FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

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BILL #: HB 1217	**COMPANION BILL:** CS/SB 1628 (Avila)
TITLE: Prohibited Governmental Policies Regulating Greenhouse Gas Emissions	**LINKED BILLS:** None
SPONSOR(S): Snyder and Jacques	**RELATED BILLS:** None

Committee References

Economic Infrastructure 12 Y, 3 N ➤ Intergovernmental Affairs ➤ Commerce

SUMMARY

Effect of the Bill:
The bill provides a legislative finding that net zero policies, carbon taxes and assessments, and carbon emission trading programs are detrimental to the energy security and economic interest of the state; establishes certain prohibitions on a governmental entity adopting, implementing, using government funds to support, or imposing any tax or assessment to advance such policies; and defines terms related to such prohibitions.

Fiscal or Economic Impact:
The bill may have an indeterminate negative impact on state and local government revenues.

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ANALYSIS

EFFECT OF THE BILL:

Legislative Findings and Policy

The bill provides a legislative finding that net zero policies, carbon taxes and assessments, and carbon emission trading programs, commonly known as "cap-and-tax" or "cap-and-trade" programs, are detrimental to this state's energy security and economic interests. The bill also provides that it is state policy to prohibit the adoption or implementation of net zero policies by a governmental entity, including through government expenditures, taxes, assessments, or trading programs. (Section 1)

Net-Zero Policies

The bill defines the term "net-zero policies" to mean any target, threshold, initiative, action, framework, requirement, or policy associated with reducing the use of carbon-intensive products or activities, including a requirement imposed by a governmental entity that requires:

- The governmental entity to meet a statewide, regional, or geographically specific reduction in greenhouse gas emissions in an amount equal to zero, or when annual anthropogenic emissions of greenhouse gases into the atmosphere are balanced by removal over a specific period of time.
- An individual or business activity, including any carbon-intensive activity, to:
  - Meet a specific reduction in greenhouse gas emissions in an amount equal to zero, or when annual anthropogenic emissions of greenhouse gases into the atmosphere are balanced by removal over a specific period of time.
  - Meet any goal of the Paris Agreement, defined as the resolution adopted by the United Nations Framework Convention on Climate Change's 21st Conference of Parties in Paris, France, or any similar initiative adopted by the Federal Government or any geopolitical organization affiliated with the World Bank or World Economic Forum.

- Support the goal of any regional governing authority or multistate entity that commits to a reduction in greenhouse gas emissions in an amount equal to zero, or when annual anthropogenic emissions of greenhouse gases into the atmosphere are balanced by removal over a specific period of time.
- Restrict any carbon-intensive activity of any individual or business that would otherwise not be restricted for the sole purpose of meeting net zero policies.
- Prohibit the use, sale, purchase, or exchange of any carbon-intensive product or carbon for the sole purpose of meeting net zero policies. (Section 1)

Restrictions on Government Actions

Prohibited Government Policies and Programs

The bill provides that a governmental entity may not adopt, or require any individual to adopt, net zero policies associated with the reduction of carbon-intensive products, including in any comprehensive plans, land development regulations, transportation plans, or any published or adopted government policy, program, or procedure. The prohibitions in the bill apply to any proposed action by a governmental entity on or after July 1, 2026, that is not otherwise permissible by general law. (Section 1)

The bill also prohibits a governmental entity from implementing, administering, or enforcing any program that has the effect of:

- Establishing a statewide, regional, or geographic limit or cap on the amount of greenhouse gas[1] emissions[2] that results from the use, production, or consumption of any carbon-intensive product or carbon-intensive activity.
- Providing for the allocation, auction, or transfer of emissions allowances or credits among pollutant sources as a means of compliance with greenhouse gas emission limits.
- Requiring a governmental entity or any individual in this state to participate in an emissions trading program. (Section 1)

Prohibited Use of Government Funds

The bill prohibits a governmental entity from using government funds in any manner that supports, implements, or advances net zero policies, including:

- Through purchasing or procurement preferences for products that are not carbon-intensive or for vehicles or equipment based solely on the fuel source.
- Using government funds to pay dues for any nongovernmental agency or organization, including any trade association or organization, that adopts or supports net zero policies. (Section 1)

Prohibited Taxes, Fees, and Charges

The bill prohibits a governmental entity from imposing a tax, fee, penalty, charge, offset, or assessment to advance net zero policies, including:

- The carbon content of a fuel;
- The emission of greenhouse gases that results from the use, production, or consumption of any good or service;
- Any carbon-intensive activity; or
- The use, sale, purchase, or exchange of any carbon-intensive product or carbon-intensive activity.

