



282208

LEGISLATIVE ACTION

Senate	.	House
	.	
	.	
Floor: 1/AD/2R	.	Floor: C
03/06/2024 05:13 PM	.	03/07/2024 07:56 PM
	.	

---

Senator Collins moved the following:

**Senate Amendment (with title amendment)**

Delete lines 281 - 883

and insert:

Section 3. Subsections (1), (2), and (5) of section 366.032, Florida Statutes, are amended to read:

366.032 Preemption over utility service restrictions.—

(1) A municipality, county, special district, community development district created pursuant to chapter 190, or other political subdivision of the state may not enact or enforce a resolution, ordinance, rule, code, or policy or take any action



12 that restricts or prohibits or has the effect of restricting or  
13 prohibiting the types or fuel sources of energy production which  
14 may be used, delivered, converted, or supplied by the following  
15 entities to serve customers that such entities are authorized to  
16 serve:

17 (a) A public utility or an electric utility as defined in  
18 this chapter;

19 (b) An entity formed under s. 163.01 that generates, sells,  
20 or transmits electrical energy;

21 (c) A natural gas utility as defined in s. 366.04(3)(c);

22 (d) A natural gas transmission company as defined in s.  
23 368.103; or

24 (e) A Category I liquefied petroleum gas dealer or Category  
25 II liquefied petroleum gas dispenser or Category III liquefied  
26 petroleum gas cylinder exchange operator as defined in s.  
27 527.01.

28 (2) Except to the extent necessary to enforce the Florida  
29 Building Code adopted pursuant to s. 553.73 or the Florida Fire  
30 Prevention Code adopted pursuant to s. 633.202, a municipality,  
31 county, special district, community development district created  
32 pursuant to chapter 190, or other political subdivision of the  
33 state may not enact or enforce a resolution, an ordinance, a  
34 rule, a code, or a policy or take any action that restricts or  
35 prohibits or has the effect of restricting or prohibiting the  
36 use of an appliance, including a stove or grill, which uses the  
37 types or fuel sources of energy production which may be used,  
38 delivered, converted, or supplied by the entities listed in  
39 subsection (1). As used in this subsection, the term "appliance"  
40 means a device or apparatus manufactured and designed to use



41 energy and for which the Florida Building Code or the Florida  
42 Fire Prevention Code provides specific requirements.

43 (5) Any municipality, county, special district, community  
44 development district created pursuant to chapter 190, or  
45 political subdivision charter, resolution, ordinance, rule,  
46 code, policy, or action that is preempted by this act that  
47 existed before or on July 1, 2021, is void.

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

50 366.042 Mutual aid agreements of rural electric  
51 cooperatives and municipal electric utilities.-

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

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

59 (b) A mutual aid agreement with a rural electric  
60 cooperative;

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

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

63 (2) All rural electric cooperatives and municipal electric  
64 utilities operating in this state shall annually submit to the  
65 commission an attestation, in conformity with s. 92.525, stating  
66 that the organization has complied with the requirements of this  
67 section on or before May 15. Nothing in this section shall be  
68 construed to give the commission jurisdiction over the terms and  
69 conditions of a mutual aid agreement or agreement with a private



70 contractor entered into by a rural electric cooperative or a  
71 municipal electric utility.

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

75 (4) A rural electric cooperative or municipal electric  
76 utility that submits the attestation required by this section is  
77 eligible to receive state financial assistance, if such funding  
78 is available, for power restoration efforts following a natural  
79 disaster that is subject to a state of emergency declared by the  
80 Governor.

81 (5) A rural electric cooperative or municipal electric  
82 utility that does not submit an attestation required by this  
83 section is ineligible to receive state financial assistance for  
84 power restoration efforts following a natural disaster that is  
85 subject to a state of emergency declared by the Governor, until  
86 such time as the attestation is submitted.

87 (6) Nothing in this section shall be construed to prohibit,  
88 limit, or disqualify a rural electric cooperative or municipal  
89 electric utility from receiving funding under The Stafford Act,  
90 42 U.S.C. 5121 et seq., or any other federal program, including  
91 programs administered by the state.

