

1 A bill to be entitled
2 An act relating to energy; amending s. 213.053, F.S.;
3 authorizing the Department of Revenue to make
4 specified information available to the Department of
5 Agriculture and Consumer Services; amending s. 220.02,
6 F.S.; revising legislative intent; amending s. 220.13,
7 F.S.; revising the definition of the term "adjusted
8 federal income" to include certain tax credits taken
9 for farm renewable energy production; creating s.
10 220.1931, F.S.; providing legislative intent; defining
11 terms; establishing a tax credit for electricity
12 produced from a renewable energy source located on an
13 operational farm in this state; specifying the amount
14 of the tax credit; providing an application process
15 for the tax credit; specifying the priority the
16 Department of Agriculture and Consumer Services must
17 give to applicants under certain circumstances;
18 authorizing the tax credit to carry forward under
19 certain circumstances for a specified period of time;
20 authorizing the transfer of tax credits under certain
21 circumstances; specifying the timeframe during which
22 tax credits for operational farms may be earned;
23 requiring a taxpayer who claims a credit to make a
24 certain adjustment to net income under certain
25 circumstances; specifying that certain entities

26 | producing and selling electricity may pass through the
 27 | credit earned to certain taxpayers; requiring the
 28 | Department of Agriculture and Consumer Services to
 29 | certify taxpayer eligibility for the credit; limiting
 30 | the total tax credits granted during a fiscal year to
 31 | a certain amount; authorizing the Department of
 32 | Agriculture and Consumer Services to perform specified
 33 | audits and investigations; requiring the department to
 34 | provide technical assistance to the Department of
 35 | Revenue under certain circumstances; establishing
 36 | grounds for forfeiting a credit if the taxpayer was
 37 | not entitled to receive the credit; requiring
 38 | forfeited credits returned to be paid into the General
 39 | Revenue Fund; providing requirements if a taxpayer's
 40 | eligibility for the credit is revoked or modified
 41 | under certain circumstances; requiring the Department
 42 | of Revenue and the Department of Agriculture and
 43 | Consumer Services to adopt rules; requiring the
 44 | Department of Agriculture and Consumer Services to
 45 | publish on its website updates on the amount of
 46 | available credits and provide an annual assessment of
 47 | the tax credit program to the Governor and the
 48 | Legislature by a specified date; providing
 49 | requirements for the assessment; amending s. 252.385,
 50 | F.S.; requiring the Division of Emergency Management's

51 statewide emergency shelter plan to identify the
52 capacity of backup power generation systems and fuel
53 types available at each shelter; creating s. 253.471,
54 F.S.; authorizing the Board of Trustees of the
55 Internal Improvement Trust Fund to lease manmade
56 stormwater management systems for floating solar
57 energy systems; providing requirements for such
58 leases; amending s. 255.257, F.S.; requiring the
59 Department of Management Services to establish a
60 program to measure and benchmark the energy efficiency
61 of buildings owned, leased, or controlled by the
62 state; providing requirements for such program;
63 requiring the Department of Management Services to
64 submit an annual report to the Legislature regarding
65 state building energy performance; requiring the
66 Department of Management Services to collaborate with
67 the Department of Agriculture and Consumer Services to
68 develop energy-saving strategies; creating s. 366.921,
69 F.S.; providing legislative intent; defining terms;
70 requiring the Public Service Commission, in
71 consultation with the Department of Agriculture and
72 Consumer Services and the Department of Environmental
73 Protection, to adopt rules for a renewable and energy
74 efficiency portfolio standard; prohibiting
75 implementation of the rules until ratification by the

76 | Legislature; providing requirements for the rules;
77 | requiring providers to report certain information to
78 | the commission regarding their energy portfolios;
79 | requiring the commission to provide for cost recovery
80 | of certain renewable energy projects, up to a
81 | specified amount; requiring municipal electric
82 | utilities and rural electric cooperatives to develop
83 | standards for renewable energy use and conservation
84 | and efficiency measures and to annually report such
85 | standards to the commission by a specified date;
86 | providing construction; requiring the commission to
87 | adopt rules; creating s. 377.7061, F.S.; establishing
88 | the Residential Energy Efficiency Upgrades Program
89 | within the Department of Agriculture and Consumer
90 | Services for a specified purpose; defining terms;
91 | requiring the department to provide grants for the
92 | implementation of certain energy efficiency measures
93 | that reduce energy usage and costs for low-income
94 | households; providing eligibility requirements for the
95 | program; requiring the department to publish on its
96 | website updates on grant funds available; requiring
97 | the department to provide an annual report on the
98 | program to the Governor and the Legislature by a
99 | specified date; providing requirements for the report;
100 | requiring the department to adopt rules by a specified

101 date; creating s. 377.817, F.S.; providing legislative
102 findings and intent; defining terms; requiring the
103 Office of Energy within the Department of Agriculture
104 and Consumer Services, in consultation with certain
105 state entities and officers, to develop rules that
106 meet certain requirements for reducing greenhouse gas
107 emissions; requiring the office to submit a report to
108 the Governor and the Legislature at specified
109 intervals; specifying requirements for the report;
110 creating s. 377.818, F.S.; providing legislative
111 findings; requiring the Department of Agriculture and
112 Consumer Services, in coordination with the Department
113 of Management Services and the Department of
114 Environmental Protection, to develop and maintain a
115 greenhouse gas registry and inventory; requiring state
116 and local governmental entities, state universities,
117 Florida College System institutions, utilities, and
118 certain businesses to track and report greenhouse gas
119 emissions data to the Department of Agriculture and
120 Consumer Services beginning on specified dates;
121 requiring the department to submit an annual report to
122 the Governor and the Legislature by a specified date;
123 specifying requirements for the report; requiring the
124 department to adopt rules and authorizing the
125 department to implement certain methodologies;

126 creating s. 377.819, F.S.; establishing the Wastewater
127 Treatment Plant Energy Program within the Department
128 of Agriculture and Consumer Services for a specified
129 purpose; defining terms; requiring the department to
130 provide awards for projects that meet certain
131 requirements; providing requirements for the awards;
132 requiring eligible applicants to contribute a
133 specified cost share for projects; limiting the amount
134 that may be used on administrative costs; prohibiting
135 awards from exceeding a specified amount per fiscal
136 year; requiring the department to publish on its
137 website updates on funding availability; requiring the
138 department to provide an annual assessment of the
139 program to the Governor and the Legislature by a
140 specified date; providing requirements for the
141 assessment; requiring the department to adopt rules;
142 creating s. 377.8201, F.S.; establishing the Farm
143 Renewable and Efficiency Demonstrations Program within
144 the Department of Agriculture and Consumer Services
145 for a specified purpose; defining terms; requiring the
146 department to conduct onsite evaluations to determine
147 certain energy efficiency upgrades at individual farms
148 and agricultural producers in this state; requiring
149 the department to provide grants for the
150 implementation of its recommendations; authorizing the

151 department to give priority consideration to
152 historically underserved producers or projects that
153 serve certain areas; prohibiting awarded grants from
154 exceeding the appropriated funds per fiscal year for
155 the program; providing for an application process;
156 requiring the department to submit an annual
157 assessment of the program to the Governor and the
158 Legislature by a specified date; providing
159 requirements for the assessment; requiring the
160 department to adopt rules; creating s. 520.27, F.S.;
161 requiring the Department of Agriculture and Consumer
162 Services, in consultation with the Public Service
163 Commission and the Department of Business and
164 Professional Regulation, to take certain actions to
165 protect residential solar energy systems consumers;
166 authorizing the Department of Business and
167 Professional Regulation to electronically store
168 purchase agreements at the request of a consumer for a
169 specified timeframe; authorizing the department to
170 share such information with other state agencies;
171 providing a directive to the Division of Law Revision;
172 providing an appropriation; providing effective dates.

