

By Senator Berman

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1 A bill to be entitled
2 An act relating to state renewable energy goals;
3 amending s. 366.91, F.S.; revising the definitions of
4 the terms "biomass" and "renewable energy"; amending
5 s. 377.24, F.S.; prohibiting the drilling or
6 exploration for, or production of, oil, gas, or other
7 petroleum products on the lands and waters of the
8 state; amending s. 377.242, F.S.; prohibiting the
9 permitting and construction of certain structures
10 intended to drill or explore for, or produce or
11 transport, oil, gas, or other petroleum products on
12 the lands and waters of the state; amending s.
13 377.803, F.S.; revising the definition of the term
14 "renewable energy"; creating s. 377.821, F.S.;
15 requiring that all electricity used in this state be
16 generated by renewable energy by a specified date;
17 requiring statewide net zero carbon emissions by a
18 specified date; directing the Office of Energy within
19 the Department of Agriculture and Consumer Services,
20 in consultation with other state agencies, state
21 colleges and universities, public utilities, and other
22 private and public entities, to develop a unified
23 statewide plan to generate this state's electricity
24 from renewable energy and reduce this state's carbon
25 emissions by specified dates; requiring state and
26 public entities to cooperate upon request; providing
27 plan requirements; requiring the office to submit the
28 plan and updates to the Governor and Legislature by a
29 specified date and annually thereafter; creating s.

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30 377.8225, F.S.; creating the Renewable Energy
31 Workforce Development Advisory Committee in the
32 office; providing for committee membership and duties;
33 defining the term "environmental justice"; directing
34 the Commissioner of Agriculture to prepare and submit
35 a specified annual report to the Legislature by a
36 specified date and annually thereafter; providing an
37 effective date.

38
39 Be It Enacted by the Legislature of the State of Florida:

40
41 Section 1. Paragraphs (b) and (e) of subsection (2) of
42 section 366.91, Florida Statutes, are amended to read:

43 366.91 Renewable energy.—

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

45 (b) "Biomass" means a power source ~~that is~~ comprised of,
46 but not limited to, combustible residues or gases from forest
47 products manufacturing, waste or coproducts, ~~byproducts, or~~
48 ~~products~~ from agricultural and orchard crops, waste or
49 coproducts from livestock and poultry operations, waste or
50 byproducts from food processing, urban wood waste, separated
51 municipal food and yard solid waste, and municipal liquid waste
52 treatment operations, ~~and landfill gas~~.

53 (e) "Renewable energy" means electrical energy produced
54 from a method that uses one or more of the following fuels or
55 energy sources: hydrogen produced or resulting from sources
56 other than fossil fuels, biomass, solar energy, geothermal
57 energy, wind energy, ocean energy, and hydroelectric power. ~~The~~
58 ~~term includes the alternative energy resource, waste heat, from~~

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59 ~~sulfuric acid manufacturing operations and electrical energy~~
60 ~~produced using pipeline-quality synthetic gas produced from~~
61 ~~waste petroleum coke with carbon capture and sequestration.~~

62 Section 2. Subsection (10) is added to section 377.24,
63 Florida Statutes, to read:

64 377.24 Notice of intention to drill well; permits;
65 abandoned wells and dry holes.—

66 (10) Notwithstanding this section, this chapter, or other
67 laws, without exception, the drilling or exploration for, or
68 production of, oil, gas, or other petroleum products is
69 prohibited on the lands and waters of the state.

70 Section 3. Section 377.242, Florida Statutes, is amended to
71 read:

72 377.242 Permits for drilling or exploring and extracting
73 through well holes or by other means.—The department is vested
74 with the power and authority:

75 (1) (a) To issue permits for the drilling for, exploring
76 for, or production of oil, gas, or other petroleum products
77 which are to be extracted from below the surface of the land,
78 including submerged land, only through the well hole drilled for
79 oil, gas, and other petroleum products.

80 1. A ~~No~~ structure intended for the drilling for, or
81 production of, oil, gas, or other petroleum products may not be
82 permitted or constructed on any submerged land within any bay or
83 estuary.

84 2. A ~~No~~ structure intended for the drilling for, or
85 production of, oil, gas, or other petroleum products may not be
86 permitted or constructed within 1 mile seaward of the coastline
87 of the state.

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88 3. A ~~Ne~~ structure intended for the drilling for, or
89 production of, oil, gas, or other petroleum products may not be
90 permitted or constructed within 1 mile of the seaward boundary
91 of any state, local, or federal park or aquatic or wildlife
92 preserve or on the surface of a freshwater lake, river, or
93 stream.