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

94 Section 5. Section 366.057, Florida Statutes, is created to  
95 read:

96 366.057 Retirement of electrical power plants.—A public  
97 utility shall provide notice to the commission at least 90 days  
98 before the full retirement of an electrical power plant if the



99 date of such retirement does not coincide with the retirement  
100 date in the public utility's most recently approved depreciation  
101 study. No later than 90 days after such notice, the commission  
102 may schedule a hearing to determine whether retirement of the  
103 plant is prudent and consistent with the state's energy policy  
104 goals in s. 377.601(2). At a hearing scheduled under this  
105 section, the utility shall present its proposed retirement date  
106 for the plant, remaining depreciation expense on the plant, any  
107 other costs to be recovered in relation to the plant, and any  
108 planned replacement capacity.

109 Section 6. Subsection (4) is added to Section 366.94,  
110 Florida Statutes, to read:

111 366.94 Electric vehicle charging ~~stations~~.-

112 (4) Upon petition of a public utility, the commission may  
113 approve voluntary electric vehicle charging programs to become  
114 effective on or after January 1, 2025, to include, but not be  
115 limited to, residential, fleet, and public electric vehicle  
116 charging, upon a determination by the commission that the  
117 utility's general body of ratepayers, as a whole, will not pay  
118 to support recovery of its electric vehicle charging investment  
119 by the end of the useful life of the assets dedicated to the  
120 electric vehicle charging service. This provision does not  
121 preclude cost recovery for electric vehicle charging programs  
122 approved by the commission before January 1, 2024.

123 Section 7. Present subsections (17) through (31) of section  
124 403.503, Florida Statutes, are redesignated as subsections (18)  
125 through (32), respectively, and a new subsection (17) is added  
126 to that section, to read:

127 403.503 Definitions relating to Florida Electrical Power



128 Plant Siting Act.—As used in this act:

129 (17) "Gross capacity" means, for a steam facility, the  
130 maximum generating capacity based on nameplate generator rating,  
131 and for a solar electrical generating facility, the capacity  
132 measured as alternating current which is independently metered  
133 prior to the point of interconnection to the transmission grid.

134 Section 8. Section 366.99, Florida Statutes, is created to  
135 read:

136 366.99 Natural gas facilities relocation costs.—

137 (1) As used in this section, the term:

138 (a) "Authority" has the same meaning as in s.

139 337.401(1) (a) .

140 (b) "Facilities relocation" means the physical moving,  
141 modification, or reconstruction of public utility facilities to  
142 accommodate the requirements imposed by an authority.

143 (c) "Natural gas facilities" or "facilities" means gas  
144 mains, laterals, and service lines used to distribute natural  
145 gas to customers. The term includes all ancillary equipment  
146 needed for safe operations, including, but not limited to,  
147 regulating stations, meters, other measuring devices,  
148 regulators, and pressure monitoring equipment.

149 (d) "Natural gas facilities relocation costs" means the  
150 costs to relocate or reconstruct facilities as required by a  
151 mandate, a statute, a law, an ordinance, or an agreement between  
152 the utility and an authority, including, but not limited to,  
153 costs associated with reviewing plans provided by an authority.  
154 The term does not include any costs recovered through the public  
155 utility's base rates.

156 (e) "Public utility" or "utility" has the same meaning as



157 in s. 366.02, except that the term does not include an electric  
158 utility.

159 (2) A utility may submit to the commission, pursuant to  
160 commission rule, a petition describing the utility's projected  
161 natural gas facilities relocation costs for the next calendar  
162 year, actual natural gas facilities relocation costs for the  
163 prior calendar year, and proposed cost-recovery factors designed  
164 to recover such costs. A utility's decision to proceed with  
165 implementing a plan before filing such a petition does not  
166 constitute imprudence.

