

HJR 43C

2010C

House Joint Resolution

A joint resolution proposing the creation of Section 28 of Article X of the State Constitution to require that 20 percent of Florida's electricity be generated by renewable sources by a specified date.

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

That the following creation of Section 28 of Article X of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE X

MISCELLANEOUS

SECTION 28. Renewable energy sources.-

(a) As used in this section, the term:

(1) "Class I renewable energy source" means Florida renewable energy resources derived from wind or solar photovoltaic systems.

(2) "Class II renewable energy source" means renewable energy derived from Florida renewable energy resources other than class I renewable energy sources or class III renewable energy sources.

(3) "Class III renewable energy source" means renewable energy derived from nuclear energy or any fossil fuel generation for which carbon capture and sequestration plans have been approved by the Department of Environmental Protection or its

HJR 43C

2010C

29 successor pursuant to general law or from use of pipeline-
 30 quality synthetic gas produced by processing waste petroleum
 31 coke with carbon capture and sequestration plans approved by the
 32 state or federal authority having jurisdiction.

33 (b) Each public utility must meet or exceed the following
 34 renewable portfolio standards through the production of
 35 renewable energy or, if provided in general law, through the
 36 purchase of renewable energy credits:

37 (1) By January 1, 2013, 7 percent of the previous year's
 38 retail electricity sales.

39 (2) By January 1, 2016, 12 percent of the previous year's
 40 retail electricity sales.

41 (3) By January 1, 2019, 18 percent of the previous year's
 42 retail electricity sales.

43 (4) By January 1, 2021, 20 percent of the previous year's
 44 retail electricity sales.

45 (c) No more than 25 percent of the amount of the renewable
 46 portfolio standard requirement for any year may be from class
 47 III renewable energy sources. For the production or procurement
 48 of class III renewable energy, a Florida utility that is a
 49 member of the Southeastern Electric Reliability Council may co-
 50 own or purchase energy from a class III renewable energy source
 51 located in another state and owned by an affiliate in a holding
 52 company with multistate dispatch.

54 BE IT FURTHER RESOLVED that the following statement be
 55 placed on the ballot:

56 CONSTITUTIONAL AMENDMENT

HJR 43C

2010C

57 ARTICLE X, SECTION 28
58 RENEWABLE ENERGY SOURCES.—Proposing an amendment to the
59 State Constitution to require that at least 20 percent of
60 Florida's electricity be generated by renewable sources by
61 January 1, 2021. The amendment also defines different classes of
62 renewable energy resources and provides a phase-in schedule of
63 increasing renewable energy requirements for specified years
64 leading up to January 1, 2021. The amendment provides that no
65 more than 25 percent of the requirement may be met by class III
66 renewable energy, which is energy produced from nuclear energy,
67 certain fossil fuel generation for which carbon capture and
68 sequestration plans have been approved, or use of pipeline-
69 quality synthetic gas produced by processing waste petroleum
70 coke with approved carbon capture and sequestration plans. The
71 amendment allows certain Florida utilities to obtain class III
72 renewable energy from a source located in another state if the
73 source is owned by an affiliate in a holding company with
74 multistate dispatch.