

1 A bill to be entitled

2 An act relating to governmental organization; transferring
3 the Office of Urban Opportunity from the Executive Office
4 of the Governor to the Department of Community Affairs;
5 transferring the State Energy Program and the Clean Fuel
6 Florida Advisory Board from the Department of Community
7 Affairs to the Department of Environmental Protection;
8 excluding the transfer of certain associated trust funds;
9 transferring the Affordable Housing Catalyst Program from
10 the Department of Community Affairs to the Florida Housing
11 Finance Corporation; excluding the transfer of certain
12 associated trust funds; repealing s. 14.2015(9), F.S.,
13 relating to the establishment of the Office of Urban
14 Opportunity within the Office of Tourism, Trade, and
15 Economic Development of the Executive Office of the
16 Governor; amending s. 20.18, F.S.; revising duties of the
17 Department of Community Affairs to conform to changes made
18 by the act; establishing the Office of Urban Opportunity
19 within the Department of Community Affairs; amending s.
20 20.255, F.S.; providing duties of the Department of
21 Environmental Protection with respect to the state's
22 energy policy, to conform; amending s. 163.03, F.S.,
23 relating to the Coastal Energy Impact Program; conforming
24 provisions to changes made by the act; amending ss. 212.08
25 and 220.183, F.S.; conforming cross references; amending
26 s. 288.041, F.S., relating to the solar energy industry;
27 conforming provisions to the transfer of duties to the
28 Department of Environmental Protection; amending s.
29 288.95155, F.S., relating to the Florida Small Business

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30 Technology Growth Program; deleting obsolete provisions;
31 amending ss. 377.602, 377.603, 377.701, and 377.703, F.S.,
32 relating to the state's energy programs and policies;
33 conforming provisions to the transfer of duties to the
34 Department of Environmental Protection; authorizing the
35 Department of Environmental Protection to adopt rules to
36 administer the Coastal Energy Impact Program; amending s.
37 381.7354, F.S.; conforming a cross reference; amending s.
38 403.42, F.S., relating to the Florida Clean Fuel Act;
39 conforming provisions to the transfer of duties to the
40 Department of Environmental Protection; amending s.
41 420.507, F.S., relating to the Florida Housing Finance
42 Corporation; authorizing the corporation to provide
43 resources to the Affordable Housing Study Commission and
44 perform other duties; creating s. 420.531, F.S.; providing
45 legislative findings with respect to supporting local
46 communities in providing affordable housing; providing for
47 the corporation to administer the Affordable Housing
48 Catalyst Program; providing the purpose of the program and
49 responsibilities of the corporation; amending ss.
50 420.6015, 420.606, and 420.9075, F.S.; conforming
51 provisions to the transfer of the Affordable Housing
52 Catalyst Program to the Florida Housing Finance
53 Corporation; amending s. 420.609, F.S.; deleting duties of
54 the Department of Community Affairs with respect to the
55 Affordable Housing Study Commission; amending s. 420.631,
56 F.S.; conforming provisions to the transfer of the Office
57 of Urban Opportunity to the Department of Community
58 Affairs; amending s. 624.5105, F.S.; conforming a cross

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59 reference; providing an effective date.

60

61 Be It Enacted by the Legislature of the State of Florida:

62

63 Section 1. The Office of Urban Opportunity within the
64 Executive Office of the Governor, as authorized and governed by
65 section 14.2015(9), Florida Statutes, is transferred by a type
66 two transfer, as defined in section 20.06(2), Florida Statutes,
67 to the Department of Community Affairs.

68 Section 2. The State Energy Program, as authorized and
69 governed by sections 20.18, 288.041, 377.601-377.608, 377.701,
70 and 377.703, Florida Statutes, and the Clean Fuel Florida
71 Advisory Board, as authorized and governed by section 403.42,
72 Florida Statutes, are transferred by a type two transfer, as
73 defined in section 20.06(2), Florida Statutes, from the
74 Department of Community Affairs to the Department of
75 Environmental Protection. Notwithstanding section 20.06(2),
76 Florida Statutes, trust funds associated with this program and
77 board shall remain within the Department of Community Affairs.

78 Section 3. The Affordable Housing Catalyst Program, as
79 authorized and governed by section 420.606, Florida Statutes, is
80 transferred by a type two transfer, as defined in section
81 20.06(2), Florida Statutes, from the Department of Community
82 Affairs to the Florida Housing Finance Corporation.
83 Notwithstanding section 20.06(2), Florida Statutes, trust funds
84 associated with this program shall remain within the Department
85 of Community Affairs.

86 Section 4. Subsection (9) of section 14.2015, Florida
87 Statutes, is repealed.

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88 Section 5. Subsection (6) of section 20.18, Florida
 89 Statutes, is amended to read:

90 20.18 Department of Community Affairs.--There is created a
 91 Department of Community Affairs.

92 (6) The Office of Urban Opportunity is created within the
 93 Department of Community Affairs. The purpose of the office is to
 94 administer the Front Porch Florida initiative, a comprehensive,
 95 community-based urban core redevelopment program that enables
 96 urban core residents to craft solutions to the unique challenges
 97 of each designated community. ~~The department is the agency of~~
 98 ~~state government responsible for collection and analysis of~~
 99 ~~information on energy resources in this state, for coordination~~
 100 ~~of the energy conservation programs of state agencies, and for~~
 101 ~~coordination of the development, review, and implementation of~~
 102 ~~state energy policy. The energy program responsibilities of the~~
 103 ~~department set forth in this subsection shall be carried out by~~
 104 ~~the Office of the Secretary of Community Affairs until such time~~
 105 ~~as the secretary determines that such responsibilities should be~~
 106 ~~redistributed within the various divisions of the department and~~
 107 ~~submits a report to the Legislature with respect thereto.~~

108 Section 6. Subsection (8) is added to section 20.255,
 109 Florida Statutes, to read:

110 20.255 Department of Environmental Protection.--There is
 111 created a Department of Environmental Protection.