The bill requires each governmental entity to annually submit to the Department of Revenue an affidavit attesting to compliance with the prohibitions above. (Section 1)

[1] For purposes of the bill, the term "greenhouse gases" is defined to include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and nitrogen trifluoride.
[2] For purposes of the bill, the term "emissions" is defined to mean greenhouse gases released, by any individual or entity, into the atmosphere or air.

Definitions

The bill supplies definitions for terms used in the bill.

Business Activity
The bill provides that the term "business activity" means any activity, or series of activities, that:
- Involves the emission of a greenhouse gas, or a combination thereof.
- Forms a single undertaking or enterprise, taking into account any relevant circumstances. (Section 1)

Carbon-Intensive Activity
The bill provides that the term "carbon-intensive activity" means any business activity, or any other activity performed by any individual, which supports:
- The movement of individuals or goods through common methods of transportation, including automobiles, commercial vehicles, freight haulers, aircraft, vessels, pipelines, delivery devices, and other similar transportation methods. This includes the use of energy resources to power or operate such transportation methods.
- The creation or transmission of energy resources for the following commercial and residential uses: electricity; manufacturing; the sustainment of human life, including, but not limited to, refrigeration and cooling in enclosed or partially enclosed spaces; waste management; and the operation of manufacturing of appliances for human use.
- The performance of activities to support the production of any carbon-intensive product, including, but not limited to, farming, agriculture, hunting and gathering, or the taking of fish and wildlife to sustain human life.
- The use of traditional authorized methods to take fish and wildlife resources.
- The mining, exploration, or manufacturing of products to support the continued livelihood of mankind. (Section 1)

Carbon-Intensive Product
The bill provides that the term "carbon-intensive product" means any of the following products, including any product containing a component thereof:
- A product containing iron; steel; steel mill, including, but not limited to, pipes and tubes; aluminum; cement; glass, including, but not limited to, flat, container, or specialty glass, or fiberglass; oil; minerals; metals; pulp; and paper.
- Any agricultural commodity or product, whether raw or processed, including any commodity or product derived from livestock that is marketed in the United States for human or animal consumption. This includes agricultural, aquacultural, horticultural, viticultural, and dairy products; livestock and the products thereof; the products of poultry and bee raising; the edible products of forestry; and all products raised or produced on farms, and processed or manufactured products thereof, transported or intended to be transported in interstate or foreign commerce. (Section 1)

Governmental Entity
The bill provides that the term "governmental entity" means:
- The state, and any political subdivision thereof, including the executive, legislative, and judicial branches of state government.
- A county; a municipality; a special district, including an independent community development district, a neighborhood improvement district, and an independent special district; and any authority, board, or commission of such governmental entities.
- A state agency, a county agency, or any other entity, however styled, that independently exercises any type of state or local governmental function, that is subject to ch. 377, F.S. (Section 1)

Government Funds
The bill provides that the term "government funds" means:

- State funds pursuant to s. 215.31, F.S.,[3] and any other moneys of the state.
- Funds of the judicial branch, including any moneys of all officers, employees, and offices of the Supreme Court, district courts of appeal, circuit courts, county courts, and the Judicial Qualifications Commission.
- Local government funds, including any moneys of a county, municipality, school district, special district, and any other political subdivision, including a consolidated government, metropolitan government, town, and village.
- Funds of public officials and constitutional officers.
- State university or Florida College System institution funds.
- Funds of any agency, board, bureau, commission, or institution of any of the foregoing. (Section 1)

The bill makes other conforming changes to limit the power of county or municipal governments in accordance with the provisions of the bill. (Sections 2, 3, and 4)

The bill provides an effective date of July 1, 2026. (Section 5)

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill may have an indeterminate negative impact on state government revenues. The bill appears to limit the ability of state government and state agencies to impose taxes or fees on carbon-intensive products and activities that are otherwise subject to taxes or fees.

LOCAL GOVERNMENT:

The bill may have an indeterminate negative impact on local government revenues. The bill appears to limit the ability of local governments to impose taxes or fees on carbon-intensive products and activities that are otherwise subject to taxes or fees.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Greenhouse Gas

The term "greenhouse gas" (GHG) refers to a category of gases that trap heat in the atmosphere.[4] Some GHGs occur naturally, such as carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O), while others, known as "fluorinated gases," are products primarily of household, commercial, and industrial applications and processes (hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and nitrogen trifluoride).[5] Each gas's effect on the earth's climate depends on several factors:

- How abundant the gas is in the atmosphere.
- How long the gas stays in the atmosphere.
- How strongly the gas impacts the atmosphere.[6]

