

HB 7133

2009

1 A bill to be entitled
2 An act relating to alternative energy and energy
3 efficiency; creating ss. 125.01095 and 166.0446, F.S.;
4 providing that the construction and operation of a biofuel
5 processing or renewable energy generating facility or the
6 cultivation and production of bioenergy constitutes a
7 valid industrial, agricultural, or silvicultural use;
8 providing an exemption for such facilities and operations
9 from local comprehensive land use plans, local zoning
10 regulations, and requirements for a comprehensive plan
11 amendment, special exemption, use permit, waiver, or
12 variance; providing a limitation for fees imposed on such
13 facility owners and operators by local governments;
14 amending s. 193.461, F.S.; requiring portions of
15 agricultural properties containing solar energy facilities
16 or biofuel processing facilities to be assessed
17 separately; providing for the classification of the
18 remaining portions of such properties; amending s.
19 193.462, F.S.; conforming a cross-reference; amending ss.
20 213.053 and 220.192, F.S.; conforming references to the
21 transfer of duties relating to the renewable energy
22 technologies investment tax credit from the Department of
23 Environmental Protection to the Florida Energy and Climate
24 Commission; providing retroactive applicability with
25 respect to access to related confidential information;
26 amending s. 366.91, F.S.; including biodiesel in the
27 definition of the term "renewable energy"; amending s.
28 366.92, F.S.; defining the term "combined heat and power

29 | system"; revising the definitions of the terms "renewable
30 | energy" and "renewable energy credit" to include
31 | provisions for combined heat and power systems; revising
32 | the definitions of other terms to provide editorial
33 | changes; amending s. 373.236, F.S.; authorizing 25-year
34 | consumptive use permits for specified lands used in the
35 | production of renewable energy; providing that such
36 | permits are exempt from certain revocation by the
37 | governing board of the water management district or by the
38 | Department of Environmental Protection; amending s.
39 | 403.503, F.S.; removing solar electrical generating
40 | facilities from the definition of the term "electrical
41 | power plant" for the purpose of certification relating to
42 | the Florida Electrical Power Plant Siting Act; amending s.
43 | 403.973, F.S.; providing that permit applications and
44 | local comprehensive plan amendments for specified
45 | renewable energy projects are eligible for expedited
46 | review by local governments; providing for the
47 | establishment of regional permit action teams through the
48 | execution of memoranda of agreement developed by permit
49 | applicants and the Office of Tourism, Trade, and Economic
50 | Development; providing for the appeal of a local
51 | government's approval of an expedited permit or
52 | comprehensive plan amendment and requiring such appeals to
53 | be consolidated with challenges to state agency actions;
54 | specifying the form of the memoranda of agreement
55 | developed by the office; providing for challenges to state
56 | agency action related to expedited permitting for

57 | specified renewable energy projects; revising provisions
 58 | relating to the review of sites proposed for the location
 59 | of specified facilities; specifying expedited review
 60 | eligibility for certain electrical power projects;
 61 | amending s. 525.09, F.S.; providing an inspection fee and
 62 | related reporting requirements for specified alternative
 63 | fuels; amending s. 553.792, F.S.; providing for a single
 64 | permit, permit application, and permit fee for the
 65 | installation of specified systems; providing criteria for
 66 | determining fee amounts; requiring the Florida Energy and
 67 | Climate Commission to prepare a report on energy
 68 | efficiency with respect to low-income households and
 69 | rental housing properties to be submitted to the
 70 | Legislature by a specified date; providing report
 71 | requirements; providing effective dates.

72 |
 73 | Be It Enacted by the Legislature of the State of Florida:

74 |
 75 | Section 1. Section 125.01095, Florida Statutes, is created
 76 | to read:

77 | 125.01095 Biofuel and renewable energy.--The construction
 78 | and operation of a biofuel processing facility or a facility for
 79 | the production or generation of renewable energy, as defined in
 80 | s. 366.91(2)(d), and the cultivation and production of
 81 | bioenergy, as defined in s. 570.957(1)(a), are each a valid
 82 | industrial, agricultural, or silvicultural use permitted within
 83 | such land use categories in a local comprehensive land use plan
 84 | and for purposes of any local zoning regulation. Local

HB 7133

2009

85 comprehensive land use plans and local zoning regulations may
86 not require the owner or operator of a biofuel processing
87 facility or a renewable energy generating facility to obtain any
88 comprehensive plan amendment, special exemption, use permit,
89 waiver, or variance, or to pay any special fee in excess of
90 \$1,000, to operate in an area zoned for industrial,
91 agricultural, or silvicultural use. The construction and
92 operation of a facility and related improvements on a portion of
93 a property pursuant to this section shall not affect the
94 remainder of the property's classification as agricultural
95 pursuant to s. 193.461.

