

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 in certain locations; amending s.
8 377.242, F.S.; prohibiting permitting and construction
9 of certain structures intended for the drilling or
10 exploration for, or production or transport of, oil,
11 gas, or other petroleum products in certain locations;
12 amending s. 377.803, F.S.; revising the definition of
13 the term "renewable energy"; creating s. 377.821,
14 F.S.; providing legislative intent that all
15 electricity used in this state be generated by
16 renewable energy by a specified date; providing for
17 statewide net zero carbon emissions by a specified
18 date; directing the Office of Energy within the
19 Department of Agriculture and Consumer Services, in
20 consultation with other state agencies, Florida
21 College System institutions and state universities,
22 public utilities, and other private and public
23 entities, to develop a unified statewide plan to
24 generate the state's electricity from renewable energy
25 and reduce the state's carbon emissions by specified
26 dates; requiring state and public entities to
27 cooperate as requested; providing plan requirements;
28 requiring the office to submit the plan to the
29 Governor and the Legislature by a specified date and

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30 to provide annual updates; creating s. 377.8225, F.S.;

31 creating the Renewable Energy Workforce Development

32 Advisory Committee in the Office of Energy; providing

33 for committee membership, duties, and meetings;

34 defining the term "environmental justice"; directing

35 the Commissioner of Agriculture to prepare and submit

36 a specified annual report to the Legislature by a

37 specified date; reenacting and amending s. 288.9606,

38 F.S.; correcting a grammatical error; reenacting ss.

39 366.92(2)(b), 373.236(7), and 403.973(3)(e) and

40 (18)(b), F.S., relating to the Florida renewable

41 energy policy, the duration of permits, and expedited

42 permitting and comprehensive plans, respectively, to

43 incorporate the amendments made to s. 366.91, F.S, in

44 references thereto; providing an effective date.

45

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

47

48 Section 1. Paragraphs (b) and (e) of subsection (2) of

49 section 366.91, Florida Statutes, are amended to read:

50 366.91 Renewable energy.—

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

52 (b) "Biomass" means a power source that consists ~~is~~

53 ~~comprised~~ of, but is not limited to, combustibile residues or

54 gases from forest products manufacturing; waste or coproducts ~~byproducts, or products~~ from agricultural and orchard crops; waste or coproducts from livestock and poultry operations; waste or byproducts from food processing; urban wood waste; separated ~~or~~ municipal food, yard, or solid waste; or ~~or~~ municipal

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59 liquid waste treatment operations, ~~and landfill gas.~~

60 (e) "Renewable energy" means electrical energy produced
61 from a method that uses one or more of the following fuels or
62 energy sources: hydrogen produced or resulting from sources
63 other than fossil fuels, biomass, solar energy, geothermal
64 energy, wind energy, ocean energy, and hydroelectric power. ~~The~~
65 ~~term includes the alternative energy resource, waste heat, from~~
66 ~~sulfuric acid manufacturing operations and electrical energy~~
67 ~~produced using pipeline-quality synthetic gas produced from~~
68 ~~waste petroleum coke with carbon capture and sequestration.~~

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

71 377.24 Notice of intention to drill well; permits;
72 abandoned wells and dry holes.—

73 (10) Notwithstanding this section, this chapter, or other
74 laws, without exception, the drilling or exploration for, or
75 production of, oil, gas, or other petroleum products is
76 prohibited on state lands and waters of the state.

77 Section 3. Section 377.242, Florida Statutes, is amended to
78 read:

79 377.242 Permits for drilling or exploring and extracting
80 through well holes or by other means.—The department is vested
81 with the power and authority:

82 (1) (a) To issue permits for the drilling for, exploring
83 for, or production of oil, gas, or other petroleum products
84 which are to be extracted from below the surface of the land,
85 including submerged land, only through the well hole drilled for
86 oil, gas, and other petroleum products.

87 1. A ~~No~~ structure intended for the drilling for, or

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88 production of, oil, gas, or other petroleum products may not be
89 permitted or constructed on any submerged land within any bay or
90 estuary.

91 2. A ~~Ne~~ structure intended for the drilling for, or
92 production of, oil, gas, or other petroleum products may not be
93 permitted or constructed within 1 mile seaward of the coastline
94 of the state.

95 3. A ~~Ne~~ structure intended for the drilling for, or
96 production of, oil, gas, or other petroleum products may not be
97 permitted or constructed within 1 mile of the seaward boundary
98 of any state, local, or federal park or aquatic or wildlife
99 preserve or on the surface of a freshwater lake, river, or
100 stream.

