

By Senator Berman

26-00081B-23

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1 A bill to be entitled
2 An act relating to state renewable energy goals;
3 amending s. 366.91, F.S.; revising the definitions of
4 the terms "biomass" and "renewable energy"; amending
5 s. 377.24, F.S.; prohibiting the drilling or
6 exploration for, or production of, oil, gas, or other
7 petroleum products; amending s. 377.242, F.S.;
8 prohibiting permitting and construction of certain
9 structures intended to drill or explore for, or
10 produce or transport, oil, gas, or other petroleum
11 products; amending s. 377.803, F.S.; revising the
12 definition of the term "renewable energy"; creating s.
13 377.821, F.S.; requiring that all electricity used in
14 the state be generated by renewable energy by a
15 specified date; requiring statewide net zero carbon
16 emissions by a specified date; directing the Office of
17 Energy within the Department of Agriculture and
18 Consumer Services, in consultation with other state
19 agencies, state colleges and universities, public
20 utilities, and other private and public entities, to
21 develop a unified statewide plan to generate the
22 state's electricity from renewable energy and reduce
23 the state's carbon emissions by specified dates;
24 requiring state and public entities to cooperate as
25 requested; providing plan requirements; requiring the
26 office to submit the plan and updates to the Governor
27 and Legislature; creating s. 377.8225, F.S.; creating
28 the Renewable Energy Workforce Development Advisory
29 Committee in the Office of Energy within the

26-00081B-23

2023970__

30 Department of Agriculture and Consumer Services;
31 providing for committee membership and duties;
32 providing a definition; directing the Commissioner of
33 Agriculture to prepare and submit a specified annual
34 report to the Legislature; providing an effective
35 date.

36

37 Be It Enacted by the Legislature of the State of Florida:

38

39 Section 1. Paragraphs (b) and (e) of subsection (2) of
40 section 366.91, Florida Statutes, are amended to read:

41 366.91 Renewable energy.—

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

43 (b) "Biomass" means a power source that is comprised of,
44 but not limited to, combustible residues or gases from forest
45 products manufacturing, waste or coproducts, ~~byproducts, or~~
46 ~~products~~ from agricultural and orchard crops, waste or
47 coproducts from livestock and poultry operations, waste or
48 byproducts from food processing, urban wood waste, separated
49 municipal food, yard, or solid waste, or municipal liquid waste
50 treatment operations, ~~and landfill gas~~.

51 (e) "Renewable energy" means electrical energy produced
52 from a method that uses one or more of the following fuels or
53 energy sources: hydrogen produced or resulting from sources
54 other than fossil fuels, biomass, solar energy, geothermal
55 energy, wind energy, ocean energy, and hydroelectric power. ~~The~~
56 ~~term includes the alternative energy resource, waste heat, from~~
57 ~~sulfuric acid manufacturing operations and electrical energy~~
58 ~~produced using pipeline-quality synthetic gas produced from~~

26-00081B-23

2023970__

59 ~~waste petroleum coke with carbon capture and sequestration.~~

60 Section 2. Subsection (10) is added to section 377.24,
61 Florida Statutes, to read:

62 377.24 Notice of intention to drill well; permits;
63 abandoned wells and dry holes.—

64 (10) Notwithstanding this section, this chapter, or other
65 laws, without exception, the drilling or exploration for, or
66 production of, oil, gas, or other petroleum products are
67 prohibited on the lands and waters of the state.

68 Section 3. Section 377.242, Florida Statutes, is amended to
69 read:

70 377.242 Permits for drilling or exploring and extracting
71 through well holes or by other means.—The department is vested
72 with the power and authority:

73 (1) (a) To issue permits for the drilling for, exploring
74 for, or production of oil, gas, or other petroleum products
75 which are to be extracted from below the surface of the land,
76 including submerged land, only through the well hole drilled for
77 oil, gas, and other petroleum products.

78 1. A ~~No~~ structure intended for the drilling for, or
79 production of, oil, gas, or other petroleum products may not be
80 permitted or constructed on any submerged land within any bay or
81 estuary.

82 2. A ~~No~~ structure intended for the drilling for, or
83 production of, oil, gas, or other petroleum products may not be
84 permitted or constructed within 1 mile seaward of the coastline
85 of the state.

86 3. A ~~No~~ structure intended for the drilling for, or
87 production of, oil, gas, or other petroleum products may not be

26-00081B-23

2023970__

88 permitted or constructed within 1 mile of the seaward boundary
89 of any state, local, or federal park or aquatic or wildlife
90 preserve or on the surface of a freshwater lake, river, or
91 stream.