96 Section 2. Section 166.0446, Florida Statutes, is created
97 to read:

98 166.0446 Biofuel and renewable energy.--The construction
99 and operation of a biofuel processing facility or a facility for
100 the production or generation of renewable energy, as defined in
101 s. 366.91(2)(d), and the cultivation and production of
102 bioenergy, as defined in s. 570.957(1)(a), are each a valid
103 industrial, agricultural, or silvicultural use permitted within
104 such land use categories in a local comprehensive land use plan
105 and for purposes of any local zoning regulation. Local
106 comprehensive land use plans and local zoning regulations may
107 not require the owner or operator of a biofuel processing
108 facility or a renewable energy generating facility to obtain any
109 comprehensive plan amendment, special exemption, use permit,
110 waiver, or variance, or to pay any special fee in excess of
111 \$1,000, to operate in an area zoned for industrial,
112 agricultural, or silvicultural use. The construction and

113 operation of a facility and related improvements on a portion of
 114 a property pursuant to this section shall not affect the
 115 remainder of the property's classification as agricultural
 116 pursuant to s. 193.461.

117 Section 3. Paragraph (e) of subsection (3) of section
 118 193.461, Florida Statutes, is redesignated as paragraph (f), and
 119 a new paragraph (e) is added to that subsection to read:

120 193.461 Agricultural lands; classification and assessment;
 121 mandated eradication or quarantine program.--

122 (3)

123 (e) When property receiving an agricultural classification
 124 contains a solar energy facility or biofuel processing facility
 125 under the same ownership, the portion of the property consisting
 126 of the solar energy facility or biofuel processing facility must
 127 be assessed separately, pursuant to s. 193.011. The remaining
 128 property may be classified under the provisions of paragraphs
 129 (a) and (b).

130 Section 4. Subsection (1) of section 193.462, Florida
 131 Statutes, is amended to read:

132 193.462 Agricultural lands; annual application process;
 133 extenuating circumstances; waivers.--

134 (1) For purposes of granting an agricultural
 135 classification for January 1, 2003, the term "extenuating
 136 circumstances," as used in s. 193.461(3)(a), includes the
 137 failure of a property owner in a county that waived the annual
 138 application process to return the agricultural classification
 139 form or card, which return was required by operation of s.

HB 7133

2009

140 193.461(3) (f) ~~(e)~~, as created by chapter 2002-18, Laws of
 141 Florida.

142 Section 5. Effective upon this act becoming a law and
 143 applying retroactively to July 1, 2008, paragraph (y) of
 144 subsection (8) of section 213.053, Florida Statutes, is amended
 145 to read:

146 213.053 Confidentiality and information sharing.--

147 (8) Notwithstanding any other provision of this section,
 148 the department may provide:

149 (y) Information relative to ss. 212.08(7)(ccc) and 220.192
 150 to the Florida Energy and Climate Commission ~~Department of~~
 151 ~~Environmental Protection~~ for use in the conduct of its official
 152 business.

153
 154 Disclosure of information under this subsection shall be
 155 pursuant to a written agreement between the executive director
 156 and the agency. Such agencies, governmental or nongovernmental,
 157 shall be bound by the same requirements of confidentiality as
 158 the Department of Revenue. Breach of confidentiality is a
 159 misdemeanor of the first degree, punishable as provided by s.
 160 775.082 or s. 775.083.

161 Section 6. Subsections (4) and (5) of section 220.192,
 162 Florida Statutes, are amended to read:

163 220.192 Renewable energy technologies investment tax
 164 credit.--

165 (4) TAXPAYER APPLICATION PROCESS.--To claim a credit under
 166 this section, each taxpayer must apply to the Florida Energy and
 167 Climate Commission ~~Department of Environmental Protection~~ for an

168 allocation of each type of annual credit by the date established
 169 by the Florida Energy and Climate Commission ~~Department of~~
 170 ~~Environmental Protection~~. The application form may be
 171 established by the Florida Energy and Climate Commission
 172 ~~Department of Environmental Protection~~ and shall include an
 173 affidavit from each taxpayer certifying that all information
 174 contained in the application, including all records of eligible
 175 costs claimed as the basis for the tax credit, are true and
 176 correct. Approval of the credits under this section shall be
 177 accomplished on a first-come, first-served basis, based upon the
 178 date complete applications are received by the Florida Energy
 179 and Climate Commission ~~Department of Environmental Protection~~. A
 180 taxpayer shall submit only one complete application based upon
 181 eligible costs incurred within a particular state fiscal year.
 182 Incomplete placeholder applications will not be accepted and
 183 will not secure a place in the first-come, first-served
 184 application line. If a taxpayer does not receive a tax credit
 185 allocation due to the exhaustion of the annual tax credit
 186 authorizations, then such taxpayer may reapply in the following
 187 year for those eligible costs and will have priority over other
 188 applicants for the allocation of credits.

