

1                                   A bill to be entitled  
 2           An act relating to renewable energy; amending s.  
 3           366.91, F.S.; defining the terms "biogas" and  
 4           "renewable natural gas"; revising the definition of  
 5           the term "renewable energy" to include certain energy  
 6           created to displace traditional fuel sources; amending  
 7           ss. 366.92, 373.236, and 403.973, F.S.; conforming  
 8           cross-references; reenacting s. 288.9606(7), F.S.,  
 9           relating to the issuance of revenue bonds, to  
 10          incorporate the amendments made by this act; providing  
 11          an effective date.

12  
 13 Be It Enacted by the Legislature of the State of Florida:  
 14

15           Section 1. Present paragraphs (a) through (d) of  
 16           subsection (2) of section 366.91, Florida Statutes, are  
 17           redesignated as paragraphs (b) through (e), respectively, a new  
 18           paragraph (a) and paragraph (f) are added to that subsection,  
 19           and present paragraph (d) of that subsection is amended, to  
 20           read:

21           366.91 Renewable energy.—

22           (2) As used in this section, the term:

23           (a) "Biogas" means a mixture of carbon dioxide and  
 24           hydrocarbons, primarily methane gas, which is released from the  
 25           biological decomposition of organic materials.

26 (e)-(d) "Renewable energy" means electrical energy produced  
 27 or energy created to displace traditional fuel sources from a  
 28 method that uses one or more of the following fuels or energy  
 29 sources: hydrogen produced or resulting from sources other than  
 30 fossil fuels, biomass, solar energy, geothermal energy, wind  
 31 energy, ocean energy, renewable natural gas, and hydroelectric  
 32 power. The term includes the alternative energy resource, waste  
 33 heat, from sulfuric acid manufacturing operations and electrical  
 34 energy produced using pipeline-quality synthetic gas produced  
 35 from waste petroleum coke with carbon capture and sequestration.

36 (f) "Renewable natural gas" means anaerobically-generated  
 37 biogas, landfill gas, or waste-water treatment gas refined to a  
 38 methane content of 90 percent or greater which is capable of  
 39 being used as transportation fuel, for electric power  
 40 generation, or is of a quality capable of being injected into a  
 41 natural gas pipeline.

42 Section 2. Paragraph (b) of subsection (2) of section  
 43 366.92, Florida Statutes, is amended to read:

44 366.92 Florida renewable energy policy.—

45 (2) As used in this section, the term:

46 (b) "Renewable energy" means renewable energy as defined  
 47 in s. 366.91(2) ~~s. 366.91(2)(d)~~.

48 Section 3. Subsection (7) of section 373.236, Florida  
 49 Statutes, is amended to read:

50 373.236 Duration of permits; compliance reports.—

51 (7) A permit approved for a renewable energy generating  
52 facility or the cultivation of agricultural products on lands  
53 consisting of 1,000 acres or more for use in the production of  
54 renewable energy, as defined in s. 366.91(2) ~~s. 366.91(2)(d)~~,  
55 shall be granted for a term of at least 25 years at the  
56 applicant's request based on the anticipated life of the  
57 facility if there is sufficient data to provide reasonable  
58 assurance that the conditions for permit issuance will be met  
59 for the duration of the permit; otherwise, a permit may be  
60 issued for a shorter duration that reflects the longest period  
61 for which such reasonable assurances are provided. Such a permit  
62 is subject to compliance reports under subsection (4).

63 Section 4. Paragraph (f) of subsection (3) and paragraph  
64 (b) of subsection (19) of section 403.973, Florida Statutes, are  
65 amended to read:

66 403.973 Expedited permitting; amendments to comprehensive  
67 plans.—

68 (3)

69 (f) Projects resulting in the production of biofuels  
70 cultivated on lands that are 1,000 acres or more or in the  
71 construction of a biofuel or biodiesel processing facility or a  
72 facility generating renewable energy, as defined in s. 366.91(2)  
73 ~~s. 366.91(2)(d)~~, are eligible for the expedited permitting  
74 process.

75 (19) The following projects are ineligible for review

76 | under this part:

77 |       (b) A project, the primary purpose of which is to:

78 |           1. Effect the final disposal of solid waste, biomedical  
79 | waste, or hazardous waste in this state.

80 |           2. Produce electrical power, unless the production of  
81 | electricity is incidental and not the primary function of the  
82 | project or the electrical power is derived from a fuel source  
83 | for renewable energy as defined in s. 366.91(2) ~~s. 366.91(2)(d)~~.

84 |           3. Extract natural resources.

85 |           4. Produce oil.

86 |           5. Construct, maintain, or operate an oil, petroleum, or  
87 | sewage pipeline.

88 |       Section 5. For the purpose of incorporating the amendment  
89 | made by this act to section 366.91, Florida Statutes, in a  
90 | reference thereto, subsection (7) of section 288.9606, Florida  
91 | Statutes, is reenacted to read:

92 |       288.9606 Issue of revenue bonds.—

93 |       (7) Notwithstanding any provision of this section, the  
94 | corporation in its corporate capacity may, without authorization  
95 | from a public agency under s. 163.01(7), issue revenue bonds or  
96 | other evidence of indebtedness under this section to:

97 |           (a) Finance the undertaking of any project within the  
98 | state that promotes renewable energy as defined in s. 366.91 or  
99 | s. 377.803;

100 |           (b) Finance the undertaking of any project within the

101 | state that is a project contemplated or allowed under s. 406 of  
102 | the American Recovery and Reinvestment Act of 2009; or

103 |       (c) If permitted by federal law, finance qualifying  
104 | improvement projects within the state under s. 163.08.

105 |       Section 6. This act shall take effect July 1, 2021.