The EPA estimated that in 2022, total GHG emissions in the U.S. were 17 percent below 2005 levels, after accounting for offsets from land management uses.[7]

[3] S. 215.31, F.S., addresses all revenue, including licenses, fees, imposts, or exactions collected or received under the authority of the laws of the state by each and every state official, office, employee, bureau, division, board, commission, institution, agency, or undertaking of the state or the judicial branch.
[4] United States Environmental Protection Agency (EPA), *Overview of Greenhouse Gases*, https://www.epa.gov/ghgemissions/overview-greenhouse-gases (last visited Feb. 2, 2026).
[5] *Id.*
[6] *Id.*

Carbon Dioxide
The most common GHG emitted through human activities, carbon dioxide (CO_2), is naturally present in the atmosphere as part of the earth's carbon cycle (the natural circulation of carbon among the atmosphere, oceans, soil, plants, and animals).[8] CO_2 is constantly exchanged among the atmosphere, ocean, and land surface as it is both produced and absorbed by many microorganisms, plants, and animals.[9] Emissions and removals of CO_2 by these natural processes tend to balance over time, absent effects related to human activity, such as the combustion of fossil fuels for energy and transportation.[10] Some activity, such as the management of forests and other natural and agricultural lands, acts as a net sink of CO_2, removing and storing in plants and trees more CO_2 from the atmosphere than is emitted.[11] Excluding offsets from land management uses, annual CO_2 emissions in the U.S. decreased by 1.5 percent between 1990 and 2022.[12]

Methane
Methane (CH_4) accounts for 12 percent of all U.S. GHG emissions from human activities, but most methane emission occurs naturally as a result of the normal digestive process of animals, including domestic livestock such as cattle, swine, sheep, and goats.[13] Human activity contributing to the emission of methane includes natural gas and petroleum systems, as well as waste management, landfills, and wastewater treatment.[14] Annual methane emissions in the U.S. decreased by 19 percent between 1990 and 2022.[15]

Nitrous Oxide
Nitrous oxide (N_2O) is naturally present in the atmosphere from a variety of natural sources, including as part of the earth's nitrogen cycle, the natural circulation of nitrogen among the atmosphere, plants, animals, and microorganisms that live in soil and water.[16] Human activities that contribute to nitrous oxide emissions include agriculture (especially the application of synthetic and organic fertilizers and other cropping practices), fuel combustion, wastewater management, and industrial processes.[17] In 2022, nitrous oxide accounted for 6 percent of all U.S. GHG emissions from human activities, and annual nitrous oxide emissions in the United States decreased by 3 percent between 1990 and 2022.

Fluorinated Gases
Unlike many other GHGs, fluorinated gases have no significant natural sources and come almost entirely from human-related activities.[18] Relative to other GHGs, fluorinated gases also have a higher potential to trap heat in the atmosphere, and last for much longer in the atmosphere.[19] In general, fluorinated gases are the most potent and longest lasting type of greenhouse gases emitted by human activities, and many fluorinated gases are removed from the atmosphere only when they are destroyed by sunlight in the upper atmosphere.[20]

There are four main categories of fluorinated gases:

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[7] EPA, *Inventory of U.S. Greenhouse Gas Emissions and Sinks*, https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks (last visited Feb. 2, 2026).
[8] EPA, *Carbon Dioxide Emissions*, https://www.epa.gov/ghgemissions/carbon-dioxide-emissions#CO2-references (last visited Feb. 2, 2026).
[9] *Id.*
[10] *Id.*
[11] *Id.*
[12] *Id.*
[13] EPA, *Methane Emissions*, https://www.epa.gov/ghgemissions/methane-emissions (last visited Feb. 2, 2026).
[14] *Id.*
[15] *Id.*
[16] EPA, *Nitrous Oxide Emissions*, https://www.epa.gov/ghgemissions/nitrous-oxide-emissions (last visited Feb. 2, 2026).
[17] *Id.*
[18] EPA, *Fluorinated Gas Emissions*, https://www.epa.gov/ghgemissions/fluorinated-gas-emissions (last visited Feb. 2, 2026).
[19] *Id.*
[20] *Id.*

- Hydrofluorocarbons (HFCs), which accounted for 90 percent of fluorinated gas emissions in 2022, are used as refrigerants, aerosol propellants, foam blowing agents, solvents, and fire retardants in products used by homes, businesses and industry. The major emissions source of these compounds is their use as refrigerants—for example, in air conditioning systems in both vehicles and buildings.
- Perfluorocarbons (PFCs) are produced as a byproduct of aluminum production and are used in the manufacturing of semiconductors.
- Sulfur hexafluoride (SF_6) is used in magnesium processing and semiconductor manufacturing, as well as a tracer gas for leak detection. Sulfur hexafluoride is also used as an insulating gas in electrical transmission equipment, including circuit breakers.
- Nitrogen trifluoride (NF_3) is used in semiconductor manufacturing.[21]