94 4. A ~~Ne~~ structure intended for the drilling for, or
95 production of, oil, gas, or other petroleum products may not be
96 permitted or constructed within 1 mile inland from the shoreline
97 of the Gulf of Mexico, the Atlantic Ocean, or any bay or estuary
98 or within 1 mile of any freshwater lake, river, or stream unless
99 the department is satisfied that the natural resources of such
100 bodies of water and shore areas of the state will be adequately
101 protected in the event of accident or blowout.

102 5. Without exception, after July 1, 1989, a ~~ne~~ structure
103 intended for the drilling for, or production of, oil, gas, or
104 other petroleum products may not be permitted or constructed
105 south of 26°00'00" north latitude off Florida's west coast and
106 south of 27°00'00" north latitude off Florida's east coast,
107 within the boundaries of Florida's territorial seas as defined
108 in 43 U.S.C. s. 1301. After July 31, 1990, a ~~ne~~ structure
109 intended for the drilling for, or production of, oil, gas, or
110 other petroleum products may not be permitted or constructed
111 north of 26°00'00" north latitude off Florida's west coast to
112 the western boundary of the state bordering Alabama as set forth
113 in s. 1, Art. II of the State Constitution, or located north of
114 27°00'00" north latitude off Florida's east coast to the
115 northern boundary of the state bordering Georgia as set forth in
116 s. 1, Art. II of the State Constitution, within the boundaries

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117 of Florida's territorial seas as defined in 43 U.S.C. s. 1301.

118 (b) Subparagraphs (a)1. and 4. do not apply to permitting
119 or construction of structures intended for the drilling for, or
120 production of, oil, gas, or other petroleum products pursuant to
121 an oil, gas, or mineral lease of such lands by the state under
122 which lease any valid drilling permits are in effect on the
123 effective date of this act. In the event that such permits
124 contain conditions or stipulations, such conditions and
125 stipulations shall govern and supersede subparagraphs (a)1. and
126 4.

127 (c) The prohibitions of subparagraphs (a)1.-4. in this
128 subsection do not include "infield gathering lines," provided no
129 other placement is reasonably available and all other required
130 permits have been obtained.

131 (2) To issue permits to explore for and extract minerals
132 that ~~which~~ are subject to extraction from the land by means
133 other than through a well hole.

134 (3) To issue permits to establish natural gas storage
135 facilities or construct wells for the injection and recovery of
136 any natural gas for storage in natural gas storage reservoirs.

137
138 Each permit shall contain an agreement by the permitholder that
139 the permitholder will not prevent inspection by division
140 personnel at any time. The provisions of this section
141 prohibiting permits for drilling or exploring for oil in coastal
142 waters do not apply to any leases entered into before June 7,
143 1991. Notwithstanding this section, this chapter, or other laws,
144 without exception, a new structure intended to drill or explore
145 for, or produce or transport, oil, gas, or other petroleum

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146 products may not be permitted or constructed on the lands or
147 waters of the state.

148 Section 4. Subsection (4) of section 377.803, Florida
149 Statutes, is amended to read:

150 377.803 Definitions.—As used in ss. 377.801-377.804, the
151 term:

152 (4) "Renewable energy" means electrical, mechanical, or
153 thermal energy produced from a method that uses one or more of
154 the following fuels or energy sources: hydrogen, biomass, as
155 defined in s. 366.91, solar energy, geothermal energy, wind
156 energy, ocean energy, tidal energy ~~waste heat~~, or hydroelectric
157 power.

158 Section 5. Section 377.821, Florida Statutes, is created to
159 read:

160 377.821 State renewable energy goals.—

161 (1) By 2040, 100 percent of the electricity used in this
162 state will be generated from 100 percent renewable energy as
163 defined in s. 377.803. By 2050, this state will have net zero
164 carbon emissions.

165 (2) The Office of Energy within the Department of
166 Agriculture and Consumer Services, in consultation with other
167 state agencies, state colleges and universities, public
168 utilities, and other private and public entities, is directed to
169 develop a unified statewide plan to generate 100 percent of this
170 state's electricity from renewable energy by 2040 and reduce
171 this state's carbon emissions to net zero by 2050. All public
172 agencies, state colleges and universities, and public utilities
173 must cooperate with the office as requested. The plan must
174 include interim goals to reach 50 percent renewable energy

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175 statewide by 2030, 40 percent reduction in carbon emissions
176 statewide by 2030, and 80 percent reduction in carbon emissions
177 statewide by 2040.

