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1 A bill to be entitled
2 An act relating to energy; amending s. 377.705, F.S.;
3 requiring the Solar Energy Center to charge testing
4 fees; directing the Florida Building Commission to
5 make all changes to the building and energy codes
6 necessary to conform to this act; directing the state
7 land planning agency to implement an Energy Economic
8 Zone Pilot Program to develop a model to help
9 communities encourage and attain certain specified
10 conservation goals; requiring the Office of Tourism,
11 Trade, and Economic Development and the Florida Energy
12 and Climate Commission to provide technical assistance
13 to the state land planning agency; authorizing
14 Sarasota County to apply to the state land planning
15 agency to participate in the pilot program; requiring
16 the state land planning agency, with the assistance of
17 the Office of Tourism, Trade, and Economic
18 Development, to submit an interim report and later a
19 final report, by specified dates; providing that if a
20 specified commissioner of the Florida Energy and
21 Climate Commission is not confirmed during the 2009
22 Regular Session or the 2010 Regular Session, the
23 commissioner's appointment shall be extended until May
24 1, 2010, except for any member who, during that time,
25 the Senate expressly refuses to confirm; requiring the
26 Florida Energy and Climate Commission to obtain the
27 approval of the joint Legislative Budget Commission
28 before spending or disbursing any funds received from
29 the federal government as part of a federal stimulus

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30 package; providing an effective date.

31
32 Be It Enacted by the Legislature of the State of Florida:

33
34 Section 1. Section 377.705, Florida Statutes, is amended to
35 read:

36 377.705 Solar Energy Center; development of solar energy
37 standards.—

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

40 (2) LEGISLATIVE FINDINGS AND INTENT.—

41 (a) Because of increases in the cost of conventional fuel,
42 certain applications of solar energy are becoming competitive,
43 particularly when life-cycle costs are considered. It is the
44 intent of the Legislature in formulating a sound and balanced
45 energy policy for the state to encourage the development of an
46 alternative energy capability in the form of incident solar
47 energy.

48 (b) Toward this purpose, the Legislature intends to provide
49 incentives for the production and sale of, and to set standards
50 for, solar energy systems. Such standards must ~~shall~~ ensure that
51 solar energy systems manufactured or sold within the state are
52 effective and represent a high level of quality of materials,
53 workmanship, and design.

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

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

57 (b) "Solar energy systems" means ~~is defined as~~ equipment
58 that ~~which~~ provides for the collection and use of incident solar

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59 energy for water heating, space heating or cooling, or other
60 applications that ~~which~~ normally require ~~or would require~~ a
61 conventional source of energy such as petroleum products,
62 natural gas, or electricity, and that ~~which~~ performs primarily
63 with solar energy. In ~~such other~~ systems in which solar energy
64 is used in a supplemental way, only those components that ~~which~~
65 collect and transfer solar energy are ~~shall be~~ included in this
66 definition.

67 (4) ~~FLORIDA SOLAR ENERGY CENTER TO SET STANDARDS, REQUIRE~~
68 ~~DISCLOSURE, SET TESTING FEES.-~~

69 ~~(a) The center shall develop and promulgate standards for~~
70 ~~solar energy systems manufactured or sold in this state based on~~
71 ~~the best currently available information and shall consult with~~
72 ~~scientists, engineers, or persons in research centers who are~~
73 ~~engaged in the construction of, experimentation with, and~~
74 ~~research of solar energy systems to properly identify the most~~
75 ~~reliable designs and types of solar energy systems.~~

76 ~~(b) The center shall~~ select nationally-recognized standards
77 for solar energy systems and establish criteria for testing the
78 performance of solar energy systems and shall maintain the
79 necessary capability for testing or evaluating the performance
80 of solar energy systems. ~~The center may accept results of tests~~
81 ~~on solar energy systems made by other organizations, companies,~~
82 ~~or persons when such tests are conducted according to the~~
83 ~~criteria established by the center and when the testing entity~~
84 ~~has no vested interest in the manufacture, distribution or sale~~
85 ~~of solar energy systems.~~

86 ~~(5)(c) FEES.-~~ The center shall charge ~~be entitled to receive~~
87 a testing fee sufficient to cover the costs of such testing. All

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88 testing fees shall be transmitted by the center to the Chief
89 Financial Officer to be deposited in the Solar Energy Center
90 Testing Trust Fund, which is ~~hereby~~ created in the State
91 Treasury, and disbursed for the payment of expenses incurred in
92 testing solar energy systems.

