

By Senator Simpson

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1 A bill to be entitled
2 An act relating to energy policies; amending s.
3 377.703, F.S.; requiring the Department of
4 Agricultural and Consumer Services to include in its
5 annual report recommendations for energy efficiency;
6 expanding the promotion of the development and use of
7 renewable energy resources from goals related to solar
8 energy to renewable energy in general; requiring the
9 department to cooperate with the Florida Energy
10 Systems Consortium in the development and use of
11 renewable energy resources; amending s. 377.705, F.S.;
12 providing that the Solar Energy Center may, rather
13 than must, develop standards for solar energy systems
14 manufactured or sold in this state; providing that the
15 center may, rather than must, establish criteria for
16 testing the performance of solar energy systems;
17 providing that the center may, rather than must,
18 receive a fee for testing the performance of solar
19 energy systems; removing the requirement that all
20 solar energy systems manufactured or sold in this
21 state must meet the standards established by the Solar
22 Energy Center; amending s. 377.712, F.S.; adding a
23 member to the Southern States Energy Board to be
24 appointed by the Commissioner of Agriculture;
25 authorizing the department to approve proposed
26 activities relating to furtherance of the Southern
27 States Energy Compact; amending s. 377.801, F.S.;
28 conforming a cross-reference; amending s. 377.802,
29 F.S.; amending the purpose of the Florida Energy and

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30 Climate Protection Act; amending s. 377.803, F.S.;

31 conforming provisions to changes made by the act;

32 creating s. 377.815, F.S.; authorizing the department

33 to post on its website information relating to

34 alternative fueling stations or electric vehicle

35 charging stations; defining the term "alternative

36 fuel"; authorizing the owner or operator of an

37 alternative fueling station or an electric vehicle

38 charging station to report certain information;

39 amending s. 553.74, F.S.; adding a member to the

40 Florida Building Commission as a representative of the

41 Department of Agriculture and Consumer Services'

42 Office of Energy; deleting obsolete provisions;

43 repealing ss. 377.806 and 377.807, F.S., relating to

44 the Solar Energy System Incentives Program and the

45 Energy-Efficient Appliance Rebate Program,

46 respectively; providing an effective date.

47

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

49

50 Section 1. Paragraphs (f), (h), and (i) of subsection (2)

51 of section 377.703, Florida Statutes, are amended to read:

52 377.703 Additional functions of the Department of

53 Agriculture and Consumer Services.—

54 (2) DUTIES.—The department shall perform the following

55 functions, unless as otherwise provided, consistent with the

56 development of a state energy policy:

57 (f) The department shall submit an annual report to the

58 Governor and the Legislature reflecting its activities and

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59 making recommendations for ~~of~~ policies for improvement of the
60 state's response to energy supply and demand and its effect on
61 the health, safety, and welfare of the residents of this state
62 ~~people of Florida~~. The report must ~~shall~~ include a report from
63 the Florida Public Service Commission on electricity and natural
64 gas and information on energy conservation programs conducted
65 and underway in the past year and ~~shall~~ include recommendations
66 for energy efficiency and conservation programs for the state,
67 including the, ~~but not limited to, the following factors:~~

68 1. Formulation of specific recommendations for improvement
69 in the efficiency of energy utilization in governmental,
70 residential, commercial, industrial, and transportation sectors.

71 2. Collection and dissemination of information relating to
72 energy efficiency and conservation.

73 3. Development and conduct of educational and training
74 programs relating to energy efficiency and conservation.

75 4. An analysis of the ways in which state agencies are
76 seeking to implement s. 377.601(2), the state energy policy, and
77 recommendations for better fulfilling this policy.

78 (h) The department shall promote the development and use of
79 renewable energy resources, in conformance with chapter 187 and
80 s. 377.601, by:

81 1. Establishing goals and strategies for increasing the use
82 of renewable ~~solar~~ energy in this state.