Fluorinated gas emissions in the U.S. increased by 105 percent between 1990 and 2022, with the increase primarily driven by a 349 percent increase in emissions of hydrofluorocarbons.[22]

Net-Zero Policies

"Net-zero" policies aim at achieving a balance between GHGs emitted from human activity and the amount of carbon dioxide (CO_2) removed from the atmosphere.[23] Human activities also emit other greenhouse gases, including methane, nitrous oxide, and fluorinated gases. To compare the climate impacts of different GHGs, their effects on the climate are commonly expressed relative to CO_2 using a metric known as "CO_2 equivalent."[24]

Net-zero GHG emissions means the combined net emissions of all greenhouse gases, expressed in CO_2 equivalents, equal zero.[25] Methods of CO_2 removal include natural absorption and storage in forests and other ecosystems as well as technological removal and storage.[26] However, because there are currently no commercially available methods to remove non-CO_2 GHGs from the atmosphere, achieving net-zero GHG emissions requires additional removal of CO_2 to counterbalance emissions of other GHGs.[27] Net-zero GHG emissions would therefore be achieved when total GHG emissions, measured in CO_2 equivalents, are offset by removal of CO_2 from the atmosphere.[28]

Carbon Control Policies

Examples of efforts to control GHG emissions released into the atmosphere include carbon taxation and carbon emission trading ("cap-and-trade") programs. A carbon tax directly sets a price per unit of emissions, requiring companies to pay a fee based on the amount of greenhouse gases they emit.[29] The price is usually expressed as a monetary unit per ton of CO_2 equivalent.[30]

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[21] *Id.*
[22] *Id.*
[23] Jonathan D. Haskett, U.S. Congressional Research Service (CRS), *Climate Change: What Are Net-Zero Emissions?*, 1 (Sep. 4, 2024), available at https://www.congress.gov/crs_external_products/IF/PDF/IF12753/IF12753.2.pdf (last visited Feb. 2, 2026).
[24] *Id.*
[25] *Id.*
[26] *Id.*
[27] *Id.*
[28] Haskett, *Climate Change: What Are Net-Zero Emissions?*, *supra* note 23 at 1.
[29] Noah Kaufman, World Research Institute, *Carbon Tax vs. Cap-and-Trade: What's a Better Policy to Cut Emissions*, (Mar. 1, 2016) https://www.wri.org/insights/carbon-tax-vs-cap-and-trade-whats-better-policy-cut-emissions (last visited Feb. 2, 2026).
[30] World Bank Group, *State and Trends of Carbon Pricing*, 15 (2024), available at https://openknowledge.worldbank.org/entities/publication/b0d66765-299c-4fb8-921f-61f6bb979087 (last visited Feb. 2, 2026).

In a cap-and-trade system, a governmental entity or other authority sets an emissions cap and issues a fixed quantity of emission allowances.[31] Covered entities must hold sufficient allowances to account for the greenhouse emissions they produce. These entities can buy and sell allowances from each other based on their need. This supply and demand dynamic establishes a market price for carbon.[32] Cap-and-trade programs have been implemented in several U.S. jurisdictions.[33] For example, the Regional Greenhouse Gas Initiative is a cooperative effort among several participating U.S. states to cap and reduce power sector CO_2 emissions.[34] The initiative establishes a regional CO_2 emissions cap, implemented through individual state CO_2 budget trading programs, and requires regulated fossil-fuel-fired power plants to hold allowances equal to their emissions. Allowances are distributed through quarterly regional auctions, with proceeds used by states to support energy efficiency, renewable energy, and other consumer benefit programs.[35]

There are 75 carbon tax and emissions trading schemes in operation worldwide, covering approximately 24 percent of global emissions.[36]

Environmental Regulations

Federal Activity Regulating Greenhouse Gas

The U.S. Congress originally passed the Clean Air Act (CAA) in 1970 to protect public health and welfare by requiring the U.S. Environmental Protection Agency (EPA) to establish national ambient air quality standards for certain common and widespread pollutants.[37] Under the CAA, the EPA has set air quality standards for six common pollutants: particulate matter (also known as particle pollution), ozone, sulfur dioxide, nitrogen dioxide, carbon monoxide, and lead.[38] The CAA requires states to adopt enforceable plans to achieve and maintain air quality meeting the air quality standards.[39]