167 (3) The commission shall conduct an annual proceeding to  
168 determine each utility's prudently incurred natural gas  
169 facilities relocation costs and to allow each utility to recover  
170 such costs through a charge separate and apart from base rates,  
171 to be referred to as the natural gas facilities relocation cost  
172 recovery clause. The commission's review in the proceeding is  
173 limited to determining the prudence of the utility's actual  
174 incurred natural gas facilities relocation costs and the  
175 reasonableness of the utility's projected natural gas facilities  
176 relocation costs for the following calendar year; and providing  
177 for a true-up of the costs with the projections on which past  
178 factors were set. The commission shall require that any refund  
179 or collection made as a part of the true-up process includes  
180 interest.

181 (4) All costs approved for recovery through the natural gas  
182 facilities relocation cost recovery clause must be allocated to  
183 customer classes pursuant to the rate design most recently  
184 approved by the commission.

185 (5) If a capital expenditure is recoverable as a natural



186 gas facilities relocation cost, the public utility may recover  
187 the annual depreciation on the cost, calculated at the public  
188 utility's current approved depreciation rates, and a return on  
189 the undepreciated balance of the costs at the public utility's  
190 weighted average cost of capital using the last approved return  
191 on equity.

192 (6) The commission shall adopt rules to implement and  
193 administer this section and shall propose a rule for adoption as  
194 soon as practicable after July 1, 2024.

195 Section 9. Section 377.601, Florida Statutes, is amended to  
196 read:

197 377.601 Legislative intent.—

198 (1) The purpose of the state's energy policy is to ensure  
199 an adequate, reliable, and cost-effective supply of energy for  
200 the state in a manner that promotes the health and welfare of  
201 the public and economic growth. The Legislature intends that  
202 governance of the state's energy policy be efficiently directed  
203 toward achieving this purpose. ~~The Legislature finds that the~~  
204 ~~state's energy security can be increased by lessening dependence~~  
205 ~~on foreign oil; that the impacts of global climate change can be~~  
206 ~~reduced through the reduction of greenhouse gas emissions; and~~  
207 ~~that the implementation of alternative energy technologies can~~  
208 ~~be a source of new jobs and employment opportunities for many~~  
209 ~~Floridians. The Legislature further finds that the state is~~  
210 ~~positioned at the front line against potential impacts of global~~  
211 ~~climate change. Human and economic costs of those impacts can be~~  
212 ~~averted by global actions and, where necessary, adapted to by a~~  
213 ~~concerted effort to make Florida's communities more resilient~~  
214 ~~and less vulnerable to these impacts. In focusing the~~





282208

215 ~~government's policy and efforts to benefit and protect our~~  
216 ~~state, its citizens, and its resources, the Legislature believes~~  
217 ~~that a single government entity with a specific focus on energy~~  
218 ~~and climate change is both desirable and advantageous. Further,~~  
219 ~~the Legislature finds that energy infrastructure provides the~~  
220 ~~foundation for secure and reliable access to the energy supplies~~  
221 ~~and services on which Florida depends. Therefore, there is~~  
222 ~~significant value to Florida consumers that comes from~~  
223 ~~investment in Florida's energy infrastructure that increases~~  
224 ~~system reliability, enhances energy independence and~~  
225 ~~diversification, stabilizes energy costs, and reduces greenhouse~~  
226 ~~gas emissions.~~

227 (2) For the purposes of subsection (1), the state's energy  
228 policy must be guided by the following goals:

229 (a) Ensuring a cost-effective and affordable energy supply.

230 (b) Ensuring adequate supply and capacity.

231 (c) Ensuring a secure, resilient, and reliable energy  
232 supply, with an emphasis on a diverse supply of domestic energy  
233 resources.

234 (d) Protecting public safety.

235 (e) Protecting the state's natural resources, including its  
236 coastlines, tributaries, and waterways.

237 (f) Supporting economic growth.