173

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

175

176 Section 1. Effective July 1, 2022, paragraph (v) of
 177 subsection (8) of section 213.053, Florida Statutes, is amended
 178 to read:

179 213.053 Confidentiality and information sharing.—

180 (8) Notwithstanding any other provision of this section,
 181 the department may provide:

182 (v) Information relative to s. 220.193 or s. 220.1931 to
 183 the Department of Agriculture and Consumer Services for use in
 184 the conduct of its official business.

185
 186 Disclosure of information under this subsection shall be
 187 pursuant to a written agreement between the executive director
 188 and the agency. Such agencies, governmental or nongovernmental,
 189 shall be bound by the same requirements of confidentiality as
 190 the Department of Revenue. Breach of confidentiality is a
 191 misdemeanor of the first degree, punishable as provided by s.
 192 775.082 or s. 775.083.

193 Section 2. Effective July 1, 2022, subsection (8) of
 194 section 220.02, Florida Statutes, is amended to read:

195 220.02 Legislative intent.—

196 (8) It is the intent of the Legislature that credits
 197 against either the corporate income tax or the franchise tax be
 198 applied in the following order: those enumerated in s. 631.828,
 199 those enumerated in s. 220.191, those enumerated in s. 220.181,
 200 those enumerated in s. 220.183, those enumerated in s. 220.182,

201 those enumerated in s. 220.1895, those enumerated in s. 220.195,
 202 those enumerated in s. 220.184, those enumerated in s. 220.186,
 203 those enumerated in s. 220.1845, those enumerated in s. 220.19,
 204 those enumerated in s. 220.185, those enumerated in s. 220.1875,
 205 those enumerated in s. 220.1876, those enumerated in s.
 206 220.1877, those enumerated in s. 220.193, those enumerated in s.
 207 220.1931, those enumerated in s. 288.9916, those enumerated in
 208 s. 220.1899, those enumerated in s. 220.194, those enumerated in
 209 s. 220.196, and those enumerated in s. 220.198.

210 Section 3. Effective July 1, 2022, paragraph (a) of
 211 subsection (1) of section 220.13, Florida Statutes, is amended
 212 to read:

213 220.13 "Adjusted federal income" defined.—

214 (1) The term "adjusted federal income" means an amount
 215 equal to the taxpayer's taxable income as defined in subsection
 216 (2), or such taxable income of more than one taxpayer as
 217 provided in s. 220.131, for the taxable year, adjusted as
 218 follows:

219 (a) *Additions.*—There shall be added to such taxable
 220 income:

221 1.a. The amount of any tax upon or measured by income,
 222 excluding taxes based on gross receipts or revenues, paid or
 223 accrued as a liability to the District of Columbia or any state
 224 of the United States which is deductible from gross income in
 225 the computation of taxable income for the taxable year.

226 b. Notwithstanding sub-subparagraph a., if a credit taken
227 under s. 220.1875, s. 220.1876, or s. 220.1877 is added to
228 taxable income in a previous taxable year under subparagraph 11.
229 and is taken as a deduction for federal tax purposes in the
230 current taxable year, the amount of the deduction allowed may
231 ~~shall~~ not be added to taxable income in the current year. The
232 exception in this sub-subparagraph is intended to ensure that
233 the credit under s. 220.1875, s. 220.1876, or s. 220.1877 is
234 added in the applicable taxable year and does not result in a
235 duplicate addition in a subsequent year.

236 2. The amount of interest which is excluded from taxable
237 income under s. 103(a) of the Internal Revenue Code or any other
238 federal law, less the associated expenses disallowed in the
239 computation of taxable income under s. 265 of the Internal
240 Revenue Code or any other law, excluding 60 percent of any
241 amounts included in alternative minimum taxable income, as
242 defined in s. 55(b)(2) of the Internal Revenue Code, if the
243 taxpayer pays tax under s. 220.11(3).

244 3. In the case of a regulated investment company or real
245 estate investment trust, an amount equal to the excess of the
246 net long-term capital gain for the taxable year over the amount
247 of the capital gain dividends attributable to the taxable year.

248 4. That portion of the wages or salaries paid or incurred
249 for the taxable year which is equal to the amount of the credit
250 allowable for the taxable year under s. 220.181. This

251 subparagraph shall expire on the date specified in s. 290.016
 252 for the expiration of the Florida Enterprise Zone Act.

253 5. That portion of the ad valorem school taxes paid or
 254 incurred for the taxable year which is equal to the amount of
 255 the credit allowable for the taxable year under s. 220.182. This
 256 subparagraph shall expire on the date specified in s. 290.016
 257 for the expiration of the Florida Enterprise Zone Act.

258 6. The amount taken as a credit under s. 220.195 which is
 259 deductible from gross income in the computation of taxable
 260 income for the taxable year.

261 7. That portion of assessments to fund a guaranty
 262 association incurred for the taxable year which is equal to the
 263 amount of the credit allowable for the taxable year.

264 8. In the case of a nonprofit corporation which holds a
 265 pari-mutuel permit and which is exempt from federal income tax
 266 as a farmers' cooperative, an amount equal to the excess of the
 267 gross income attributable to the pari-mutuel operations over the
 268 attributable expenses for the taxable year.

269 9. The amount taken as a credit for the taxable year under
 270 s. 220.1895.

271 10. Up to nine percent of the eligible basis of any
 272 designated project which is equal to the credit allowable for
 273 the taxable year under s. 220.185.

274 11. Any amount taken as a credit for the taxable year
 275 under s. 220.1875, s. 220.1876, or s. 220.1877. The addition in

276 | this subparagraph is intended to ensure that the same amount is
 277 | not allowed for the tax purposes of this state as both a
 278 | deduction from income and a credit against the tax. This
 279 | addition is not intended to result in adding the same expense
 280 | back to income more than once.

281 | 12. The amount taken as a credit for the taxable year
 282 | under s. 220.193.

283 | 13. Any portion of a qualified investment, as defined in
 284 | s. 288.9913, which is claimed as a deduction by the taxpayer and
 285 | taken as a credit against income tax pursuant to s. 288.9916.

286 | 14. The costs to acquire a tax credit pursuant to s.
 287 | 288.1254(5) that are deducted from or otherwise reduce federal
 288 | taxable income for the taxable year.

289 | 15. The amount taken as a credit for the taxable year
 290 | pursuant to s. 220.194.

291 | 16. The amount taken as a credit for the taxable year
 292 | under s. 220.196. The addition in this subparagraph is intended
 293 | to ensure that the same amount is not allowed for the tax
 294 | purposes of this state as both a deduction from income and a
 295 | credit against the tax. The addition is not intended to result
 296 | in adding the same expense back to income more than once.

297 | 17. The amount taken as a credit for the taxable year
 298 | pursuant to s. 220.198.

299 | 18. The amount taken as a credit for the taxable year
 300 | under s. 220.1931.

301 Section 4. Effective July 1, 2022, section 220.1931,
 302 Florida Statutes, is created to read:

303 220.1931 Florida farm renewable energy production credit.-

304 (1) The Legislature intends to encourage agricultural
 305 producers to keep their farms operational while encouraging the
 306 development and expansion of renewable energy in this state.

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

308 (a) "Commission" means the Public Service Commission.

309 (b) "Farm" has the same meaning as in s. 570.86.

310 (c) "Historically underserved producer," as defined by 7
 311 C.F.R. s. 636.3, means an eligible person, a joint operation, or
 312 a legal entity that is a beginning farmer or rancher, socially
 313 disadvantaged farmer or rancher, or limited resource farmer or
 314 rancher.

315 (d) "Renewable energy" has the same meaning as in s.
 316 377.803.