In 2009, the EPA issued a final order finding that then-current and projected concentrations of six GHGs—carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6)—in the atmosphere threaten the public health and welfare.[40] The EPA also found that the combined emissions of these GHGs from new motor vehicles and new motor vehicle engines contribute to the GHG pollution that threatens public health and welfare.[41] On August 1, 2025, the EPA issued a proposed rule rescinding the 2009 findings, with a proposed finding that the CAA "does not authorize the EPA to prescribe emission

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[31] Michigan State University (MSU), *State Cap-and-Trade Programs*, 2 (Nov. 2023), available at https://www.canr.msu.edu/fccp/Uploads/Files/2b.%20Cap%20and%20Trade_FINAL_v2.pdf (last visited Feb. 2, 2026). *See, e.g.*, EPA, *What is Emissions Trading?*, https://www.epa.gov/emissions-trading/what-emissions-trading (last visited Feb. 2, 2026).

[32] *Id.*

[33] States with cap-and-trade programs include California, Oregon, Washington, and those states participating in the Regional Greenhouse Gas Initiative, namely Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. MSU, *State Cap-and-Trade Programs*, *supra* note 31, at 7-13.

[34] Regional Greenhouse Gas Initiative (RGGI), *Elements of RGGI*, https://www.rggi.org/program-overview-and-design/elements (last visited Feb. 2, 2026). Participating states include Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. *Id.*

[35] *Id.*

[36] World Bank Group, *State and Trends of Carbon Pricing*, *supra* note 30, at 9, 18, 22.

[37] EPA, *Clean Air Act Requirements and History*, https://www.epa.gov/clean-air-act-overview/clean-air-act-requirements-and-history (last visited Feb. 2, 2026).

[38] *Id.*

[39] *Id.*

[40] EPA, *Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act*, https://www.epa.gov/climate-change/endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-section-202a (last visited Feb. 2, 2026).

[41] *Id.*

standards to address global climate change concerns" and, on that basis, proposed repealing all GHG emissions standards for vehicles.[42]

Florida Energy and Climate Regulations

Florida's state energy policy is to ensure an adequate, reliable, and cost-effective supply of energy for the state in a manner that promotes the health and welfare of the public and economic growth.[43] The Legislature intends that governance of the state's energy policy be efficiently directed toward achieving this purpose.[44] The state's energy policy is guided by the following goals:

- Ensuring a cost-effective and affordable energy supply.
- Ensuring adequate supply and capacity.
- Ensuring a secure, resilient, and reliable energy supply, with an emphasis on a diverse supply of domestic energy resources.
- Protecting public safety.
- Protecting the state's natural resources, including its coastlines, tributaries, and waterways.
- Supporting economic growth.[45]

In furtherance of these goals, it is the policy of the state to:

- Promote the cost-effective development and use of a diverse supply of domestic energy resources in the state and discourage energy waste.
- Promote the cost-effective development and maintenance of energy infrastructure that is resilient to natural and manmade threats to the security and reliability of the state's energy supply.
- Reduce reliance on foreign energy resources.
- Include energy reliability and security considerations in all state, regional, and local planning.
- Utilize and manage effectively energy resources used within state agencies.
- Encourage local governments to include energy considerations in all planning and to support their work in promoting energy management programs.
- Include the full participation of citizens in the development and implementation of energy programs.
- Consider in its decisions the energy needs of each economic sector, including residential, industrial, commercial, agricultural, and governmental uses, and reduce those needs whenever possible.
- Promote energy education and the public dissemination of information on energy and its impacts in relation to the state's energy goals.
- Encourage the research, development, demonstration, and application of domestic energy resources, including the use of renewable energy resources.
- Consider the impacts of energy-related activities on the state's energy goals, including the whole-life-cycle impacts of any potential energy use choices, so that detrimental effects of these activities are understood and minimized.
- Develop and maintain energy emergency preparedness plans to minimize the effects of an energy shortage within this state.[46]

Florida law includes a number of provisions addressing matters related to global climate change, greenhouse gases, and carbon offset programs. For example:

- Florida law preempts the authority of local governments to adopt policies aimed at restricting the ability of certain utility and energy entities to choose the types and fuel sources of energy production which may be used or supplied.[47] However, while a local government's ability to restrict others is preempted, Florida law

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[42] EPA, *Reconsideration of 2009 Endangerment Finding and Greenhouse Gas Vehicle Standards*, 90 Fed. Reg. 146, Aug. 1, 2025, available at https://www.govinfo.gov/content/pkg/FR-2025-08-01/pdf/2025-14572.pdf (last visited Feb. 2, 2026).
[43] S. 377.701(1), F.S.
[44] *Id.*
[45] S. 377.601(2), F.S.
[46] *Id*.
[47] S. 366.032, F.S.

