

By Senator Brodeur

9-00798A-21

2021896__

1 A bill to be entitled
2 An act relating to renewable natural gas; amending s.
3 366.91, F.S.; defining the terms "biogas" and
4 "renewable natural gas"; revising the definition of
5 the term "renewable energy" to include certain energy
6 created for transportation fuel; amending ss. 366.92,
7 373.236, and 403.973, F.S.; conforming cross-
8 references; reenacting s. 288.9606(7), F.S., relating
9 to the issuance of revenue bonds, to incorporate the
10 amendment made to s. 366.91, F.S., in a reference
11 thereto; providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Present paragraphs (a) through (d) of subsection
16 (2) of section 366.91, Florida Statutes, are redesignated as
17 paragraphs (b) through (e), respectively, a new paragraph (a)
18 and paragraph (f) are added to that subsection, and present
19 paragraph (d) of that subsection is amended, to read:

20 366.91 Renewable energy.—

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

22 (a) "Biogas" means a mixture of gases produced by the
23 biological decomposition of organic materials which is largely
24 comprised of carbon dioxide, hydrocarbons, and methane gas.

25 (e) ~~(d)~~ "Renewable energy" means electrical energy produced
26 or energy created to displace traditional fuel sources from a
27 method that uses one or more of the following fuels or energy
28 sources: hydrogen produced or resulting from sources other than
29 fossil fuels, biomass, solar energy, geothermal energy, wind

9-00798A-21

2021896__

30 energy, ocean energy, renewable natural gas, and hydroelectric
31 power. The term includes the alternative energy resource, waste
32 heat, from sulfuric acid manufacturing operations and electrical
33 energy produced using pipeline-quality synthetic gas produced
34 from waste petroleum coke with carbon capture and sequestration.

35 (f) "Renewable natural gas" means anaerobically generated
36 biogas, landfill gas, or wastewater treatment gas refined to a
37 methane content of 90 percent or greater which may be used as a
38 transportation fuel or for electric generation or is of a
39 quality capable of being injected into a natural gas pipeline.

40 Section 2. Paragraph (b) of subsection (2) of section
41 366.92, Florida Statutes, is amended to read:

42 366.92 Florida renewable energy policy.—

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

44 (b) "Renewable energy" means renewable energy as defined in
45 s. 366.91(2)(e) ~~s. 366.91(2)(d)~~.

46 Section 3. Subsection (7) of section 373.236, Florida
47 Statutes, is amended to read:

48 373.236 Duration of permits; compliance reports.—

49 (7) A permit approved for a renewable energy generating
50 facility or the cultivation of agricultural products on lands
51 consisting of 1,000 acres or more for use in the production of
52 renewable energy, as defined in s. 366.91(2)(e) ~~s. 366.91(2)(d)~~,
53 shall be granted for a term of at least 25 years at the
54 applicant's request based on the anticipated life of the
55 facility if there is sufficient data to provide reasonable
56 assurance that the conditions for permit issuance will be met
57 for the duration of the permit; otherwise, a permit may be
58 issued for a shorter duration that reflects the longest period

9-00798A-21

2021896__

59 for which such reasonable assurances are provided. Such a permit
60 is subject to compliance reports under subsection (4).

61 Section 4. Paragraph (f) of subsection (3) and paragraph
62 (b) of subsection (19) of section 403.973, Florida Statutes, are
63 amended to read:

64 403.973 Expedited permitting; amendments to comprehensive
65 plans.—

66 (3)

67 (f) Projects resulting in the production of biofuels
68 cultivated on lands that are 1,000 acres or more or in the
69 construction of a biofuel or biodiesel processing facility or a
70 facility generating renewable energy, as defined in s.
71 366.91(2)(e) ~~s. 366.91(2)(d)~~, are eligible for the expedited
72 permitting process.

73 (19) The following projects are ineligible for review under
74 this part:

75 (b) A project, the primary purpose of which is to:

76 1. Effect the final disposal of solid waste, biomedical
77 waste, or hazardous waste in this state.

78 2. Produce electrical power, unless the production of
79 electricity is incidental and not the primary function of the
80 project or the electrical power is derived from a fuel source
81 for renewable energy as defined in s. 366.91(2)(e) ~~s.~~
82 ~~366.91(2)(d)~~.

83 3. Extract natural resources.

84 4. Produce oil.

85 5. Construct, maintain, or operate an oil, petroleum, or
86 sewage pipeline.

87 Section 5. For the purpose of incorporating the amendment

9-00798A-21

2021896__

88 made by this act to section 366.91, Florida Statutes, in a
89 reference thereto, subsection (7) of section 288.9606, Florida
90 Statutes, is reenacted to read:

91 288.9606 Issue of revenue bonds.—

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

96 (a) Finance the undertaking of any project within the state
97 that promotes renewable energy as defined in s. 366.91 or s.
98 377.803;

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

102 (c) If permitted by federal law, finance qualifying
103 improvement projects within the state under s. 163.08.

104 Section 6. This act shall take effect July 1, 2021.