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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/12/2011	.	
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The Committee on Commerce and Tourism (Flores) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Subsection (31) is added to section 206.01, Florida Statutes, to read:

206.01 Definitions.—As used in this chapter:

(31) "Renewable feedstocks" mean crops and animal products that may be used to produce fuel or energy.

Section 2. Subsection (5) of section 206.02, Florida Statutes, is amended to read:

206.02 Application for license; temporary license; terminal



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13 suppliers, importers, exporters, blenders, biodiesel
14 manufacturers, and wholesalers.-

15 (5) Each biodiesel manufacturer must meet the reporting,
16 bonding, and licensing requirements prescribed for wholesalers
17 by this chapter, except that biodiesel manufacturers are exempt
18 from the bonding requirements of this chapter only for B100 and
19 B99 biodiesel fuel that the biodiesel manufacturer makes from
20 renewable feedstocks originating in this state.

21 Section 3. Subsection (8) of section 206.874, Florida
22 Statutes, is added to read:

23 206.874 Exemptions.-

24 (8) B100 and B99 biodiesel fuel, of which at least 50
25 percent is made from renewable feedstocks originating in this
26 state, is exempt from the taxes imposed by this part.

27 Section 4. Subsection (5) of section 206.9925, Florida
28 Statutes, is amended to read:

29 206.9925 Definitions.-As used in this part:

30 (5) "Pollutants" includes any petroleum product as defined in
31 subsection (4) as well as pesticides, ammonia, and chlorine;
32 lead-acid batteries, including, but not limited to, batteries
33 that are a component part of other tangible personal property;
34 and solvents as defined in subsection (6), but the term excludes
35 liquefied petroleum gas, medicinal oils, and waxes. Products
36 intended for application to the human body or for use in human
37 personal hygiene or for human ingestion are not pollutants,
38 regardless of their contents. B100 or B99 biodiesel
39 manufactured in this state is not a pollutant if at least 50
40 percent of the manufacturer's annual production of B100 or B99
41 is from renewable feedstocks originating in this state. For the



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42 purpose of the tax imposed under s. 206.9935(1), "pollutants"
43 also includes crude oil.

44 Section 5. The Department of Revenue is authorized, and all
45 conditions are deemed met, to adopt emergency rules pursuant to
46 ss. 120.536(1) and 120.54, Florida Statutes, to administer the
47 provisions of this act. The emergency rules shall remain in
48 effect for 6 months after the rules are adopted, and the rules
49 may be renewed during the pendency of procedures to adopt
50 permanent rules addressing the subject of the emergency rule.

51 Section 6. This act shall take effect January 1, 2012.

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54 ===== T I T L E A M E N D M E N T =====

55 And the title is amended as follows:

56 Delete everything before the enacting clause
57 and insert:

58 A bill to be entitled

59 An act relating to biodiesel; amending s. 206.01, F.S.;
60 defining the term "renewable feedstocks"; amending s. 206.02,
61 F.S.; exempting certain biodiesel manufacturers from bonding
62 requirements; amending s. 206.874, F.S.; exempting certain
63 biodiesel manufacturers from specific taxes on diesel fuel;
64 amending s. 206.9925, F.S.; redefining the term "pollutants" to
65 exclude certain biodiesel; amending s. 526.202, F.S.;
66 authorizing the Department of Revenue to adopt emergency rules
67 to implement the provisions of this act; providing an effective
68 date.