

By the Committee on Communications, Energy, and Public Utilities; and Senator Simpson

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1 A bill to be entitled

2 An act relating to energy policies; amending s.
3 377.6015, F.S.; removing a provision relating to
4 representation in the Southern States Energy Compact;
5 amending s. 377.703, F.S.; requiring the Department of
6 Agriculture and Consumer Services to include in its
7 annual report recommendations for energy efficiency;
8 expanding the promotion of the development and use of
9 renewable energy resources from goals related to solar
10 energy to renewable energy in general; requiring the
11 department to cooperate with the Florida Energy
12 Systems Consortium in the development and use of
13 renewable energy resources; amending s. 377.705, F.S.;
14 providing that the Solar Energy Center may, rather
15 than must, develop standards for solar energy systems
16 manufactured or sold in this state; providing that the
17 center may, rather than must, establish criteria for
18 testing the performance of solar energy systems;
19 providing that the center may, rather than must,
20 receive a fee for testing the performance of solar
21 energy systems; removing the requirement that all
22 solar energy systems manufactured or sold in this
23 state must meet the standards established by the Solar
24 Energy Center; amending s. 377.712, F.S.; authorizing
25 the Commissioner of Agriculture to appoint a member to
26 the Southern States Energy Board; authorizing the
27 department to approve proposed activities relating to
28 furtherance of the Southern States Energy Compact;
29 amending s. 377.801, F.S.; conforming a cross-

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30 reference; amending s. 377.802, F.S.; amending the
31 purpose of the Florida Energy and Climate Protection
32 Act; amending s. 377.803, F.S.; conforming provisions
33 to changes made by the act; creating s. 377.815, F.S.;
34 authorizing the department to post on its website
35 information relating to alternative fueling stations
36 or electric vehicle charging stations; defining the
37 term "alternative fuel"; authorizing the owner or
38 operator of an alternative fueling station or an
39 electric vehicle charging station to report certain
40 information; amending s. 553.74, F.S.; adding a member
41 to the Florida Building Commission as a representative
42 of the Department of Agriculture and Consumer
43 Services' Office of Energy; deleting obsolete
44 provisions; repealing ss. 377.806 and 377.807, F.S.,
45 relating to the Solar Energy System Incentives Program
46 and the Energy-Efficient Appliance Rebate Program,
47 respectively; providing an effective date.

48
49 Be It Enacted by the Legislature of the State of Florida:

50
51 Section 1. Paragraphs (f) through (i) of subsection (2) of
52 section 377.6015, Florida Statutes, are redesignated as
53 paragraphs (e) through (h), respectively, and present paragraph
54 (e) of that section is amended to read:

55 377.6015 Department of Agriculture and Consumer Services;
56 powers and duties.—

57 (2) The department shall:

58 ~~(e) Represent Florida in the Southern States Energy Compact~~

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59 ~~pursuant to ss. 377.71-377.712.~~

60 Section 2. Paragraphs (f), (h), and (i) of subsection (2)
61 of section 377.703, Florida Statutes, are amended to read:

62 377.703 Additional functions of the Department of
63 Agriculture and Consumer Services.—

64 (2) DUTIES.—The department shall perform the following
65 functions, unless as otherwise provided, consistent with the
66 development of a state energy policy:

67 (f) The department shall submit an annual report to the
68 Governor and the Legislature reflecting its activities and
69 making recommendations for ~~of~~ policies for improvement of the
70 state's response to energy supply and demand and its effect on
71 the health, safety, and welfare of the residents of this state
72 ~~people of Florida~~. The report must ~~shall~~ include a report from
73 the Florida Public Service Commission on electricity and natural
74 gas and information on energy conservation programs conducted
75 and underway in the past year and ~~shall~~ include recommendations
76 for energy efficiency and conservation programs for the state,
77 including, ~~but not limited to, the following factors:~~

78 1. Formulation of specific recommendations for improvement
79 in the efficiency of energy utilization in governmental,
80 residential, commercial, industrial, and transportation sectors.

81 2. Collection and dissemination of information relating to
82 energy efficiency and conservation.