238 (3)(2) In furtherance of the goals in subsection (2), it is  
239 the policy of the state of Florida to:

240 (a) Develop and Promote the cost-effective development and  
241 effective use of a diverse supply of domestic energy resources  
242 in the state and, discourage all forms of energy waste, and  
243 recognize and address the potential of global climate change



244 ~~wherever possible.~~

245 (b) Promote the cost-effective development and maintenance  
246 of energy infrastructure that is resilient to natural and  
247 manmade threats to the security and reliability of the state's  
248 energy supply ~~Play a leading role in developing and instituting~~  
249 ~~energy management programs aimed at promoting energy~~  
250 ~~conservation, energy security, and the reduction of greenhouse~~  
251 ~~gas emissions.~~

252 (c) Reduce reliance on foreign energy resources.

253 (d) ~~(e)~~ Include energy reliability and security  
254 considerations in all state, regional, and local planning.

255 (e) ~~(d)~~ Utilize and manage effectively energy resources used  
256 within state agencies.

257 (f) ~~(e)~~ Encourage local governments to include energy  
258 considerations in all planning and to support their work in  
259 promoting energy management programs.

260 (g) ~~(f)~~ Include the full participation of citizens in the  
261 development and implementation of energy programs.

262 (h) ~~(g)~~ Consider in its decisions the energy needs of each  
263 economic sector, including residential, industrial, commercial,  
264 agricultural, and governmental uses, and reduce those needs  
265 whenever possible.

266 (i) ~~(h)~~ Promote energy education and the public  
267 dissemination of information on energy and its impacts in  
268 relation to the goals in subsection (2) ~~environmental, economic,~~  
269 ~~and social impact.~~

270 (j) ~~(i)~~ Encourage the research, development, demonstration,  
271 and application of domestic energy resources, including the use  
272 of alternative energy resources, particularly renewable energy



273 resources.

274 (k)~~(j)~~ Consider, in its decisionmaking, the impacts of  
275 energy-related activities on the goals in subsection (2) ~~social,~~  
276 ~~economic, and environmental impacts of energy-related~~  
277 ~~activities,~~ including the whole-life-cycle impacts of any  
278 potential energy use choices, so that detrimental effects of  
279 these activities are understood and minimized.

280 (l)~~(k)~~ Develop and maintain energy emergency preparedness  
281 plans to minimize the effects of an energy shortage within this  
282 state Florida.

283 Section 10. Subsection (2) of section 377.6015, Florida  
284 Statutes, is amended to read:

285 377.6015 Department of Agriculture and Consumer Services;  
286 powers and duties.—

287 (2) The department shall:

288 ~~(a) Administer the Florida Renewable Energy and Energy-~~  
289 ~~Efficient Technologies Grants Program pursuant to s. 377.804 to~~  
290 ~~assure a robust grant portfolio.~~

291 (a)~~(b)~~ Develop policy for requiring grantees to provide  
292 royalty-sharing or licensing agreements with state government  
293 for commercialized products developed under a state grant.

294 ~~(c) Administer the Florida Green Government Grants Act~~  
295 ~~pursuant to s. 377.808 and set annual priorities for grants.~~

296 (b)~~(d)~~ Administer the information gathering and reporting  
297 functions pursuant to ss. 377.601-377.608.

298 ~~(e) Administer the provisions of the Florida Energy and~~  
299 ~~Climate Protection Act pursuant to ss. 377.801-377.804.~~

300 (c)~~(f)~~ Advocate for energy and climate change issues  
301 consistent with the goals in s. 377.601(2) and provide



302 educational outreach and technical assistance in cooperation  
303 with the state's academic institutions.

304 (d) ~~(g)~~ Be a party in the proceedings to adopt goals and  
305 submit comments to the Public Service Commission pursuant to s.  
306 366.82.

307 (e) ~~(h)~~ Adopt rules pursuant to chapter 120 in order to  
308 implement all powers and duties described in this section.