93 (6) ~~(d)~~ All solar energy systems manufactured or sold in the
94 state must meet the nationally-recognized standards selected
95 ~~established~~ by the center and shall display accepted results of
96 approved performance tests in a manner prescribed by the center.

97 Section 2. (1) (a) The state land planning agency shall
98 implement an Energy Economic Zone Pilot Program to develop a
99 model to help communities encourage and attain renewable
100 electric energy generation, the manufacture of products that
101 contribute to energy conservation, green jobs, and energy-
102 efficient land use and development patterns and building
103 designs. The Office of Tourism, Trade, and Economic Development,
104 within the Executive Office of the Governor, and the Florida
105 Energy and Climate Commission shall provide technical assistance
106 to the state land planning agency in developing and
107 administering the program. The pilot program is intended to
108 cultivate green economic development and further the
109 implementation of 2008 - 191, Laws of Florida, that requires
110 that future land use elements within local government
111 comprehensive plans are to be based on the discouragement of
112 urban sprawl, energy-efficient land use patterns accounting for
113 existing and future electric power generation and transmission
114 systems, and greenhouse gas reduction strategies.

115 (b) Sarasota County is hereby authorized to apply to the
116 state land planning agency to participate in the pilot program

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117 based on its record of promoting energy efficient policies and
118 practices; and encouraging green economic development including
119 adoption of a resolution with carbon neutral goals, an
120 established green building and development incentive program,
121 and a voter approved infrastructure surtax with a portion
122 dedicated to economic development. The application shall
123 identify the proposed location of the energy economic zone which
124 shall be within an adopted urban service area and may include
125 the county landfill outside the urban service boundary, present
126 a proposed strategic plan for development and redevelopment in
127 the energy economic zone, demonstrate consistency of the
128 strategic plan with the local comprehensive plan or include
129 proposed plan amendments necessary to achieve consistency, and
130 identify comprehensive plan amendments that will be proposed to
131 implement 2008 - 191, Laws of Florida. The strategic plan must
132 include mixed use and form based standards that integrate
133 multimodal transportation facilities with land use and
134 development patterns to reduce reliance on automobiles,
135 encourage certified green building developments and renewable
136 energy systems, encourage creating green jobs, and demonstrate
137 how local financial and regulatory incentives will be used in
138 the energy economic zone. The state land planning agency shall
139 grant the application if it meets the requirements of this
140 section.

141 (c) The state land planning agency and the Office of
142 Tourism, Trade, and Economic Development, within the Executive
143 Office of the Governor shall provide the pilot community,
144 including businesses within the energy economic zone, with
145 technical assistance in identifying and qualifying for eligible

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146 grants and credits in job creation, energy, and other areas.

147 (2) The state land planning agency shall:

148 (a) With the assistance of the Office of Tourism, Trade,
149 and Economic Development, submit an interim report by February
150 15, 2010, to the Governor, the President of the Senate, and the
151 Speaker of the House of Representatives regarding the status of
152 the pilot program and any recommendations deemed appropriate by
153 the agency for statutory changes to accomplish the goals of the
154 pilot program community, including whether it would be
155 beneficial to provide financial incentives similar to those
156 offered an enterprise zone.

157 (b) After consultation with the Office of Tourism, Trade,
158 and Economic Development, submit a final report to the same
159 officers by February 15, 2012, evaluating whether the pilot
160 program has demonstrated any success in development and
161 redevelopment in the energy economic zone incorporating
162 renewable energy generation systems, low-impact design, and
163 energy-efficient land use and development patterns and building
164 designs, and shall recommend whether the program should be
165 expanded for use by other local governments and whether state
166 policies should be revised to encourage the goals of the
167 program.

168 Section 3. The Florida Building Commission is directed to
169 make all changes to the building and energy codes necessary to
170 conform those rules to this bill.

171 Section 4. The term of any person sitting as a member of
172 the Florida Energy and Climate Commission on March 3, 2009,
173 whose appointment is not confirmed by the Senate during the 2009
174 Regular Session or the 2010 Regular Session, shall be extended

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175 until completion of the 2010 Regular Session, except for any
176 member who, during that time, the Senate expressly refuses to
177 confirm.

178 Section 5. The Florida Energy and Climate Commission must
179 obtain the approval of the joint Legislative Budget Commission
180 before spending or disbursing any funds received from the
181 federal government as part of a federal stimulus package.

182 Section 6. This act shall take effect upon becoming a law.