83 3. Development and conduct of educational and training
84 programs relating to energy efficiency and conservation.

85 4. An analysis of the ways in which state agencies are
86 seeking to implement s. 377.601(2), the state energy policy, and
87 recommendations for better fulfilling this policy.

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88 (h) The department shall promote the development and use of
89 renewable energy resources, in conformance with chapter 187 and
90 s. 377.601, by:

91 1. Establishing goals and strategies for increasing the use
92 of renewable ~~solar~~ energy in this state.

93 2. Aiding and promoting the commercialization of renewable
94 energy resources ~~solar energy technology~~, in cooperation with
95 the Florida Energy Systems Consortium, the Florida Solar Energy
96 Center, Enterprise Florida, Inc., and any other federal, state,
97 or local governmental agency that ~~which~~ may seek to promote
98 research, development, and the demonstration of renewable ~~solar~~
99 energy equipment and technology.

100 3. Identifying barriers to greater use of renewable energy
101 resources ~~solar energy systems~~ in this state, and developing
102 specific recommendations for overcoming identified barriers,
103 with findings and recommendations to be submitted annually in
104 the report to the Governor and Legislature required under
105 paragraph (f).

106 4. In cooperation with the Department of Environmental
107 Protection, the Department of Transportation, the Department of
108 Economic Opportunity, Enterprise Florida, Inc., the Florida
109 Energy Systems Consortium, the Florida Solar Energy Center, and
110 the Florida Solar Energy Industries Association, investigating
111 opportunities, pursuant to the national Energy Policy Act of
112 1992, the Housing and Community Development Act of 1992, and any
113 subsequent federal legislation, for renewable energy resources,
114 ~~solar~~ electric vehicles, and other renewable ~~solar~~ energy
115 manufacturing, distribution, installation, and financing efforts
116 that ~~which will~~ enhance this state's position as the leader in

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117 renewable ~~solar~~ energy research, development, and use.

118 5. Undertaking other initiatives to advance the development
119 and use of renewable energy resources in this state.

120
121 In the exercise of its responsibilities under this paragraph,
122 the department shall seek the assistance of the renewable ~~solar~~
123 energy industry in this state and other interested parties and
124 may ~~is authorized to~~ enter into contracts, retain professional
125 consulting services, and expend funds appropriated by the
126 Legislature for such purposes.

127 (i) The department shall promote energy efficiency and
128 conservation in all energy use sectors throughout the state and
129 be ~~shall constitute~~ the state agency primarily responsible for
130 this function. The Department of Management Services, in
131 consultation with the department, shall coordinate the energy
132 conservation programs of all state agencies and review and
133 comment on the energy conservation programs of all state
134 agencies.

135 Section 3. Subsection (4) of section 377.705, Florida
136 Statutes, is amended to read:

137 377.705 Solar Energy Center; development of solar energy
138 standards.—

139 (4) AUTHORITY OF THE FLORIDA SOLAR ENERGY CENTER ~~TO SET~~
140 ~~STANDARDS, REQUIRE DISCLOSURE, SET TESTING FEES.—~~

141 (a) The center may ~~shall~~ develop and adopt ~~promulgate~~
142 standards for solar energy systems manufactured or sold in this
143 state based on the best currently available information and may
144 ~~shall~~ consult with scientists, engineers, or persons in research
145 centers who are engaged in the construction of, experimentation

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146 with, and research of solar energy systems to properly identify
147 the most reliable designs and types of solar energy systems.

148 (b) The center may ~~shall~~ establish criteria for testing the
149 performance of solar energy systems and may ~~shall~~ maintain the
150 necessary capability for testing or evaluating the performance
151 of solar energy systems. The center may accept results of tests
152 on solar energy systems made by other organizations, companies,
153 or persons if ~~when~~ such tests are conducted according to the
154 criteria established by the center and when the testing entity
155 has no vested interest in the manufacture, distribution, or sale
156 of solar energy systems.