309 Section 11. Subsection (1) and paragraphs (e), (f), (h),  
310 and (m) of subsection (2) of section 377.703, Florida Statutes,  
311 are amended to read:

312 377.703 Additional functions of the Department of  
313 Agriculture and Consumer Services.—

314 (1) LEGISLATIVE INTENT.—Recognizing that energy supply and  
315 demand questions have become a major area of concern to the  
316 state which must be dealt with by effective and well-coordinated  
317 state action, it is the intent of the Legislature to promote the  
318 efficient, effective, and economical management of energy  
319 problems, centralize energy coordination responsibilities,  
320 pinpoint responsibility for conducting energy programs, and  
321 ensure the accountability of state agencies for the  
322 implementation of s. 377.601 ~~s. 377.601(2)~~, the state energy  
323 policy. It is the specific intent of the Legislature that  
324 nothing in this act shall in any way change the powers, duties,  
325 and responsibilities assigned by the Florida Electrical Power  
326 Plant Siting Act, part II of chapter 403, or the powers, duties,  
327 and responsibilities of the Florida Public Service Commission.

328 (2) DUTIES.—The department shall perform the following  
329 functions, unless as otherwise provided, consistent with the  
330 development of a state energy policy:



282208

331 (e) The department shall analyze energy data collected and  
332 prepare long-range forecasts of energy supply and demand in  
333 coordination with the Florida Public Service Commission, which  
334 is responsible for electricity and natural gas forecasts. To  
335 this end, the forecasts shall contain:

336 1. An analysis of the relationship of state economic growth  
337 and development to energy supply and demand, including the  
338 constraints to economic growth resulting from energy supply  
339 constraints.

340 ~~2. Plans for the development of renewable energy resources~~  
341 ~~and reduction in dependence on depletable energy resources,~~  
342 ~~particularly oil and natural gas, and~~ An analysis of the extent  
343 to which domestic energy resources, including renewable energy  
344 sources, are being utilized in this the state.

345 3. Consideration of alternative scenarios of statewide  
346 energy supply and demand for 5, 10, and 20 years to identify  
347 strategies for long-range action, including identification of  
348 potential impacts in relation to the goals in s. 377.601(2)  
349 ~~social, economic, and environmental effects.~~

350 4. An assessment of the state's energy resources, including  
351 examination of the availability of commercially developable and  
352 imported fuels, and an analysis of anticipated impacts in  
353 relation to the goals in s. 377.601(2) ~~effects on the state's~~  
354 ~~environment and social services~~ resulting from energy resource  
355 development activities or from energy supply constraints, or  
356 both.

357 (f) The department shall submit an annual report to the  
358 Governor and the Legislature reflecting its activities and  
359 making recommendations for policies for improvement of the



282208

360 state's response to energy supply and demand and its effect on  
361 the health, safety, and welfare of the residents of this state.  
362 The report must include a report from the Florida Public Service  
363 Commission on electricity and natural gas and information on  
364 energy conservation programs conducted and underway in the past  
365 year and include recommendations for energy efficiency and  
366 conservation programs for the state, including:

367 1. Formulation of specific recommendations for improvement  
368 in the efficiency of energy utilization in governmental,  
369 residential, commercial, industrial, and transportation sectors.

370 2. Collection and dissemination of information relating to  
371 energy efficiency and conservation.

372 3. Development and conduct of educational and training  
373 programs relating to energy efficiency and conservation.

374 4. An analysis of the ways in which state agencies are  
375 seeking to implement s. 377.601 ~~s. 377.601(2)~~, the state energy  
376 policy, and recommendations for better fulfilling this policy.

377 (h) The department shall promote the development and use of  
378 renewable energy resources, in conformance with chapter 187 and  
379 s. 377.601, by:

380 ~~1. Establishing goals and strategies for increasing the use~~  
381 ~~of renewable energy in this state.~~

382 ~~1.2.~~ Aiding and promoting the commercialization of  
383 renewable energy resources, in cooperation with the Florida  
384 Energy Systems Consortium; the Florida Solar Energy Center; and  
385 any other federal, state, or local governmental agency that may  
386 seek to promote research, development, and the demonstration of  
387 renewable energy equipment and technology.

388 ~~2.3.~~ Identifying barriers to greater use of renewable



282208

389 energy resources in this state, and developing specific  
390 recommendations for overcoming identified barriers, with  
391 findings and recommendations to be submitted annually in the  
392 report to the Governor and Legislature required under paragraph  
393 (f).

