

1 A bill to be entitled

2 An act relating to the designation of energy economic
3 zones; amending s. 377.809, F.S.; revising the energy
4 economic zone pilot program to require the Department
5 of Economic Opportunity, with technical assistance
6 from the Department of Agriculture and Consumer
7 Services, to administer an energy economic zone
8 designation program; removing a requirement that the
9 Department of Economic Opportunity consult with the
10 Department of Transportation to implement the pilot
11 program; directing the Department of Economic
12 Opportunity to grant energy economic zone designations
13 to certain applicants; removing an obsolete reporting
14 requirement; limiting eligibility for incentives and
15 benefits to certain local governing bodies; removing
16 employee residency requirements for certain refund and
17 credit thresholds; providing program funding;
18 providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Subsection (1), paragraphs (a) and (c) of
23 subsection (2), subsection (3), and paragraphs (a) and (b) of
24 subsection (4) of section 377.809, Florida Statutes, are amended
25 to read:

26 | 377.809 Energy economic zone designation ~~Pilot~~ program.—

27 | (1) The Department of Economic Opportunity, ~~in~~
 28 | ~~consultation with the Department of Transportation,~~ shall
 29 | administer ~~implement~~ an energy economic zone designation ~~Pilot~~
 30 | program for the purpose of helping ~~developing a model to help~~
 31 | communities cultivate green economic development, encourage
 32 | renewable electric energy generation, manufacture products that
 33 | contribute to energy conservation and green jobs, and further
 34 | implement chapter 2008-191, Laws of Florida, relative to
 35 | discouraging sprawl and developing energy-efficient land use
 36 | patterns and greenhouse gas reduction strategies. The Department
 37 | of Agriculture and Consumer Services shall provide technical
 38 | assistance to the department ~~departments~~ in ~~developing and~~
 39 | administering the program.

40 | (2) (a) The application for an energy economic zone
 41 | designation ~~a pilot project~~ shall:

42 | 1. Identify the proposed location of the energy economic
 43 | zone, which must be within an adopted urban service area and may
 44 | include a county landfill outside the urban service boundary;

45 | 2. Present a proposed strategic plan for development and
 46 | redevelopment in the energy economic zone;

47 | 3. Demonstrate consistency of the strategic plan with the
 48 | local comprehensive plan or include proposed plan amendments
 49 | necessary to achieve consistency; and

50 | 4. Identify comprehensive plan amendments that will be

51 proposed to implement chapter 2008-191, Laws of Florida.

52 (c) The Department of Economic Opportunity shall grant an
53 energy economic zone designation ~~at least one application~~ if the
54 application meets the requirements of this subsection and the
55 community has demonstrated a prior commitment to energy
56 conservation, carbon reduction, green building, and economic
57 development. The Department of Economic Opportunity shall
58 provide the energy economic zone ~~pilot community~~, including
59 businesses within the energy economic zone, with technical
60 assistance in identifying and qualifying for eligible grants and
61 credits in job creation, energy, and other areas.

62 ~~(3) The Department of Economic Opportunity shall submit a~~
63 ~~report to the Governor, the President of the Senate, and the~~
64 ~~Speaker of the House of Representatives by February 15, 2015,~~
65 ~~evaluating whether the pilot program has demonstrated success.~~
66 ~~The report shall contain recommendations with regard to whether~~
67 ~~the program should be expanded for use by other local~~
68 ~~governments and whether state policies should be revised to~~
69 ~~encourage the goals of the program.~~

70 (3)(4)(a) ~~Beginning July 1, 2012,~~ All the incentives and
71 benefits in this subsection are only available to a provided for
72 ~~enterprise zones pursuant to state law shall be available to the~~
73 ~~energy economic zones designated pursuant to this section on or~~
74 ~~before July 1, 2010. In order to provide incentives, by March 1,~~
75 ~~2012, each local governing body that has jurisdiction over an~~

76 energy economic zone and has ~~must~~, by local ordinance,
77 established ~~establish~~ the boundary of the energy economic zone,
78 ~~specify applicable energy efficiency standards,~~ and determined
79 ~~determine~~ eligibility criteria for the application of state and
80 local incentives and benefits in the energy economic zone.

81 However, in order to receive benefits provided under s. 288.106,
82 a business must be a qualified target industry business under s.
83 288.106 for state purposes. An energy economic zone's boundary
84 may be revised by local ordinance. Such incentives and benefits
85 include those in ss. 212.08, 212.096, 220.181, 220.182, 220.183,
86 288.106, and 624.5105 and the public utility discounts provided
87 in s. 290.007(8). The exemption provided in s. 212.08(5)(c)
88 shall be for renewable energy as defined in s. 377.803. ~~For~~
89 ~~purposes of this section, any applicable requirements for~~
90 ~~employee residency for higher refund or credit thresholds must~~
91 ~~be based on employee residency in the energy economic zone or an~~
92 ~~enterprise zone.~~ A business in an energy economic zone may also
93 be eligible for funding under ss. 288.047 and 445.003, and a
94 transportation project in an energy economic zone shall be
95 provided priority in funding under s. 339.2821. Other projects
96 shall be given priority ranking to the extent practicable for
97 grants administered under state energy programs.

98 (b) Effective July 1, 2017 ~~2012~~, the total amount of state
99 credits, refunds, and exemptions that may be provided by the
100 governing body of each energy economic zone to eligible

101 businesses for ~~energy-economic-zone~~ incentives pursuant to
102 paragraph (a) is \$300,000 per designated energy economic zone in
103 any state fiscal year. The governing body of an energy economic
104 zone shall disallow a credit or refund for which an application
105 is submitted after the zone's respective \$300,000 limit is
106 reached. If the \$300,000 incentive cap is not fully used in any
107 one state fiscal year by an energy economic zone, the unused
108 amount under the cap may be carried forward for up to 5 years.
109 The local governing body that has jurisdiction over the energy
110 economic zone is responsible for allocating the incentives, for
111 verifying that businesses receiving such incentives are eligible
112 for the incentives provided, and for ensuring that the
113 incentives provided do not exceed the cap for the state fiscal
114 year.

115 Section 2. This act shall take effect July 1, 2017.