157 (c) The center may establish and collect ~~shall be entitled~~
158 ~~to receive~~ a testing fee sufficient to cover the costs of such
159 testing. ~~All testing fees shall be transmitted by the center to~~
160 ~~the Chief Financial Officer to be deposited in the Solar Energy~~
161 ~~Center Testing Trust Fund, which is hereby created in the State~~
162 ~~Treasury, and disbursed for the payment of expenses incurred in~~
163 ~~testing solar energy systems.~~

164 ~~(d) All solar energy systems manufactured or sold in the~~
165 ~~state must meet the standards established by the center and~~
166 ~~shall display accepted results of approved performance tests in~~
167 ~~a manner prescribed by the center.~~

168 Section 4. Section 377.712, Florida Statutes, is amended to
169 read:

170 377.712 Florida participation.—

171 (1) (a) The Governor shall appoint one member of the
172 Southern States Energy Board. The member or the Governor may
173 designate another person as the deputy or assistant to such
174 member.

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175 (b) The Commissioner of Agriculture may appoint one member
176 of the Southern States Energy Board. The member or the
177 commissioner may designate another person as the assistant or
178 deputy to such member.

179 (c)~~(b)~~ The President of the Senate shall appoint one member
180 of the Southern States Energy Board. The member or the president
181 may designate another person as the assistant or deputy to such
182 member.

183 (d)~~(e)~~ The Speaker of the House of Representatives shall
184 appoint one member of the Southern States Energy Board. The
185 member or the speaker may designate another person as the
186 assistant or deputy to such member.

187 (2) Any supplementary agreement entered into under s.
188 377.711(6) requiring the expenditure of funds may ~~shall~~ not
189 become effective as to Florida until the required funds are
190 appropriated by the Legislature.

191 (3) Departments, agencies, and officers of this state, and
192 its subdivisions are authorized to cooperate with the board in
193 the furtherance of ~~any of~~ its activities pursuant to the
194 compact, provided such proposed activities have been made known
195 to, and have the approval of, ~~either~~ the Governor or the
196 Department of Agriculture and Consumer Services ~~Department of~~
197 ~~Health.~~

198 Section 5. Section 377.801, Florida Statutes, is amended to
199 read:

200 377.801 Short title.—Sections 377.801-377.804 ~~377.801-~~
201 ~~377.807~~ may be cited as the "Florida Energy and Climate
202 Protection Act."

203 Section 6. Section 377.802, Florida Statutes, is amended to

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204 read:

205 377.802 Purpose.—This act is intended to provide incentives
206 for Florida's citizens, businesses, school districts, and local
207 governments to take action to diversify the state's energy
208 supplies, reduce dependence on foreign oil, and mitigate the
209 effects of climate change by providing funding for activities
210 designed to achieve these goals. The grant programs in this act
211 are intended to stimulate capital investment in and enhance the
212 market for renewable energy technologies and technologies
213 intended to diversify Florida's energy supplies, reduce
214 dependence on foreign oil, and combat or limit climate change
215 impacts. ~~This act is also intended to provide incentives for the~~
216 ~~purchase of energy-efficient appliances and rebates for solar~~
217 ~~energy equipment installations for residential and commercial~~
218 ~~buildings.~~

219 Section 7. Section 377.803, Florida Statutes, is amended to
220 read:

221 377.803 Definitions.—As used in ss. 377.801-377.804 ~~ss.~~
222 ~~377.801-377.807~~, the term:

223 (1) "Act" means the Florida Energy and Climate Protection
224 Act.

225 (2) "Department" means the Department of Agriculture and
226 Consumer Services.

227 (3) "Person" means an individual, partnership, joint
228 venture, private or public corporation, association, firm,
229 public service company, or any other public or private entity.

230 (4) "Renewable energy" means electrical, mechanical, or
231 thermal energy produced from a method that uses one or more of
232 the following fuels or energy sources: hydrogen, biomass, as

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233 defined in s. 366.91, solar energy, geothermal energy, wind
234 energy, ocean energy, waste heat, or hydroelectric power.

235 (5) "Renewable energy technology" means any technology that
236 generates or utilizes a renewable energy resource.