189 (5) ADMINISTRATION; AUDIT AUTHORITY; RECAPTURE OF
 190 CREDITS.--

191 (a) In addition to its existing audit and investigation
 192 authority, the Department of Revenue may perform any additional
 193 financial and technical audits and investigations, including
 194 examining the accounts, books, and records of the tax credit
 195 applicant, that are necessary to verify the eligible costs

196 included in the tax credit return and to ensure compliance with
 197 this section. The Florida Energy and Climate Commission
 198 ~~Department of Environmental Protection~~ shall provide technical
 199 assistance when requested by the Department of Revenue on any
 200 technical audits or examinations performed pursuant to this
 201 section.

202 (b) It is grounds for forfeiture of previously claimed and
 203 received tax credits if the Department of Revenue determines, as
 204 a result of either an audit or examination or from information
 205 received from the Florida Energy and Climate Commission
 206 ~~Department of Environmental Protection~~, that a taxpayer received
 207 tax credits pursuant to this section to which the taxpayer was
 208 not entitled. The taxpayer is responsible for returning
 209 forfeited tax credits to the Department of Revenue, and such
 210 funds shall be paid into the General Revenue Fund of the state.

211 (c) The Florida Energy and Climate Commission ~~Department~~
 212 ~~of Environmental Protection~~ may revoke or modify any written
 213 decision granting eligibility for tax credits under this section
 214 if it is discovered that the tax credit applicant submitted any
 215 false statement, representation, or certification in any
 216 application, record, report, plan, or other document filed in an
 217 attempt to receive tax credits under this section. The Florida
 218 Energy and Climate Commission ~~Department of Environmental~~
 219 ~~Protection~~ shall immediately notify the Department of Revenue of
 220 any revoked or modified orders affecting previously granted tax
 221 credits. Additionally, the taxpayer must notify the Department
 222 of Revenue of any change in its tax credit claimed.

HB 7133

2009

223 (d) The taxpayer shall file with the Department of Revenue
 224 an amended return or such other report as the Department of
 225 Revenue prescribes by rule and shall pay any required tax and
 226 interest within 60 days after the taxpayer receives notification
 227 from the Florida Energy and Climate Commission ~~Department of~~
 228 ~~Environmental Protection~~ that previously approved tax credits
 229 have been revoked or modified. If the revocation or modification
 230 order is contested, the taxpayer shall file an amended return or
 231 other report as provided in this paragraph within 60 days after
 232 a final order is issued following proceedings.

233 (e) A notice of deficiency may be issued by the Department
 234 of Revenue at any time within 3 years after the taxpayer
 235 receives formal notification from the Florida Energy and Climate
 236 Commission ~~Department of Environmental Protection~~ that
 237 previously approved tax credits have been revoked or modified.
 238 If a taxpayer fails to notify the Department of Revenue of any
 239 changes to its tax credit claimed, a notice of deficiency may be
 240 issued at any time.

241 Section 7. Paragraph (d) of subsection (2) of section
 242 366.91, Florida Statutes, is amended to read:

243 366.91 Renewable energy.--

244 (2) As used in this section, the term:

245 (d) "Renewable energy" means electrical energy produced
 246 from a method that uses one or more of the following fuels or
 247 energy sources: hydrogen produced from sources other than fossil
 248 fuels, biodiesel, biomass, solar energy, geothermal energy, wind
 249 energy, ocean energy, and hydroelectric power. The term includes

HB 7133

2009

250 the alternative energy resource, waste heat, from sulfuric acid
 251 manufacturing operations.

252 Section 8. Subsection (2) of section 366.92, Florida
 253 Statutes, is amended to read:

254 366.92 Florida renewable energy policy.--

255 (2) As used in this section, the term:

256 (a) "Combined heat and power system" means a system that
 257 simultaneously or sequentially generates electricity and thermal
 258 energy from the same primary energy source.

