

House Joint Resolution

A joint resolution proposing the creation of Section 28 of Article X of the State Constitution to prohibit cost recovery by an electric utility of a new power plant until the plant begins commercial operation.

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. Power plant cost recovery.—An electric utility may not recover in its rates the cost of a new power plant until the plant begins commercial operation. For purposes of this section, the term:

(a) "Electric utility" means any municipal electric utility, investor-owned electric utility, or rural electric cooperative that owns, maintains, or operates an electric generation, transmission, or distribution system within the state.

(b) "Cost" includes all capital investments, including rate of return, any applicable taxes, and all expenses,

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27 including operation and maintenance expenses, related to or  
 28 resulting from the siting, licensing, design, or construction of  
 29 a power plant.

30 BE IT FURTHER RESOLVED that the following statement be  
 31 placed on the ballot:

32 CONSTITUTIONAL AMENDMENT

33 ARTICLE X, SECTION 28

34 ELECTRIC UTILITIES; POWER PLANT COST RECOVERY.—Proposing an  
 35 amendment to the State Constitution to prohibit an electric  
 36 utility from recovering in its rates the cost of a new power  
 37 plant until the plant begins commercial operation.