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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/25/2026	.	
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The Appropriations Committee on Agriculture, Environment, and General Government (Massullo) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 146 and 147

insert:

Section 2. Section 163.3205, Florida Statutes, is amended to read:

163.3205 Solar facility approval process; best management practices for stormwater.—

(1) LEGISLATIVE INTENT.—It is the intent of the Legislature to encourage renewable solar electrical generation throughout



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11 this state. It is essential that solar facilities and associated  
12 electric infrastructure be constructed and maintained in various  
13 locations throughout this state in order to ensure the  
14 availability of renewable energy production, which is critical  
15 to this state's energy and economic future.

16 (2) DEFINITIONS.—As used in this section, the term “solar  
17 facility” means a production facility for electric power which:

18 (a) Uses photovoltaic modules to convert solar energy to  
19 electricity that may be stored on site, delivered to a  
20 transmission system, and consumed primarily offsite.

21 (b) Consists principally of photovoltaic modules, a  
22 mounting or racking system, power inverters, transformers,  
23 collection systems, battery systems, fire suppression equipment,  
24 and associated components.

25 (c) May include accessory administration or maintenance  
26 buildings, electric transmission lines, substations, energy  
27 storage equipment, and related accessory uses and structures.

28 (3) PERMITTED USE.—A solar facility ~~is shall be~~ a permitted  
29 use in all agricultural land use categories in a local  
30 government comprehensive plan and all agricultural zoning  
31 districts within an unincorporated area and must comply with the  
32 setback and landscaped buffer area criteria for other similar  
33 uses in the agricultural district.

34 (4) LANDSCAPE REQUIREMENTS.—A county may adopt an ordinance  
35 specifying buffer and landscaping requirements for solar  
36 facilities. Such requirements may not exceed the requirements  
37 for similar uses involving the construction of other facilities  
38 that are permitted uses in agricultural land use categories and  
39 zoning districts.



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40           (5) BEST MANAGEMENT PRACTICES FOR STORMWATER.—

41           (a) An applicant for a permit under s. 373.413 for a  
42 stormwater management system related to the construction of a  
43 solar facility must incorporate site specific and appropriate  
44 additional protections in the development and implementation of  
45 an erosion and sediment control (E&SC) plan. Such E&SC plan must  
46 include, but not be limited to, all of the following:

47           1. Soil percolation testing on the premises of the proposed  
48 solar facility.

49           2. Implementation of stormwater best management practices  
50 and related erosion controls for runoff during the construction  
51 of the solar facility based on rainfall amounts up to the 100-  
52 year, 24-hour design storm for the project site.

53           3. Clearing and stabilization in phases as needed to reduce  
54 disturbed portions of the project site, which may be susceptible  
55 to erosion during construction.

56           4. Inspections performed by a certified Florida Stormwater,  
57 Erosion, and Sedimentation Control Inspector during construction  
58 to ensure the E&SC plan is implemented in accordance with s.  
59 373.413.

60           (b) An operational phase stormwater management system  
61 permitted in accordance with s. 373.4145 serving a solar  
62 facility within the jurisdictional boundary of the Northwest  
63 Florida Water Management District shall be designed based on the  
64 100-year, 24-hour design storm for the project site. This  
65 provision applies to applications for solar facilities filed  
66 after July 1, 2026.

67           (c) An operator of a solar facility or a proposed solar  
68 facility shall implement all construction and operational permit



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69 requirements as developed and applicable pursuant to paragraph  
70 (a).

71 (6) APPLICABILITY.—This section does not apply to any site  
72 that was the subject of an application to construct a solar  
73 facility submitted to a local governmental entity before July 1,  
74 2021.

75  
76 ===== T I T L E A M E N D M E N T =====

77 And the title is amended as follows:

78 Delete line 5

79 and insert:

80 Commission; amending s. 163.3205, F.S.; requiring an  
81 applicant for specified permits to incorporate certain  
82 additional protections in the development and  
83 implementation of an erosion and sediment control plan  
84 for the construction of a solar facility; specifying  
85 requirements for such plan; specifying requirements  
86 for an operational phase stormwater management system  
87 serving a solar facility in a specified jurisdiction;  
88 providing applicability; requiring an operator of a  
89 solar facility or a proposed solar facility to  
90 implement specified construction and operational  
91 permit requirements; amending s. 259.035, F.S.;

92 expanding the