

By Senator Dockery

15-1059-07

See HB 313

1 A bill to be entitled

2 An act relating to solar energy; creating s.

3 212.0803, F.S.; specifying a limited period

4 each year through 2010, designated Energy

5 Efficient Week, during which the sale of

6 energy-efficient products for noncommercial or

7 personal use is exempt from sales taxation;

8 providing a limitation; providing a definition;

9 prohibiting purchase of products by certain

10 payment methods; providing that certain

11 purchases or attempts to purchase are unfair

12 methods of competition and punishable as such;

13 authorizing the Department of Revenue to adopt

14 rules; amending s. 377.806, F.S.; authorizing

15 only one rebate per installation of certain

16 solar energy systems; providing for preapproved

17 rebates; requiring the Florida Public Service

18 Commission to adopt rules; requiring the

19 Department of Environmental Protection to

20 develop preapproval processes by rule;

21 providing legislative findings; requiring the

22 department to establish and publicize an

23 information hotline and create certain

24 promotional materials; providing

25 appropriations; providing an effective date.

26

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

28

29 Section 1. Section 212.0803, Florida Statutes, is

30 created to read:

31

1 212.0803 Energy Efficient Week; limited
2 energy-efficient product exemption.--The period from 12:01
3 a.m., October 5, 2007, through midnight, October 14, 2007, and
4 the period from 12:01 a.m. on the first Friday of October
5 through midnight on the second Sunday of October for each year
6 thereafter through 2010, shall be designated "Energy Efficient
7 Week," and the tax levied under this chapter may not be
8 collected on the sale of any new energy-efficient product
9 having a selling price of \$1,500 or less per product during
10 that period. This exemption applies only when the
11 energy-efficient product is purchased for noncommercial home
12 or personal use and does not apply when the product is
13 purchased for trade, business, or resale. As used in this
14 section, the term "energy-efficient product" means a
15 dishwasher, clothes washer, clothes dryer, air conditioner,
16 ceiling fan, incandescent or fluorescent light bulb,
17 dehumidifier, programmable thermostat, or refrigerator that
18 has been designated by the United States Environmental
19 Protection Agency or by the United States Department of Energy
20 as meeting or exceeding the requirements under the Energy Star
21 Program of either agency. Purchases made under this section
22 may not be made using a business or company credit or debit
23 card or check. Any construction company, building contractor,
24 or commercial business or entity that purchases or attempts to
25 purchase the energy-efficient products as exempt under this
26 section commits an unfair method of competition in violation
27 of s. 501.204, punishable as provided in s. 501.2075. The
28 Department of Revenue may adopt rules under ss. 120.536(1) and
29 120.54 to administer this section.

30 Section 2. Paragraph (b) of subsection (2) and
31 subsection (7) of section 377.806, Florida Statutes, are

1 amended, and paragraphs (c) and (d) are added to subsection
2 (2) of that section, to read:

3 377.806 Solar Energy System Incentives Program.--

4 (2) SOLAR PHOTOVOLTAIC SYSTEM INCENTIVE.--

5 (b) Rebate amounts.--The rebate amount shall be set at
6 \$4 per watt based on the total wattage rating of the system.
7 Only one rebate shall be allowed per system. The maximum
8 allowable rebate per solar photovoltaic system installation
9 shall be as follows:

10 1. Twenty thousand dollars for a residence.

11 2. One hundred thousand dollars for a place of
12 business, a publicly owned or operated facility, or a facility
13 owned or operated by a private, not-for-profit organization,
14 including condominiums or apartment buildings.

15 (c) Rebate preapproval.--General contractors may
16 receive rebate preapproval for a qualifying solar photovoltaic
17 system if the system will be installed in a new home during
18 construction of the home.

19 (d) Rules.--The Florida Public Service Commission
20 shall adopt rules necessary to implement the provisions of
21 this subsection, including amending current interconnection
22 standards for solar energy systems up to 100 kilowatts and
23 providing for net metering of solar energy systems up to 100
24 kilowatts as defined in this section and in accordance with
25 current Institute of Electrical and Electronics Engineers,
26 Inc., standards for solar energy systems.

27 (7) RULES.--The department shall adopt rules pursuant
28 to ss. 120.536(1) and 120.54 to develop rebate applications
29 and preapproval processes and administer the issuance of
30 rebates.
31

1 Section 3. The Legislature finds that there is a need
2 to develop a program to educate the public about solar energy
3 and promote the Solar Energy System Incentives Program.

4 Section 4. The Department of Environmental Protection
5 shall establish and publicize a toll-free hotline that
6 provides information about solar photovoltaic energy and the
7 solar photovoltaic energy system incentive described in s.
8 377.806, Florida Statutes. The department shall also create
9 promotional materials to publicize the solar photovoltaic
10 system incentive.

11 Section 5. For the 2007-2008 fiscal year, the sum of
12 \$61,379 is appropriated from the General Revenue Fund to the
13 Department of Revenue for the purpose of administering the
14 energy-efficient products sales tax holiday pursuant to s.
15 212.0803, Florida Statutes.

16 Section 6. For the 2007-2008 fiscal year, the sum of
17 \$17,174,000 in nonrecurring funds is appropriated from the
18 General Revenue Fund and \$12,826,000 in nonrecurring funds is
19 appropriated from the Grants and Donations Trust Fund in the
20 Department of Environmental Protection for the purpose of
21 funding the Renewable Energy Technologies Grants Program
22 established in s. 377.804, Florida Statutes. Of the general
23 revenue funds, \$10 million are contingent upon the
24 coordination between the Department of Environmental
25 Protection and the Department of Agriculture and Consumer
26 Services pursuant to s. 377.804(6), Florida Statutes.

27 Section 7. For the 2007-2008 fiscal year, the sum of
28 \$5 million in nonrecurring funds is appropriated from the
29 General Revenue Fund to the Department of Environmental
30 Protection for the purpose of funding commercial and consumer
31 solar incentives authorized in s. 377.806, Florida Statutes.

1 Section 8. For the 2007-2008 fiscal year, the sum of
2 \$50,000 in nonrecurring funds is appropriated from the General
3 Revenue Fund to the Department of Environmental Protection for
4 the purpose of publicizing solar photovoltaic energy.

5 Section 9. This act shall take effect July 1, 2007.
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31