

HB 1493

2024

1 A bill to be entitled
2 An act relating to wind energy facility siting;
3 creating s. 377.708, F.S.; defining terms; prohibiting
4 construction, operation, or expansion of wind energy
5 facilities and offshore wind energy facilities in this
6 state; authorizing injunctive relief; requiring the
7 department to adopt rules; providing an effective
8 date.

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

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12 Section 1. Section 377.708, Florida Statutes, is created
13 to read:

14 377.708 Wind energy facility siting.-

15 (1) DEFINITIONS.-As used in this section, the term:

16 (a) "Department" means the Department of Environmental
17 Protection.

18 (b) "Offshore wind energy facility" means any wind energy
19 facility located on state submerged lands or territorial waters,
20 including other buildings, structures, or electrical
21 transmission cabling to be sited on state submerged lands or
22 territorial waters, or connected to corresponding onshore
23 substations which are used to support the operation of any wind
24 energy facility sited on submerged lands or territorial waters
25 that are not under the jurisdiction of the state.

26 (c) "Wind energy facility" means an electrical wind
 27 generation facility or expansion thereof having at least a 1
 28 megawatt rated capacity, including substations; meteorological
 29 data towers; aboveground, underground, and electrical
 30 transmission lines; and transformers, control systems, and other
 31 buildings or structures under common ownership or operating
 32 control used to support the operation of the facility the
 33 primary purpose of which is to offer electricity supply for
 34 sale.

35 (2) PROHIBITED ACTIVITIES.—The construction, operation, or
 36 expansion of a wind energy facility or an offshore wind energy
 37 facility in this state is prohibited.

38 (3) INJUNCTIVE RELIEF.—The department may bring an action
 39 for injunctive relief against the owner of a wind energy
 40 facility or an offshore wind energy facility who constructs,
 41 operates, or expands a wind energy facility or an offshore wind
 42 energy facility in this state.

43 (4) RULES.—The department shall adopt rules to implement
 44 this section.

45 Section 2. This act shall take effect upon becoming a law.