112 (8) The department is the agency of state government
 113 responsible for collecting and analyzing information concerning
 114 energy resources in this state; for coordinating the energy
 115 conservation programs of state agencies; and for coordinating
 116 the development, review, and implementation of the state's

117 energy policy.

118 Section 7. Paragraph (b) of subsection (3) of section
119 163.03, Florida Statutes, is amended to read:

120 163.03 Secretary of Community Affairs; powers and duties;
121 function of Department of Community Affairs with respect to
122 federal grant-in-aid programs.--

123 (3) The department is authorized to adopt rules
124 implementing the following grant programs, which rules shall be
125 consistent with the laws, regulations, or guidelines governing
126 the grant to the department:

127 (b) Grants under the federal ~~programs known as the Coastal~~
128 ~~Energy Impact Program and the~~ Outer Continental Shelf Program
129 administered by the Bureau of Land and Water Management.

130 Section 8. Paragraph (q) of subsection (5) of section
131 212.08, Florida Statutes, is amended to read:

132 212.08 Sales, rental, use, consumption, distribution, and
133 storage tax; specified exemptions.--The sale at retail, the
134 rental, the use, the consumption, the distribution, and the
135 storage to be used or consumed in this state of the following
136 are hereby specifically exempt from the tax imposed by this
137 chapter.

138 (5) EXEMPTIONS; ACCOUNT OF USE.--

139 (q) Community contribution tax credit for donations.--

140 1. Authorization.--Beginning July 1, 2001, persons who are
141 registered with the department under s. 212.18 to collect or
142 remit sales or use tax and who make donations to eligible
143 sponsors are eligible for tax credits against their state sales
144 and use tax liabilities as provided in this paragraph:

145 a. The credit shall be computed as 50 percent of the

146 person's approved annual community contribution;

147 b. The credit shall be granted as a refund against state
 148 sales and use taxes reported on returns and remitted in the 12
 149 months preceding the date of application to the department for
 150 the credit as required in sub-subparagraph 3.c. If the annual
 151 credit is not fully used through such refund because of
 152 insufficient tax payments during the applicable 12-month period,
 153 the unused amount may be included in an application for a refund
 154 made pursuant to sub-subparagraph 3.c. in subsequent years
 155 against the total tax payments made for such year. Carryover
 156 credits may be applied for a 3-year period without regard to any
 157 time limitation that would otherwise apply under s. 215.26;

158 c. No person shall receive more than \$200,000 in annual
 159 tax credits for all approved community contributions made in any
 160 one year;

161 d. All proposals for the granting of the tax credit shall
 162 require the prior approval of the Office of Tourism, Trade, and
 163 Economic Development;

164 e. The total amount of tax credits which may be granted
 165 for all programs approved under this paragraph, s. 220.183, and
 166 s. 624.5105 is \$10 million annually; and

167 f. A person who is eligible to receive the credit provided
 168 for in this paragraph, s. 220.183, or s. 624.5105 may receive
 169 the credit only under the one section of the person's choice.

170 2. Eligibility requirements.--

171 a. A community contribution by a person must be in the
 172 following form:

173 (I) Cash or other liquid assets;

174 (II) Real property;

175 (III) Goods or inventory; or
 176 (IV) Other physical resources as identified by the Office
 177 of Tourism, Trade, and Economic Development.

178 b. All community contributions must be reserved
 179 exclusively for use in a project. As used in this sub-
 180 subparagraph, the term "project" means any activity undertaken
 181 by an eligible sponsor which is designed to construct, improve,
 182 or substantially rehabilitate housing that is affordable to low-
 183 income or very-low-income households as defined in s.
 184 420.9071(19) and(28); designed to provide commercial,
 185 industrial, or public resources and facilities; or designed to
 186 improve entrepreneurial and job-development opportunities for
 187 low-income persons. A project may be the investment necessary to
 188 increase access to high-speed broadband capability in rural
 189 communities with enterprise zones, including projects that
 190 result in improvements to communications assets that are owned
 191 by a business. A project may include the provision of museum
 192 educational programs and materials that are directly related to
 193 any project approved between January 1, 1996, and December 31,
 194 1999, and located in an enterprise zone as referenced in s.
 195 290.00675. This paragraph does not preclude projects that
 196 propose to construct or rehabilitate housing for low-income or
 197 very-low-income households on scattered sites. The Office of
 198 Tourism, Trade, and Economic Development may reserve up to 50
 199 percent of the available annual tax credits for housing for
 200 very-low-income households pursuant to s. 420.9071(28) for the
 201 first 6 months of the fiscal year. With respect to housing,
 202 contributions may be used to pay the following eligible low-
 203 income and very-low-income housing-related activities:

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- 204 (I) Project development impact and management fees for
 205 low-income or very-low-income housing projects;
- 206 (II) Down payment and closing costs for eligible persons,
 207 as defined in s. 420.9071(19) and (28);
- 208 (III) Administrative costs, including housing counseling
 209 and marketing fees, not to exceed 10 percent of the community
 210 contribution, directly related to low-income or very-low-income
 211 projects; and
- 212 (IV) Removal of liens recorded against residential
 213 property by municipal, county, or special district local
 214 governments when satisfaction of the lien is a necessary
 215 precedent to the transfer of the property to an eligible person,
 216 as defined in s. 420.9071(19) and (28), for the purpose of
 217 promoting home ownership. Contributions for lien removal must be
 218 received from a nonrelated third party.
- 219 c. The project must be undertaken by an "eligible
 220 sponsor," which includes:
- 221 (I) A community action program;
- 222 (II) A nonprofit community-based development organization
 223 whose mission is the provision of housing for low-income or
 224 very-low-income households or increasing entrepreneurial and
 225 job-development opportunities for low-income persons;
- 226 (III) A neighborhood housing services corporation;
- 227 (IV) A local housing authority created under chapter 421;
- 228 (V) A community redevelopment agency created under s.
 229 163.356;
- 230 (VI) The Florida Industrial Development Corporation;
- 231 (VII) A historic preservation district agency or
 232 organization;

- 233 (VIII) A regional workforce board;
- 234 (IX) A direct-support organization as provided in s.
- 235 1009.983;
- 236 (X) An enterprise zone development agency created under s.
- 237 290.0056;
- 238 (XI) A community-based organization incorporated under
- 239 chapter 617 which is recognized as educational, charitable, or
- 240 scientific pursuant to s. 501(c)(3) of the Internal Revenue Code
- 241 and whose bylaws and articles of incorporation include
- 242 affordable housing, economic development, or community
- 243 development as the primary mission of the corporation;
- 244 (XII) Units of local government;
- 245 (XIII) Units of state government; or
- 246 (XIV) Any other agency that the Office of Tourism, Trade,
- 247 and Economic Development designates by rule.