394 ~~3.4.~~ In cooperation with the Department of Environmental  
395 Protection, the Department of Transportation, the Department of  
396 Commerce, the Florida Energy Systems Consortium, the Florida  
397 Solar Energy Center, and the Florida Solar Energy Industries  
398 Association, investigating opportunities, pursuant to the  
399 national Energy Policy Act of 1992, the Housing and Community  
400 Development Act of 1992, and any subsequent federal legislation,  
401 for renewable energy resources, electric vehicles, and other  
402 renewable energy manufacturing, distribution, installation, and  
403 financing efforts that enhance this state's position as the  
404 leader in renewable energy research, development, and use.

405 ~~4.5.~~ Undertaking other initiatives to advance the  
406 development and use of renewable energy resources in this state.

407  
408 In the exercise of its responsibilities under this paragraph,  
409 the department shall seek the assistance of the renewable energy  
410 industry in this state and other interested parties and may  
411 enter into contracts, retain professional consulting services,  
412 and expend funds appropriated by the Legislature for such  
413 purposes.

414 (m) In recognition of the devastation to the economy of  
415 this state and the dangers to the health and welfare of  
416 residents of this state caused by severe hurricanes, and the  
417 potential for such impacts caused by other natural disasters,



282208

418 the Division of Emergency Management shall include in its energy  
419 emergency contingency plan and provide to the Florida Building  
420 Commission for inclusion in the Florida Energy Efficiency Code  
421 for Building Construction specific provisions to facilitate the  
422 use of cost-effective ~~solar~~ energy technologies as emergency  
423 remedial and preventive measures for providing electric power,  
424 street lighting, and water heating service in the event of  
425 electric power outages.

426 Section 12. Section 377.708, Florida Statutes, is created  
427 to read:

428 377.708 Wind energy.-

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

430 (a) "Coastline" means the established line of mean high  
431 water.

432 (b) "Department" means the Department of Environmental  
433 Protection.

434 (c) "Offshore wind energy facility" means any wind energy  
435 facility located on waters of this state, including other  
436 buildings, structures, vessels, or electrical transmission  
437 cabling to be sited on waters of this state, or connected to  
438 corresponding onshore substations that are used to support the  
439 operation of one or more wind turbines sited or constructed on  
440 waters of this state and any submerged lands or territorial  
441 waters that are not under the jurisdiction of the state.

442 (d) "Real property" has the same meaning as provided in s.  
443 192.001(12).

444 (e) "Vessel" has the same meaning as provided in s. 327.02.

445 (f) "Waters of this state" has the same meaning as provided  
446 in s. 327.02, except the term also includes all state submerged





447 lands.

448 (g) "Wind energy facility" means an electrical wind  
449 generation facility or expansion thereof comprised of one or  
450 more wind turbines and including substations; meteorological  
451 data towers; aboveground, underground, and electrical  
452 transmission lines; and transformers, control systems, and other  
453 buildings or structures under common ownership or operating  
454 control used to support the operation of the facility the  
455 primary purpose of which is to offer electricity supply for  
456 sale.

457 (h) "Wind turbine" means a device or apparatus that has the  
458 capability to convert kinetic wind energy into rotational energy  
459 that drives an electrical generator, consisting of a tower body  
460 and rotator with two or more blades and capable of producing  
461 more than 10 kilowatts of electrical power. The term includes  
462 both horizontal and vertical axis turbines. The term does not  
463 include devices used to measure wind speed and direction, such  
464 as an anemometer.

465 (2) PROHIBITED ACTIVITIES.-

466 (a) Construction or expansion of the following is  
467 prohibited:

468 1. An offshore wind energy facility.

469 2. A wind turbine or wind energy facility on real property  
470 within 1 mile of coastline in this state.

471 3. A wind turbine or wind energy facility on real property  
472 within 1 mile of the Atlantic Intracoastal Waterway or Gulf  
473 Intracoastal Waterway.

474 4. A wind turbine or wind energy facility on waters of this  
475 state and any submerged lands.



