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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/24/2014	.	
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	.	

The Committee on Appropriations (Bradley) recommended the following:

Senate Amendment (with title amendment)

Between lines 234 and 235

insert:

Section 10. Section 377.816, Florida Statutes, is created to read:

377.816 Qualified energy conservation bond allocation.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Eligible issuer" means an entity that is created under or pursuant to the constitution or laws of this state and that



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11 is authorized by this state to issue bonds or enter into a
12 lease-purchase agreement, or any other entity in this state
13 authorized to issue qualified energy conservation bonds pursuant
14 to the Internal Revenue Code.

15 (b) "Office" means the Office of Energy within the
16 Department of Agriculture and Consumer Services.

17 (c) "Qualified energy conservation bond" means a bond
18 described in 26 U.S.C. s. 54D(a).

19 (d) "Qualified project" means a project eligible to be
20 financed pursuant to 26 U.S.C. s. 54D(f).

21 (2) ALLOCATION OF STATE VOLUME LIMITATION.-

22 (a) The office shall establish an allocation program for
23 allocating or reallocating the qualified energy conservation
24 bond volume limitation provided by 26 U.S.C. s. 54D. The
25 allocation program must provide notification of all mandatory
26 allocations required or authorized pursuant to the Internal
27 Revenue Code.

28 1. All mandatory allocations pursuant to 26 U.S.C. s.
29 54D(e) (2) (A) shall be allocated to eligible issuers as provided
30 therein.

31 2. An eligible issuer receiving a mandatory allocation
32 pursuant to subparagraph 1. may elect to reallocate all or any
33 portion of its allocation back to the state pursuant to 26
34 U.S.C. s. 54D(e) (2) (B).

35 (b) The office may reallocate to eligible issuers in the
36 state any allocation that was retained by the state from the
37 original federal allocation or any allocation that is waived by
38 an eligible issuer pursuant to subparagraph (a)2.

39 (c) Each eligible issuer receiving an allocation shall



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40 notify the department in writing of the amount of bonds issued
41 and any other information relating to the bonds or the
42 allocation at such time and in such manner as is required by the
43 office.

44 (d) A bond subject to the limitations provided in 26 U.S.C.
45 s. 54D may not be issued in this state unless issued pursuant to
46 this section.

47 (3) INFORMATION AVAILABILITY.—The office shall determine
48 the amount of qualified energy conservation bond allocations for
49 each qualified issuer in this state under 26 U.S.C. s. 54D and
50 shall make such information available upon request to any person
51 or agency.

52
53 ===== T I T L E A M E N D M E N T =====

54 And the title is amended as follows:

55 Between lines 29 and 30
56 insert:

57 creating s. 377.816, F.S.; defining terms; requiring
58 the Office of Energy to establish a program for
59 allocating or reallocating a federally qualified
60 energy conservation bond volume limitation; providing
61 program requirements;