317 (e) "Taxpayer" includes any general partnership, limited
 318 partnership, limited liability company, trust, or other
 319 artificial entity in which a corporation, as defined in s.
 320 220.03(1)(e), owns an interest, and is taxed as a partnership or
 321 is disregarded as a separate entity from the corporation under
 322 this chapter.

323 (3) An annual credit against the tax imposed by this
 324 chapter must be allowed to a taxpayer that produces electricity
 325 from a renewable energy source located on an operational farm in

326 this state.

327 (a) The credit is 1 cent for each kilowatt-hour of
328 electricity produced during a given fiscal year.

329 (b) A taxpayer may claim the credit for electricity
330 produced on or after July 1, 2022. Beginning in 2023 and
331 continuing until 2028, each taxpayer claiming a credit under
332 this section must apply to the Department of Agriculture and
333 Consumer Services by the date established by the Department of
334 Agriculture and Consumer Services for an allocation of available
335 credits for that year. The application form must be adopted by
336 Department of Agriculture and Consumer Services rule in
337 consultation with the commission. The application form must, at
338 a minimum, require a sworn affidavit from each taxpayer
339 certifying the electricity production that is the basis of the
340 application and certifying that all information contained in the
341 application is true and correct.

342 (c) If the amount of credits applied for each year exceeds
343 the amount authorized in paragraph (g), the Department of
344 Agriculture and Consumer Services must allocate credits to
345 qualified applicants based on the following priority:

346 1. An applicant who qualifies as a historically
347 underserved producer shall be allocated credits first, up to a
348 maximum of \$250,000 each, with any remaining credits to be
349 granted pursuant to subparagraph 3., but if the claims for
350 credits under this subparagraph exceed the state fiscal year cap

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351 in paragraph (g), credits must be allocated pursuant to this
352 subparagraph on a prorated basis based upon each applicant's
353 qualified production and sales as a percentage of total
354 production for all applicants in this category for the fiscal
355 year.

356 2. An applicant who does not qualify under subparagraph 1.
357 but who claims a credit of \$50,000 or less shall be allocated
358 credits next, but if the claims for credits under this
359 subparagraph, combined with credits allocated in subparagraph
360 1., exceed the state fiscal year cap in paragraph (g), credits
361 must be allocated pursuant to this subparagraph on a prorated
362 basis based upon each applicant's qualified production and sales
363 as a percentage of total qualified production for all applicants
364 in this category for the fiscal year.

365 3. An applicant who does not qualify under subparagraph 1.
366 or subparagraph 2. and an applicant whose credits have not been
367 fully allocated under subparagraph 1. shall be allocated credits
368 next. If there is insufficient capacity within the amount
369 authorized for the state fiscal year in paragraph (g), and after
370 allocations pursuant to subparagraphs 1. and 2., the credits
371 allocated under this subparagraph must be prorated based upon
372 each applicant's unallocated claims for qualified production as
373 a percentage of total unallocated claims for qualified
374 production of all applicants in this category.

375 (d) If the credit granted pursuant to this section is not

376 fully used in 1 year because of insufficient tax liability on
377 the part of the taxpayer, the unused amount may be carried
378 forward up to 5 years. The carryover credit may be used in a
379 subsequent year when the tax imposed by this chapter for such
380 year exceeds the credit for such year, after applying the other
381 credits and unused credit carryovers in the order provided in s.
382 220.02(8).

383 (e) A taxpayer that files a consolidated return in this
384 state as a member of an affiliated group under s. 220.131(1) may
385 be allowed the credit on a consolidated return basis up to the
386 amount of tax imposed upon the consolidated group.

387 (f)1. Tax credits that may be available to an eligible
388 entity under this section may be transferred after a merger or
389 an acquisition to the surviving or acquiring entity and used in
390 the same manner with the same limitations.

391 2. The entity or its surviving or acquiring entity as
392 described in subparagraph 1. may transfer any unused credit in
393 whole or in units of no less than 25 percent of the remaining
394 credit. The entity acquiring such credit may use it in the same
395 manner and with the same limitations under this section. Such
396 transferred credits may not be transferred again; however, they
397 may succeed to a surviving or acquiring entity, subject to the
398 same conditions and limitations as described in this section.

399 3. If the credit provided for under this section is
400 reduced as a result of an examination or audit by the Department

401 of Revenue, such tax deficiency must be recovered from the first
402 entity or the surviving or acquiring entity to have claimed such
403 credit up to the amount of credit taken. Any subsequent
404 deficiencies must be assessed against any entity acquiring and
405 claiming such credit or, in the case of multiple succeeding
406 entities, in the order of credit succession.

407 (g) Notwithstanding any other provision of this section,
408 credits for the production of electricity from a renewable
409 energy source located on an operational farm may be earned
410 between July 1, 2022, and June 30, 2027. The combined total
411 amount of tax credits which may be granted for all taxpayers
412 under this section is limited to \$10 million per fiscal year.

413 (h) A taxpayer claiming a credit under this section shall
414 add back to net income that portion of its business deductions
415 claimed on its federal return paid or incurred for the taxable
416 year which is equal to the amount of the credit allowable for
417 the taxable year under this section.

418 (i) When an entity treated as a partnership or a
419 disregarded entity under this chapter produces and sells
420 electricity from a renewable energy source located on an
421 operational farm, the credit earned by such entity shall pass
422 through in the same manner as items of income and expense pass
423 through for federal income tax purposes. When an entity applies
424 for the credit and the entity has received the credit by a pass-
425 through, the application must identify the taxpayer that passed

426 the credit through, all taxpayers that received the credit, and
427 the percentage of the credit which passes through to each
428 recipient and must provide other information that the Department
429 of Agriculture and Consumer Services requires.

430 (j) A taxpayer's use of the credit granted pursuant to
431 this section does not reduce the amount of any credit available
432 to such taxpayer under s. 220.186.

433 (4) The Department of Agriculture and Consumer Services
434 shall determine the eligibility of the applicant for the credits
435 sought and certify the determination to the applicant and the
436 Department of Revenue. The Department of Agriculture and
437 Consumer Services may perform any financial and technical audits
438 and investigations, including examining the accounts, books, and
439 records of the tax credit applicant, that are necessary to
440 verify that the information included in the application is true
441 and accurate. The taxpayer shall attach the Department of
442 Agriculture and Consumer Services' certification to the tax
443 return on which the credit is claimed. The Department of
444 Agriculture and Consumer Services shall ensure that the
445 corporate income tax credits granted in each fiscal year do not
446 exceed the limits provided for in this section.

447 (5)(a) In addition to its existing audit and investigation
448 authority, the Department of Revenue may perform any additional
449 financial and technical audits and investigations, including
450 examining the accounts, books, and records of the tax credit

451 applicant, which are necessary to verify the information
 452 included in the tax credit return and to ensure compliance with
 453 this section. The Department of Agriculture and Consumer
 454 Services shall provide technical assistance when requested by
 455 the Department of Revenue on the technical audits or
 456 examinations.

457 (b) It is grounds for forfeiture of previously claimed and
 458 received tax credits if the Department of Revenue determines, as
 459 a result of an audit or examination or from information received
 460 from the Department of Agriculture and Consumer Services, that a
 461 taxpayer received tax credits pursuant to this section to which
 462 the taxpayer was not entitled. The taxpayer is responsible for
 463 returning forfeited tax credits to the Department of Revenue,
 464 and such funds must be paid into the General Revenue Fund of the
 465 state.

466 (c) The Department of Agriculture and Consumer Services
 467 may revoke or modify any written decision granting eligibility
 468 for tax credits under this section if it is discovered that the
 469 tax credit applicant submitted any false statement,
 470 representation, or certification in any application, record,
 471 report, plan, or other document filed in an attempt to receive
 472 tax credits under this section. The Department of Agriculture
 473 and Consumer Services shall immediately notify the Department of
 474 Revenue of any revoked or modified orders affecting previously
 475 granted tax credits. Additionally, the taxpayer shall notify the

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476 Department of Revenue of any change in its tax credit claimed.

