1	A bill to be entitled
2	An act relating to energy regulation; creating s.
3	377.708, F.S.; defining the term "federal phase-out
4	mandate"; requiring determinations on building new
5	energy generating facilities to take certain factors
6	into consideration; prohibiting local governmental
7	entities from requiring or prohibiting certain
8	building materials, vehicles, or home heating elements
9	under certain circumstances; providing an exception;
10	authorizing local governmental entities to adopt bid
11	specifications for public works projects that take
12	energy savings or production into consideration;
13	creating s. 403.08723, F.S.; defining the term
14	"greenhouse gas"; prohibiting the adoption or
15	enforcement of certain state and regional programs to
16	regulate greenhouse gas emissions without specific
17	legislative authorization; providing an effective
18	date.
19	
20	Be It Enacted by the Legislature of the State of Florida:
21	
22	Section 1. Section 377.708, Florida Statutes, is created
23	to read:
24	377.708 Energy efficiency policies
25	(1) As used in this section, the term "federal phase-out
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26	mandate" means a federal law or regulation that:
27	(a) Is established after April 20, 2021, by the United
28	States Congress, a federal agency, or an executive order; and
29	(b) Requires the phasing out or discontinuance of a
30	particular type of energy generating facility, technology, or
31	<u>fuel source.</u>
32	(2) All of the following factors must be taken into
33	consideration before making determinations on building energy
34	generating facilities:
35	(a) An application for a certificate of public convenience
36	and necessity for a new energy generating facility.
37	(b) Integrated resource planning and the impact of federal
38	phaseout mandates on the estimated useful life of certain energy
39	generating facilities on an electric utility, including on
40	depreciation expenses associated with such facilities.
41	(3)(a) Except for purposes of compliance with specified
42	building and fire safety laws, a local governmental entity may
43	not do any of the following:
44	1. Require that a particular component, design, or type of
45	material be used in the construction of a building because of
46	the energy saving or energy producing qualities of the
47	component, design, or material.
48	2. Prohibit the use of a particular component, design, or
49	type of material in the construction of a building because the
50	component, design, or material does not meet an energy saving
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51 standard. 52 3. Require a building or structure to be retrofitted with 53 a particular device or type of material because of the energy 54 saving or energy producing qualities of the device or material. 55 4. Prohibit or restrict the purchase or use of vehicles 56 based upon the type of energy used. 57 5. Prohibit the sale, installation, or use of: 58 a. Natural gas-powered home heating equipment; home 59 appliances; or outdoor heating appliances, torches, lamps, or 60 other decorative features; or b. Outdoor grills and stoves. 61 (b) This prohibition does not apply to any requirement 62 63 included in a procurement document used to procure goods and 64 services, including the construction or design of buildings, to 65 be owned or used by the local governmental entity. 66 (c) A local governmental entity may adopt bid 67 specifications for a public works project that includes energy 68 savings or energy production provisions with respect to the 69 components, design, or materials for the specific project. 70 Section 2. Section 403.08723, Florida Statutes, is created 71 to read: 72 403.08723 Regulation of greenhouse gas emissions.-73 (1) As used in this section, the term "greenhouse gas" 74 means carbon dioxide, methane, nitrous oxides, sulfur 75 hexafluoride, hydrofluorocarbon, and perfluorocarbon.

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76	(2) Notwithstanding any other law, a state agency may not
77	adopt or enforce a state or regional program to regulate
78	greenhouse gas emissions for the purpose of addressing changes
79	in atmospheric temperature without specific legislative
80	authorization, including, but not limited to:
81	(a) State plans developed pursuant to 42 U.S.C. s. 7402,
82	<u>s. 7410, s. 7411, s. 7415, or s. 7545.</u>
83	(b) Low carbon fuel standards.
84	(c) Plans or programs enabling regulation of mobile or
85	stationary sources, greenhouse gas taxes or fees, or greenhouse
86	gas emissions trading.
87	(d) State or regional programs prompted by the
88	participation of the United States in international treaties or
89	executive agreements or interstate compacts or agreements.
90	Section 3. This act shall take effect July 1, 2023.
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