83 2. Aiding and promoting the commercialization of renewable
84 energy resources ~~solar energy technology~~, in cooperation with
85 the Florida Energy Systems Consortium, the Florida Solar Energy
86 Center, Enterprise Florida, Inc., and any other federal, state,
87 or local governmental agency that ~~which~~ may seek to promote

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88 research, development, and the demonstration of renewable ~~solar~~
89 energy equipment and technology.

90 3. Identifying barriers to greater use of renewable energy
91 resources ~~solar energy systems~~ in this state, and developing
92 specific recommendations for overcoming identified barriers,
93 with findings and recommendations to be submitted annually in
94 the report to the Governor and Legislature required under
95 paragraph (f).

96 4. In cooperation with the Department of Environmental
97 Protection, the Department of Transportation, the Department of
98 Economic Opportunity, Enterprise Florida, Inc., the Florida
99 Energy Systems Consortium, the Florida Solar Energy Center, and
100 the Florida Solar Energy Industries Association, investigating
101 opportunities, pursuant to the national Energy Policy Act of
102 1992, the Housing and Community Development Act of 1992, and any
103 subsequent federal legislation, for renewable energy resources,
104 ~~solar~~ electric vehicles, and other renewable ~~solar~~ energy
105 manufacturing, distribution, installation, and financing efforts
106 that ~~which will~~ enhance this state's position as the leader in
107 renewable ~~solar~~ energy research, development, and use.

108 5. Undertaking other initiatives to advance the development
109 and use of renewable energy resources in this state.

110
111 In the exercise of its responsibilities under this paragraph,
112 the department shall seek the assistance of the renewable ~~solar~~
113 energy industry in this state and other interested parties and
114 may ~~is authorized to~~ enter into contracts, retain professional
115 consulting services, and expend funds appropriated by the
116 Legislature for such purposes.

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117 (i) The department shall promote energy efficiency and
118 conservation in all energy use sectors throughout the state and
119 be ~~shall constitute~~ the state agency primarily responsible for
120 this function. The Department of Management Services, in
121 consultation with the department, shall coordinate the energy
122 conservation programs of all state agencies and review and
123 comment on the energy conservation programs of all state
124 agencies.

125 Section 2. Subsection (4) of section 377.705, Florida
126 Statutes, is amended to read:

127 377.705 Solar Energy Center; development of solar energy
128 standards.—

129 (4) FLORIDA SOLAR ENERGY CENTER TO SET STANDARDS, REQUIRE
130 DISCLOSURE, SET TESTING FEES.—

131 (a) The center may ~~shall~~ develop and adopt ~~promulgate~~
132 standards for solar energy systems manufactured or sold in this
133 state based on the best currently available information and
134 shall consult with scientists, engineers, or persons in research
135 centers who are engaged in the construction of, experimentation
136 with, and research of solar energy systems to properly identify
137 the most reliable designs and types of solar energy systems.

138 (b) The center may ~~shall~~ establish criteria for testing the
139 performance of solar energy systems and shall maintain the
140 necessary capability for testing or evaluating the performance
141 of solar energy systems. The center may accept results of tests
142 on solar energy systems made by other organizations, companies,
143 or persons if ~~when~~ such tests are conducted according to the
144 criteria established by the center and when the testing entity
145 has no vested interest in the manufacture, distribution, or sale

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146 of solar energy systems.

147 (c) The center may ~~shall be entitled to~~ receive a testing
148 fee sufficient to cover the costs of such testing. ~~All testing~~
149 ~~fees shall be transmitted by the center to the Chief Financial~~
150 ~~Officer to be deposited in the Solar Energy Center Testing Trust~~
151 ~~Fund, which is hereby created in the State Treasury, and~~
152 ~~disbursed for the payment of expenses incurred in testing solar~~
153 ~~energy systems.~~

154 (d) ~~All solar energy systems manufactured or sold in the~~
155 ~~state must meet the standards established by the center and~~
156 ~~shall display accepted results of approved performance tests in~~
157 ~~a manner prescribed by the center.~~

158 Section 3. Section 377.712, Florida Statutes, is amended to
159 read:

160 377.712 Florida participation.—

161 (1) (a) The Governor shall appoint one member of the
162 Southern States Energy Board. The member or the Governor may
163 designate another person as the deputy or assistant to such
164 member.