does not prevent a municipality or governmental entity which owns or operates and directly controls an electric or natural gas utility from passing rules, regulations, or policies governing the utility.[48]

- The Executive Office of the Governor may, in the state comprehensive plan, include goals, objectives, and policies related to global climate change.[49]
- The Division of State Lands,[50] in its annual work plan, must consider as a category for land conservation expenditures a climate-change category list of lands where acquisition or other conservation measures will address the challenges of global climate change, such as through protection, restoration, mitigation, and strengthening of Florida's land, water, and coastal resources.[51] This category includes lands that provide opportunities to sequester carbon, provide habitat, protect coastal lands or barrier islands, and otherwise mitigate and help adapt to the effects of sea-level rise and meet other objectives of the program.[52]
- The Board of Trustees of the Internal Improvement Trust Fund[53] must adopt rules that pertain to the use of state lands for carbon sequestration, carbon mitigation, or carbon offsets and that provide for climate-change-related benefits.[54]

Florida – Local Green Initiatives and Sustainability Plans

Some local governments in Florida have adopted plans aimed at reducing GHG emissions. For example:

- Leon County has adopted an Integrated Sustainability Action Plan with the goal of reducing "harmful GHG emissions stemming from [c]ounty operations that contribute to changing climate," with a target of achieving 30 percent reduction by 2030 from a 2015 baseline, primarily through energy efficiency in county buildings, fleet electrification and fuel efficiency, waste reduction, sustainable purchasing, and public education on energy efficiency.[55]
- The City of Doral's Citywide Integrated Sustainability Plan sets a goal of reducing GHG emissions by 10-15 percent by 2050 through preserving greenspaces, enhancing public transportation, and creating energy efficiency standards for buildings, transportation, and infrastructure.[56]
- Alachua County's Climate Action Plan includes a goal to reduce GHG emissions by 80 percent by 2050, from a 2009 baseline, with objectives targeting energy efficiency in private as well as county government buildings, renewable energy generation, education and public information, and intergovernmental and community collaboration.[57]

Other climate action plans are the product of collaborations between city, county, and non-profit entities. For example, the Southeast Florida Regional Climate Change Compact (SFRCCC) is led by Broward, Miami-Dade, Monroe, and Palm Beach Counties, in partnership with various stakeholders, including a climate-focused non-

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[48] S. 366.032(3), F.S.
[49] S. 186.007(3), F.S.
[50] The Florida Department of Environmental Protection's (FDEP) Division of State Lands is Florida's lead agency for environmental management and stewardship, administers the state's land acquisition program Florida Forever, and serves as staff to the Governor and Cabinet as they act in their role as the Board of Trustees of the Internal Improvement Trust Fund. *See* FDEP, *Division of State Lands*, https://floridadep.gov/lands (last visited Feb. 2, 2026); S. 216.0153, F.S.
[51] S. 259.105(17)(d), F.S.
[52] *Id.*
[53] The Internal Improvement Trust Fund is a fund into which is deposited revenues from the sale, use, or lease of state lands, and is to be used for the acquisition, management, administration, protection, and conservation of state-owned lands. S. 253.01, F.S.
[54] S. 259.105(5)(c), F.S.
[55] Leon County, *Integrated Sustainability Action Plan*, 5-24 (April 2019), *available at* https://cms.leoncountyfl.gov/Portals/0/DeptFiles/Sustain/Docs/isap.pdf (last visited Feb. 2, 2026).
[56] City of Doral, *Resolution No. 24-222*, Ex. A (July 2024), *available at* https://www.cityofdoral.com/files/assets/city/v/1/city-hall/city-clerk/resolutions-archived/2024/res.-no.-24-222-adoption-citywide-integrated-sustainability-plan-cisp.pdf (last visited Feb. 2, 2026).
[57] Alachua County, *Alachua County Climate Action Plan*, 2-3, 15-189 (2025), *available at* https://www.alachuacounty.us/Depts/epd/Documents/ADACompliant/Alachua-County-Climate-Action-Plan_Final_29Oct25.pdf (last visited Feb. 2, 2026).

profit[58] and certain planning councils, chambers of commerce, economic councils, and private companies.[59] SFRCCC adopted the Southeast Florida Priority Climate Action Plan, a regional GHG reduction plan establishing GHG emission reduction targets for participating counties and outlining strategies to achieve those targets.[60] These strategies include transitioning government fleets to electric alternatives, including work trucks, buses, and refuse vehicles; expanding publicly available electric vehicle charging infrastructure; increasing public transit ridership; leveraging existing residential programs that reduce greenhouse gas emissions through building improvements; promoting commercial equipment and building upgrades; and diverting organic waste from landfills, among other measures.[61] The plan is funded in part by the EPA's Climate Pollution Reduction Grants program, which in turn was funded by the Inflation Reduction Act passed by the U.S. Congress in 2022.[62]