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

109 5. Without exception, after July 1, 1989, a ~~ne~~ structure
110 intended for the drilling for, or production of, oil, gas, or
111 other petroleum products may not be permitted or constructed
112 south of 26°00'00" north latitude off Florida's west coast and
113 south of 27°00'00" north latitude off Florida's east coast,
114 within the boundaries of Florida's territorial seas as defined
115 in 43 U.S.C. s. 1301. After July 31, 1990, a ~~ne~~ structure
116 intended for the drilling for, or production of, oil, gas, or

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117 other petroleum products may not be permitted or constructed
118 north of 26°00'00" north latitude off Florida's west coast to
119 the western boundary of the state bordering Alabama as set forth
120 in s. 1, Art. II of the State Constitution, or located north of
121 27°00'00" north latitude off Florida's east coast to the
122 northern boundary of the state bordering Georgia as set forth in
123 s. 1, Art. II of the State Constitution, within the boundaries
124 of Florida's territorial seas as defined in 43 U.S.C. s. 1301.

125 (b) Subparagraphs (a)1. and 4. do not apply to permitting
126 or construction of structures intended for the drilling for, or
127 production of, oil, gas, or other petroleum products pursuant to
128 an oil, gas, or mineral lease of such lands by the state under
129 which lease any valid drilling permits are in effect on the
130 effective date of this act. If ~~In the event that~~ such permits
131 contain conditions or stipulations, such conditions and
132 stipulations ~~shall~~ govern and supersede subparagraphs (a)1. and
133 4.

134 (c) The prohibitions of subparagraphs (a)1.-4. ~~in this~~
135 ~~subsection~~ do not include "infield gathering lines," provided ~~no~~
136 other placements are not ~~placement is~~ reasonably available and
137 all other required permits have been obtained.

138 (2) To issue permits to explore for and extract minerals
139 which are subject to extraction from the land by means other
140 than through a well hole.

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

144
145 Each permit shall contain an agreement by the permitholder that

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146 the permitholder will not prevent inspection by division
147 personnel at any time. The provisions of this section
148 prohibiting permits for drilling or exploring for oil in coastal
149 waters do not apply to any leases entered into before June 7,
150 1991. Notwithstanding this section, this chapter, or other laws,
151 without exception, beginning July 1, 2024, a structure intended
152 for the drilling or exploration for, or production or transport
153 of, oil, gas, or other petroleum products may not be permitted
154 or constructed on state lands or waters of the state.

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

157 377.803 Definitions.—As used in ss. 377.801-377.804, the
158 term:

159 (4) "Renewable energy" means electrical, mechanical, or
160 thermal energy produced from a method that uses one or more of
161 the following fuels or energy sources: hydrogen, biomass, as
162 defined in s. 366.91, solar energy, geothermal energy, wind
163 energy, ocean energy, tidal energy ~~waste heat~~, or hydroelectric
164 power.

165 Section 5. Section 377.821, Florida Statutes, is created to
166 read:

167 377.821 State renewable energy goals.—

168 (1) By 2050, the Legislature intends for 100 percent of the
169 electricity used in this state to be generated from 100 percent
170 renewable energy as defined in s. 377.803. By 2051, the
171 Legislature intends for the state to have net zero carbon
172 emissions statewide.

173 (2) Achieving 100 percent renewable energy generation is
174 intended to provide unique benefits to the state, including all

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175 of the following:

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

177 (b) Adding new electrical generating facilities.

178 (c) Reducing air pollution, particularly criteria pollutant
179 emissions and toxic air contaminants.

180 (d) Contributing to the safe and reliable operation of the
181 electrical grid, including providing predictable electrical
182 supply, voltage support, lower line losses, and congestion
183 relief.

184 (e) Enhancing economic development and job creation in the
185 clean energy industry.

186 (3) The Office of Energy within the Department of
187 Agriculture and Consumer Services, in consultation with other
188 state agencies, Florida College System institutions and state
189 universities, public utilities, and other private and public
190 entities, shall develop a unified statewide plan to generate 100
191 percent of the state's electricity from renewable energy by 2050
192 and reduce the state's carbon emissions to net zero by 2051. All
193 public agencies, Florida College System institutions and state
194 universities, and public utilities shall cooperate with the
195 office as requested.

196 (4) The plan must do all of the following:

197 (a) Include interim goals to reach 50 percent renewable
198 energy statewide by 2040, 40 percent reduction in carbon
199 emissions statewide by 2030, and 80 percent reduction in carbon
200 emissions statewide by 2041.

201 (b) Require:

202 1. All private coal-fired and oil-fired electric generating
203 units to reach zero carbon emissions by 2030.