237 ~~(6) "Solar energy system" means equipment that provides for~~
238 ~~the collection and use of incident solar energy for water~~
239 ~~heating, space heating or cooling, or other applications that~~
240 ~~would normally require a conventional source of energy such as~~
241 ~~petroleum products, natural gas, or electricity that performs~~
242 ~~primarily with solar energy. In other systems in which solar~~
243 ~~energy is used in a supplemental way, only those components that~~
244 ~~collect and transfer solar energy shall be included in this~~
245 ~~definition.~~

246 ~~(7) "Solar photovoltaic system" means a device that~~
247 ~~converts incident sunlight into electrical current.~~

248 ~~(8) "Solar thermal system" means a device that traps heat~~
249 ~~from incident sunlight in order to heat water.~~

250 Section 8. Section 377.815, Florida Statutes, is created to
251 read:

252 377.815 Alternative fueling stations and electric vehicle
253 charging stations.—The Department of Agriculture and Consumer
254 Services may post information on its website relating to
255 alternative fueling stations or electric vehicle charging
256 stations that are available for public use in this state.

257 (1) As used in this section, the term "alternative fuel"
258 means nontraditional transportation fuel, such as pure methanol,
259 ethanol, and other alcohols; blends of 85 percent or more of
260 alcohol with gasoline; natural gas and liquid fuels domestically
261 produced from natural gas; liquefied petroleum gas; coal-derived

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262 liquid fuels; hydrogen; electricity; pure biodiesel; fuels,
263 other than alcohol, derived from biological materials; and P-
264 series fuels.

265 (2) An owner or operator of an alternative fueling station
266 that is available in this state may report the following
267 information to the department:

268 (a) The type of alternative fuel available;

269 (b) The station's name, address, or location; or

270 (c) The fees or costs associated with the alternative fuel
271 that is available for purchase.

272 (3) The owner or operator of an electric vehicle charging
273 station that is available in this state may report the following
274 information to the department:

275 (a) The station's name, address, or location; or

276 (b) The fees or costs, if any, associated with the electric
277 vehicle charging services provided by the station.

278 Section 9. Subsection (1) of section 553.74, Florida
279 Statutes, is amended to read:

280 553.74 Florida Building Commission.—

281 (1) The Florida Building Commission is created and located
282 within the Department of Business and Professional Regulation
283 for administrative purposes. Members are appointed by the
284 Governor subject to confirmation by the Senate. The commission
285 is composed of 27 ~~26~~ members, consisting of the following:

286 (a) One architect registered to practice in this state and
287 actively engaged in the profession. The American Institute of
288 Architects, Florida Section, is encouraged to recommend a list
289 of candidates for consideration.

290 (b) One structural engineer registered to practice in this

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291 state and actively engaged in the profession. The Florida
292 Engineering Society is encouraged to recommend a list of
293 candidates for consideration.

294 (c) One air-conditioning or mechanical contractor certified
295 to do business in this state and actively engaged in the
296 profession. The Florida Air Conditioning Contractors
297 Association, the Florida Refrigeration and Air Conditioning
298 Contractors Association, and the Mechanical Contractors
299 Association of Florida are encouraged to recommend a list of
300 candidates for consideration.

301 (d) One electrical contractor certified to do business in
302 this state and actively engaged in the profession. The Florida
303 Association of Electrical Contractors Association and the
304 National Electrical Contractors Association, Florida Chapter,
305 are encouraged to recommend a list of candidates for
306 consideration.

307 (e) One member from fire protection engineering or
308 technology who is actively engaged in the profession. The
309 Florida Chapter of the Society of Fire Protection Engineers and
310 the Florida Fire Marshals and Inspectors Association are
311 encouraged to recommend a list of candidates for consideration.

312 (f) One general contractor certified to do business in this
313 state and actively engaged in the profession. The Associated
314 Builders and Contractors of Florida, the Florida Associated
315 General Contractors Council, and the Union Contractors
316 Association are encouraged to recommend a list of candidates for
317 consideration.

318 (g) One plumbing contractor licensed to do business in this
319 state and actively engaged in the profession. The Florida

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320 Association of Plumbing, Heating, and Cooling Contractors is
321 encouraged to recommend a list of candidates for consideration.