165 (b) The Commissioner of Agriculture shall appoint one
166 member of the Southern States Energy Board. The member or the
167 commissioner may designate another person as the assistant or
168 deputy to such member.

169 (c) ~~(b)~~ The President of the Senate shall appoint one member
170 of the Southern States Energy Board. The member or the president
171 may designate another person as the assistant or deputy to such
172 member.

173 (d) ~~(e)~~ The Speaker of the House of Representatives shall
174 appoint one member of the Southern States Energy Board. The

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175 member or the speaker may designate another person as the
176 assistant or deputy to such member.

177 (2) Any supplementary agreement entered into under s.
178 377.711(6) requiring the expenditure of funds may ~~shall~~ not
179 become effective as to Florida until the required funds are
180 appropriated by the Legislature.

181 (3) Departments, agencies, and officers of this state, and
182 its subdivisions are authorized to cooperate with the board in
183 the furtherance of ~~any of~~ its activities pursuant to the
184 compact, provided such proposed activities have been made known
185 to, and have the approval of, ~~either~~ the Governor or the
186 Department of Agriculture and Consumer Services ~~Department of~~
187 ~~Health~~.

188 Section 4. Section 377.801, Florida Statutes, is amended to
189 read:

190 377.801 Short title.—Sections 377.801-377.804 ~~377.801-~~
191 ~~377.807~~ may be cited as the "Florida Energy and Climate
192 Protection Act."

193 Section 5. Section 377.802, Florida Statutes, is amended to
194 read:

195 377.802 Purpose.—This act is intended to provide incentives
196 for Florida's citizens, businesses, school districts, and local
197 governments to take action to diversify the state's energy
198 supplies, reduce dependence on foreign oil, and mitigate the
199 effects of climate change by providing funding for activities
200 designed to achieve these goals. The grant programs in this act
201 are intended to stimulate capital investment in and enhance the
202 market for renewable energy technologies and technologies
203 intended to diversify Florida's energy supplies, reduce

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204 dependence on foreign oil, and combat or limit climate change
205 impacts. ~~This act is also intended to provide incentives for the~~
206 ~~purchase of energy-efficient appliances and rebates for solar~~
207 ~~energy equipment installations for residential and commercial~~
208 ~~buildings.~~

209 Section 6. Section 377.803, Florida Statutes, is amended to
210 read:

211 377.803 Definitions.—As used in ss. 377.801-377.804 ~~ss.~~
212 ~~377.801-377.807~~, the term:

213 (1) "Act" means the Florida Energy and Climate Protection
214 Act.

215 (2) "Department" means the Department of Agriculture and
216 Consumer Services.

217 (3) "Person" means an individual, partnership, joint
218 venture, private or public corporation, association, firm,
219 public service company, or any other public or private entity.

220 (4) "Renewable energy" means electrical, mechanical, or
221 thermal energy produced from a method that uses one or more of
222 the following fuels or energy sources: hydrogen, biomass, as
223 defined in s. 366.91, solar energy, geothermal energy, wind
224 energy, ocean energy, waste heat, or hydroelectric power.

225 (5) "Renewable energy technology" means any technology that
226 generates or utilizes a renewable energy resource.

