

A bill to be entitled

An act relating to solar energy; creating s. 212.0803, F.S.; specifying a limited period each year through 2010, designated Energy Efficient Week, during which the sale of energy-efficient products for noncommercial or personal use is exempt from sales taxation; providing a limitation; providing a definition; prohibiting purchase of products by certain payment methods; providing that certain purchases or attempts to purchase are unfair methods of competition and punishable as such; authorizing the Department of Revenue to adopt rules; amending s. 377.806, F.S.; authorizing only one rebate per installation of certain solar energy systems; providing for preapproved rebates; requiring the Florida Public Service Commission to adopt rules; requiring the Department of Environmental Protection to develop preapproval processes by rule; providing legislative findings; requiring the department to establish and publicize an information hotline and create certain promotional materials; providing appropriations; providing an effective date.

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

Section 1. Section 212.0803, Florida Statutes, is created to read:

212.0803 Energy Efficient Week; limited energy-efficient product exemption.--The period from 12:01 a.m., October 5, 2007, through midnight, October 14, 2007, and the period from 12:01

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29 a.m. on the first Friday of October through midnight on the
30 second Sunday of October for each year thereafter through 2010,
31 shall be designated "Energy Efficient Week," and the tax levied
32 under this chapter may not be collected on the sale of any new
33 energy-efficient product having a selling price of \$1,500 or
34 less per product during that period. This exemption applies only
35 when the energy-efficient product is purchased for noncommercial
36 home or personal use and does not apply when the product is
37 purchased for trade, business, or resale. As used in this
38 section, the term "energy-efficient product" means a dishwasher,
39 clothes washer, clothes dryer, air conditioner, ceiling fan,
40 incandescent or fluorescent light bulb, dehumidifier,
41 programmable thermostat, or refrigerator that has been
42 designated by the United States Environmental Protection Agency
43 or by the United States Department of Energy as meeting or
44 exceeding the requirements under the Energy Star Program of
45 either agency. Purchases made under this section may not be made
46 using a business or company credit or debit card or check. Any
47 construction company, building contractor, or commercial
48 business or entity that purchases or attempts to purchase the
49 energy-efficient products as exempt under this section commits
50 an unfair method of competition in violation of s. 501.204,
51 punishable as provided in s. 501.2075. The Department of Revenue
52 may adopt rules under ss. 120.536(1) and 120.54 to administer
53 this section.

54 Section 2. Paragraph (b) of subsection (2) and subsection
55 (7) of section 377.806, Florida Statutes, are amended, and

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

58 377.806 Solar Energy System Incentives Program.--

59 (2) SOLAR PHOTOVOLTAIC SYSTEM INCENTIVE.--

60 (b) Rebate amounts.--The rebate amount shall be set at \$4
61 per watt based on the total wattage rating of the system. Only
62 one rebate shall be allowed per system. The maximum allowable
63 rebate per solar photovoltaic system installation shall be as
64 follows:

65 1. Twenty thousand dollars for a residence.

66 2. One hundred thousand dollars for a place of business, a
67 publicly owned or operated facility, or a facility owned or
68 operated by a private, not-for-profit organization, including
69 condominiums or apartment buildings.

70 (c) Rebate preapproval.--General contractors may receive
71 rebate preapproval for a qualifying solar photovoltaic system if
72 the system will be installed in a new home during construction
73 of the home.

74 (d) Rules.--The Florida Public Service Commission shall
75 adopt rules necessary to implement the provisions of this
76 subsection, including amending current interconnection standards
77 for solar energy systems up to 100 kilowatts and providing for
78 net metering of solar energy systems up to 100 kilowatts as
79 defined in this section and in accordance with current Institute
80 of Electrical and Electronics Engineers, Inc., standards for
81 solar energy systems.

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82 (7) RULES.--The department shall adopt rules pursuant to
83 ss. 120.536(1) and 120.54 to develop rebate applications and
84 preapproval processes and administer the issuance of rebates.

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

88 Section 4. The Department of Environmental Protection
89 shall establish and publicize a toll-free hotline that provides
90 information about solar photovoltaic energy and the solar
91 photovoltaic energy system incentive described in s. 377.806,
92 Florida Statutes. The department shall also create promotional
93 materials to publicize the solar photovoltaic system incentive.

94 Section 5. For the 2007-2008 fiscal year, the sum of
95 \$61,379 is appropriated from the General Revenue Fund to the
96 Department of Revenue for the purpose of administering the
97 energy-efficient products sales tax holiday pursuant to s.
98 212.0803, Florida Statutes.

99 Section 6. For the 2007-2008 fiscal year, the sum of
100 \$17,174,000 in nonrecurring funds is appropriated from the
101 General Revenue Fund and \$12,826,000 in nonrecurring funds is
102 appropriated from the Grants and Donations Trust Fund in the
103 Department of Environmental Protection for the purpose of
104 funding the Renewable Energy Technologies Grants Program
105 established in s. 377.804, Florida Statutes. Of the general
106 revenue funds, \$10 million are contingent upon the coordination
107 between the Department of Environmental Protection and the
108 Department of Agriculture and Consumer Services pursuant to s.
109 377.804(6), Florida Statutes.

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

115 Section 8. For the 2007-2008 fiscal year, the sum of
116 \$50,000 in nonrecurring funds is appropriated from the General
117 Revenue Fund to the Department of Environmental Protection for
118 the purpose of publicizing solar photovoltaic energy.

119 Section 9. This act shall take effect July 1, 2007.