259 (b)(a) "Florida renewable energy resources" means
 260 renewable energy, as defined in s. 377.803, that is produced in
 261 this state Florida.

262 (c)(b) "Provider" means a "utility" as defined in s.
 263 366.8255(1) (a).

264 (d)(e) "Renewable energy" means renewable energy as
 265 defined in s. 366.91(2) (d). The term includes waste heat thermal
 266 energy produced by a combined heat and power system placed into
 267 service in this state after July 1, 2009, and used to produce
 268 biofuel and any associated coproducts.

269 (e)(d) "Renewable energy credit" or "REC" means a product
 270 that represents the unbundled, separable, renewable attribute of
 271 renewable energy produced in this state Florida and is
 272 equivalent to 1 megawatt-hour of electricity generated by a
 273 source of renewable energy located in this state Florida. For
 274 combined heat and power systems placed into service in this
 275 state after July 1, 2009, one renewable energy credit shall be
 276 produced for every 3.412 million Btu of waste heat thermal
 277 energy used to produce biofuel and any associated coproducts.

278 (f)~~(e)~~ "Renewable portfolio standard" or "RPS" means the
 279 minimum percentage of total annual retail electricity sales by a
 280 provider to consumers in this state ~~Florida~~ that shall be
 281 supplied by renewable energy produced in this state ~~Florida~~.

282 Section 9. Subsection (6) is added to section 373.236,
 283 Florida Statutes, to read:

284 373.236 Duration of permits; compliance reports.--

285 (6) Permits approved for a renewable energy generating
 286 facility or for the cultivation of agricultural products on
 287 1,000 acres or more for use in the production of renewable
 288 energy as defined in s. 366.91(2)(d) shall be granted for a term
 289 of at least 25 years and commensurate with the foreseeable life
 290 of the renewable energy generating facility, including the
 291 extension of the facility's life from viable repowering
 292 projects. Such permits are subject to compliance reports under
 293 subsection (4) and are exempt from the provisions of s.
 294 373.243(4).

295 Section 10. Subsection (14) of section 403.503, Florida
 296 Statutes, is amended to read:

297 403.503 Definitions relating to Florida Electrical Power
 298 Plant Siting Act.--As used in this act:

299 (14) "Electrical power plant" means, for the purpose of
 300 certification, any steam ~~or solar~~ electrical generating facility
 301 using any process or fuel, including nuclear materials, except
 302 that the ~~this~~ term does not include any steam ~~or solar~~
 303 electrical generating facility of less than 75 megawatts in
 304 capacity unless the applicant for such a facility elects to
 305 apply for certification under this act. The ~~This~~ term also

306 includes the site; all associated facilities that will be owned
 307 by the applicant that are physically connected to the site; all
 308 associated facilities that are indirectly connected to the site
 309 by other proposed associated facilities that will be owned by
 310 the applicant; and associated transmission lines that will be
 311 owned by the applicant which connect the electrical power plant
 312 to an existing transmission network or rights-of-way to which
 313 the applicant intends to connect. At the applicant's option, the
 314 ~~this~~ term may include any offsite associated facilities that
 315 will not be owned by the applicant; offsite associated
 316 facilities that are owned by the applicant but that are not
 317 directly connected to the site; any proposed terminal or
 318 intermediate substations or substation expansions connected to
 319 the associated transmission line; or new transmission lines,
 320 upgrades, or improvements of an existing transmission line on
 321 any portion of the applicant's electrical transmission system
 322 necessary to support the generation injected into the system
 323 from the proposed electrical power plant.

324 Section 11. Paragraph (a) of subsection (3), subsections
 325 (4), (7), and (11), paragraph (b) of subsection (13), paragraph
 326 (b) of subsection (14), subsection (15), and paragraph (b) of
 327 subsection (19) of section 403.973, Florida Statutes, are
 328 amended, and paragraph (f) is added to subsection (3) of that
 329 section, to read:

330 403.973 Expedited permitting; comprehensive plan
 331 amendments.--

332 (3) (a) The Governor, through the office, shall direct the
 333 creation of regional permit action teams, for the purpose of

334 expediting review of permit applications and local comprehensive
 335 plan amendments submitted by:

- 336 1. Businesses creating at least 100 jobs;or or
- 337 2. Businesses creating at least 50 jobs if the project is
- 338 located in an enterprise zone, or in a county having a
- 339 population of less than 75,000 or in a county having a
- 340 population of less than 100,000 which is contiguous to a county
- 341 having a population of less than 75,000, as determined by the
- 342 most recent decennial census, residing in incorporated and
- 343 unincorporated areas of the county.~~or~~

344 (f) Projects for the cultivation of agricultural products
 345 on 1,000 acres or more for use in the production of biofuels and
 346 projects for the construction of a facility to process biofuel
 347 or biodiesel or to generate renewable energy, as defined in s.
 348 366.91(2)(d), are eligible for expedited review.