282208

476       (b) This subsection does not prohibit:  
477       1. Affixation of a wind turbine directly to a vessel solely  
478 for the purpose of providing power to electronic equipment  
479 located onboard the vessel.  
480       2. Operation of a wind turbine installed before July 1,  
481 2024.  
482       (3) REVIEW.—The department shall review all applications  
483 for federal wind energy leases in the territorial waters of the  
484 United States adjacent to waters of this state and shall signify  
485 its approval of or objection to each application.  
486       (4) INJUNCTIVE RELIEF.—The department may bring an action  
487 for injunctive relief against any person who constructs or  
488 expands an offshore wind energy facility or a wind turbine in  
489 this state in violation of this section.  
490       Section 13. Sections 377.801, 377.802, 377.803, 377.804,  
491 377.808, 377.809, and 377.816, Florida Statutes, are repealed.  
492       Section 14. (1) For programs established pursuant to s.  
493 377.804, s. 377.808, s. 377.809, or s. 377.816, Florida  
494 Statutes, there may not be:  
495       (a) New or additional applications, certifications, or  
496 allocations approved.  
497       (b) New letters of certification issued.  
498       (c) New contracts or agreements executed.  
499       (d) New awards made.  
500       (2) All certifications or allocations issued under such  
501 programs are rescinded except for the certifications of, or  
502 allocations to, those certified applicants or projects that  
503 continue to meet the applicable criteria in effect before July  
504 1, 2024. Any existing contract or agreement authorized under any



505 of these programs shall continue in full force and effect in  
506 accordance with the statutory requirements in effect when the  
507 contract or agreement was executed or last modified. However,  
508 further modifications, extensions, or waivers may not be made or  
509 granted relating to such contracts or agreements, except  
510 computations by the Department of Revenue of the income  
511 generated by or arising out of the qualifying project.

512 Section 15. Paragraph (d) of subsection (2) of section  
513 220.193, Florida Statutes, is amended to read:

514 220.193 Florida renewable energy production credit.—

515 (2) As used in this section, the term:

516 (d) "Florida renewable energy facility" means a facility in  
517 the state that produces electricity for sale from renewable  
518 energy, ~~as defined in s. 377.803.~~

519 Section 16. Subsection (7) of section 288.9606, Florida  
520 Statutes, is amended to read:

521 288.9606 Issue of revenue bonds.—

522 (7) Notwithstanding any provision of this section, the  
523 corporation in its corporate capacity may, without authorization  
524 from a public agency under s. 163.01(7), issue revenue bonds or  
525 other evidence of indebtedness under this section to:

526 (a) Finance the undertaking of any project within the state  
527 that promotes renewable energy as defined in s. 366.91 ~~or s.~~  
528 ~~377.803;~~

529 (b) Finance the undertaking of any project within the state  
530 that is a project contemplated or allowed under s. 406 of the  
531 American Recovery and Reinvestment Act of 2009; ~~or~~

532 (c) If permitted by federal law, finance qualifying  
533 improvement projects within the state under s. 163.08; or



534 (d) Finance the costs of acquisition or construction of a  
535 transportation facility by a private entity or consortium of  
536 private entities under a public-private partnership agreement  
537 authorized by s. 334.30.

538 Section 17. Paragraph (w) of subsection (2) of section  
539 380.0651, Florida Statutes, is amended to read:

540 380.0651 Statewide guidelines, standards, and exemptions.-

541 (2) STATUTORY EXEMPTIONS.-The following developments are  
542 exempt from s. 380.06:

543 ~~(w) Any development in an energy economic zone designated~~  
544 ~~pursuant to s. 377.809 upon approval by its local governing~~  
545 ~~body.~~

546  
547 If a use is exempt from review pursuant to paragraphs (a)-(u),  
548 but will be part of a larger project that is subject to review  
549 pursuant to s. 380.06(12), the impact of the exempt use must be  
550 included in the review of the larger project, unless such exempt  
551 use involves a development that includes a landowner, tenant, or  
552 user that has entered into a funding agreement with the state  
553 land planning agency under the Innovation Incentive Program and  
554 the agreement contemplates a state award of at least \$50  
555 million.