International Climate Agreements

One example of an international agreement establishing goals for global temperature stabilization is the Paris Agreement. The Paris Agreement is an international treaty with a stated goal of strengthening the global response to the threat of climate change through a number of efforts, including the reduction of GHG emissions.[63] The Paris Agreement's goal is to hold the increase in the global average temperature to well below 2 degrees Celsius above pre-industrial levels and pursue efforts to limit the temperature increase to 1.5 degrees Celsius above pre-industrial levels.[64] The Agreement does not include mandatory targets or timetables for parties to reduce their emissions. Instead, parties to the Agreement submit nationally determined contributions (NDCs) every five years and pursue mitigation measures with the aim of achieving the objectives of such contributions.[65]

The Paris Agreement was adopted by 195 parties at the United Nations Climate Change Conference in Paris on December 12, 2015, and took effect on November 4, 2016.[66] The U.S. joined the Paris Agreement in September 2016[67] but subsequently withdrew.[68]

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[58] The Institute for Sustainable Communities (ISC) is a non-profit partner of the SFRCCC, and its stated mission is "to develop practical, lasting solutions that build climate-resilient communities in the U.S. and across the world." ISC, *About Us*, https://sustain.org/about-us/ (last visited Feb. 2, 2026).

[59] SFRCC, *Partners*, https://southeastfloridaclimatecompact.org/partners/ (last visited Feb. 2, 2026).

[60] SFRCC, *Southeast Florida Priority Climate Action Plan*, (March 2024), *available at* https://southeastfloridaclimatecompact.org/wp-content/uploads/2024/03/Southeast-Florida-Priority-Climate-Action-Plan_FinaL2024.pdf (last visited Feb. 2, 2026).

[61] *Id.* at 27-46.

[62] *See id.* at page v; Inflation Reduction Act of 2022, Pub. L. 117-169, 136 Stat. 1818 (Aug. 16, 2022).

[63] Paris Agreement to the United Nations Framework Convention on Climate Change (UNFCCC), art. 2 (Dec. 12, 2015), *available at* https://unfccc.int/sites/default/files/english_paris_agreement.pdf (last visited Feb. 2, 2026). The Paris Agreement is part of the UNFCCC, a framework established in 1992 for coordinated global action "to combat climate change and its impact on humanity and ecosystems." UN Climate Change (UNCC), *The Convention*, https://unfccc.int/resource/bigpicture/ (last visited Feb. 2, 2026).

[64] UNFCCC Paris Agreement, *supra* note 63, at art. 2.1.

[65] *Id.* at 4.2, 4.9. The United States, during its participation in the Paris Agreement, established an NDC with an economy-wide target of reducing its net greenhouse gas emissions by 61-66 percent below 2005 levels in 2035. *See* UNFCCC, *The United States of America—Nationally Determined* Contribution, 2 (2024), available at https://unfccc.int/sites/default/files/2024-12/United%20States%202035%20NDC.pdf (last visited Feb. 2, 2026).

[66] *See* UNCC, *The Paris Agreement*, https://unfccc.int/process-and-meetings/the-paris-agreement (last visited Feb. 2, 2026).

[67] UN Treaty Collection, Chapter XXVII: Environment, 7.d, Paris Agreement (Sept. 3, 2016), *available at* https://treaties.un.org/doc/Publication/CN/2016/CN.612.2016-Eng.pdf (last visited Feb. 2, 2026).

[68] On November 4, 2019, the U.S. formally notified the UN Secretary General of its withdrawal. Michael, R. Pompeo, U.S. Secretary of State, *On the U.S. Withdrawal from the Paris Agreement*, Nov. 4, 2019, available at https://2017-2021.state.gov/on-the-u-s-withdrawal-from-the-paris-agreement/ (last visited Feb. 2, 2026). The U.S. rejoined the Agreement on February 19, 2021. Antony J. Blinken, U.S. Secretary of State, *The United States Officially Rejoins the Paris Agreement*, https://2021-2025.state.gov/the-united-states-officially-rejoins-the-paris-agreement/ (last visited Feb. 2, 2026). On January 20, 2025, President Donald J. Trump issued an executive order directing the withdrawal from the Agreement. Putting America First in International Environmental Agreements, 90 Fed. Reg. 8455 (Jan. 20, 2025), also available at https://www.whitehouse.gov/presidential-actions/2025/01/putting-america-first-in-international-environmental-agreements/ (last visited Feb. 2, 2026).