248
 249 In no event may a contributing person have a financial interest
 250 in the eligible sponsor.

251 d. The project must be located in an area designated an
 252 enterprise zone or a Front Porch Florida Community pursuant to
 253 s. 20.18(6) ~~s. 14.2015(9)(b)~~, unless the project increases
 254 access to high-speed broadband capability for rural communities
 255 with enterprise zones but is physically located outside the
 256 designated rural zone boundaries. Any project designed to
 257 construct or rehabilitate housing for low-income or very-low-
 258 income households as defined in s. 420.0971(19) and (28) is
 259 exempt from the area requirement of this sub-subparagraph.

260 3. Application requirements.--

261 a. Any eligible sponsor seeking to participate in this

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262 program must submit a proposal to the Office of Tourism, Trade,
 263 and Economic Development which sets forth the name of the
 264 sponsor, a description of the project, and the area in which the
 265 project is located, together with such supporting information as
 266 is prescribed by rule. The proposal must also contain a
 267 resolution from the local governmental unit in which the project
 268 is located certifying that the project is consistent with local
 269 plans and regulations.

270 b. Any person seeking to participate in this program must
 271 submit an application for tax credit to the Office of Tourism,
 272 Trade, and Economic Development which sets forth the name of the
 273 sponsor, a description of the project, and the type, value, and
 274 purpose of the contribution. The sponsor shall verify the terms
 275 of the application and indicate its receipt of the contribution,
 276 which verification must be in writing and accompany the
 277 application for tax credit. The person must submit a separate
 278 tax credit application to the office for each individual
 279 contribution that it makes to each individual project.

280 c. Any person who has received notification from the
 281 Office of Tourism, Trade, and Economic Development that a tax
 282 credit has been approved must apply to the department to receive
 283 the refund. Application must be made on the form prescribed for
 284 claiming refunds of sales and use taxes and be accompanied by a
 285 copy of the notification. A person may submit only one
 286 application for refund to the department within any 12-month
 287 period.

288 4. Administration.--

289 a. The Office of Tourism, Trade, and Economic Development
 290 may adopt rules pursuant to ss. 120.536(1) and 120.54 necessary

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291 to administer this paragraph, including rules for the approval
 292 or disapproval of proposals by a person.

293 b. The decision of the Office of Tourism, Trade, and
 294 Economic Development must be in writing, and, if approved, the
 295 notification shall state the maximum credit allowable to the
 296 person. Upon approval, the office shall transmit a copy of the
 297 decision to the Department of Revenue.

298 c. The Office of Tourism, Trade, and Economic Development
 299 shall periodically monitor all projects in a manner consistent
 300 with available resources to ensure that resources are used in
 301 accordance with this paragraph; however, each project must be
 302 reviewed at least once every 2 years.

303 d. The Office of Tourism, Trade, and Economic Development
 304 shall, in consultation with the Department of Community Affairs,
 305 the Florida Housing Finance Corporation, and the statewide and
 306 regional housing and financial intermediaries, market the
 307 availability of the community contribution tax credit program to
 308 community-based organizations.

309 5. Expiration.--This paragraph expires June 30, 2005;
 310 however, any accrued credit carryover that is unused on that
 311 date may be used until the expiration of the 3-year carryover
 312 period for such credit.

313 Section 9. Paragraph (d) of subsection (2) of section
 314 220.183, Florida Statutes, is amended to read:

315 220.183 Community contribution tax credit.--

316 (2) ELIGIBILITY REQUIREMENTS.--

317 (d) The project shall be located in an area designated as
 318 an enterprise zone or a Front Porch Florida Community pursuant
 319 to s. 20.18(6) ~~s. 14.2015(9)(b)~~. Any project designed to

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320 construct or rehabilitate housing for low-income or very-low-
 321 income households as defined in s. 420.9071(19) and (28) is
 322 exempt from the area requirement of this paragraph. This section
 323 does not preclude projects that propose to construct or
 324 rehabilitate housing for low-income or very-low-income
 325 households on scattered sites. Any project designed to provide
 326 increased access to high-speed broadband capabilities which
 327 includes coverage of a rural enterprise zone may locate the
 328 project's infrastructure in any area of a rural county.

329 Section 10. Subsections (3) and (5) of section 288.041,
 330 Florida Statutes, are amended to read:

331 288.041 Solar energy industry; legislative findings and
 332 policy; promotional activities.--

333 (3) Enterprise Florida, Inc., and its boards shall assist
 334 in the expansion of the solar energy industry in this state.
 335 Such efforts shall be undertaken in cooperation with the
 336 Department of Environmental Protection ~~Community Affairs~~, the
 337 Florida Solar Energy Center, and the Florida Solar Energy
 338 Industries Association, and shall include:

339 (a) Providing assistance and support to new and existing
 340 photovoltaic companies, with special emphasis on attracting one
 341 or more manufacturers of photovoltaic products to locate within
 342 this state.

343 (b) Sponsoring initiatives which aid and take full
 344 advantage of the export market potential of solar technologies.

345 (c) Informing the business sector of this state about
 346 opportunities for cost-effective commercial applications of
 347 solar technologies.

348 (d) Encouraging employment of residents of this state by

349 solar energy companies.

350 (e) Retaining existing solar energy companies and
351 supporting their expansion efforts in this state.