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204 2. All private natural gas-fired units to reach zero carbon
205 emissions by 2045, prioritizing reductions by those with higher
206 rates of emissions and those in and near environmental justice
207 communities.

208 3. All municipal natural gas-fired units to reach zero
209 carbon emissions by 2045, unless the units are converted to
210 green hydrogen or similar technology that can achieve zero
211 carbon emissions.

212 4. All units that use combined heat and power or
213 cogeneration technology to reach zero carbon emissions by 2045,
214 unless the units are converted to green hydrogen or similar
215 technology that can achieve zero carbon emissions.

216 (c) Provide recommendations for creating:

217 1. A coal-to-solar program to support the transition of
218 coal-fired power plants to renewable energy facilities.

219 2. A commission on market-based carbon pricing solutions.

220 3. An electric generation task force to investigate carbon
221 capture and sequestration.

222 (d) Consider the potential impact of existing and
223 additional renewable energy incentives and programs with an
224 emphasis on solar and distributed resources, including energy
225 storage. The plan must also consider the impact of power
226 purchase agreements on attaining 100 percent renewable energy
227 generation. The office shall submit the statewide plan outlining
228 potential strategies to reach the goals of this section to the
229 Governor, the President of the Senate, and the Speaker of the
230 House of Representatives by January 1, 2025, and shall provide
231 updates on the progress of achieving the state's renewable
232 energy goals each January 1 thereafter.

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233 Section 6. Section 377.8225, Florida Statutes, is created
234 to read:

235 377.8225 Renewable Energy Workforce Development Advisory
236 Committee.—

237 (1) (a) The Renewable Energy Workforce Development Advisory
238 Committee, a committee as defined in s. 20.03, is created in the
239 Office of Energy within the Department of Agriculture and
240 Consumer Services and consists of 13 members, all of whom are
241 appointed by the Commissioner of Agriculture. The appointees
242 shall include one representative of the Department of
243 Agriculture and Consumer Services and one representative of the
244 Department of Commerce, who shall serve as co-chairs of the
245 advisory committee; one representative of the Department of
246 Environmental Protection; one representative of the Department
247 of Education; two representatives of state universities or
248 colleges with programs or research focused on renewable energy;
249 and one representative from each of the following:

250 1. The Florida AFL-CIO.

251 2. The Florida Building and Construction Trades Council.

252 3. An organization serving environmental justice
253 communities. For purposes of this section, the term
254 “environmental justice” means the fair treatment and meaningful
255 involvement of all people, regardless of race, color, national
256 origin, or income, in matters concerning the development,
257 implementation, and enforcement of environmental laws,
258 regulations, and policies.

259 4. A renewable energy business.

260 5. An occupational training organization.

261 6. An economic development organization.

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262 7. A community development organization.

263
264 In making these appointments, the commissioner shall consider
265 the places of residence of the members to ensure statewide
266 representation.

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

269 (c) In case of a vacancy on the advisory committee, the
270 commissioner shall appoint a successor member for the unexpired
271 portion of the term.

272 (d) The members of the advisory committee shall serve
273 without compensation while in the performance of their official
274 duties.

275 (2) The advisory committee shall:

276 (a) Develop, in consultation with the Department of
277 Commerce, recommendations for a displaced energy workers bill of
278 rights to provide state support to transitioning energy sector
279 workers. Once the advisory committee is satisfied with the
280 recommendations for developing the program, it shall submit the
281 recommendations to the commissioner for inclusion in the annual
282 report under subsection (4).

283 (b) Develop, in consultation with the Department of
284 Corrections, recommendations for a returning residents clean
285 jobs training program to provide training for careers in the
286 clean energy sector to individuals who are currently
287 incarcerated. Once the advisory committee is satisfied with the
288 recommendations for developing the program, it shall submit the
289 recommendations to the commissioner for inclusion in the annual
290 report under subsection (4).

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291 (c) Develop, in consultation with the Department of
292 Education, recommendations for an energy transition navigators
293 program to provide education, outreach, and recruitment to
294 equity-focused populations to promote awareness of workforce
295 development programs. Once the advisory committee is satisfied
296 with the recommendations for developing the program, it shall
297 submit the recommendations to the commissioner for inclusion in
298 the annual report under subsection (4).

299 (d)1. Identify those workers currently employed in the
300 energy sector and their current training requirements. The
301 advisory committee shall identify the employment potential of
302 the energy efficiency industry and the renewable energy industry
303 and the skills and training needed for workers in those
304 industries, and make recommendations to the commissioner for
305 policies to promote employment growth and access to jobs in
306 those fields. Recommendations of the advisory committee may not
307 reduce the training required for renewable energy jobs. The
308 advisory committee shall prioritize maximizing employment
309 opportunities for residents of environmental justice
310 communities, minorities, women, and workers displaced in the
311 transition to renewable energy.

