

1                                   A bill to be entitled  
 2           An act relating to economic development; amending s.  
 3           288.9602, F.S.; revising legislative findings and  
 4           declarations of necessity to emphasize the importance of  
 5           the economic activities in counties and municipalities;  
 6           providing that the purposes of the Florida Development  
 7           Finance Corporation Act may be accomplished by legislation  
 8           implementing constitutional provisions allowing local  
 9           governments to issue revenue bonds to finance or refinance  
 10          the cost of certain capital projects and authorizing new  
 11          and innovative means for the investment of public trust  
 12          funds; creating s. 366.94, F.S.; authorizing a nonutility  
 13          producer of renewable energy to sell electricity to  
 14          electricity customers at retail; requiring the Public  
 15          Service Commission to adopt rules and submit reports to  
 16          the Legislature; providing an effective date.

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 18 Be It Enacted by the Legislature of the State of Florida:

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 20           Section 1. Section 288.9602, Florida Statutes, is amended  
 21 to read:

22           288.9602 Findings and declarations of necessity.—The  
 23 Legislature finds and declares that:

24           (1) There is a need to enhance economic activity in the  
 25 counties and municipalities of the state by attracting  
 26 manufacturing, development, redevelopment of brownfield areas,  
 27 business enterprise management, and other activities conducive  
 28 to economic promotion in order to provide a stronger, more

29 | balanced, and stable economy in the state.

30 |       (2) A significant portion of businesses located in the  
31 | counties and municipalities of the state or desiring to locate  
32 | in the state encounter difficulty in obtaining financing on  
33 | terms competitive with those available to businesses located in  
34 | other states and nations or are unable to obtain such financing  
35 | at all.

36 |       (3) The difficulty in obtaining such financing impairs the  
37 | expansion of economic activity and the creation of jobs and  
38 | income in communities throughout the state.

39 |       (4) The businesses most often affected by these financing  
40 | difficulties are small businesses critical to the economic  
41 | development of the counties and municipalities of the state.

42 |       (5) The economic well-being of the people in, and the  
43 | commercial and industrial resources of, the counties and  
44 | municipalities of the state would be enhanced by the provision  
45 | of financing to businesses on terms competitive with those  
46 | available in the most developed financial markets worldwide.

47 |       (6) In order to improve the prosperity and welfare of the  
48 | counties and municipalities of the ~~this~~ state and its  
49 | inhabitants, to improve and promote the financing of projects  
50 | related to the economic development of the counties and  
51 | municipalities of the ~~this~~ state, including redevelopment of  
52 | brownfield areas, and to increase the purchasing power and  
53 | opportunities for gainful employment of citizens of the counties  
54 | and municipalities of the ~~this~~ state, it is necessary and in the  
55 | public interest to facilitate the financing of such projects as  
56 | provided for in this act and to do so without regard to the

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57 | boundaries between counties, municipalities, special districts,  
58 | and other local governmental bodies or agencies in order to more  
59 | effectively and efficiently serve the interests of the greatest  
60 | number of people in the widest area practicable.

61 |       (7) In order to promote and stimulate development and  
62 | advance the business prosperity and economic welfare of the  
63 | counties and municipalities of the ~~this~~ state and its  
64 | inhabitants; to encourage and assist new business and industry  
65 | in the ~~this~~ state through loans, investments, or other business  
66 | transactions; to rehabilitate and assist existing businesses; to  
67 | stimulate and assist in the expansion of all kinds of for-profit  
68 | and not-for-profit business activity; and to create maximum  
69 | opportunities for employment, encouragement of thrift, and  
70 | improvement of the standard of living of the citizens of  
71 | Florida, it is necessary and in the public interest to  
72 | facilitate the cooperation and action between organizations,  
73 | public and private, in the promotion, development, and conduct  
74 | of all kinds of for-profit and not-for-profit business activity  
75 | in the state.

76 |       (8) In order to efficiently and effectively achieve the  
77 | purposes of this act, it is necessary and in the public interest  
78 | to create a special development finance authority to cooperate  
79 | and act in conjunction with public agencies of the ~~this~~ state  
80 | and local governments of the ~~this~~ state, through interlocal  
81 | agreements pursuant to the Florida Interlocal Cooperation Act of  
82 | 1969, in the promotion and advancement of projects related to  
83 | economic development, including redevelopment of brownfield  
84 | areas, throughout the state.

85 (9) The purposes to be achieved by the special development  
 86 finance authority through such projects and such financings of  
 87 business and industry in compliance with the criteria and the  
 88 requirements of this act are predominantly the public purposes  
 89 stated in this section, and such purposes implement the  
 90 governmental purposes under the State Constitution of providing  
 91 for the health, safety, and welfare of the people of the state.  
 92 These purposes may be facilitated through legislation fully  
 93 implementing s. 10(c), Art. VII of the State Constitution to  
 94 authorize local governments to issue revenue bonds for the  
 95 financing or refinancing of capital projects, and through  
 96 legislation authorizing new and innovative means for the  
 97 investment of public trust funds pursuant to s. 10(a), Art. VII  
 98 of the State Constitution.

99 Section 2. Section 366.94, Florida Statutes, is created to  
 100 read:

101 366.94 Retail sales of renewable energy.-

102 (1) As used in this section, the term "renewable energy"  
 103 has the same meaning as provided in s. 366.91.

104 (2) Notwithstanding any other provision in this chapter, a  
 105 nonutility producer of renewable energy may sell electricity  
 106 directly to one or more retail consumers.

107 (3) The commission shall adopt rules to administer this  
 108 section. In adopting such rules, the commission shall establish,  
 109 at a minimum:

110 (a) Requirements related to interconnection and metering.

111 (b) A mechanism for setting rates for any service provided  
 112 to the consumer by the utility if such service is required by

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113 the consumer. These rates shall ensure that the utility's  
114 general body of ratepayers does not subsidize the consumer in  
115 any way, including any redundant utility generating capacity  
116 necessary to serve the consumer.

117 (c) Requirements for notice to the commission of the size  
118 and location of each renewable energy generation facility  
119 planned under this section, the identity and historical and  
120 projected load characteristics of each host consumer, and any  
121 other information deemed necessary by the commission to satisfy  
122 its obligations under s. 366.04(5).

123 (4) Beginning January 1, 2012, and at least once every 6  
124 months thereafter, the commission shall submit a report to the  
125 Legislature of activity under this section which addresses the  
126 impacts of such activity on the electric power grid of the  
127 state, individual utility systems, and each utility's general  
128 body of ratepayers, and includes recommendations concerning  
129 implementation of this program.

130 Section 3. This act shall take effect upon becoming a law.