352 (f) Supporting the promotion of solar energy by sponsoring
353 workshops, seminars, conferences, and educational programs on
354 the benefits of solar energy.

355 (g) Recognizing outstanding developments and achievements
356 in, and contributions to, the solar energy industry.

357 (h) Collecting and disseminating solar energy information
358 relevant to the promotion of solar energy applications.

359 (i) Enlisting the support of persons, civic groups, the
360 solar energy industry, and other organizations to promote and
361 improve solar energy products and services.

362 (5) By January 15 of each year, the Department of
363 Environmental Protection ~~Community Affairs~~ shall report to the
364 Governor, the President of the Senate, and the Speaker of the
365 House of Representatives on the impact of the solar energy
366 industry on the economy of this state and shall make any
367 recommendations on initiatives to further promote the solar
368 energy industry as the department deems appropriate.

369 Section 11. Subsection (2) of section 288.95155, Florida
370 Statutes, is amended to read:

371 288.95155 Florida Small Business Technology Growth
372 Program.--

373 (2) Enterprise Florida, Inc., shall establish a separate
374 small business technology growth account in the Florida
375 Technology Research Investment Fund for purposes of this
376 section. Moneys in the account shall consist of appropriations
377 by the Legislature, proceeds of any collateral used to secure

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378 such assistance, transfers, fees assessed for providing or
 379 processing such financial assistance, grants, interest earnings,
 380 and earnings on financial assistance,~~and any moneys transferred~~
 381 ~~to the account by the Department of Community Affairs from the~~
 382 ~~Economic Opportunity Trust Fund for use in qualifying energy~~
 383 ~~projects.~~

384 Section 12. Subsection (2) of section 377.602, Florida
 385 Statutes, is amended to read:

386 377.602 Definitions.--As used in ss. 377.601-377.608:

387 (2) "Department" means the Department of Environmental
 388 Protection ~~Community Affairs.~~

389 Section 13. Section 377.603, Florida Statutes, is amended
 390 to read:

391 377.603 Energy data collection; powers and duties of the
 392 Department of Environmental Protection ~~Community Affairs.~~--

393 (1) The department shall collect data on the extraction,
 394 production, importation, exportation, refinement,
 395 transportation, transmission, conversion, storage, sale, or
 396 reserves of energy resources in this state in an efficient and
 397 expeditious manner.

398 (2) The department shall prepare periodic reports of
 399 energy data it collects.

400 (3) The department shall prescribe and furnish forms for
 401 the collection of information as required by ss. 377.601-377.608
 402 and shall consult with other state entities to assure that such
 403 data collected will meet their data requirements.

404 (4) The department may adopt and promulgate such rules and
 405 regulations as are necessary to carry out the provisions of ss.
 406 377.601-377.608. Such rules shall be pursuant to chapter 120.

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407 (5) The department shall maintain internal validation
 408 procedures to assure the accuracy of information received.

409 Section 14. Subsection (1) of section 377.701, Florida
 410 Statutes, is amended to read:

411 377.701 Petroleum allocation.--

412 (1) The Department of Environmental Protection ~~Community~~
 413 ~~Affairs~~ shall assume the state's role in petroleum allocation
 414 and conservation, including the development of a fair and
 415 equitable petroleum plan. The department shall constitute the
 416 responsible state agency for performing the functions of any
 417 federal program delegated to the state, which relates to
 418 petroleum supply, demand, and allocation.

419 Section 15. Subsections (1), (2), and (3) of section
 420 377.703, Florida Statutes, are amended to read:

421 377.703 Additional functions of the Department of
 422 Environmental Protection ~~Community Affairs~~; energy emergency
 423 contingency plan; federal and state conservation programs.--

424 (1) LEGISLATIVE INTENT.--Recognizing that energy supply
 425 and demand questions have become a major area of concern to the
 426 state which must be dealt with by effective and well-coordinated
 427 state action, it is the intent of the Legislature to promote the
 428 efficient, effective, and economical management of energy
 429 problems, centralize energy coordination responsibilities,
 430 pinpoint responsibility for conducting energy programs, and
 431 ensure the accountability of state agencies for the
 432 implementation of s. 377.601(4), the state energy policy. It is
 433 the specific intent of the Legislature that nothing in this act
 434 shall in any way change the powers, duties, and responsibilities
 435 assigned by the Florida Electrical Power Plant Siting Act, part

436 II of chapter 403, or the powers, duties, and responsibilities
 437 of the Florida Public Service Commission.

438 (2) DEFINITIONS.--

439 (a) "Coordinate," "coordination," or "coordinating" means
 440 the examination and evaluation of state plans and programs and
 441 the providing of recommendations to the Cabinet, Legislature,
 442 and appropriate state agency on any measures deemed necessary to
 443 ensure that such plans and programs are consistent with state
 444 energy policy.

445 (b) "Energy conservation" means increased efficiency in
 446 the utilization of energy.

447 (c) "Energy emergency" means an actual or impending
 448 shortage or curtailment of usable, necessary energy resources,
 449 such that the maintenance of necessary services, the protection
 450 of public health, safety, and welfare, or the maintenance of
 451 basic sound economy is imperiled in any geographical section of
 452 the state or throughout the entire state.

453 (d) "Energy source" means electricity, fossil fuels, solar
 454 power, wind power, hydroelectric power, nuclear power, or any
 455 other resource which has the capacity to do work.

456 (e) "Facilities" means any building or structure not
 457 otherwise exempted by the provisions of this act.

458 (f) "Fuel" means petroleum, crude oil, petroleum product,
 459 coal, natural gas, or any other substance used primarily for its
 460 energy content.

461 (g) "Local government" means any county, municipality,
 462 regional planning agency, or other special district or local
 463 governmental entity the policies or programs of which may affect
 464 the supply or demand, or both, for energy in the state.

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465 (h) "Promotion" or "promote" means to encourage, aid,
 466 assist, provide technical and financial assistance, or otherwise
 467 seek to plan, develop, and expand.

468 (i) "Regional planning agency" means those agencies
 469 designated as regional planning agencies by the Department of
 470 Community Affairs.