312 2. By January 1, 2025, the advisory committee shall
313 establish a target for the number of residents working in the
314 renewable energy industry by 2028. The advisory committee shall
315 also establish a target for the number of renewable energy
316 industry jobs held by residents of environmental justice
317 communities, proportional to the percentage of residents who
318 live in environmental justice communities, and the number of
319 those jobs held by workers displaced in the transition to

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320 renewable energy. The advisory committee shall create similar
321 targets for each subsequent 5-year period.

322 3. The advisory committee shall submit an annual report to
323 the commissioner recommending changes to existing state policies
324 and programs to meet the targets set forth in subparagraph 2.

325 (3) The advisory committee shall meet at least three times
326 annually to review progress in expanding renewable energy
327 employment. These meetings must be open to members of the public
328 and must provide opportunities for public comment. At least one
329 of these meetings must be held in an environmental justice
330 community each year.

331 (4) The commissioner shall prepare a report on the findings
332 and recommendations of the advisory committee and submit the
333 report to the President of the Senate and the Speaker of the
334 House of Representatives by January 1, 2025, and each January 1
335 thereafter.

336 Section 7. Subsection (7) of section 288.9606, Florida
337 Statutes, is reenacted and amended to read:

338 288.9606 Issue of revenue bonds.—

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

343 (a) Finance the undertaking of any project within the state
344 that promotes renewable energy as defined in s. 366.91 or s.
345 377.803;

346 (b) Finance the undertaking of any project within the state
347 that is a project contemplated or allowed under s. 406 of the
348 American Recovery and Reinvestment Act of 2009; ~~or~~

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349 (c) If permitted by federal law, finance qualifying
350 improvement projects within the state under s. 163.08; or-

351 (d) Finance the costs of acquisition or construction of a
352 transportation facility by a private entity or consortium of
353 private entities under a public-private partnership agreement
354 authorized by s. 334.30.

355 Section 8. For the purpose of incorporating the amendment
356 made by this act to section 366.91, Florida Statutes, in a
357 reference thereto, paragraph (b) of subsection (2) of section
358 366.92, Florida Statutes, is reenacted to read:

359 366.92 Florida renewable energy policy.-

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

361 (b) "Renewable energy" includes renewable energy and
362 renewable natural gas as those terms are defined in s.
363 366.91(2).

364 Section 9. For the purpose of incorporating the amendment
365 made by this act to section 366.91, Florida Statutes, in a
366 reference thereto, subsection (7) of section 373.236, Florida
367 Statutes, is reenacted to read:

368 373.236 Duration of permits; compliance reports.-

369 (7) A permit approved for a renewable energy generating
370 facility or the cultivation of agricultural products on lands
371 consisting of 1,000 acres or more for use in the production of
372 renewable energy, as defined in s. 366.91(2)(e), shall be
373 granted for a term of at least 25 years at the applicant's
374 request based on the anticipated life of the facility if there
375 is sufficient data to provide reasonable assurance that the
376 conditions for permit issuance will be met for the duration of
377 the permit; otherwise, a permit may be issued for a shorter

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378 duration that reflects the longest period for which such
379 reasonable assurances are provided. Such a permit is subject to
380 compliance reports under subsection (4).

381 Section 10. For the purpose of incorporating the amendment
382 made by this act to section 366.91, Florida Statutes, in
383 references thereto, paragraph (e) of subsection (3) and
384 paragraph (b) of subsection (18) of section 403.973, Florida
385 Statutes, are reenacted to read:

386 403.973 Expedited permitting; amendments to comprehensive
387 plans.—

388 (3)

389 (e) Projects resulting in the production of biofuels
390 cultivated on lands that are 1,000 acres or more or in the
391 construction of a biofuel or biodiesel processing facility or a
392 facility generating renewable energy, as defined in s.
393 366.91(2)(e), are eligible for the expedited permitting process.

394 (18) The following projects are ineligible for review under
395 this part:

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

397 1. Effect the final disposal of solid waste, biomedical
398 waste, or hazardous waste in this state.

399 2. Produce electrical power, unless the production of
400 electricity is incidental and not the primary function of the
401 project or the electrical power is derived from a fuel source
402 for renewable energy as defined in s. 366.91(2)(e).

403 3. Extract natural resources.

404 4. Produce oil.

405 5. Construct, maintain, or operate an oil, petroleum, or
406 sewage pipeline.

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Section 11. This act shall take effect July 1, 2024.