

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Commerce Committee
 2 Representative Payne offered the following:

Amendment (with title amendment)

Remove lines 323-368 and insert:

Section 4. Section 366.042, Florida Statutes, is created to read:

366.042 Mutual Aid Agreements of Electric Cooperatives and Municipal Electric Utilities.-

(1) For the purposes of restoring power following a natural disaster subject to a state of emergency declared by the Governor, all electric cooperatives and municipal electric utilities shall enter into and maintain, at a minimum, one of the following:

(a) A mutual aid agreement with a municipal electric utility;

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17 (b) A mutual aid agreement with an electric cooperative;

18 (c) A mutual aid agreement with a public utility; or

19 (d) A pre-event agreement with a private contractor.

20 (2) All electric cooperatives and municipal electric
21 utilities operating in this state shall annually submit to the
22 commission an attestation, in conformity with s. 92.525, stating
23 that the organization has complied with the requirements of this
24 section on or before May 15. Nothing in this section shall be
25 construed to give the commission jurisdiction over the terms and
26 conditions of a mutual aid agreement or agreement with a private
27 contractor entered into by an electric cooperative or a
28 municipal electric utility.

29 (3) The commission shall compile the attestations and
30 annually submit a copy to the Division of Emergency Management
31 no later than May 30.

32 (4) Electric cooperatives and municipal electric utilities
33 that submit the attestation required by this section shall be
34 eligible to receive state financial assistance, if such funding
35 is available, for power restoration efforts following a natural
36 disaster subject to a state of emergency declared by the
37 Governor.

38 (5) Electric cooperatives and municipal electric utilities
39 that do not submit the attestation required by this section
40 shall be ineligible to receive state financial assistance for
41 power restoration efforts following a natural disaster subject

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42 to a state of emergency declared by the Governor until such time
43 as the attestation is submitted by the electric cooperative or
44 municipal electric utility.

45 (6) Nothing in this section shall be construed to
46 prohibit, limit, or disqualify any electric cooperative or
47 municipal electric utility from receiving funding under The
48 Stafford Act, 42 U.S.C. 5121 et seq., or any other federal
49 program, including programs administered by the State of Florida

50 (7) This section does not expand or alter the jurisdiction
51 of the commission over public utilities or electric utilities.

52 Section 5. Section 366.057, Florida Statutes, is created
53 to read:

54 366.057 Retirement of Electrical Power Plant.-

55 A public utility shall provide notice to the commission at
56 least 90 days before the full retirement of an electrical power
57 plant if such date does not coincide with the retirement date in
58 the public utility's most recently approved depreciation study.
59 No later than 90 days after such notice, the commission may
60 schedule a hearing to determine whether retirement of the plant
61 is prudent and consistent with the state's energy policy goals
62 in s. 377.601(2). At a hearing scheduled under this section, the
63 utility shall present its proposed retirement date for the
64 plant, remaining depreciation expense on the plant, any other
65 costs to be recovered in relation to the plant, and any planned
66 replacement capacity.

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67 Section 6. Section 366.94, Florida Statutes, is amended to
68 read:

69 366.94 Electric vehicle charging ~~stations~~.—

70 (1) The provision of electric vehicle charging to the
71 public by a nonutility is not the retail sale of electricity for
72 the purposes of this chapter. The rates, terms, and conditions
73 of electric vehicle charging services by a nonutility are not
74 subject to regulation under this chapter. This section does not
75 affect the ability of individuals, businesses, or governmental
76 entities to acquire, install, or use an electric vehicle charger
77 for their own vehicles.

78 (2) The Department of Agriculture and Consumer Services
79 shall adopt rules to provide definitions, methods of sale,
80 labeling requirements, and price-posting requirements for
81 electric vehicle charging stations to allow for consistency for
82 consumers and the industry.

83 (3)(a) It is unlawful for a person to stop, stand, or park
84 a vehicle that is not capable of using an electrical recharging
85 station within any parking space specifically designated for
86 charging an electric vehicle.

87 (b) If a law enforcement officer finds a motor vehicle in
88 violation of this subsection, the officer or specialist shall
89 charge the operator or other person in charge of the vehicle in
90 violation with a noncriminal traffic infraction, punishable as
91 provided in s. 316.008(4) or s. 318.18.

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92 (4) Upon petition of a public utility, the commission may
93 approve voluntary electric vehicle charging programs to become
94 effective on or after January 1, 2025, to include, but not be
95 limited to, residential, fleet, and public electric vehicle
96 charging, upon a determination by the commission that the
97 utility's general body of ratepayers, as a whole, will not pay
98 to support recovery of its electric vehicle charging investment
99 by the end of the useful life of the assets dedicated to the
100 electric vehicle charging service. This provision does not
101 preclude cost recovery for electric vehicle charging programs
102 approved by the commission before January 1, 2024.

T I T L E A M E N D M E N T

Remove lines 40-49 and insert:

108 service restrictions; creating s. 366.042, F.S.; requiring
109 electric cooperatives and municipal electric utilities to enter
110 into and maintain at least one mutual aid agreement or pre-event
111 agreement with certain entities for purposes of restoring power
112 after a natural disaster; requiring electric cooperatives and
113 municipal electric utilities to submit attestations of
114 compliance to the Public Service Commission; providing that such
115 attestations are condition of receiving certain state financial
116 assistance; providing construction; creating s. 366.057, F.S.;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1645 (2024)

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117 requiring public utilities to provide notice to the Public
118 Service Commission of certain power plant retirements;
119 authorizing the commission to conduct hearings to make specified
120 determinations on such plant retirements; specifying information
121 to be provided at hearing by utilities; amending s. 366.94,
122 F.S.; removing terminology; authorizing the commission to
123 approve voluntary public utility programs, to become effective
124 on or after a specified date, for electric vehicle charging if
125 certain requirements are met; providing applicability; creating