471 (j) "Renewable energy resource" means any method, process,
 472 or substance the use of which does not diminish its availability
 473 or abundance, including, but not limited to, biomass conversion,
 474 geothermal energy, solar energy, wind energy, wood fuels derived
 475 from waste, ocean thermal gradient power, hydroelectric power,
 476 and fuels derived from agricultural products.

477 (3) DEPARTMENT OF ENVIRONMENTAL PROTECTION ~~COMMUNITY~~
 478 ~~AFFAIRS~~; DUTIES.--The Department of Environmental Protection
 479 ~~Community Affairs~~ shall, in addition to assuming the duties and
 480 responsibilities provided by ss. 20.255 ~~20.18~~ and 377.701,
 481 perform the following functions consistent with the development
 482 of a state energy policy:

483 (a) The department shall assume the responsibility for
 484 development of an energy emergency contingency plan to respond
 485 to serious shortages of primary and secondary energy sources.
 486 Upon a finding by the Governor, implementation of any emergency
 487 program shall be upon order of the Governor that a particular
 488 kind or type of fuel is, or that the occurrence of an event
 489 which is reasonably expected within 30 days will make the fuel,
 490 in short supply. The department shall then respond by
 491 instituting the appropriate measures of the contingency plan to
 492 meet the given emergency or energy shortage. The Governor may
 493 utilize the provisions of s. 252.36(5) to carry out any

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494 emergency actions required by a serious shortage of energy
 495 sources.

496 (b) The department shall constitute the responsible state
 497 agency for performing or coordinating the functions of any
 498 federal energy programs delegated to the state, including energy
 499 supply, demand, conservation, or allocation.

500 (c) The department shall analyze present and proposed
 501 federal energy programs and make recommendations regarding those
 502 programs to the Governor.

503 (d) The department shall coordinate efforts to seek
 504 federal support or other support for state energy activities,
 505 including energy conservation, research, or development, and
 506 shall be the state agency responsible for the coordination of
 507 multiagency energy conservation programs and plans.

508 (e) The department shall analyze energy data collected and
 509 prepare long-range forecasts of energy supply and demand in
 510 coordination with the Florida Public Service Commission, which
 511 shall have responsibility for electricity and natural gas
 512 forecasts. To this end, the forecasts shall contain:

513 1. An analysis of the relationship of state economic
 514 growth and development to energy supply and demand, including
 515 the constraints to economic growth resulting from energy supply
 516 constraints.

517 2. Plans for the development of renewable energy resources
 518 and reduction in dependence on depletable energy resources,
 519 particularly oil and natural gas, and an analysis of the extent
 520 to which renewable energy sources are being utilized in the
 521 state.

522 3. Consideration of alternative scenarios of statewide

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523 energy supply and demand for 5, 10, and 20 years, to identify
 524 strategies for long-range action, including identification of
 525 potential social, economic, and environmental effects.

526 4. An assessment of the state's energy resources,
 527 including examination of the availability of commercially
 528 developable and imported fuels, and an analysis of anticipated
 529 effects on the state's environment and social services resulting
 530 from energy resource development activities or from energy
 531 supply constraints, or both.

532 (f) The department shall make a report, as requested by
 533 the Governor or the Legislature, reflecting its activities and
 534 making recommendations of policies for improvement of the
 535 state's response to energy supply and demand and its effect on
 536 the health, safety, and welfare of the people of Florida. The
 537 report shall include a report from the Florida Public Service
 538 Commission on electricity and natural gas and information on
 539 energy conservation programs conducted and under way in the past
 540 year and shall include recommendations for energy conservation
 541 programs for the state, including, but not limited to, the
 542 following factors:

543 1. Formulation of specific recommendations for improvement
 544 in the efficiency of energy utilization in governmental,
 545 residential, commercial, industrial, and transportation sectors.

546 2. Collection and dissemination of information relating to
 547 energy conservation.

548 3. Development and conduct of educational and training
 549 programs relating to energy conservation.

550 4. An analysis of the ways in which state agencies are
 551 seeking to implement s. 377.601(4), the state energy policy, and

552 recommendations for better fulfilling this policy.

553 (g) The department has authority to adopt rules pursuant
 554 to ss. 120.536(1) and 120.54 to implement the provisions of this
 555 act.

556 (h) Promote the development and use of renewable energy
 557 resources, in conformance with the provisions of chapter 187 and
 558 s. 377.601, by:

559 1. Establishing goals and strategies for increasing the
 560 use of solar energy in this state.

561 2. Aiding and promoting the commercialization of solar
 562 energy technology, in cooperation with the Florida Solar Energy
 563 Center, Enterprise Florida, Inc., and any other federal, state,
 564 or local governmental agency which may seek to promote research,
 565 development, and demonstration of solar energy equipment and
 566 technology.

567 3. Identifying barriers to greater use of solar energy
 568 systems in this state, and developing specific recommendations
 569 for overcoming identified barriers, with findings and
 570 recommendations to be submitted annually in the report to the
 571 Legislature required under paragraph (f).

572 4. In cooperation with the Department of Transportation,
 573 the Department of Community Affairs, Enterprise Florida, Inc.,
 574 the Florida Solar Energy Center, and the Florida Solar Energy
 575 Industries Association, investigating opportunities, pursuant to
 576 the National Energy Policy Act of 1992 and the Housing and
 577 Community Development Act of 1992, for solar electric vehicles
 578 and other solar energy manufacturing, distribution,
 579 installation, and financing efforts which will enhance this
 580 state's position as the leader in solar energy research,

581 development, and use.

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

584
585 In the exercise of its responsibilities under this paragraph,
586 the department shall seek the assistance of the solar energy
587 industry in this state and other interested parties and is
588 authorized to enter into contracts, retain professional
589 consulting services, and expend funds appropriated by the
590 Legislature for such purposes.

591 (i) The department shall promote energy conservation in
592 all energy use sectors throughout the state and shall constitute
593 the state agency primarily responsible for this function. To
594 this end, the department shall coordinate the energy
595 conservation programs of all state agencies and review and
596 comment on the energy conservation programs of all state
597 agencies.