349 (4) The regional teams shall be established through the
 350 execution of memoranda of agreement developed by the applicant
 351 and between the office with input solicited from ~~and~~ the
 352 respective heads of the Department of Environmental Protection,
 353 the Department of Community Affairs, the Department of
 354 Transportation and its district offices, the Department of
 355 Agriculture and Consumer Services, the Fish and Wildlife
 356 Conservation Commission, appropriate regional planning councils,
 357 appropriate water management districts, and voluntarily
 358 participating municipalities and counties. The memoranda of
 359 agreement must ~~should also~~ accommodate participation in the ~~this~~
 360 expedited process by other local governments and federal
 361 agencies as circumstances warrant.

362 (7) ~~At the option of the participating local government,~~
 363 Appeals of a local government's ~~its final~~ approval for a project
 364 must ~~may~~ be pursuant to the summary hearing provisions in ~~of~~ s.
 365 120.574, pursuant to subsection (14), and consolidated with the
 366 challenge of applicable state agency actions, if any ~~or pursuant~~
 367 ~~to other appellate processes available to the local government.~~
 368 ~~The local government's decision to enter into a summary hearing~~
 369 ~~must be made as provided in s. 120.574 or in the memorandum of~~
 370 ~~agreement.~~

371 (11) The standard form memorandum ~~memoranda~~ of agreement
 372 must ~~shall~~ include guidelines to be used in working with state,
 373 regional, and local permitting authorities. Guidelines may
 374 include, but are not limited to, the following:

375 (a) A central contact point for filing permit applications
 376 and local comprehensive plan amendments and for obtaining
 377 information on permit and local comprehensive plan amendment
 378 requirements;

379 (b) Identification of the individual or individuals within
 380 each respective agency who will be responsible for processing
 381 the expedited permit application or local comprehensive plan
 382 amendment for the ~~that~~ agency;

383 (c) A mandatory preapplication review process to reduce
 384 permitting conflicts by providing guidance to applicants
 385 regarding the permits needed from each agency and governmental
 386 entity, site planning and development, site suitability and
 387 limitations, facility design, and steps the applicant can take
 388 to ensure expeditious permit application and local comprehensive
 389 plan amendment review. As a part of the ~~this~~ process, the first

390 interagency meeting to discuss a project shall be held within 14
 391 days after the office's determination that the project is
 392 eligible for expedited review. Subsequent interagency meetings
 393 may be scheduled to accommodate the needs of participating local
 394 governments that are unable to meet public notice requirements
 395 for executing a memorandum of agreement within the ~~this~~
 396 timeframe. Such ~~This~~ accommodation may not exceed 45 days from
 397 the office's determination that the project is eligible for
 398 expedited review;

399 (d) The preparation of a single coordinated project
 400 description form and checklist and an agreement by state and
 401 regional agencies to reduce the burden on an applicant to
 402 provide duplicate information to multiple agencies;

403 (e) ~~Establishment of~~ A process for the adoption and review
 404 of any comprehensive plan amendment needed by any certified
 405 project within 90 days after the submission of an application
 406 for a comprehensive plan amendment. However, the memorandum of
 407 agreement may not prevent affected persons as defined in s.
 408 163.3184 from appealing or participating in the ~~this~~ expedited
 409 plan amendment process and any review or appeals of decisions
 410 made under this paragraph; and

411 (f) Additional incentives for an applicant who proposes a
 412 project that provides a net ecosystem benefit.

413 (13) Notwithstanding any other provisions of law:

414 (b) Projects that are qualified under this section are not
 415 subject to interstate highway level-of-service standards adopted
 416 by the Department of Transportation for concurrency purposes.
 417 The memorandum of agreement specified in subsection (5) must

HB 7133

2009

418 include a process by which the applicant will be assessed a fair
 419 share of the cost of mitigating the project's significant
 420 traffic impacts, as defined in chapter 380 and related rules.
 421 The agreement must also specify whether the significant traffic
 422 impacts on the interstate system will be mitigated through the
 423 implementation of a project or payment of funds to the
 424 Department of Transportation. If ~~Where~~ funds are paid, the
 425 Department of Transportation must include in the 5-year work
 426 program transportation projects or project phases, in an amount
 427 equal to the funds received, to mitigate the traffic impacts
 428 associated with the proposed project.