227 ~~(6) "Solar energy system" means equipment that provides for~~
228 ~~the collection and use of incident solar energy for water~~
229 ~~heating, space heating or cooling, or other applications that~~
230 ~~would normally require a conventional source of energy such as~~
231 ~~petroleum products, natural gas, or electricity that performs~~
232 ~~primarily with solar energy. In other systems in which solar~~

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233 ~~energy is used in a supplemental way, only those components that~~
234 ~~collect and transfer solar energy shall be included in this~~
235 ~~definition.~~

236 ~~(7) "Solar photovoltaic system" means a device that~~
237 ~~converts incident sunlight into electrical current.~~

238 ~~(8) "Solar thermal system" means a device that traps heat~~
239 ~~from incident sunlight in order to heat water.~~

240 Section 7. Section 377.815, Florida Statutes, is created to
241 read:

242 377.815 Alternative fueling stations and electric vehicle
243 charging stations.—The Department of Agriculture and Consumer
244 Services may post information on its website relating to
245 alternative fueling stations or electric vehicle charging
246 stations that are available for public use in this state.

247 (1) As used in this section, the term "alternative fuel"
248 means nontraditional transportation fuel, such as pure methanol,
249 ethanol, and other alcohols; blends of 85 percent or more of
250 alcohol with gasoline; natural gas and liquid fuels domestically
251 produced from natural gas; liquefied petroleum gas; coal-derived
252 liquid fuels; hydrogen; electricity; pure biodiesel; fuels,
253 other than alcohol, derived from biological materials; and P-
254 series fuels.

255 (2) An owner or operator of an alternative fueling station
256 that is available in this state may report the following
257 information to the Office of Energy:

258 (a) The type of alternative fuel available;

259 (b) The station's name, address, or location; or

260 (c) The fees or costs associated with the alternative fuel
261 that is available for purchase.

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262 (3) The owner or operator of an electric vehicle charging
263 station that is available in this state may report the following
264 information to the Office of Energy:

265 (a) The station's name, address, or location; or

266 (b) The fees or costs, if any, associated with the electric
267 vehicle charging services provided by the station.

268 Section 8. Subsection (1) of section 553.74, Florida
269 Statutes, is amended to read:

270 553.74 Florida Building Commission.—

271 (1) The Florida Building Commission is created and located
272 within the Department of Business and Professional Regulation
273 for administrative purposes. Members are appointed by the
274 Governor subject to confirmation by the Senate. The commission
275 is composed of 27 ~~26~~ members, consisting of the following:

276 (a) One architect registered to practice in this state and
277 actively engaged in the profession. The American Institute of
278 Architects, Florida Section, is encouraged to recommend a list
279 of candidates for consideration.

280 (b) One structural engineer registered to practice in this
281 state and actively engaged in the profession. The Florida
282 Engineering Society is encouraged to recommend a list of
283 candidates for consideration.

284 (c) One air-conditioning or mechanical contractor certified
285 to do business in this state and actively engaged in the
286 profession. The Florida Air Conditioning Contractors
287 Association, the Florida Refrigeration and Air Conditioning
288 Contractors Association, and the Mechanical Contractors
289 Association of Florida are encouraged to recommend a list of
290 candidates for consideration.

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291 (d) One electrical contractor certified to do business in
292 this state and actively engaged in the profession. The Florida
293 Association of Electrical Contractors ~~Association~~ and the
294 National Electrical Contractors Association, Florida Chapter,
295 are encouraged to recommend a list of candidates for
296 consideration.

297 (e) One member from fire protection engineering or
298 technology who is actively engaged in the profession. The
299 Florida Chapter of the Society of Fire Protection Engineers and
300 the Florida Fire Marshals and Inspectors Association are
301 encouraged to recommend a list of candidates for consideration.

302 (f) One general contractor certified to do business in this
303 state and actively engaged in the profession. The Associated
304 Builders and Contractors of Florida, the Florida Associated
305 General Contractors Council, and the Union Contractors
306 Association are encouraged to recommend a list of candidates for
307 consideration.

308 (g) One plumbing contractor licensed to do business in this
309 state and actively engaged in the profession. The Florida
310 Association of Plumbing, Heating, and Cooling Contractors is
311 encouraged to recommend a list of candidates for consideration.