477 (d) The taxpayer shall file with the Department of Revenue
478 an amended return or such other report as the Department of
479 Revenue prescribes by rule and shall pay any required tax and
480 interest within 60 days after the taxpayer receives notification
481 from the Department of Agriculture and Consumer Services that
482 previously approved tax credits have been revoked or modified.
483 If the revocation or modification order is contested, the
484 taxpayer must file an amended return or other report as provided
485 in this paragraph within 60 days after a final order is issued
486 after proceedings.

487 (e) A notice of deficiency may be issued by the Department
488 of Revenue at any time within 3 years after the taxpayer
489 receives formal notification from the Department of Agriculture
490 and Consumer Services that previously approved tax credits have
491 been revoked or modified. If a taxpayer fails to notify the
492 Department of Revenue of any changes to its tax credit claimed,
493 a notice of deficiency may be issued at any time.

494 (6) The Department of Revenue and the Department of
495 Agriculture and Consumer Services shall adopt rules to implement
496 and administer this section, including rules prescribing forms,
497 the documentation needed to substantiate a claim for the tax
498 credit, and the specific procedures and guidelines for claiming
499 the credit.

500 (7) The Department of Agriculture and Consumer Services

501 shall determine and publish on its website on a regular basis
502 the amount of available tax credits remaining in each fiscal
503 year.

504 (8) By November 1, 2024, and each year thereafter that the
505 program is funded, the Department of Agriculture and Consumer
506 Services shall provide an annual assessment of the use of the
507 tax credit program during the previous fiscal year to the
508 Governor, the President of the Senate, and the Speaker of the
509 House of Representatives. The assessment must include, at a
510 minimum, the following information:

511 (a) The name of each taxpayer receiving an allocation
512 under this section.

513 (b) The amount of credits allocated for that fiscal year
514 for each taxpayer.

515 (c) The type and amount of renewable energy produced and
516 sold and the approximate date on which production began.

517 (d) The aggregate amount of credits allocated for all
518 taxpayers claiming credits under this section for the fiscal
519 year.

520 Section 5. Paragraph (b) of subsection (2) of section
521 252.385, Florida Statutes, is amended to read:

522 252.385 Public shelter space; public records exemption.—

523 (2)

524 (b) By January 31 of each even-numbered year, the division
525 shall prepare and submit a statewide emergency shelter plan to

526 | the Governor and Cabinet for approval, subject to the
 527 | requirements for approval in s. 1013.37(2).

528 | 1. The emergency shelter plan must:

529 | a. Project, for each of the next 5 years, the hurricane
 530 | shelter needs of the state, including periods of time during
 531 | which a concurrent public health emergency may necessitate more
 532 | space for each individual to accommodate physical distancing.

533 | b. In addition to information on the general shelter needs
 534 | throughout this state, ~~the plan must~~ identify the general
 535 | location and square footage of special needs shelters, by
 536 | regional planning council region. ~~The plan must also~~

537 | c. Include information on the availability of shelters
 538 | that accept pets.

539 | d. Identify the capacity of all backup power generation
 540 | systems and fuel types available at each shelter.

541 | 2. The Department of Health shall assist the division in
 542 | determining the estimated need for special needs shelter space
 543 | and the adequacy of facilities to meet the needs of persons with
 544 | special needs based on information from the registries of
 545 | persons with special needs and other information.

546 | Section 6. Section 253.471, Florida Statutes, is created
 547 | to read:

548 | 253.471 Board of trustees may lease manmade stormwater
 549 | management systems for floating solar energy systems.—

550 | (1) The Board of Trustees of the Internal Improvement

551 Trust Fund may lease for royalties or for other agreed-upon
552 compensation the use within this state of manmade stormwater
553 management systems, as defined in s. 403.031(16), owned by the
554 state in its sovereign capacity, for floating solar energy
555 systems; however, such leases may not confer upon the person
556 acquiring the lease the right to enter upon any private property
557 of another.

558 (2) The leases must convey to the lessee the rights of
559 ingress and egress to, from, and over the bottoms leased, and
560 the right to construct and maintain on and over such leased
561 bottoms, in such manner as not to obstruct transportation, any
562 structures, tanks, docks, stations, or other equipment that is
563 required for the proper development of leases for floating solar
564 energy systems and the purposes for which the leases are made.

565 Section 7. Present paragraphs (b) and (c) of subsection
566 (4) of section 255.257, Florida Statutes, are redesignated as
567 paragraphs (c) and (d), respectively, and a new paragraph (b) is
568 added to that subsection, to read:

569 255.257 Energy management; buildings occupied by state
570 agencies.—

571 (4) ADOPTION OF STANDARDS.—

572 (b) The department shall establish a program to measure
573 and benchmark the energy efficiency, including electricity,
574 natural gas, fuel oil, and steam, of all buildings owned,
575 leased, or controlled by the state.

576 1. The program must use the United States Environmental
577 Protection Agency's benchmarking tool ENERGY STAR Portfolio
578 Manager. By October 1, 2023, and each year thereafter, the
579 department shall compile and submit energy usage data for all
580 state buildings. Each state agency shall report to the
581 department the energy information necessary to rate state-owned
582 buildings under the benchmarking tool. The department shall
583 annually report to the President of the Senate and the Speaker
584 of the House of Representatives regarding the building energy
585 performance compared to similar buildings, as determined by the
586 benchmarking tool.

587 2. The department shall collaborate with the Department of
588 Agriculture and Consumer Services to develop energy-saving
589 strategies and improve energy efficiency in state buildings
590 under the control and care of the Department of Management
591 Services.

592 Section 8. Effective July 1, 2022, section 366.921,
593 Florida Statutes, is created to read:

594 366.921 Renewable energy resource and energy efficiency
595 policy.-

596 (1) The Legislature intends to promote the development of
597 renewable energy sources; improve this state's energy
598 efficiency; protect the economic viability of this state's
599 existing renewable energy facilities; diversify the types of
600 fuel used to generate electricity in this state; lessen this

601 state's dependence on natural gas and fuel oil to produce
602 electricity; minimize the volatility of fuel costs; encourage
603 investment within this state; improve environmental conditions;
604 and, at the same time, minimize the costs of supplying power to
605 electric utilities and their customers.

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

607 (a) "Energy credit" means a product that represents the
608 unbundled, separable, renewable attribute of renewable energy
609 produced in this state and is equivalent to 1 megawatt-hour of
610 electricity generated either by a source of renewable energy
611 located in this state or by reduced demand due to efficiency
612 measures.

613 (b) "Historically economically disadvantaged communities"
614 means areas disproportionately impacted by a combination of
615 economic-, health-, and energy-related burdens, including high
616 energy costs, poverty, high unemployment, air and water
617 pollution, the presence of hazardous wastes, and a high
618 incidence of asthma and heart disease, and which have
619 historically lacked the benefits of energy resources afforded to
620 other communities. The term includes:

621 1. Communities of low-income residents, including any
622 locality or community within a locality with a median household
623 income that is not greater than 80 percent of the local median
624 household income, or any area designated as a qualified
625 opportunity zone by the United States Secretary of the Treasury

626 pursuant to s. 1400Z-1(b)(1)(B) of the Internal Revenue Code;
 627 and

628 2. Communities of people of color, as determined by a
 629 United States Census tract, where more than 50 percent of the
 630 population consists of individuals who identify as belonging to
 631 one or more of the following groups: African American, Asian,
 632 Black, Hispanic, Latino, linguistically isolated, mixed race,
 633 Native American, Pacific Islander, or any other nonwhite race.