322 (h) One roofing or sheet metal contractor certified to do
323 business in this state and actively engaged in the profession.
324 The Florida Roofing, Sheet Metal, and Air Conditioning
325 Contractors Association and the Sheet Metal and Air Conditioning
326 Contractors' ~~Contractors~~ National Association are encouraged to
327 recommend a list of candidates for consideration.

328 (i) One residential contractor licensed to do business in
329 this state and actively engaged in the profession. The Florida
330 Home Builders Association is encouraged to recommend a list of
331 candidates for consideration.

332 (j) Three members who are municipal or district codes
333 enforcement officials, one of whom is also a fire official. The
334 Building Officials Association of Florida and the Florida Fire
335 Marshals and Inspectors Association are encouraged to recommend
336 a list of candidates for consideration.

337 (k) One member who represents the Department of Financial
338 Services.

339 (l) One member who is a county codes enforcement official.
340 The Building Officials Association of Florida is encouraged to
341 recommend a list of candidates for consideration.

342 (m) One member of a Florida-based organization of persons
343 with disabilities or a nationally chartered organization of
344 persons with disabilities with chapters in this state.

345 (n) One member of the manufactured buildings industry who
346 is licensed to do business in this state and is actively engaged
347 in the industry. The Florida Manufactured Housing Association is
348 encouraged to recommend a list of candidates for consideration.

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349 (o) One mechanical or electrical engineer registered to
350 practice in this state and actively engaged in the profession.
351 The Florida Engineering Society is encouraged to recommend a
352 list of candidates for consideration.

353 (p) One member who is a representative of a municipality or
354 a charter county. The Florida League of Cities and the Florida
355 Association of Counties are encouraged to recommend a list of
356 candidates for consideration.

357 (q) One member of the building products manufacturing
358 industry who is authorized to do business in this state and is
359 actively engaged in the industry. The Florida Building Material
360 Association, the Florida Concrete and Product ~~Products~~
361 Association, and the Fenestration Manufacturers Association are
362 encouraged to recommend a list of candidates for consideration.

363 (r) One member who is a representative of the building
364 owners and managers industry who is actively engaged in
365 commercial building ownership or management. The Building Owners
366 and Managers Association is encouraged to recommend a list of
367 candidates for consideration.

368 (s) One member who is a representative of the insurance
369 industry. The Florida Insurance Council is encouraged to
370 recommend a list of candidates for consideration.

371 (t) One member who is a representative of public education.

372 (u) One member who is a swimming pool contractor licensed
373 to do business in this state and actively engaged in the
374 profession. The Florida Swimming Pool Association and the United
375 Pool and Spa Association are encouraged to recommend a list of
376 candidates for consideration.

377 (v) One member who is a representative of the green

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378 building industry and who is a third-party commission agent, a
379 Florida board member of the United States Green Building Council
380 or Green Building Initiative, a professional who is accredited
381 under the International Green Construction Code (IGCC), or a
382 professional who is accredited under Leadership in Energy and
383 Environmental Design (LEED).

384 (w) One member who is a representative of a natural gas
385 distribution system and who is actively engaged in the
386 distribution of natural gas in this state. The Florida Natural
387 Gas Association is encouraged to recommend a list of candidates
388 for consideration.

389 (x) One member who is a representative of the Department of
390 Agriculture and Consumer Services' Office of Energy who is
391 appointed from a list of three nominees provided by the
392 Commissioner of Agriculture. If the Governor refuses to appoint
393 a nominee within 60 days after receipt of such list, the
394 Governor shall inform the commissioner and the commissioner
395 shall submit a new list of three nominees.

396 (y) ~~(*)~~ One member who shall be the chair.

397
398 ~~Any person serving on the commission under paragraph (c) or~~
399 ~~paragraph (h) on October 1, 2003, and who has served less than~~
400 ~~two full terms is eligible for reappointment to the commission~~
401 ~~regardless of whether he or she meets the new qualification.~~

402 Section 10. Sections 377.806 and 377.807, Florida Statutes,
403 are repealed.

404 Section 11. This act shall take effect July 1, 2014.