Local Government Authority

The Florida Constitution grants county and municipal governments broad home rule authority. Specifically, non-charter county governments may exercise those powers of self-government that are provided by general or special law.[69] Those counties operating under a county charter have all powers of self-government not inconsistent with general law or special law approved by vote of the electors.[70] Likewise, municipalities[71] have those governmental, corporate, and proprietary powers enabling them to conduct municipal government, perform their functions and provide services, and exercise any power for municipal purposes, except as otherwise provided by law.[72]

A "special district" is a unit of local government created for a particular purpose, with jurisdiction to operate within a limited geographic boundary.[73] Special districts are created by general law,[74] special act,[75] local ordinance,[76] or by rule of the Governor and Cabinet.[77] A special district has only those powers expressly provided by, or reasonably implied from, the authority provided in the district's charter. Special districts provide specific municipal services in addition to, or in place of, those provided by a municipality or county.[78] As of January 25, 2026, there are 601 active dependent[79] special districts and 1,486 active independent special districts in Florida.[80]

State Preemption

Local governments have broad authority to legislate on any matter that is not inconsistent with federal or state law. A local government enactment may be inconsistent with state law if (1) the Legislature "has preempted a particular subject area" or (2) the local enactment conflicts with a state statute. State preemption precludes a local government from exercising authority in that particular area.[81]

Florida law recognizes two types of preemption: express and implied. Express preemption requires a specific legislative statement; it cannot be implied or inferred.[82] Express preemption of a field by the Legislature must be accomplished by clear language stating that intent.[83] In cases where the Legislature expressly or specifically preempts an area, there is no problem with ascertaining what the Legislature intended.[84] In cases determining the

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[69] Art. VIII, s. 1(f), Fla. Const.
[70] Art. VIII, s. 1(g), Fla. Const.
[71] A municipality is a local government entity created to perform functions and provide services for the particular benefit of the population within the municipality, in addition to those provided by the county. The term "municipality" may be used interchangeably with the terms "town," "city," and "village."
[72] Art. VIII, s. 2(b), Fla. Const. *See also* s. 166.021(1), F.S.
[73] *See Halifax Hospital Medical Center v. State of Fla., et al.*, 278 So. 3d 545, 547 (Fla. 2019).
[74] S. 189.031(3), F.S.
[75] *Id.*
[76] S. 189.02(1), F.S.
[77] S. 190.005(1), F.S. *See*, generally, s. 189.012(6), F.S.
[78] *Local Gov't Formation Manual,* p. 56, available at https://www.flhouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3304&Session=2025&DocumentType=General+Publications&FileName=Local+Government+Formation+Manual+%5b2024-2026%5d.pdf (last visited Feb. 4, 2026).
[79] Dependent special districts are under some control by a single county or municipality. S. 189.012(2), F.S. An independent special district is any district that is not a dependent special district. S. 189.012(3), F.S. A special district that includes more than one county is independent unless it lies wholly within the boundaries of a single municipality.
[80] Florida Department of Commerce, Official List of Special Districts, https://specialdistrictreports.floridajobs.org/OfficialList/CustomList (last visited Feb. 4, 2026).
[81] Wolf, *The Effectiveness of Home Rule: A Preemptions and Conflict Analysis*, 83 Fla. B.J. 92 (June 2009), available at https://www.floridabar.org/the-florida-bar-journal/the-effectiveness-of-home-rule-a-preemption-and-conflict-analysis/ (last visited Feb. 4, 2026).
[82] *See City of Hollywood v. Mulligan*, 934 So. 2d 1238, 1243 (Fla. 2006); *Phantom of Clearwater, Inc. v. Pinellas County*, 894 So. 2d 1011, 1018 (Fla. 2d DCA 2005), approved in *Phantom of Brevard, Inc. v. Brevard County*, 3 So. 3d 309 (Fla. 2008).
[83] *Mulligan*, 934 So. 2d at 1243.
[84] *Sarasota Alliance for Fair Elections, Inc. v. Browning*, 28 So. 3d 880, 886 (Fla. 2010).

validity of ordinances enacted in the face of state preemption, the effect has been to find such ordinances null and void.[85]

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Economic Infrastructure Subcommittee	12 Y, 3 N	2/4/2026	Keating	Rubottom
Intergovernmental Affairs Subcommittee				
Commerce Committee				

[85] *See, e.g., Nat'l Rifle Ass'n of Am., Inc. v. City of S. Miami,* 812 So.2d 504 (Fla. 3d DCA 2002).