634 (c) "Provider" means a utility as that term is defined in
 635 s. 366.8255(1)(a).

636 (d) "Renewable and energy efficiency portfolio standard"
 637 means the minimum percentage of total annual retail electricity
 638 sales by a provider to consumers in this state which are
 639 supplied by renewable energy produced in this state, combined
 640 with the reduced demand due to energy efficiency measures.

641 (e) "Renewable energy" has the same meaning as in s.
 642 366.91(2).

643 (f) "Renewable energy resources" means renewable energy
 644 that is produced in this state.

645 (3) The commission, in consultation with the Department of
 646 Agriculture and Consumer Services and the Department of
 647 Environmental Protection, shall adopt rules for a renewable and
 648 energy efficiency portfolio standard requiring each provider to
 649 reduce its demand for nonrenewable energies and to supply
 650 renewable energy to its customers directly through the

651 procurement of renewable power or through the purchase of energy
652 credits. The rules may not be implemented until ratified by the
653 Legislature. The commission shall present draft rules to the
654 Legislature by February 1, 2023.

655 (a) In developing the rules, the commission shall evaluate
656 the current and forecasted levelized cost in cents per kilowatt-
657 hour through 2035 and current and forecasted installed capacity
658 in kilowatts for each renewable energy generation method through
659 2035.

660 (b) The rules:

661 1. Must include methods of managing the cost of compliance
662 with the renewable and energy efficiency portfolio standard,
663 whether through direct supply, procurement of renewable power,
664 or the purchase of energy credits. The commission has rulemaking
665 authority to provide annual cost recovery and incentive-based
666 adjustments to authorized rates of return on common equity to
667 providers to incentivize renewable energy. Notwithstanding s.
668 366.91(3) and (4), upon the ratification of the rules developed
669 pursuant to this section, the commission may approve projects
670 and power sales agreements with renewable power producers and
671 the sale of energy credits needed to comply with the renewable
672 and energy efficiency portfolio standard. In the event of any
673 conflict, this subparagraph supersedes s. 366.91(3) and (4).
674 However, this section may not be construed to alter each public
675 utility's obligation to continuously offer a purchase contract

676 to producers of renewable energy.

677 2. Must provide for appropriate compliance measures and
678 the conditions under which noncompliance is excused due to the
679 commission determining that the supply of renewable energy or
680 energy credits was not adequate to satisfy the demand for such
681 energy or credits or that securing renewable energy or energy
682 credits was cost prohibitive.

683 3. May provide added weight to electricity saved during
684 peak periods as a result of efficiency measures over electricity
685 saved during nonpeak hours as a result of efficiency measures,
686 whether directly supplied or procured or indirectly obtained
687 through the purchase of energy credits.

688 4. May provide added weight to energy provided by offshore
689 wind, rooftop solar photovoltaic, and solar photovoltaics that
690 provide an additional purpose, such as parking shade structures
691 or walkway covers, or that are colocated with agriculture over
692 other forms of renewable energy, whether directly supplied or
693 procured or indirectly obtained through the purchase of energy
694 credits.

695 5. Must include methods to determine the social cost of
696 compliance with the renewable and energy efficiency portfolio
697 standard to ensure that the supply of renewable energy or energy
698 credits does not have a disproportionate adverse impact on
699 historically economically disadvantaged communities. The
700 commission shall have rulemaking authority to determine the

701 social cost associated with the development of new or the
702 expansion of existing Florida renewable energy resources.

703 6. Must include a determination of an appropriate
704 timeframe during which energy credits may be used to comply with
705 the renewable and energy efficiency portfolio standard.

706 7. Must provide for monitoring of compliance with and
707 enforcement of this section.

708 8. Must ensure that energy credited toward compliance with
709 this section is not credited toward any other purpose.

710 9. Must include procedures to track and account for energy
711 credits, including ownership of energy credits that are derived
712 from a customer-owned renewable energy facility as a result of
713 any action by a customer of an electric power supplier which is
714 independent of a program sponsored by the electric power
715 supplier.

716 10. Must provide conditions and options for the repeal or
717 alteration of a rule if new federal law supplants or conflicts
718 with the rule.

719 (c) Beginning April 1 of the year the rules are ratified
720 and adopted, each provider shall submit a report to the
721 commission describing the steps it took during the previous year
722 and the steps it will take in the future to add renewable energy
723 to the provider's energy supply portfolio. The report must state
724 whether the provider was in compliance with the renewable and
725 energy efficiency portfolio standard during the previous year

726 and how it will comply with the renewable and energy efficiency
727 portfolio standard in the upcoming year.

728 (4) In order to demonstrate the feasibility and viability
729 of clean energy systems, the commission shall provide for full
730 cost recovery under the environmental cost-recovery clause under
731 this chapter of all reasonable and prudent costs incurred by a
732 provider for renewable energy projects that are zero greenhouse
733 gas-emitting at the point of generation, up to a total of 110
734 megawatts statewide, and for which the provider has secured
735 necessary land and zoning permits and transmission rights within
736 this state.

737 (a) For purposes of cost recovery, costs are deemed
738 reasonable and prudent so long as the provider has used
739 reasonable and customary industry practices in the design,
740 procurement, and construction of the project in a cost-effective
741 manner appropriate to the location of the facility.

742 (b) The provider shall report to the commission as part of
743 the cost-recovery proceedings the construction costs, in-service
744 costs, operating and maintenance costs, hourly energy production
745 of the renewable energy project, and any other information
746 deemed relevant by the commission. Any provider constructing a
747 clean energy facility pursuant to this section shall file for
748 cost recovery by July 1, 2023.

749 (5) Each municipal electric utility and rural electric
750 cooperative shall develop standards to promote, encourage, and

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751 expand the use of renewable energy resources and energy
752 conservation and efficiency measures. On or before April 1,
753 2023, and annually thereafter, each municipal electric utility
754 and rural electric cooperative shall submit to the commission a
755 report that identifies such standards.

756 (6) This section may not be construed to impede or impair
757 terms and conditions of existing contracts.

758 (7) The commission shall adopt rules to administer and
759 implement this section.

760 Section 9. Effective July 1, 2022, section 377.7061,
761 Florida Statutes, is created to read:

762 377.7061 Residential Energy Efficiency Upgrades Program.—

763 (1) CREATION AND PURPOSE OF PROGRAM.—The Residential
764 Energy Efficiency Upgrades Program is established within the
765 Department of Agriculture and Consumer Services to provide
766 financial assistance to qualified recipients to make energy
767 efficiency improvements at the residences of low-income
768 households. The purpose of the program is to improve energy
769 efficiency throughout this state and to create cost savings for
770 low-income households while reducing the environmental impact
771 associated with energy production.

772 (2) DEFINITIONS.—For purposes of this section, the term:

773 (a) "Department" means the Department of Agriculture and
774 Consumer Services.

775 (b) "Household" has the same meaning as in s. 409.509.

776 (c) "Low-income household" means a household with an
777 income equal to or below 125 percent of the federally
778 established poverty level.

779 (d) "Nonprofit organization" means a private nonprofit
780 organization that is exempt from federal income taxation under
781 s. 501(c) (3) of the United States Internal Revenue Code and that
782 has among its principal goals the promotion, deployment, or
783 implementation of energy efficiency measures or energy
784 affordability, the conservation of natural resources, or the
785 protection of the environment.

786 (e) "Recipient" means any municipality, county,
787 consolidated government, special district, or nonprofit
788 organization that has been qualified by the department to
789 implement energy efficiency measures.

790 (f) "Residence" means a dwelling unit as that term is
791 defined by the department.

792 (3) RESIDENTIAL ENERGY EFFICIENCY UPGRADES PROGRAM.—The
793 department shall provide grants to recipients to implement
794 eligible energy efficiency measures that assist in reducing
795 energy usage and costs for the residences of low-income
796 households.

