

By Senator Berman

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1 A bill to be entitled
2 An act relating to Energy SMART Schools; creating s.
3 1013.415, F.S.; providing legislative findings;
4 defining the term "Energy SMART School"; requiring the
5 Department of Education and the Department of
6 Environmental Protection to consult with specified
7 entities to coordinate to develop a program to jointly
8 designate public schools as Energy SMART Schools;
9 requiring the program to include an application
10 process that meets specified requirements; requiring
11 that awards, recognition, and designations be jointly
12 granted annually; requiring the Office of Educational
13 Facilities, in consultation with the Office of Energy
14 within the Department of Agriculture and Consumer
15 Services, to provide, upon request, specified
16 technical assistance and consultation with public
17 schools and school districts; authorizing electric
18 utilities to propose certain programs; requiring the
19 Florida Public Service Commission to review certain
20 programs for approval; providing the criteria for
21 commission review; authorizing the State Board of
22 Education to adopt rules; providing an effective date.

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24 Be It Enacted by the Legislature of the State of Florida:

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26 Section 1. Section 1013.415, Florida Statutes, is created
27 to read:

28 1013.415 Energy SMART Schools.—

29 (1) LEGISLATIVE FINDINGS.—In order to protect the health,

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30 prosperity, and general welfare of this state and its residents,
31 the Legislature finds that:

32 (a) It is in the public interest to encourage public
33 schools to prioritize energy efficiency and conservation,
34 increased use of renewable energy source devices and energy
35 storage technologies, and increased use of electric fleet
36 vehicles and buses.

37 (b) Schools are large consumers of energy in this state and
38 can contribute significantly to reducing statewide demand for
39 energy generation, thereby resulting in cost savings for all
40 utility customers; therefore, it is in the public interest to
41 encourage and empower schools to pursue goals of adopting
42 sustainable energy management practices, the use of renewable
43 energy source devices and storage technologies, and
44 transportation systems that rely on electricity.

45 (c) Electric utilities have a direct role to play in
46 providing schools with innovative programs and tools to assist
47 them in pursuing these energy and transportation goals.

48 (2) ENERGY SMART SCHOOL.—The term “Energy SMART School”
49 means a school that employs sustainable management with advanced
50 renewables and transportation to reduce its energy consumption,
51 offset energy consumption with renewable energy resources,
52 improve resiliency with onsite energy storage, and reduce air
53 emissions by using electric fleet vehicles and buses.

54 (3) DESIGNATION.—In consultation with the Office of Energy
55 within the Department of Agriculture and Consumer Services and
56 representatives of the business community, the environmental
57 community, and the energy community, the Department of Education
58 and the Department of Environmental Protection shall coordinate

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59 to develop a program to jointly annually designate eligible
60 public schools as Energy SMART Schools. The program must include
61 an application process through which schools may request the
62 initial and continued designation and a method for determining
63 eligibility for such designation and any awards or recognition.
64 A designation, an award, or recognition made under this section
65 must be jointly granted by the Department of Education and the
66 Department of Environmental Protection.

67 (4) TECHNICAL ASSISTANCE.—In consultation with the Office
68 of Energy within the Department of Agriculture and Consumer
69 Services, the Office of Educational Facilities shall provide
70 technical assistance to and consult with public schools and
71 school districts that request such assistance and consultation
72 for the purposes of:

73 (a) Assessing and surveying energy consumption and
74 potential conservation measures associated with a public school
75 or a school district.

76 (b) Developing public school-specific plans for achieving
77 designation as an Energy SMART School.

78 (c) Providing estimates of potential reductions in energy
79 consumption, cost savings, and reductions in greenhouse gas
80 emissions which would result from the adoption of proposed
81 conservation and efficiency measures and the use of renewable
82 energy source devices.

83 (d) Identifying commercially available and cost-effective
84 energy efficiency options and conservation technologies and
85 renewable energy source devices.

86 (e) Identifying available state and federal grants and
87 funds and assisting public schools in making grant applications

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88 or pursuing such funds.

89 (f) Identifying utility rates and programs that are
90 available to schools to assist them in achieving Energy SMART
91 School designation.

92 (5) DEVELOPMENT OF PROGRAMS BY ELECTRIC UTILITIES.—

93 (a) In support of schools that wish to apply for
94 designation as an Energy SMART School, an electric utility may
95 propose programs that include, but are not limited to,
96 innovative tariffs and rates, direct investments by the electric
97 utility or third-party providers in school energy and
98 transportation systems, and direct financing of investments by
99 the electric utility.

100 1. Any direct financing program must be designed to provide
101 participating customers with financial savings over the expected
102 life of such investments.

103 2. Before implementing a program under this section, an
104 electric utility shall demonstrate to the Florida Public Service
105 Commission that the eligible technologies have sufficient
106 estimated savings to produce net savings for customers over the
107 life of the investments. Only technologies deemed by the
108 commission to be cost-effective and which are reasonably
109 expected to ensure customer savings may be funded through the
110 program.

111 3. Participating customers may buy down the costs of
112 technologies with an upfront copayment to the installing
113 contractors to ensure that the proposed program is deemed cost-
114 effective.

115 (b) The Florida Public Service Commission shall review and,
116 upon a determination that they are reasonable and just, shall

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117 approve proposed programs implemented under this subsection and
118 recovery of prudently incurred costs plus a reasonable return.
119 Program costs must be recovered directly from participating
120 customers, net any verified electric system savings obtained by
121 the investment. For direct utility investments and financing,
122 any technology and remaining balances in the event of customer
123 relocation remain with the utility meter at the upgraded
124 location.

125 (6) RULES.—The State Board of Education may adopt rules to
126 implement this section.

127 Section 2. This act shall take effect July 1, 2022.