598 (j) The department shall serve as the state clearinghouse
599 for indexing and gathering all information related to energy
600 programs in state universities, in private universities, in
601 federal, state, and local government agencies, and in private
602 industry and shall prepare and distribute such information in
603 any manner necessary to inform and advise the citizens of the
604 state of such programs and activities. This shall include
605 developing and maintaining a current index and profile of all
606 research activities, which shall be identified by energy area
607 and may include a summary of the project, the amount and sources
608 of funding, anticipated completion dates, or, in case of
609 completed research, conclusions, recommendations, and

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610 applicability to state government and private sector functions.

611 The department shall coordinate, promote, and respond to
 612 efforts by all sectors of the economy to seek financial support
 613 for energy activities. The department shall provide information
 614 to consumers regarding the anticipated energy-use and energy-
 615 saving characteristics of products and services in coordination
 616 with any federal, state, or local governmental agencies as may
 617 provide such information to consumers.

618 (k) The department shall coordinate energy-related
 619 programs of state government, including, but not limited to, the
 620 programs provided in this section. To this end, the department
 621 shall:

622 1. Provide assistance to other state agencies, counties,
 623 municipalities, and regional planning agencies to further and
 624 promote their energy planning activities.

625 2. Require, in cooperation with the Department of
 626 Management Services, all state agencies to operate state-owned
 627 and state-leased buildings in accordance with energy
 628 conservation standards as adopted by the Department of
 629 Management Services. Every 3 months, the Department of
 630 Management Services shall furnish the department data on
 631 agencies' energy consumption in a format mutually agreed upon by
 632 the two departments.

633 3. Promote the development and use of renewable energy
 634 resources, energy efficiency technologies, and conservation
 635 measures.

636 4. Promote the recovery of energy from wastes, including,
 637 but not limited to, the use of waste heat, the use of
 638 agricultural products as a source of energy, and recycling of

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639 manufactured products. Such promotion shall be conducted in
 640 conjunction with, and after consultation with, the Department of
 641 Environmental Protection, the Florida Public Service Commission
 642 where electrical generation or natural gas is involved, and any
 643 other relevant federal, state, or local governmental agency
 644 having responsibility for resource recovery programs.

645 (1) The department shall develop, coordinate, and promote
 646 a comprehensive research plan for state programs. Such plan
 647 shall be consistent with state energy policy and shall be
 648 updated on a biennial basis.

649 (m) In recognition of the devastation to the economy of
 650 this state and the dangers to the health and welfare of
 651 residents of this state caused by Hurricane Andrew, and the
 652 potential for such impacts caused by other natural disasters,
 653 the department shall include in its energy emergency contingency
 654 plan and provide to the Department of Community Affairs for
 655 inclusion in the state model energy efficiency building code
 656 specific provisions to facilitate the use of cost-effective
 657 solar energy technologies as emergency remedial and preventive
 658 measures for providing electric power, street lighting, and
 659 water heating service in the event of electric power outages.

660 Section 16. Subsection (3) of section 381.7354, Florida
 661 Statutes, is amended to read:

662 381.7354 Eligibility.--

663 (3) In addition to the grants awarded under subsections
 664 (1) and (2), up to 20 percent of the funding for the Reducing
 665 Racial and Ethnic Health Disparities: Closing the Gap grant
 666 program shall be dedicated to projects that address improving
 667 racial and ethnic health status within specific Front Porch

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668 Florida Communities, as designated pursuant to s. 20.18(6) ~~s.~~
 669 ~~14.2015(9)(b)~~.

670 Section 17. Section 403.42, Florida Statutes, is amended
 671 to read:

672 403.42 Florida Clean Fuel Act.--

673 (1) SHORT TITLE AND PURPOSE.--

674 (a) This section may be cited as the "Florida Clean Fuel
 675 Act."

676 (b) The purposes of this act are to establish the Clean
 677 Fuel Florida Advisory Board under the Department of
 678 Environmental Protection Community Affairs to study the
 679 implementation of alternative fuel vehicles and to formulate and
 680 provide to the Secretary of Environmental Protection Community
 681 ~~Affairs~~ recommendations on expanding the use of alternative fuel
 682 vehicles in this state and make funding available for
 683 implementation.

684 (2) DEFINITIONS.--For purposes of this act:

685 (a) "Alternative fuels" include electricity, biodiesel,
 686 natural gas, propane, and any other fuel that may be deemed
 687 appropriate in the future by the Department of Environmental
 688 Protection Community Affairs with guidance from the Clean Fuel
 689 Florida Advisory Board.

690 (b) "Alternative fuel vehicles" include on-road and off-
 691 road transportation vehicles and light-duty, medium-duty, and
 692 heavy-duty vehicles that are powered by an alternative fuel or a
 693 combination of alternative fuels.

694 (3) CLEAN FUEL FLORIDA ADVISORY BOARD ESTABLISHED;
 695 MEMBERSHIP; DUTIES AND RESPONSIBILITIES.--

696 (a) The Clean Fuel Florida Advisory Board is established

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697 within the Department of Environmental Protection ~~Community~~
 698 ~~Affairs~~.

699 (b)1. The advisory board shall consist of the Secretary of
 700 Community Affairs, or a designee from that department, the
 701 Secretary of Environmental Protection, or a designee from that
 702 department, the Commissioner of Education, or a designee from
 703 that department, the Secretary of Transportation, or a designee
 704 from that department, the Commissioner of Agriculture, or a
 705 designee from the Department of Agriculture and Consumer
 706 Services, the Secretary of Management Services, or a designee
 707 from that department, and a representative of each of the
 708 following, who shall be appointed by the Secretary of
 709 Environmental Protection ~~Community Affairs~~ within 30 days after
 710 ~~the effective date of this act:~~

- 711 a. The Florida biodiesel industry.
- 712 b. The Florida electric utility industry.
- 713 c. The Florida natural gas industry.
- 714 d. The Florida propane gas industry.
- 715 e. An automobile manufacturers' association.
- 716 f. A Florida Clean Cities Coalition designated by the
 717 United States Department of Energy.
- 718 g. Enterprise Florida, Inc.
- 719 h. EV Ready Broward.
- 720 i. The Florida petroleum industry.
- 721 j. The Florida League of Cities.
- 722 k. The Florida Association of Counties.
- 723 l. Floridians for Better Transportation.
- 724 m. A motor vehicle manufacturer.
- 725 n. Florida Local Environment Resource Agencies.