797 (4) ELIGIBLE ENERGY EFFICIENCY MEASURES.—Eligible
798 efficiency measures include all of the following:

799 (a) Heating, ventilation, and air conditioning systems.

800 (b) Energy-efficient lighting.

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801 (c) Insulation.

802 (d) Duct work.

803 (e) Other qualified measures as determined by the
804 department.

805 (5) PUBLICATION.—The department shall publish on its
806 website on an ongoing basis an update of the amount of available
807 grant funding remaining for financial assistance in each fiscal
808 year.

809 (6) ANNUAL REPORT.—By October 1, 2023, and each year
810 thereafter that the program is funded, the department shall
811 provide an annual report on the use of the program during the
812 previous fiscal year to the Governor, the President of the
813 Senate, and the Speaker of the House of Representatives. The
814 report must include, at a minimum, all of the following
815 information:

816 (a) The amount and type of financial assistance provided,
817 by county.

818 (b) The type and description of each eligible energy
819 efficiency measure for which each applicant applied for
820 financial assistance.

821 (c) The estimated energy savings for each applicant.

822 (7) RULES.—By December 31, 2022, the department shall
823 adopt rules to implement and administer this section, including
824 rules relating to the forms required to apply for financial
825 assistance under this section, the required documentation and

826 basis for establishing eligibility for financial assistance,
827 procedures and guidelines for receiving financial assistance,
828 and the collection of programmatic data.

829 Section 10. Section 377.817, Florida Statutes, is created
830 to read:

831 377.817 Greenhouse gas reduction goals.-

832 (1) LEGISLATIVE FINDINGS AND INTENT.-

833 (a) The Legislature finds that:

834 1. Climate change adversely affects this state's economy,
835 air quality and public health, ecosystems, natural resources,
836 and quality of life for its residents, and this state is already
837 experiencing harmful climate impacts, including increased
838 frequency and intensity of hurricanes, prolonged drought, more
839 extreme heat, elevated wildfire risk and risk to first
840 responders, increased risk of vector-borne diseases, more
841 frequent and severe flooding, more severe ground-level ozone
842 pollution causing respiratory illness and loss of life, and
843 decreased economic activity from outdoor recreation and
844 agriculture.

845 2. Many of these impacts disproportionately affect rural
846 communities, communities of color, youth and the elderly, and
847 working families. Reducing statewide greenhouse gas pollution
848 will help protect these communities, first responders, and all
849 residents from these and other climate impacts.

850 3. Residents of this state must work together to reduce

851 statewide greenhouse gas pollution in order to limit the
852 increase in the global average temperature to 1.5 degrees
853 Celsius, which scientists agree would provide a more stable and
854 hospitable climate for current and future generations and
855 mitigate the risk of catastrophic climate impacts in this state.

856 4. The reduction of greenhouse gas pollution in this state
857 will also reduce other harmful air pollutants, which will, in
858 turn, improve public health, reduce health care costs, improve
859 air quality, and help sustain the environment. Reducing
860 greenhouse gas pollution will create new markets, spur
861 innovation, drive investments in low-carbon technologies, and
862 put this state squarely on the path to a modern, resilient, 100
863 percent clean economy.

864 5. To delay pursuing and securing greenhouse gas
865 reductions would prevent communities in this state from
866 capturing the benefits of these new jobs and markets, in
867 addition to exacerbating the climate impacts that harm residents
868 of this state.

869 6. Modern technology in the food and fiber production
870 sector contributes to reductions in greenhouse gas emissions by
871 sequestering carbon in the soil and enhancing sustainability
872 through techniques that reduce methane emissions and produce
873 renewable energy. Continuing to encourage these types of
874 achievements is beneficial to this state.

875 (b) The Legislature intends to increase renewable energy

876 generation and set goals to reduce greenhouse gas pollution and,
877 by the middle of this century, eliminate greenhouse gas
878 pollution statewide.

879 (2) DEFINITIONS.—As used in this section, the term:

880 (a) "Disproportionately impacted communities" means
881 communities that experience disproportionate environmental harms
882 and risks as a result of increased vulnerability to
883 environmental and socioeconomic stressors acting cumulatively to
884 contribute to persistent environmental health disparities for
885 residents of the communities.

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

888 (c) "Statewide greenhouse gas pollution" means the total
889 net statewide anthropogenic emissions of carbon dioxide,
890 methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons,
891 nitrogen trifluoride, and sulfur hexafluoride, expressed as
892 carbon dioxide equivalents and calculated using a methodology
893 and data on radiative forcing and atmospheric persistence
894 determined by the office.

895 (3) POWERS AND DUTIES FOR STATEWIDE GREENHOUSE GAS
896 POLLUTION ABATEMENT.—

897 (a) The office, in consultation with the Public Service
898 Commission, the Department of Environmental Protection, the
899 Chief Resiliency Officer, and the Chief Science Officer, shall
900 develop rules to reduce greenhouse gas emissions. In developing

901 the rules, the office:

902 1. Shall solicit input from stakeholders and the public on
903 the advantages of different statewide greenhouse gas pollution
904 mitigation measures. In doing so, the office shall identify and
905 solicit input from communities most impacted by climate change,
906 including disproportionately impacted communities; large
907 emissions sources; workers in relevant industries, including
908 advanced energy and fuel delivery; and communities that are
909 currently economically dependent upon industries with high
910 levels of greenhouse gas emissions.

911 2. May consider other relevant laws and rules, as well as
912 voluntary actions taken by local communities and the private
913 sector, to enhance efficiency and cost-effectiveness in reducing
914 greenhouse gas emissions.

915 3. Shall revise the rules as necessary to ensure timely
916 progress toward, at a minimum, the following statewide
917 greenhouse gas reduction goals, measured relative to 2005
918 statewide greenhouse gas pollution levels:

919 a. By 2030, a 50 percent reduction.

920 b. By 2050, a 90 percent reduction.

921 c. By 2055, a 100 percent reduction.

922 4. Shall provide for ongoing tracking of emissions sources
923 that adversely affect disproportionately impacted communities
924 and provide strategies designed to achieve reductions in harmful
925 air pollution affecting those communities. The office shall

926 identify disproportionately impacted communities in this state
927 by taking into consideration minority, low-income, tribal, or
928 indigenous populations that experience disproportionate
929 environmental harms and risks. The disproportionality may be a
930 result of increased vulnerability to environmental degradation,
931 lack of opportunity for public participation, or other factors.
932 Increased vulnerability may be attributable to an accumulation
933 of negative impacts or a lack of positive environmental, health,
934 economic, or social conditions within the populations.

935 5. Shall consider rules, policies, and regulatory
936 strategies that have been deployed by other jurisdictions using
937 a multi-sector approach to reduce greenhouse gas emissions and
938 facilitate adoption of technologies that have very low or zero
939 emissions and that enhance cost-effectiveness, compliance
940 flexibility, and transparency in compliance costs.

941 6. May coordinate with other jurisdictions to secure
942 emissions reductions, including to satisfy future federal
943 regulations. The office may account for reductions in net
944 greenhouse gas emissions that occur under coordinated
945 jurisdictions' programs if the office finds that the
946 implementing regulations of each coordinated jurisdiction are of
947 sufficient rigor to ensure the integrity of reductions in
948 greenhouse gas emissions in this state and may account for
949 emissions from electricity consumption in this state which are
950 emitted elsewhere.

