

1 A bill to be entitled
2 An act relating to prohibited governmental policies
3 regulating greenhouse gas emissions; creating s.
4 377.816, F.S.; providing legislative findings;
5 providing definitions; prohibiting governmental
6 entities from adopting certain net zero policies;
7 prohibiting governmental entities from using
8 government funds in any manner that supports,
9 implements, or advances certain net zero policies;
10 prohibiting governmental entities from imposing a tax,
11 fee, penalty, charge, offset, or assessment to advance
12 certain net zero policies; requiring each governmental
13 entity to annually submit to the Department of Revenue
14 a certain affidavit; prohibiting governmental entities
15 from implementing, administering, or enforcing certain
16 programs; providing applicability; amending ss.
17 125.01, 166.021, and 166.201, F.S.; conforming
18 provisions to changes made by the act; providing an
19 effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 **Section 1. Section 377.816, Florida Statutes, is created**
24 **to read:**

25 377.816 Prohibiting the adoption or implementation of net

26 zero policies by governmental entities.—

27 (1)(a) The Legislature finds that net zero policies,
28 carbon taxes and assessments, and carbon emission trading
29 programs, commonly known as "cap-and-tax" or "cap-and-trade"
30 programs, are detrimental to this state's energy security and
31 economic interests.

32 (b) It is the policy of this state to adopt and promote
33 energy policy goals consistent with the energy policy of this
34 state, as set forth in s. 377.601, and to prohibit the adoption
35 or implementation of net zero policies by a governmental entity,
36 including through government expenditures, taxes, assessments,
37 or trading programs.

38 (2) As used in this section:

39 (a) "Business activity" means any activity, or series of
40 activities, that:

41 1. Involves the emission of a greenhouse gas, or a
42 combination thereof.

43 2. Forms a single undertaking or enterprise, taking into
44 account any relevant circumstances.

45 (b) "Carbon-intensive activity" means any business
46 activity, or any other activity performed by any individual,
47 which supports:

48 1. The movement of individuals or goods through common
49 methods of transportation, including automobiles, commercial
50 vehicles, freight haulers, aircraft, vessels, pipelines,

51 delivery devices, and other similar transportation methods. This
52 includes the use of energy resources to power or operate such
53 transportation methods.

54 2. The creation or transmission of energy resources for
55 the following commercial and residential uses: electricity;
56 manufacturing; the sustainment of human life, including, but not
57 limited to, refrigeration and cooling in enclosed or partially
58 enclosed spaces; waste management; and the operation of
59 manufacturing of appliances for human use.

60 3. The performance of activities to support the production
61 of any carbon-intensive product, including, but not limited to,
62 farming, agriculture, hunting and gathering, or the taking of
63 fish and wildlife to sustain human life.

64 4. The use of traditional authorized methods to take fish
65 and wildlife resources.

66 5. The mining, exploration, or manufacturing of products
67 to support the continued livelihood of mankind.

68 (c) "Carbon-intensive product" means any of the following
69 products, including any product containing a component thereof:

70 1. A product containing iron; steel; steel mill,
71 including, but not limited to, pipes and tubes; aluminum;
72 cement; glass, including, but not limited to, flat, container,
73 or specialty glass, or fiberglass; oil; minerals; metals; pulp;
74 and paper.

75 2. Any agricultural commodity or product, whether raw or

76 processed, including any commodity or product derived from
77 livestock that is marketed in the United States for human or
78 animal consumption. This includes agricultural, aquacultural,
79 horticultural, viticultural, and dairy products; livestock and
80 the products thereof; the products of poultry and bee raising;
81 the edible products of forestry; and all products raised or
82 produced on farms, and processed or manufactured products
83 thereof, transported or intended to be transported in interstate
84 or foreign commerce.

85 (d) "Emissions" means greenhouse gases released, by any
86 individual or entity, into the atmosphere or air.

87 (e) "Governmental entity" means:

88 1. The state, and any political subdivision thereof,
89 including the executive, legislative, and judicial branches of
90 state government.

91 2. A county; a municipality; a special district, including
92 an independent community development district, a neighborhood
93 improvement district, and an independent special district; and
94 any authority, board, or commission of such governmental
95 entities.

96 3. A state agency, a county agency, or any other entity,
97 however styled, that independently exercises any type of state
98 or local governmental function, that is subject to this chapter.

99 (f) "Government funds" means:

100 1. State funds pursuant to s. 215.31, and any other moneys

101 of the state.

102 2. Funds of the judicial branch, including any moneys of
103 all officers, employees, and offices of the Supreme Court,
104 district courts of appeal, circuit courts, county courts, and
105 the Judicial Qualifications Commission.

106 3. Local government funds, including any moneys of a
107 county, municipality, school district, special district, and any
108 other political subdivision, including a consolidated
109 government, metropolitan government, town, and village.

110 4. Funds of public officials and constitutional officers.

111 5. State university or Florida College System institution
112 funds.

113 6. Funds of any agency, board, bureau, commission, or
114 institution of any of the foregoing.

115 (g) "Greenhouse gases" means:

116 1. Carbon dioxide.

117 2. Methane.

118 3. Nitrous oxide.

119 4. Hydrofluorocarbons.

120 5. Perfluorocarbons.

121 6. Sulphur hexafluoride.

122 7. Nitrogen trifluoride.

123 (h) "Net zero policies" means any target, threshold,
124 initiative, action, framework, requirement, or policy associated
125 with reducing the use of carbon-intensive products or

activities, including a requirement imposed by a governmental entity that requires:

1. 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.