312 (h) One roofing or sheet metal contractor certified to do
313 business in this state and actively engaged in the profession.
314 The Florida Roofing, Sheet Metal, and Air Conditioning
315 Contractors Association and the Sheet Metal and Air Conditioning
316 Contractors' ~~Contractors~~ National Association are encouraged to
317 recommend a list of candidates for consideration.

318 (i) One residential contractor licensed to do business in
319 this state and actively engaged in the profession. The Florida

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320 Home Builders Association is encouraged to recommend a list of
321 candidates for consideration.

322 (j) Three members who are municipal or district codes
323 enforcement officials, one of whom is also a fire official. The
324 Building Officials Association of Florida and the Florida Fire
325 Marshals and Inspectors Association are encouraged to recommend
326 a list of candidates for consideration.

327 (k) One member who represents the Department of Financial
328 Services.

329 (l) One member who is a county codes enforcement official.
330 The Building Officials Association of Florida is encouraged to
331 recommend a list of candidates for consideration.

332 (m) One member of a Florida-based organization of persons
333 with disabilities or a nationally chartered organization of
334 persons with disabilities with chapters in this state.

335 (n) One member of the manufactured buildings industry who
336 is licensed to do business in this state and is actively engaged
337 in the industry. The Florida Manufactured Housing Association is
338 encouraged to recommend a list of candidates for consideration.

339 (o) One mechanical or electrical engineer registered to
340 practice in this state and actively engaged in the profession.
341 The Florida Engineering Society is encouraged to recommend a
342 list of candidates for consideration.

343 (p) One member who is a representative of a municipality or
344 a charter county. The Florida League of Cities and the Florida
345 Association of Counties are encouraged to recommend a list of
346 candidates for consideration.

347 (q) One member of the building products manufacturing
348 industry who is authorized to do business in this state and is

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349 actively engaged in the industry. The Florida Building Material
350 Association, the Florida Concrete and Product ~~Products~~
351 Association, and the Fenestration Manufacturers Association are
352 encouraged to recommend a list of candidates for consideration.

353 (r) One member who is a representative of the building
354 owners and managers industry who is actively engaged in
355 commercial building ownership or management. The Building Owners
356 and Managers Association is encouraged to recommend a list of
357 candidates for consideration.

358 (s) One member who is a representative of the insurance
359 industry. The Florida Insurance Council is encouraged to
360 recommend a list of candidates for consideration.

361 (t) One member who is a representative of public education.

362 (u) One member who is a swimming pool contractor licensed
363 to do business in this state and actively engaged in the
364 profession. The Florida Swimming Pool Association and the United
365 Pool and Spa Association are encouraged to recommend a list of
366 candidates for consideration.

367 (v) One member who is a representative of the green
368 building industry and who is a third-party commission agent, a
369 Florida board member of the United States Green Building Council
370 or Green Building Initiative, a professional who is accredited
371 under the International Green Construction Code (IGCC), or a
372 professional who is accredited under Leadership in Energy and
373 Environmental Design (LEED).

374 (w) One member who is a representative of a natural gas
375 distribution system and who is actively engaged in the
376 distribution of natural gas in this state. The Florida Natural
377 Gas Association is encouraged to recommend a list of candidates

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378 for consideration.

379 (x) One member who is a representative of the Department of
380 Agriculture and Consumer Services' Office of Energy who is
381 appointed from a list of three nominees provided by the
382 Commissioner of Agriculture. If the Governor refuses to appoint
383 a nominee within 60 days, the Governor shall inform the
384 commission and the commissioner shall submit a new list of three
385 nominees.

386 (y)~~(*)~~ One member who shall be the chair.

387
388 ~~Any person serving on the commission under paragraph (c) or~~
389 ~~paragraph (h) on October 1, 2003, and who has served less than~~
390 ~~two full terms is eligible for reappointment to the commission~~
391 ~~regardless of whether he or she meets the new qualification.~~

392 Section 9. Sections 377.806 and 377.807, Florida Statutes,
393 are repealed.

394 Section 10. This act shall take effect July 1, 2014.