

By the Committee on Communications, Energy, and Public Utilities; and Senator King

579-02906-09

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1                   A bill to be entitled  
2           An act relating to solar energy; amending s. 377.705,  
3           F.S.; requiring the Solar Energy Center to charge  
4           testing fees; deleting a provision that requires solar  
5           energy systems in this state to meet a certain  
6           standard; providing that a person who manufactures and  
7           sells solar products and systems does not need a  
8           contractor license if certain requirements are met;  
9           providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13           Section 1. Section 377.705, Florida Statutes, is amended to  
14 read:

15           377.705 Solar Energy Center; development of solar energy  
16 standards.—

17           (1) SHORT TITLE.—This section ~~act shall be known and~~ may be  
18 cited as the "Solar Energy Standards Act" ~~of 1976~~.

19           (2) LEGISLATIVE FINDINGS AND INTENT.—

20           (a) Because of increases in the cost of conventional fuel,  
21 certain applications of solar energy are becoming competitive,  
22 particularly when life-cycle costs are considered. It is the  
23 intent of the Legislature in formulating a sound and balanced  
24 energy policy for the state to encourage the development of an  
25 alternative energy capability in the form of incident solar  
26 energy.

27           (b) Toward this purpose, the Legislature intends to provide  
28 incentives for the production and sale of, and to set standards  
29 for, solar energy systems. Such standards must ~~shall~~ ensure that

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30 solar energy systems manufactured or sold within the state are  
31 effective and represent a high level of quality of materials,  
32 workmanship, and design.

33 (3) DEFINITIONS.—As used in this section, the term:

34 (a) "Center" means ~~is defined as~~ the Florida Solar Energy  
35 Center of the Board of Governors.

36 (b) "Solar energy systems" means ~~is defined as~~ equipment  
37 that ~~which~~ provides for the collection and use of incident solar  
38 energy for water heating, space heating or cooling, or other  
39 applications that ~~which~~ normally require ~~or would require~~ a  
40 conventional source of energy such as petroleum products,  
41 natural gas, or electricity, and that ~~which~~ performs primarily  
42 with solar energy. In ~~such other~~ systems in which solar energy  
43 is used in a supplemental way, only those components that ~~which~~  
44 collect and transfer solar energy are ~~shall be~~ included in this  
45 definition.

46 (4) ~~FLORIDA SOLAR ENERGY CENTER TO SET STANDARDS, REQUIRE~~  
47 ~~DISCLOSURE, SET TESTING FEES.—~~

48 (a) The center shall develop and adopt ~~promulgate~~ standards  
49 for solar energy systems manufactured or sold in this state  
50 based on the best currently available information and shall  
51 consult with scientists, engineers, or persons in research  
52 centers who are engaged in the construction of, experimentation  
53 with, and research of solar energy systems to properly identify  
54 the most reliable designs and types of solar energy systems.

55 (b) The center shall establish criteria for testing the  
56 performance of solar energy systems and shall maintain the  
57 necessary capability for testing or evaluating the performance  
58 of solar energy systems. The center may accept the results of

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59 tests on solar energy systems made by other organizations,  
60 companies, or persons if ~~when~~ such tests are conducted according  
61 to the criteria established by the center and if ~~when~~ the  
62 testing entity does not have a ~~has no~~ vested interest in the  
63 manufacture, distribution, or sale of solar energy systems.

64 (5)(e) FEES.-The center shall charge ~~be entitled to receive~~  
65 a testing fee sufficient to cover the costs of such testing. All  
66 testing fees shall be transmitted by the center to the Chief  
67 Financial Officer to be deposited in the Solar Energy Center  
68 Testing Trust Fund, which is ~~hereby~~ created in the State  
69 Treasury, and disbursed for the payment of expenses incurred in  
70 testing solar energy systems.

71 ~~(d) All solar energy systems manufactured or sold in the~~  
72 ~~state must meet the standards established by the center and~~  
73 ~~shall display accepted results of approved performance tests in~~  
74 ~~a manner prescribed by the center.~~

75 (6) CONTRACTING.-The manufacture, sale, training, and  
76 supervision of the installation of solar products and system  
77 components do not require a separate license if:

78 (a) The person who manufactures and sells solar products or  
79 solar systems clearly states to the consumers, in writing, that  
80 he or she is not acting as a licensed contractor for the purpose  
81 of installing such products or systems, and that all products or  
82 system components meet the standards set forth in the national  
83 and state electrical codes.

84 (b) The services of an electrical, plumbing, solar, or pool  
85 contractor, appropriately licensed, certified, or registered  
86 under chapter 489, is retained to install such products or  
87 systems. The contractor responsible for the installation must

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88 obtain all required permits and building code inspections.

89 Section 2. This act shall take effect July 1, 2009.