2. An individual or business activity, including any carbon-intensive activity, to:

a. 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.

b. 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.

c. 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.

d. Restrict any carbon-intensive activity of any

151 individual or business that would otherwise not be restricted
152 for the sole purpose of meeting net zero policies; however, this
153 sub-subparagraph does not legalize any activity that would
154 otherwise be considered illegal activity.

155 e. Prohibit the use, sale, purchase, or exchange of any
156 carbon-intensive product or carbon for the sole purpose of
157 meeting net zero policies; however, this sub-subparagraph does
158 not legalize any activity that would otherwise be considered
159 illegal activity.

160 (3) A governmental entity may not adopt, or require any
161 individual to adopt, net zero policies. This prohibition
162 includes, but is not limited to, references to, or the inclusion
163 of, such policies in comprehensive plans, land development
164 regulations, transportation plans, or any published or adopted
165 government policy, program, or procedure.

166 (4) A governmental entity may not use government funds in
167 any manner that supports, implements, or advances net zero
168 policies, including, but not limited to:

169 (a) Providing procurement or purchasing preferences for
170 products that are not carbon-intensive products.

171 (b) Providing purchasing preferences for passenger
172 vehicles, commercial vehicles, or heavy equipment based solely
173 on the fuel source.

174 (c) Using government funds to pay dues for any
175 nongovernmental agency or organization, including any trade

176 association or organization, that adopts or supports net zero
177 policies.

178 (5) (a) A governmental entity may not impose a tax, fee,
179 penalty, charge, offset, or assessment to advance net zero
180 policies, including, but not limited to:

181 1. The carbon content of a fuel;

182 2. The emission of greenhouse gases that results from the
183 use, production, or consumption of any good or service;

184 3. Any carbon-intensive activity; or

185 4. The use, sale, purchase, or exchange of any carbon-
186 intensive product or carbon-intensive activity.

187 (b) Each governmental entity shall annually submit to the
188 Department of Revenue an affidavit, signed under penalty of
189 perjury by an authorized official of the governmental entity,
190 attesting to compliance with this paragraph (a).

191 (6) A governmental entity may not implement, administer,
192 or enforce any program that has the effect of:

193 (a) Establishing a statewide, regional, or geographic
194 limit or cap on the amount of greenhouse gas emissions that
195 results from the use, production, or consumption of any carbon-
196 intensive product or carbon-intensive activity.

197 (b) Providing for the allocation, auction, or transfer of
198 emissions allowances or credits among pollutant sources as a
199 means of compliance with greenhouse gas emission limits.

200 (c) Requiring a governmental entity or any individual in

201 this state to participate in an emissions trading program.

202 (7) This section applies to any proposed action by a
203 governmental entity on or after July 1, 2026, that is not
204 otherwise permissible by general law.

205 **Section 2. Paragraphs (g), (h), and (r) of subsection (1)**
206 **of section 125.01, Florida Statutes, are amended to read:**

207 125.01 Powers and duties.—

208 (1) The legislative and governing body of a county shall
209 have the power to carry on county government. To the extent not
210 inconsistent with general or special law, this power includes,
211 but is not restricted to, the power to:

212 (g) Prepare and enforce comprehensive plans for the
213 development of the county, to the extent such plans do not
214 contain the prohibitions in s. 377.816.

215 (h) Establish, coordinate, and enforce zoning and such
216 business regulations as are necessary for the protection of the
217 public, to the extent such zoning and business regulations do
218 not include the prohibitions in s. 377.816.

219 (r) Levy and collect taxes, both for county purposes and
220 for the providing of municipal services within any municipal
221 service taxing unit, and special assessments; borrow and expend
222 money; and issue bonds, revenue certificates, and other
223 obligations of indebtedness, excluding the prohibitions in s.
224 377.816, which power shall be exercised in such manner, and
225 subject to such limitations, as may be provided by general law.

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226 A ~~There shall be no~~ referendum is not required for the levy by a
227 county of ad valorem taxes, both for county purposes and for the
228 providing of municipal services within any municipal service
229 taxing unit.

230 1. Notwithstanding any other provision of law, a county
231 may not levy special assessments on lands classified as
232 agricultural lands under s. 193.461 unless the revenue from such
233 assessments has been pledged for debt service and is necessary
234 to meet obligations of bonds or certificates issued by the
235 county which remain outstanding on July 1, 2023, including
236 refundings thereof for debt service savings where the maturity
237 of the debt is not extended. For bonds or certificates issued
238 after July 1, 2023, special assessments securing such bonds may
239 not be levied on lands classified as agricultural under s.
240 193.461.

241 2. ~~The provisions of~~ Subparagraph 1. does ~~de~~ not apply to
242 residential structures and their curtilage.

243 **Section 3. Subsection (2) of section 166.021, Florida**
244 **Statutes, is amended to read:**

245 166.021 Powers.—

246 (2) "Municipal purpose" means any activity or power which
247 may be exercised by the state or its political subdivisions. The
248 term does not include any activity or power exercised relating
249 to the prohibitions in s. 377.816.

250 **Section 4. Section 166.201, Florida Statutes, is amended**

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251 **to read:**

252 166.201 Taxes and charges.—Subject to the prohibitions in
253 s. 377.816, a municipality may raise, by taxation and licenses
254 authorized by the constitution or general law, or by user
255 charges or fees authorized by ordinance, amounts of money which
256 are necessary for the conduct of municipal government and may
257 enforce their receipt and collection in the manner prescribed by
258 ordinance not inconsistent with law.

259 **Section 5.** This act shall take effect July 1, 2026.