- 726 o. Project for an Energy Efficient Florida.
- 727 p. Florida Transportation Builders Association.
- 728 2. The purpose of the advisory board is to serve as a
- 729 resource for the department and to provide the Governor, the
- 730 Legislature, and the Secretary of Environmental Protection
- 731 ~~Community Affairs~~ with private sector and other public agency
- 732 perspectives on achieving the goal of increasing the use of
- 733 alternative fuel vehicles in this state.
- 734 3. Members shall be appointed to serve terms of 1 year
- 735 each, with reappointment at the discretion of the Secretary of
- 736 Environmental Protection ~~Community Affairs~~. Vacancies shall be
- 737 filled for the remainder of the unexpired term in the same
- 738 manner as the original appointment.
- 739 4. The board shall annually select a chairperson.
- 740 5.a. The board shall meet at least once each quarter or
- 741 more often at the call of the chairperson or the Secretary of
- 742 Environmental Protection ~~Community Affairs~~.
- 743 b. Meetings are exempt from the notice requirements of
- 744 chapter 120, and sufficient notice shall be given to afford
- 745 interested persons reasonable notice under the circumstances.
- 746 6. Members of the board are entitled to travel expenses
- 747 while engaged in the performance of board duties.
- 748 7. The board shall terminate 5 years after the effective
- 749 date of this act.
- 750 (c) The board shall review the performance of the state
- 751 with reference to alternative fuel vehicle implementation in
- 752 complying with federal laws and maximizing available federal
- 753 funding and may:
- 754 1. Advise the Governor, Legislature, and the Secretary of

755 Environmental Protection ~~Community Affairs~~ and make
 756 recommendations regarding implementation and use of alternative
 757 fuel vehicles in this state.

758 2. Identify potential improvements in this act and the
 759 state's alternative fuel policies.

760 3. Request from all state agencies any information the
 761 board determines relevant to board duties.

762 4. Regularly report to the Secretary of Environmental
 763 Protection ~~Community Affairs~~, the Governor, the President of the
 764 Senate, and the Speaker of the House of Representatives
 765 regarding the board's findings and recommendations.

766 (d)1. The advisory board shall, ~~within 120 days after its~~
 767 ~~first meeting~~, make recommendations to the Department of
 768 Environmental Protection ~~Community Affairs~~ for establishing
 769 pilot programs in this state that provide experience and support
 770 the best use expansion of the alternative fuel vehicle industry
 771 in this state. No funds shall be released for a project unless
 772 there is at least a 50-percent private or local match.

773 2. In addition to the pilot programs, the advisory board
 774 shall assess federal, state, and local initiatives to identify
 775 incentives that encourage successful alternative fuel vehicle
 776 programs; obstacles to alternative fuel vehicle use including
 777 legislative, regulatory, and economic obstacles; and programs
 778 that educate and inform the public about alternative fuel
 779 vehicles.

780 3. The advisory board is charged with determining a
 781 reasonable, fair, and equitable way to address current motor
 782 fuel taxes as they apply to alternative fuels and at what
 783 threshold of market penetration.

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784 4. Based on its findings, the advisory board shall develop
 785 recommendations to the Legislature on future alternative fuel
 786 vehicle programs and legislative changes that provide the best
 787 use of state and other resources to enhance the alternative fuel
 788 vehicle market in this state and maximize the return on that
 789 investment in terms of job creation, economic development, and
 790 emissions reduction.

791 (e) The advisory board, working with the Department of
 792 Environmental Protection ~~Community Affairs~~, shall develop a
 793 budget for the department's approval, and all expenditures shall
 794 be approved by the department. At the conclusion of the first
 795 year, the department shall conduct an audit of the board and
 796 board programs.

797 Section 18. Subsections (42) and (43) are added to section
 798 420.507, Florida Statutes, to read:

799 420.507 Powers of the corporation.--The corporation shall
 800 have all the powers necessary or convenient to carry out and
 801 effectuate the purposes and provisions of this part, including
 802 the following powers which are in addition to all other powers
 803 granted by other provisions of this part:

804 (42) To provide information, assistance, and facilities
 805 needed by the Affordable Housing Study Commission.

806 (43) To develop and administer the Affordable Housing
 807 Catalyst Program under s. 420.531.

808 Section 19. Section 420.531, Florida Statutes, is created
 809 to read:

810 420.531 Affordable Housing Catalyst Program.--The
 811 corporation shall operate the Affordable Housing Catalyst
 812 Program for the purpose of securing the expertise necessary to

813 provide specialized technical support to local governments and
 814 community-based organizations to implement the HOME Investment
 815 Partnership Program, State Housing Initiatives Partnership
 816 Program, and other affordable housing programs. To the maximum
 817 extent feasible, the entity to provide the necessary expertise
 818 must be recognized by the Internal Revenue Service as a
 819 nonprofit tax-exempt organization. It must have as its primary
 820 mission the provision of affordable housing training and
 821 technical assistance, an ability to provide training and
 822 technical assistance statewide, and a proven track record of
 823 successfully providing training and technical assistance under
 824 the Affordable Housing Catalyst Program. The technical support
 825 shall, at a minimum, include training relating to the following
 826 key elements of the partnership programs:

827 (1) Formation of local and regional housing partnerships
 828 as a means of bringing together resources to provide affordable
 829 housing.

830 (2) Implementation of regulatory reforms to reduce the
 831 risk and cost of developing affordable housing.

832 (3) Implementation of affordable housing programs included
 833 in local government comprehensive plans.

