

1 A bill to be entitled
 2 An act relating to renewable energy technologies and
 3 energy efficiency; providing a short title; amending s.
 4 377.803, F.S.; defining the term "net metering"; creating
 5 s. 377.805, F.S.; establishing the Net Metering Incentive
 6 Program within the Department of Environmental Protection;
 7 directing the Public Service Commission to require all
 8 electric utilities to develop net metering programs;
 9 requiring electric utilities to make certain meters
 10 available to customers; providing for a customer to
 11 receive credit for electricity generated by renewable
 12 energy systems owned by the customer; providing
 13 eligibility criteria; authorizing the commission and the
 14 department to adopt rules; specifying a period during
 15 which the sale of energy-efficient products is exempt from
 16 certain tax; providing a limitation; providing a
 17 definition; prohibiting purchase of products by certain
 18 payment methods; providing that certain purchases or
 19 attempts to purchase are unfair methods of competition and
 20 punishable as such; authorizing the Department of Revenue
 21 to adopt rules; providing an effective date.

22
 23 Be It Enacted by the Legislature of the State of Florida:

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 25 Section 1. This act may be cited as the "Florida Net
 26 Metering Incentive Act."

27 Section 2. Subsections (5) through (10) of section
 28 377.803, Florida Statutes, are renumbered as subsections (6)

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29 through (11), respectively, and a new subsection (5) is added to
 30 that section to read:

31 377.803 Definitions.--As used in ss. 377.801-377.806, the
 32 term:

33 (5) "Net metering" means a process by which an electric
 34 utility credits a customer at the full retail rate for
 35 electricity produced by one or more renewable energy systems
 36 generating more electricity than the customer consumes.

37 Section 3. Section 377.805, Florida Statutes, is created
 38 to read:

39 377.805 Net Metering Incentive Program.--

40 (1) The Net Metering Incentive Program is established
 41 within the department to provide consumers with an incentive to
 42 utilize renewable energy technologies by increasing the value of
 43 the energy they create.

44 (2) The commission shall require all electric utilities to
 45 develop net metering programs that meet the requirements of this
 46 subsection. The utilities shall make available to customers
 47 reversible electric meters that subtract the amount of
 48 electricity a customer generates from the amount of energy a
 49 customer consumes. The customer shall receive credit at the full
 50 retail rate for electricity generated by eligible renewable
 51 energy systems. If the customer's system generates more energy
 52 than the customer consumes during a billing cycle, the customer
 53 shall pay only the basic charge for service and the excess
 54 credit shall be carried forward to the following billing cycle.
 55 Pursuant to s. 366.81, the utility may not discriminate in the
 56 rate or rate structure on the basis of the customer-owned

57 renewable energy system.

58 (3) To be eligible to participate in the program, the
59 customer's system must use a renewable source of energy to
60 produce the electricity, must have an aggregate power output of
61 no more than 25 kilowatts single-phase or 100 kilowatts three-
62 phase, and must meet the safety and compatibility requirements
63 set by rule of the commission.

64 (4) The commission and the department may adopt rules
65 pursuant to ss. 120.536(1) and 120.54 to implement and
66 administer this section, including any amendment of current
67 interconnection standards.

68 Section 4. The period from 12:01 a.m., October 5, 2008,
69 through midnight, October 14, 2008, shall be designated "Energy-
70 Efficient Products Sales Tax Holiday," and the tax levied under
71 chapter 212, Florida Statutes, may not be collected on the sale
72 of a new energy-efficient product having a selling price of
73 \$1,500 or less per product during that period. This exemption
74 applies only when the energy-efficient product is purchased for
75 noncommercial home or personal use and does not apply when the
76 product is purchased for trade, business, or resale. As used in
77 this section, the term "energy-efficient product" means a
78 dishwasher, clothes washer, air conditioner, ceiling fan,
79 incandescent or florescent light bulb, dehumidifier,
80 programmable thermostat, or refrigerator that has been
81 designated by the United States Environmental Protection Agency
82 or by the United States Department of Energy as meeting or
83 exceeding the requirements under the Energy Star Program of
84 either agency. Purchases made under this section may not be made

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85 using a business or company credit or debit card or check. Any
86 construction company, building contractor, or commercial
87 business or entity that purchases or attempts to purchase the
88 energy-efficient products as exempt under this section commits
89 an unfair method of competition in violation of s. 501.204,
90 Florida Statutes, punishable as provided in s. 501.2075, Florida
91 Statutes. The Department of Revenue may adopt rules under ss.
92 120.536(1) and 120.54, Florida Statutes, to administer this
93 section.

94 Section 5. This act shall take effect upon becoming a law.