429 (14)

430 (b) Challenges to state agency action in the expedited
 431 permitting process for establishment of a state-of-the-art
 432 biomedical research institution and campus in this state by the
 433 grantee under s. 288.955 or a project identified in paragraph
 434 (3)(f) are subject to the same requirements as challenges
 435 brought under paragraph (a), except that, notwithstanding s.
 436 120.574, summary proceedings must be conducted within 30 days
 437 after a party files the motion for summary hearing, regardless
 438 of whether the parties agree to the summary proceeding.

439 (15) The office, working with the agencies that provide
 440 input to ~~participating in~~ the memoranda of agreement, shall
 441 review sites proposed for the location of facilities eligible
 442 for the Innovation Incentive Program under s. 288.1089. Within
 443 20 days after the request for the review by the office, the
 444 agencies shall provide to the office a statement as to each
 445 site's necessary permits under local, state, and federal law and

446 an identification of significant permitting issues, which if
 447 unresolved, may result in the denial of an agency permit or
 448 approval or any significant delay caused by the permitting
 449 process.

450 (19) The following projects are ineligible for review
 451 under this part:

452 (b) A project, the primary purpose of which is to:

453 1. Effect the final disposal of solid waste, biomedical
 454 waste, or hazardous waste in this state.

455 2. Produce electrical power, unless the production of
 456 electricity is incidental and not the primary function of the
 457 project or the electrical power is derived from a renewable
 458 energy fuel source as defined in s. 366.91(2)(d).

459 3. Extract natural resources.

460 4. Produce oil.

461 5. Construct, maintain, or operate an oil, petroleum,
 462 natural gas, or sewage pipeline.

463 Section 12. Subsections (1) and (3) of section 525.09,
 464 Florida Statutes, are amended to read:

465 525.09 Inspection fee.--

466 (1) For the purpose of defraying the expenses incident to
 467 inspecting, testing, and analyzing petroleum fuels in this
 468 state, there shall be paid to the department a charge of one-
 469 eighth cent per gallon on all gasoline, alternative fuel
 470 containing alcohol, as defined in s. 525.01(1)(c)1. or 2.,
 471 kerosene (except when used as aviation turbine fuel), and #1
 472 fuel oil for sale or use in this state. This inspection fee
 473 shall be imposed in the same manner as the motor fuel tax

HB 7133

2009

474 pursuant to s. 206.41. Payment shall be made on or before the
475 25th day of each month.

476 (3) All remittances to the department for the inspection
477 tax herein provided shall be accompanied by a detailed report
478 under oath showing the number of gallons of gasoline,
479 alternative fuel containing alcohol, as defined in s.
480 525.01(1)(c)1. or 2., kerosene, or fuel oil sold and delivered
481 in each county.

482 Section 13. Subsection (3) is added to section 553.792,
483 Florida Statutes, to read:

484 553.792 Building permit application to local government.--

485 (3) A local government may only require a single permit,
486 permit application, and permit fee for the installation of a
487 single engineered system that is covered by a single warranty.
488 The permit fee shall be based upon the time required to review
489 the application and issue the permit and the number of
490 inspections required.

491 Section 14. (1) The Florida Energy and Climate Commission
492 shall prepare a report that:

493 (a) Identifies methods of increasing energy-efficiency
494 practices among low-income households as defined in s. 420.9071,
495 Florida Statutes. The commission shall, at a minimum, identify
496 energy-efficiency programs currently offered to low-income
497 households by community action agencies, community-based
498 organizations, and utility companies in this state and similar
499 programs offered to low-income households in other states.

500 (b) Determines the statewide impact of improving the level
501 of energy efficiency of rental housing properties, including,

HB 7133

2009

502 but not limited to, the environmental benefits of the
503 improvements and the potential fiscal impact on property
504 tenants, owners, and landlords and the economy. The commission
505 shall consider the relative equity and economic efficiency of
506 the cost share for such energy-efficiency improvements.

507 (c) Provides recommendations to effect more energy-
508 efficiency practices among low-income household residents.

509 (2) The commission shall submit the report to the
510 President of the Senate and the Speaker of the House of
511 Representatives by February 1, 2010.

512 Section 15. Except as otherwise expressly provided in this
513 act, this act shall take effect July 1, 2009.