (2) The authority may grant to any person who is a  
11 resident of this state, or to any corporation which is organized  
12 under the laws of this state or licensed to do business within  
13 this state, the use of a right-of-way for the utility in  
14 accordance with such rules or regulations as the authority may  
15 adopt. No utility shall be installed, located, or relocated  
16 unless authorized by a written permit issued by the authority.

PCS for CSHB 203 a3

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17 However, for public roads or publicly owned rail corridors under  
18 the jurisdiction of the department, a utility relocation  
19 schedule and relocation agreement may be executed in lieu of a  
20 written permit. The permit shall require the permitholder to be  
21 responsible for any damage resulting from the issuance of such  
22 permit. The authority may initiate injunctive proceedings as  
23 provided in s. 120.69 to enforce provisions of this subsection  
24 or any rule or order issued or entered into pursuant thereto. A  
25 permit application required by an authority under this section  
26 must be processed and acted upon consistent with the timeframes  
27 provided in subparagraphs (7) (d)7., 8., and 9.

28  
29  
30 -----  
31 **T I T L E A M E N D M E N T**

32 Remove line 18 and insert:  
33 specified areas under certain circumstances; amending s.  
34 337.401, F.S.; providing a timeframe for processing permit  
35 applications for use of right-of-way by utilities; amending