



526084

LEGISLATIVE ACTION

Senate

.

House

.

.

Floor: 1b/RE/2R

.

04/30/2014 01:43 PM

.

.

---

Senator Bradley moved the following:

1           **Senate Amendment to Amendment (189214) (with title**  
2 **amendment)**

3  
4           Between lines 288 and 289  
5 insert:

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

8           377.816 Qualified energy conservation bond allocation.-

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

10           (a) "Eligible issuer" means an entity that is created under  
11 or pursuant to the constitution or laws of this state and that



526084

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

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

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

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

22 (2) ALLOCATION OF STATE VOLUME LIMITATION.-

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

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

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

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

40 (c) Each eligible issuer receiving an allocation shall



526084

41 notify the department in writing of the amount of bonds issued  
42 and any other information relating to the bonds or the  
43 allocation at such time and in such manner as is required by the  
44 office.

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

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

53  
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 line 1064

57 and insert:

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