

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

1 Committee/Subcommittee hearing bill: Ways & Means Committee
 2 Representative Rodrigues offered the following:

Amendment (with title amendment)

Remove lines 76-200 and insert:

6 property. In the 2016 primary election, the voters of this state
 7 approved a constitutional amendment authorizing the Legislature,
 8 by general law, to prohibit consideration of the installation of
 9 a solar or renewable energy source device on any property in the
 10 determination of the assessed value of the underlying real
 11 property.

12 (4) (a) Subject to local government ordinance or
 13 resolution, a property owner may apply to the local government
 14 for funding to finance a qualifying improvement and enter into a
 15 financing agreement with the local government. Costs incurred by
 16 the local government for such purpose may be collected as a non-

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17 ad valorem assessment. Any financing agreement entered into
18 between a local government and a property owner for the
19 financing of a qualifying improvement must comply with the
20 disclosure requirements in s. 520.23 that apply to distributed
21 energy generation systems.

22 (b) A non-ad valorem assessment shall be collected
23 pursuant to s. 197.3632 and, notwithstanding s. 197.3632(8)(a),
24 shall not be subject to discount for early payment. However, the
25 notice and adoption requirements of s. 197.3632(4) do not apply
26 if this section is used and complied with, and the intent
27 resolution, publication of notice, and mailed notices to the
28 property appraiser, tax collector, and Department of Revenue
29 required by s. 197.3632(3)(a) may be provided on or before
30 August 15 in conjunction with any non-ad valorem assessment
31 authorized by this section, if the property appraiser, tax
32 collector, and local government agree.

33 Section 3. Section 193.624, Florida Statutes, is amended
34 to read:

35 193.624 Assessment of renewable energy source devices
36 ~~residential property.~~

37 (1) As used in this section, the term "renewable energy
38 source device" means any of the following equipment that
39 collects, transmits, stores, or uses solar energy, wind energy,
40 or energy derived from geothermal deposits:

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- 41 (a) Solar energy collectors, photovoltaic modules, and
42 inverters.
- 43 (b) Storage tanks and other storage systems, excluding
44 swimming pools used as storage tanks.
- 45 (c) Rockbeds.
- 46 (d) Thermostats and other control devices.
- 47 (e) Heat exchange devices.
- 48 (f) Pumps and fans.
- 49 (g) Roof ponds.
- 50 (h) Freestanding thermal containers.
- 51 (i) Pipes, ducts, wiring, structural supports, refrigerant
52 handling systems, and other components ~~equipment~~ used as
53 integral parts of ~~to interconnect~~ such systems; however, such
54 equipment does not include conventional backup systems of any
55 type or any equipment or structure that would be required in the
56 absence of the renewable energy source device.
- 57 (j) Windmills and wind turbines.
- 58 (k) Wind-driven generators.
- 59 (l) Power conditioning and storage devices that store or
60 use solar energy, wind energy, or energy derived from geothermal
61 deposits to generate electricity or mechanical forms of energy.
- 62 (m) Pipes and other equipment used to transmit hot
63 geothermal water to a dwelling or structure from a geothermal
64 deposit.
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66 The term does not include any equipment that is on the
67 distribution or transmission side of the point of
68 interconnection where a renewable energy source device is
69 interconnected to an electric utility's distribution grid or
70 transmission lines.

71 (2) As used in this section, the term "utility scale
72 renewable energy project" means an electrical generating
73 facility that incorporates one or more renewable energy devices
74 and:

75 (a) Is certified pursuant to ss. 403.501 - 403.518, or
76 (b) When the devices are used together, are designed to
77 achieve a total AC electric generating capacity of greater than
78 20 megawatts.

79 (3) For purposes of subsection (2) a "facility" includes,
80 but is not limited to, renewable energy devices located on the
81 same parcel, any contiguous parcels, and any parcels otherwise
82 in close proximity to each other, regardless of the ownership of
83 the parcels or the renewable energy devices located on the
84 parcels. The combined AC electric generating capacity of all
85 renewable energy devices on such parcels is used to determine
86 the AC electric generating capacity of the facility.

87 ~~(2)(4)~~ In determining the assessed value of real property
88 used for residential purposes, an increase in the just value of
89 the property attributable to the installation of a renewable
90 energy source device may not be considered.

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91 ~~(3)~~(5) This section applies to the installation of a
92 renewable energy source device installed on or after January 1,
93 2013, to new and existing residential real property. This
94 section applies to a renewable energy source device installed on
95 or after January 1, 2018, to all other real property, except
96 when installed as part of a utility scale renewable energy
97 project planned for a location in a fiscally constrained county,
98 as defined in s. 218.67(1), and for which an application for
99 comprehensive plan amendment or planned unit development zoning
100 has been filed with the county on or before December 31, 2017.

101 Section 4. Section 196.182, Florida Statutes, is created
102 to read:

103 196.182 Exemption of renewable energy source devices.-

104 (1) A renewable energy source device, as defined in s.
105 193.624, which is considered tangible personal property, and
106 which is installed on real property on or after January 1, 2018
107 is exempt from ad valorem taxation.

108 (2) The exemption provided in this section does not apply
109 to any renewable energy source device which is installed as part
110 of a utility scale renewable energy project, as defined in s.
111 193.624(2), that is planned for a location in a fiscally
112 constrained county, as defined in s. 218.67(1), and for which an
113 application for comprehensive plan amendment or planned unit
114 development zoning has been filed with the county on or before
115 December 31, 2017.

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116 (3) This section expires December 31, 2037.

117 Section 5. Subsection (13) of section 501.604, Florida
118 Statutes, is amended to read:

119 501.604 Exemptions.—The provisions of this part, except
120 ss. 501.608 and 501.616(6) and (7), do not apply to:

121 (13) A commercial telephone seller licensed pursuant to
122 chapter 516 or part III ~~part II~~ of chapter 520. For purposes of
123 this exemption, the seller must solicit to sell a consumer good
124 or service within the scope of his or her license and the
125 completed transaction must be subject to the provisions of
126 chapter 516 or part III ~~part II~~ of chapter 520.

127 Section 6. Parts II, III, IV, and V of chapter 520,
128 Florida Statutes, are renumbered as Parts III, IV, V, and VI,
129 respectively, and a new Part II, consisting of sections 520.20,
130 520.21, 520.22, 520.23, and 520.24, is created to read:

131 PART II

132 DISTRIBUTED ENERGY GENERATION SYSTEM SALES

133 520.20 Definitions.—As used in this part, the term:

134 (1) "Agreement" means a contract executed between a buyer
135 or lessee and a seller that leases, finances, or sells a
136 distributed energy generation system. For purposes of this part,
137 the term includes retail installment contracts.

138 (2) "Buyer" means a person that enters into an agreement
139 to buy, lease, or finance a distributed energy generation system
140 from a seller.

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141 (3) "Distributed energy generation system" means a
142 renewable energy source device, as defined in s. 193.624, that
143 has a capacity, alone or in connection with other similar
144 devices, of up to one kilowatt and that is primarily intended
145 for on-

146
147 -----

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

149 Remove line 15 and insert:
150 property; creating s. 196.182, F.S.; exempting the