951 (b) In carrying out its duties, the office shall consider
952 the benefits of compliance, including improved public health,
953 environmental protection, and enhanced air quality; the costs of
954 compliance; economic and job impacts and opportunities; the time
955 necessary for compliance; the relative contribution of each
956 emissions source or source category to statewide greenhouse gas
957 pollution based on current data updated at reasonable intervals
958 as determined by the office; harmonizing emissions reporting
959 requirements with existing federal requirements as the office
960 deems appropriate; the importance of striving to equitably
961 distribute the benefits of compliance; opportunities to
962 incentivize renewable energy resources and pollution abatement
963 opportunities in disproportionately impacted communities;
964 opportunities to encourage clean energy in transitioning
965 communities; issues related to the beneficial use of electricity
966 to reduce greenhouse gas emissions; whether program design could
967 enhance the reliability of electric service; the potential to
968 enhance the resilience of communities and natural resources in
969 this state with regard to climate impacts; and whether greater
970 or more cost-effective emissions reductions are available
971 through program design.

972 (4) REPORTING.—The office shall submit a report to the
973 President of the Senate and the Speaker of the House of
974 Representatives every odd-numbered year after the effective date
975 of this act. The report must include information on the progress

976 toward attaining the statewide greenhouse gas reduction goals,
977 any newly available cost-benefit or regulatory analysis for
978 rules adopted to attain the goals, and any recommendations on
979 future legislative action to address climate change, such as
980 implementation of climate adaptation policies or accelerating
981 deployment of cleaner technologies.

982 Section 11. Effective July 1, 2022, section 377.818,
983 Florida Statutes, is created to read:

984 377.818 Greenhouse gas registry and inventory.-

985 (1) The Legislature supports sound policies and efforts
986 based on scientific evidence to benefit and protect this state,
987 its residents, and its resources and, therefore, finds it
988 prudent to develop and manage a greenhouse gas reporting system
989 with high integrity which will provide a basis for various
990 greenhouse gas emissions reporting and reduction polices to
991 safeguard this state's financial and environmental well-being.
992 The Legislature further finds that a greenhouse gas reporting
993 system must provide an accurate, transparent, and verified set
994 of greenhouse gas emissions data from reporting entities,
995 supported by a robust accounting and verification
996 infrastructure.

997 (2) The Department of Agriculture and Consumer Services,
998 in coordination with the Department of Management Services and
999 the Department of Environmental Protection, shall develop and
1000 maintain a greenhouse gas registry and inventory.

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1001 (a) The following state and local entities shall track and
1002 report their greenhouse gas emissions data to the department:

1003 1. Beginning January 1, 2023, all state governmental
1004 entities.

1005 2. Beginning January 1, 2024, all local governmental
1006 entities, state universities, and Florida College System
1007 institutions.

1008 3. Beginning January 1, 2025, all electric utilities,
1009 natural gas utilities, businesses operating in this state with
1010 fleets of more than 1,000 vehicles, and businesses operating in
1011 this state with more than 500,000 square feet of heated and
1012 cooled building space.

1013 (b) The department shall seek ways to assist, as
1014 necessary, local governmental entities, state universities,
1015 Florida College System institutions, and businesses
1016 participating in the department's greenhouse gas registry and
1017 inventory.

1018 (3) By August 31, 2023, and annually thereafter, the
1019 department shall submit a report to the Governor, the President
1020 of the Senate, and the Speaker of the House of Representatives
1021 which includes all of the following:

1022 (a) An annual inventory that details the greenhouse gases
1023 emitted by each reporting entity.

1024 (b) An assessment of current policy tools available to
1025 address greenhouse gas emissions, including carbon pricing, and

1026 how this state may use those policy tools to reduce greenhouse
 1027 gas emissions.

1028 (c) Recommendations to lower greenhouse gas emissions in
 1029 each participating group.

1030 (d) Recommended greenhouse gas reduction targets for this
 1031 state.

1032 (4) The department shall adopt rules and may implement
 1033 methodologies for the recording and monitoring of greenhouse gas
 1034 emissions and for maintaining a ledger to record emissions
 1035 reductions.

1036 Section 12. Effective July 1, 2022, section 377.819,
 1037 Florida Statutes, is created to read:

1038 377.819 Wastewater Treatment Plant Energy Program.—

1039 (1) CREATION AND PURPOSE OF PROGRAM.—There is established
 1040 within the Department of Agriculture and Consumer Services a
 1041 Wastewater Treatment Plant Energy Program. The purpose of the
 1042 program is to reduce the total energy consumption and costs of
 1043 wastewater treatment within this state.

1044 (2) DEFINITIONS.—For purposes of this section, the term:

1045 (a) "Cost share" means actual cash outlays and noncash
 1046 contributions paid by the subrecipient for products and services
 1047 related to the program.

1048 (b) "Department" means the Department of Agriculture and
 1049 Consumer Services.

1050 (c) "Eligible applicant" means publicly owned wastewater

1051 treatment plants owned and operated by state or local
 1052 governmental entities within this state.

1053 (d) "Eligible projects" means projects identified in an
 1054 energy efficiency assessment within the previous 5-year period.

1055 (e) "Energy efficiency assessment" means a review of
 1056 wastewater treatment equipment and processes conducted by
 1057 someone other than facility staff which resulted in facility-
 1058 specific written recommendations for improving energy efficiency
 1059 or reducing energy costs. The term includes all of the following
 1060 information:

1061 1. A description of and information about existing
 1062 relevant wastewater treatment plant equipment or processes.

1063 2. A description of new equipment or processes that would
 1064 improve energy efficiency or reduce energy costs.

1065 3. An estimate of energy savings and monetary savings
 1066 resulting from the equipment or process change.

1067 (f) "Local governmental entity" means a county government;
 1068 a municipality, including an incorporated city, town, or
 1069 village; a school district; or an independent special district.

1070 (g) "Program" means the Wastewater Treatment Plant Energy
 1071 Program.

1072 (3) WASTEWATER TREATMENT PLANT ENERGY PROGRAM.—

1073 (a) The department shall provide awards for eligible
 1074 projects to eligible applicants.

1075 (b) The department shall issue awards on a competitive

1076 basis. The department shall consider, at a minimum, the
1077 following factors:

1078 1. The net annual energy saved at the facility in
1079 kilowatt-hours per year.

1080 2. Energy saved per dollar funded in kilowatt-hours per
1081 dollar.

1082 3. The amount of energy used to process 1 million gallons
1083 of wastewater in kilowatt-hours per million gallons.

1084 (c) Eligible applicants must contribute a minimum cost
1085 share of 15 percent of the total project cost.

1086 (d) Eligible applicants may use up to 10 percent of the
1087 total project funding for administrative costs.

1088 (e) An award may not exceed \$500,000 per wastewater
1089 treatment plant per fiscal year.

1090 (f) The department shall determine applicant eligibility
1091 in accordance with this section and department rule. The total
1092 amount of awards issued to eligible applicants in each fiscal
1093 year may not exceed the amount appropriated for the program in a
1094 fiscal year.

1095 (4) PUBLICATION.—The department shall publish on its
1096 website on an ongoing basis the amount of available funding for
1097 awards remaining in each fiscal year.

1098 (5) ANNUAL ASSESSMENT.—By October 1, 2023, and each year
1099 thereafter that the program is funded, the department shall
1100 provide an annual assessment of the use of the program during

1101 the previous fiscal year to the Governor, the President of the
 1102 Senate, and the Speaker of the House of Representatives. The
 1103 assessment must include, at a minimum:

1104 (a) The name of each applicant issued an award.

1105 (b) The amount of the award issued to each applicant.

1106 (c) A description of each eligible project.

1107 (d) The net annual energy saved at the facility in
 1108 kilowatt-hours per year.

1109 (e) The energy saved per dollar funded in kilowatt-hours
 1110 per dollar.

1111 (f) The amount of energy used to process 1 million gallons
 1112 of wastewater in kilowatt-hours per million gallons.

1113 (g) The aggregate amount of funding awarded to all
 1114 applicants.