834 (4) Compliance with requirements of federally funded
 835 housing programs.

836 Section 20. Subsection (8) of section 420.6015, Florida
 837 Statutes, is amended to read:

838 420.6015 Legislative findings.--In addition to the
 839 findings and declarations in ss. 420.0002, 420.502, 421.02,
 840 422.02, and 423.01, which are hereby reaffirmed, the Legislature
 841 finds that:

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842 (8) ~~Through the Affordable Housing Catalyst Program and~~
 843 ~~other program and staff resources,~~ The department shall
 844 facilitate the mobilization of public and private resources to
 845 provide affordable housing through its responsibilities in the
 846 areas of housing, comprehensive planning, and community
 847 assistance.

848 Section 21. Subsection (3) of section 420.606, Florida
 849 Statutes, is amended to read:

850 420.606 Training and technical assistance program.--

851 (3) TRAINING AND TECHNICAL ASSISTANCE PROGRAM.--The
 852 Department of Community Affairs shall be responsible for
 853 securing the necessary expertise to provide training and
 854 technical assistance to staff of local governments, to staff of
 855 state agencies, as appropriate, and to community-based
 856 organizations, and to persons forming such organizations, which
 857 are formed for the purpose of developing new housing and
 858 rehabilitating existing housing which is affordable for very-
 859 low-income persons, low-income persons, and moderate-income
 860 persons. ~~To the maximum extent feasible, the entity to provide~~
 861 ~~the necessary expertise must be recognized by the Internal~~
 862 ~~Revenue Service as a nonprofit tax-exempt organization. It must~~
 863 ~~have as its primary mission the provision of affordable housing~~
 864 ~~training and technical assistance; an ability to provide~~
 865 ~~training and technical assistance statewide; and a proven track~~
 866 ~~record of successfully providing training and technical~~
 867 ~~assistance under the Affordable Housing Catalyst Program.~~

868 (a) The training component of the program shall be
 869 designed to build the housing development capacity of community-
 870 based organizations and local governments as a permanent

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871 resource for the benefit of communities in this state.

872 1. The scope of training shall include, but not be limited
873 to, real estate development skills related to affordable
874 housing, including the construction process and property
875 management and disposition, the development of public-private
876 partnerships to reduce housing costs, model housing projects,
877 and management and board responsibilities of community-based
878 organizations.

879 2. Training activities may include, but are not limited
880 to, materials for self-instruction, workshops, seminars,
881 internships, coursework, and special programs developed in
882 conjunction with state universities and community colleges.

883 (b) The technical assistance component of the program
884 shall be designed to assist applicants for state-administered
885 programs in developing applications and in expediting project
886 implementation. Technical assistance activities for the staffs
887 of community-based organizations and local governments who are
888 directly involved in the production of affordable housing may
889 include, but are not limited to, workshops for program
890 applicants, onsite visits, guidance in achieving project
891 completion, and a newsletter to community-based organizations
892 and local governments.

893 ~~(c) The department shall establish a program known as the~~
894 ~~Affordable Housing Catalyst Program to be responsible for~~
895 ~~securing the necessary expertise as provided in this section for~~
896 ~~providing specialized technical support to local governments to~~
897 ~~implement the HOME Investment Partnership Program, State Housing~~
898 ~~Initiatives Partnership Program, and other affordable housing~~
899 ~~programs. The technical support shall, at a minimum, provide~~

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900 ~~training relating to the following key elements of the~~
 901 ~~partnership programs:~~

902 ~~1. The formation of local and regional housing~~
 903 ~~partnerships as a means of bringing together resources to~~
 904 ~~provide affordable housing.~~

905 ~~2. The implementation of regulatory reforms to reduce the~~
 906 ~~risk and cost of developing affordable housing.~~

907 ~~3. The implementation of affordable housing programs~~
 908 ~~included in local government comprehensive plans.~~

909 ~~4. The compliance with requirements of federally funded~~
 910 ~~housing programs.~~

911 Section 22. Subsection (3) of section 420.609, Florida
 912 Statutes, is amended to read:

913 420.609 Affordable Housing Study Commission.--Because the
 914 Legislature firmly supports affordable housing in Florida for
 915 all economic classes:

916 (3) ~~The department and the~~ corporation shall supply such
 917 information, assistance, and facilities as are deemed necessary
 918 for the commission to carry out its duties under this section
 919 and shall provide such staff assistance as is necessary for the
 920 performance of required clerical and administrative functions of
 921 the commission.

922 Section 23. Subsection (7) of section 420.631, Florida
 923 Statutes, is amended to read:

924 420.631 Definitions relating to Urban Homesteading
 925 Act.--As used in ss. 420.630-420.635:

926 (7) "Office" means the Office of Urban Opportunity within
 927 the Department of Community Affairs ~~Office of Tourism, Trade,~~
 928 ~~and Economic Development.~~

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929 Section 24. Subsection (7) of section 420.9075, Florida
 930 Statutes, is amended to read:

931 420.9075 Local housing assistance plans; partnerships.--

932 (7) Pursuant to s. 420.531 ~~s. 420.606~~, the corporation
 933 shall provide technical assistance to local governments
 934 regarding the creation of partnerships, the design of local
 935 housing assistance strategies, the implementation of local
 936 housing incentive strategies, and the provision of support
 937 services.

938 Section 25. Paragraph (d) of subsection (2) of section
 939 624.5105, Florida Statutes, is amended to read:

940 624.5105 Community contribution tax credit; authorization;
 941 limitations; eligibility and application requirements;
 942 administration; definitions; expiration.--

943 (2) ELIGIBILITY REQUIREMENTS.--

944 (d) The project shall be located in an area designated as
 945 an enterprise zone or a Front Porch Community pursuant to s.
 946 20.18(6) ~~s. 14.2015(9)(b)~~. Any project designed to construct or
 947 rehabilitate housing for low-income or very-low-income
 948 households as defined in s. 420.9071(19) and (28) is exempt from
 949 the area requirement of this paragraph.

950 Section 26. This act shall take effect July 1, 2004.