

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Diaz, J. offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 353 and 354, insert:

5 Section 10. Qualified energy conservation bond
6 allocation.—

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

8 (a) "Eligible issuer" means an entity that is created
9 under or pursuant to the constitution or laws of this state and
10 that is authorized by this state to issue bonds or enter into a
11 lease-purchase agreement, or any other entity in this state
12 authorized to issue qualified energy conservation bonds pursuant
13 to the Internal Revenue Code.

14 (b) "Office" means the Office of Energy within the

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15 Department of Agriculture and Consumer Services.

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

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

20 (2) ALLOCATION OF STATE VOLUME LIMITATION.-

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

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

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

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

38 (c) Each eligible issuer receiving an allocation shall
39 notify the department in writing of the amount of bonds issued
40 and any other information relating to the bonds or the

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41 allocation at such time and in such manner as is required by the
42 office.

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

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

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

54 Between lines 34 and 35, insert:
55 providing definitions; directing the Office of Energy
56 within the Department of Agriculture and Consumer
57 Services to establish a program for allocating or
58 reallocating a federal qualified energy conservation
59 bond volume limitation; providing program
60 requirements;

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