1115 (6) RULES.—The department shall adopt rules to implement
 1116 and administer this section, including rules to provide for
 1117 application requirements, forms to be used, ranking of
 1118 applications, and issuance of awards under this program.

1119 Section 13. Section 377.8201, Florida Statutes, is created
 1120 to read:

1121 377.8201 Farm Renewable and Efficiency Demonstrations
 1122 Program.—

1123 (1) CREATION AND PURPOSE OF PROGRAM.—The Farm Renewable
 1124 and Efficiency Demonstrations Program is established within the
 1125 Department of Agriculture and Consumer Services to promote the

1126 adoption of technologies and practices that increase energy
1127 efficiency and use of renewable energy and encourage water
1128 conservation in agriculture in this state.

1129 (2) DEFINITIONS.—As used in this section, the term:

1130 (a) "Agricultural producer" means a person, legal entity,
1131 or joint operation that has an interest in an agricultural
1132 operation or that is engaged in agricultural production or
1133 forestry management.

1134 (b) "Department" means the Department of Agriculture and
1135 Consumer Services.

1136 (c) "Energy and water evaluation" means a baseline of the
1137 agricultural producer's current energy and water usage,
1138 including electricity and fuel; current energy and water
1139 expenditures; an inventory and analysis of energy-consuming
1140 devices present; an analysis of other factors affecting energy
1141 and water use; an assessment of the potential to use renewable
1142 energy generation; and a recommendation of specific
1143 implementable energy efficiency and water conservation measures,
1144 renewable energy devices, and their estimated cost and projected
1145 savings and payback period.

1146 (d) "Historically underserved producer," as defined in 7
1147 C.F.R. s. 636.3, means an eligible person, a joint operation, or
1148 a legal entity that is a beginning farmer or rancher, socially
1149 disadvantaged farmer or rancher, or limited resource farmer or
1150 rancher.

1151 (e) "Renewable energy" has the same meaning as in s.
 1152 366.91(2).

1153 (3) FARM RENEWABLE AND EFFICIENCY EVALUATIONS AND
 1154 DEMONSTRATIONS.—

1155 (a) The department shall conduct onsite evaluations to
 1156 determine the potential for energy efficiency, renewable energy,
 1157 and water conservation upgrades at individual farms and
 1158 agricultural producers in this state.

1159 (b) The department shall provide grants for the
 1160 implementation of any recommendations made under paragraph (a).
 1161 A grant may cover up to 80 percent of the cost to implement some
 1162 or all of the recommendations from the energy and water
 1163 evaluation, up to \$25,000.

1164 (c) The department may give priority consideration to a
 1165 historically underserved producer or project that serves
 1166 communities in counties with high poverty levels compared to the
 1167 state average.

1168 (d) The total for the energy and water evaluations
 1169 provided and the amount of grants awarded in each fiscal year
 1170 may not exceed the amount appropriated for the program in that
 1171 fiscal year.

1172 (4) APPLICATION PROCESS.—

1173 (a) An applicant seeking to obtain an evaluation and a
 1174 grant must submit an application to the department by a
 1175 specified date each year as established by department rule.

1176 (b) The department shall allocate grants to eligible
1177 applicants on a first-come, first-served basis, as determined by
1178 the date the application is received, until all appropriated
1179 funds for the fiscal year are expended or the program ends,
1180 whichever comes first. Incomplete applications submitted to the
1181 department may not be accepted and do not secure a place in the
1182 application process.

1183 (c) In order to evaluate energy, water, and monetary
1184 savings, applicants must submit monthly utility data for a
1185 period of 1 year before any improvements are made and monthly
1186 utility data for a period of 1 year after any improvements are
1187 made.

1188 (5) ANNUAL ASSESSMENT.—By October 1, 2023, and annually
1189 thereafter, the department shall provide an annual assessment of
1190 the use of the program during the previous fiscal year to the
1191 Governor, the President of the Senate, and the Speaker of the
1192 House of Representatives. The assessment must include, at a
1193 minimum, all of the following information:

1194 (a) The name of each applicant that received an energy and
1195 water evaluation under this section.

1196 (b) The name of each applicant that received a grant to
1197 implement recommendations from an energy and water evaluation
1198 under this section.

1199 (c) The amount of the grant awarded to each applicant.

1200 (d) A description of each improvement made.

1201 (e) The applicant's utility data 1 year before any
 1202 improvements were made, as required under paragraph (4) (c).

1203 (f) The applicant's utility data 1 year after any
 1204 improvements were made, as required under paragraph (4) (c).

1205 (g) Each applicant's energy, water, and monetary savings
 1206 as a result of an energy and water evaluation and a grant under
 1207 this section.

1208 (h) The aggregate amount of funding awarded for all
 1209 applicants under this section.

1210 (6) RULES.—The department shall adopt rules pursuant to
 1211 ss. 120.536(1) and 120.54 to administer this section, including
 1212 rules governing application requirements, the ranking of
 1213 applications, and the awarding of grants under the program.

1214 Section 14. Effective July 1, 2022, section 520.27,
 1215 Florida Statutes, is created to read:

1216 520.27 Solar consumer protections.—

1217 (1) The Department of Agriculture and Consumer Services,
 1218 in consultation with the Public Service Commission and the
 1219 Department of Business and Professional Regulation, shall ensure
 1220 consumer protections of residential solar energy systems
 1221 consumers, as follows:

1222 (a) The Department of Business and Professional Regulation
 1223 shall receive and review complaints and consumer questions
 1224 regarding solar energy system companies and solar contractors,
 1225 receive complaints obtained by other state agencies regarding

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1226 solar energy system companies and solar contractors, and share
1227 any data gathered with other state agencies.

1228 (b) The Department of Agriculture and Consumer Services
1229 shall document consumer complaints relating to solar contractors
1230 by making specified information available publicly on the
1231 department's Division of Consumer Services website. The public
1232 information must contain all of the following:

1233 1. The number and types of complaints.

1234 2. The zip code from which each consumer complaint
1235 originated.

1236 3. The disposition of all complaints received against a
1237 solar contractor.

1238 (c) The Public Service Commission shall develop
1239 standardized inputs and assumptions by vendors, installers, or
1240 financing entities to be used in the calculation and
1241 presentation of electric utility bill savings a consumer can
1242 expect to receive by using a solar energy system and shall post
1243 the standardized inputs and assumptions on its website. For the
1244 purposes of this section, the Public Service Commission shall
1245 receive input from municipal utilities and instrumentalities
1246 thereof and cooperatives organized under the Rural Electric
1247 Cooperative Law.

1248 (2) Records of any completed, fully executed agreement and
1249 any disclosures entered into between a solar installer and the
1250 purchaser of a solar energy system for residential use may, at

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1251 the option of the customer, be stored electronically by the
1252 Department of Business and Professional Regulation. In the
1253 process of submitting an application for interconnection with
1254 the transmission grid or distribution system of a solar energy
1255 system, a solar installer must affirm that it has informed the
1256 solar customer of the option to have the records of the
1257 agreement and any disclosures stored electronically. The
1258 Department of Business and Professional Regulation shall
1259 maintain any such records for 5 years and share the information
1260 broadly with other state agencies.

1261 Section 15. The Division of Law Revision is directed to
1262 replace the phrase "the effective date of this act" wherever it
1263 occurs in this act with the date this act becomes a law.

1264 Section 16. For the 2022-2023 fiscal year, the sum of
1265 \$250,000 in nonrecurring funds is appropriated from the General
1266 Revenue Fund to the Office of Energy within the Department of
1267 Agriculture and Consumer Services to implement s. 377.817,
1268 Florida Statutes, as created by this act.

1269 Section 17. Except as otherwise expressly provided in this
1270 act, this act shall take effect upon becoming a law.