178 (3) Achieving 100 percent renewable energy generation is
179 intended to provide unique benefits to the state, including all
180 of the following:

181 (a) Displacing fossil fuel consumption within this state.

182 (b) Adding new electrical generating facilities in the
183 transmission network.

184 (c) Reducing air pollution, particularly criteria pollutant
185 emissions and toxic air contaminants.

186 (d) Contributing to the safe and reliable operation of the
187 electrical grid, including providing predictable electrical
188 supply, voltage support, lower line losses, and congestion
189 relief.

190 (e) Enhancing economic development and job creation in the
191 clean energy industry.

192 (4) The plan must consider the potential impact of existing
193 and additional renewable energy incentives and programs with an
194 emphasis on solar and distributed resources, including energy
195 storage. The plan must also consider the impact of power
196 purchase agreements on attaining 100 percent renewable energy
197 generation. The office must submit a statewide plan outlining
198 potential strategies to reach the goals of this section to the
199 Governor, the President of the Senate, and the Speaker of the
200 House of Representatives by January 1, 2024, and must provide
201 updates on the progress of achieving the state's renewable
202 energy goals each January 1 thereafter.

203 Section 6. Section 377.8225, Florida Statutes, is created

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204 to read:

205 377.8225 Renewable Energy Workforce Development Advisory
206 Committee.—

207 (1) (a) The Renewable Energy Workforce Development Advisory
208 Committee is created in the Office of Energy within the
209 Department of Agriculture and Consumer Services and consists of
210 13 members, all of whom are appointed by the Commissioner of
211 Agriculture. The appointees shall include one representative of
212 the Department of Agriculture and Consumer Services and one
213 representative of the Department of Economic Opportunity, who
214 shall serve as co-chairs of the committee, one representative of
215 the Department of Environmental Protection, one representative
216 of the Department of Education, two representatives of state
217 universities or colleges with programs or research focused on
218 renewable energy, and one representative from each of the
219 following:

220 1. The Florida AFL-CIO.

221 2. The Florida State Building and Construction Trades
222 Council.

223 3. An organization serving environmental justice
224 communities. For purposes of this section, the term
225 “environmental justice” means the fair treatment and meaningful
226 involvement of all people regardless of race, color, national
227 origin, or income, with respect to the development,
228 implementation, and enforcement of environmental laws,
229 regulations, and policies.

230 4. A renewable energy business.

231 5. An occupational training organization.

232 6. An economic development organization.

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233 7. A community development organization.

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235 In making these appointments, the commissioner shall consider
236 the places of residence of the members to ensure statewide
237 representation.

238 (b) The term of office of each member of the advisory
239 committee is 2 years and shall be staggered.

240 (c) In case of a vacancy on the advisory committee, the
241 commissioner shall appoint a successor member for the unexpired
242 portion of the term.

243 (d) The members of the advisory committee shall serve
244 without compensation while in the performance of their official
245 duties.

246 (2) (a) The advisory committee shall identify those workers
247 currently working in the energy sector and their current
248 training requirements. The committee shall identify the
249 employment potential of the energy efficiency and renewable
250 energy industry and the skills and training needed for workers
251 in those fields, and make recommendations to the commissioner
252 for policies to promote employment growth and access to jobs in
253 those fields. Recommendations of the committee may not reduce
254 the training required for renewable energy jobs. The committee
255 shall prioritize maximizing employment opportunities for
256 residents of environmental justice communities, minorities,
257 women, and workers displaced in the transition to renewable
258 energy.

259 (b) By January 1, 2023, the advisory committee shall
260 establish a target for the number of residents working in the
261 renewable energy industry by 2026. The committee shall also

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262 establish a target for the number of those jobs held by
263 residents of environmental justice communities, proportional to
264 the percentage of residents who live in environmental justice
265 communities, and the number of those jobs held by workers
266 displaced in the transition to renewable energy. The committee
267 shall create similar targets for each subsequent 5-year period.

268 (c) The advisory committee shall submit an annual report to
269 the commissioner recommending changes to existing state policies
270 and programs to meet the targets set in paragraph (b).

271 (d) The advisory committee shall meet at least three times
272 annually to review progress in expanding renewable energy
273 employment. These meetings shall be open to members of the
274 public and shall provide opportunities for public comment. At
275 least one of these meetings shall be held in an environmental
276 justice community each year.

277 (3) The commissioner shall prepare a report on the findings
278 and recommendations of the advisory committee and submit the
279 report to the President of the Senate and the Speaker of the
280 House of Representatives by January 1, 2023, and each January 1
281 thereafter.

282 Section 7. This act shall take effect July 1, 2022.