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LEGISLATIVE ACTION

Senate

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House

Floor: 1/AD/2R

04/30/2014 10:53 AM

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Senator Bradley moved the following:

**Senate Amendment (with title amendment)**

Between lines 412 and 413

insert:

Section 11. Section 377.816, Florida Statutes, is created  
to read:

377.816 Qualified energy conservation bond allocation.-

(1) DEFINITIONS.-As used in this section, the term:

(a) "Eligible issuer" means an entity that is created under  
or pursuant to the constitution or laws of this state and that  
is authorized by this state to issue bonds or enter into a



12 lease-purchase agreement, or any other entity in this state  
13 authorized to issue qualified energy conservation bonds pursuant  
14 to the Internal Revenue Code.

15 (b) "Office" means the Office of Energy within the  
16 Department of Agriculture and Consumer Services.

17 (c) "Qualified energy conservation bond" means a bond  
18 described in 26 U.S.C. s. 54D(a).

19 (d) "Qualified project" means a project eligible to be  
20 financed pursuant to 26 U.S.C. s. 54D(f).

21 (2) ALLOCATION OF STATE VOLUME LIMITATION.-

22 (a) The office shall establish an allocation program for  
23 allocating or reallocating the qualified energy conservation  
24 bond volume limitation provided by 26 U.S.C. s. 54D. The  
25 allocation program must provide notification of all mandatory  
26 allocations required or authorized pursuant to the Internal  
27 Revenue Code.

28 1. All mandatory allocations pursuant to 26 U.S.C. s.  
29 54D(e) (2) (A) shall be allocated to eligible issuers as provided  
30 therein.

31 2. An eligible issuer receiving a mandatory allocation  
32 pursuant to subparagraph 1. may elect to reallocate all or any  
33 portion of its allocation back to the state pursuant to 26  
34 U.S.C. s. 54D(e) (2) (B).

35 (b) The office may reallocate to eligible issuers in the  
36 state any allocation that was retained by the state from the  
37 original federal allocation or any allocation that is waived by  
38 an eligible issuer pursuant to subparagraph (a)2.

39 (c) Each eligible issuer receiving an allocation shall  
40 notify the department in writing of the amount of bonds issued



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41 and any other information relating to the bonds or the  
42 allocation at such time and in such manner as is required by the  
43 office.

44 (d) A bond subject to the limitations provided in 26 U.S.C.  
45 s. 54D may not be issued in this state unless issued pursuant to  
46 this section.

47 (3) INFORMATION AVAILABILITY.—The office shall determine  
48 the amount of qualified energy conservation bond allocations for  
49 each qualified issuer in this state under 26 U.S.C. s. 54D and  
50 shall make such information available upon request to any person  
51 or agency.

52

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

54 And the title is amended as follows:

55 Delete line 39

56 and insert:

57 information; creating s. 377.816, F.S.; defining  
58 terms; requiring the Office of Energy to establish a  
59 program for allocating or reallocating a federally  
60 qualified energy conservation bond volume limitation;  
61 providing program requirements; amending s. 440.103,  
62 F.S.; authorizing an