556 Section 18. Subsection (2) of section 403.9405, Florida  
557 Statutes, is amended to read:

558 403.9405 Applicability; certification; exemption; notice of  
559 intent.-

560 (2) ~~No construction of~~ A natural gas transmission pipeline  
561 ~~may not be constructed be undertaken after October 1, 1992,~~  
562 without first obtaining certification under ss. 403.9401-



563 403.9425, but these sections do not apply to:

564 (a) Natural gas transmission pipelines which are less than  
565 100 ~~15~~ miles in length or which do not cross a county line,  
566 unless the applicant has elected to apply for certification  
567 under ss. 403.9401-403.9425.

568 (b) Natural gas transmission pipelines for which a  
569 certificate of public convenience and necessity has been issued  
570 under s. 7(c) of the Natural Gas Act, 15 U.S.C. s. 717f, or a  
571 natural gas transmission pipeline certified as an associated  
572 facility to an electrical power plant pursuant to the Florida  
573 Electrical Power Plant Siting Act, ss. 403.501-403.518, unless  
574 the applicant elects to apply for certification of that pipeline  
575 under ss. 403.9401-403.9425.

576 (c) Natural gas transmission pipelines that are owned or  
577 operated by a municipality or any agency thereof, by any person  
578 primarily for the local distribution of natural gas, or by a  
579 special district created by special act to distribute natural  
580 gas, unless the applicant elects to apply for certification of  
581 that pipeline under ss. 403.9401-403.9425.

582 Section 19. Subsection (3) of section 720.3075, Florida  
583 Statutes, is amended to read:

584 720.3075 Prohibited clauses in association documents.—

585 (3) Homeowners' association documents, including  
586 declarations of covenants, articles of incorporation, or bylaws,  
587 may not preclude:

588 (a) The display of up to two portable, removable flags as  
589 described in s. 720.304(2)(a) by property owners. However, all  
590 flags must be displayed in a respectful manner consistent with  
591 the requirements for the United States flag under 36 U.S.C.



592 chapter 10.

593 (b) Types or fuel sources of energy production which may be  
594 used, delivered, converted, or supplied by the following  
595 entities to serve customers within the association that such  
596 entities are authorized to serve:

597 1. A public utility or an electric utility as defined in s.  
598 366.02;

599

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

601 And the title is amended as follows:

602 Delete lines 25 - 70

603 and insert:

604 specified circumstance; amending s. 366.032, F.S.;

605 including community development districts as a type of

606 political subdivision for purposes of preemption over

607 utility service restrictions; creating s. 366.042,

608 F.S.; requiring rural electric cooperatives and

609 municipal electric utilities to enter into and

610 maintain at least one mutual aid agreement or pre-

611 event agreement with certain entities for purposes of

612 restoring power after a natural disaster; requiring

613 rural electric cooperatives and municipal electric

614 utilities to annually submit attestations of

615 compliance to the Public Service Commission; providing

616 construction; requiring the commission to compile the

617 attestations and annually submit a copy of such

618 attestations to the Division of Emergency Management;

619 providing that the submission of such attestations

620 makes rural electric cooperatives and municipal



621 electric utilities eligible to receive state financial  
622 assistance; providing that if such attestations are  
623 not submitted, rural electric cooperatives and  
624 municipal electric utilities are not eligible to  
625 receive state financial assistance; providing  
626 construction; creating s. 366.057, F.S.; requiring  
627 public utilities to provide notice to the commission  
628 of certain power plant retirements within a specified  
629 timeframe; authorizing the commission to schedule  
630 hearings within a specified timeframe to make certain  
631 determinations on such plant retirements; specifying  
632 information to be provided by public utilities at the  
633 hearing; amending s. 366.94, F.S.; removing  
634 terminology; authorizing the commission to approve  
635 voluntary electric vehicle charging programs upon  
636 petition of a public utility, to become effective on  
637 or after a specified date, if certain requirements are  
638 met; providing applicability; amending s. 403.503,  
639 F.S.; defining the term "gross capacity"; creating s.  
640 366.99,