92 4. A ~~Ne~~ structure intended for the drilling for, or
93 production of, oil, gas, or other petroleum products may not be
94 permitted or constructed within 1 mile inland from the shoreline
95 of the Gulf of Mexico, the Atlantic Ocean, or any bay or estuary
96 or within 1 mile of any freshwater lake, river, or stream unless
97 the department is satisfied that the natural resources of such
98 bodies of water and shore areas of the state will be adequately
99 protected in the event of accident or blowout.

100 5. Without exception, after July 1, 1989, a ~~ne~~ structure
101 intended for the drilling for, or production of, oil, gas, or
102 other petroleum products may not be permitted or constructed
103 south of 26°00'00" north latitude off Florida's west coast and
104 south of 27°00'00" north latitude off Florida's east coast,
105 within the boundaries of Florida's territorial seas as defined
106 in 43 U.S.C. s. 1301. After July 31, 1990, a ~~ne~~ structure
107 intended for the drilling for, or production of, oil, gas, or
108 other petroleum products may not be permitted or constructed
109 north of 26°00'00" north latitude off Florida's west coast to
110 the western boundary of the state bordering Alabama as set forth
111 in s. 1, Art. II of the State Constitution, or located north of
112 27°00'00" north latitude off Florida's east coast to the
113 northern boundary of the state bordering Georgia as set forth in
114 s. 1, Art. II of the State Constitution, within the boundaries
115 of Florida's territorial seas as defined in 43 U.S.C. s. 1301.

116 (b) Subparagraphs (a)1. and 4. do not apply to permitting

26-00081B-23

2023970__

117 or construction of structures intended for the drilling for, or
118 production of, oil, gas, or other petroleum products pursuant to
119 an oil, gas, or mineral lease of such lands by the state under
120 which lease any valid drilling permits are in effect on the
121 effective date of this act. In the event that such permits
122 contain conditions or stipulations, such conditions and
123 stipulations shall govern and supersede subparagraphs (a)1. and
124 4.

125 (c) The prohibitions of subparagraphs (a)1.-4. in this
126 subsection do not include "infield gathering lines," provided no
127 other placement is reasonably available and all other required
128 permits have been obtained.

129 (2) To issue permits to explore for and extract minerals
130 which are subject to extraction from the land by means other
131 than through a well hole.

132 (3) To issue permits to establish natural gas storage
133 facilities or construct wells for the injection and recovery of
134 any natural gas for storage in natural gas storage reservoirs.

135
136 Each permit shall contain an agreement by the permit holder that
137 the permit holder will not prevent inspection by division
138 personnel at any time. The provisions of this section
139 prohibiting permits for drilling or exploring for oil in coastal
140 waters do not apply to any leases entered into before June 7,
141 1991. Notwithstanding this section, this chapter, or other laws,
142 without exception, a new structure intended to drill or explore
143 for, or produce or transport, oil, gas, or other petroleum
144 products may not be permitted or constructed on the lands or
145 waters of the state.

26-00081B-23

2023970__

146 Section 4. Subsection (4) of section 377.803, Florida
147 Statutes, is amended to read:

148 377.803 Definitions.—As used in ss. 377.801-377.804, the
149 term:

150 (4) “Renewable energy” means electrical, mechanical, or
151 thermal energy produced from a method that uses one or more of
152 the following fuels or energy sources: hydrogen, biomass, as
153 defined in s. 366.91, solar energy, geothermal energy, wind
154 energy, ocean energy, tidal energy ~~waste heat~~, or hydroelectric
155 power.

156 Section 5. Section 377.821, Florida Statutes, is created to
157 read:

158 377.821 State renewable energy goals.—

159 (1) By 2050, 100 percent of the electricity used in this
160 state will be generated from 100 percent renewable energy as
161 defined in s. 377.803. By 2051, the state will have net zero
162 carbon emissions statewide.

163 (2) The Office of Energy within the Department of
164 Agriculture and Consumer Services, in consultation with other
165 state agencies, state colleges and universities, public
166 utilities, and other private and public entities, is directed to
167 develop a unified statewide plan to generate 100 percent of the
168 state’s electricity from renewable energy by 2050 and reduce the
169 state’s carbon emissions to net zero by 2051. All public
170 agencies, state colleges and universities, and public utilities
171 must cooperate with the office as requested.

172 (3) The plan must:

173 (a) Include interim goals to reach 50 percent renewable
174 energy statewide by 2040, 40 percent reduction in carbon

26-00081B-23

2023970__

175 emissions statewide by 2030, and 80 percent reduction in carbon
176 emissions statewide by 2041.

177 (b) Require:

178 1. All private coal-fired and oil-fired electric generating
179 units to reach zero emissions by 2030.

180 2. All private natural gas-fired units to reach zero
181 emissions by 2045, prioritizing reductions by those with higher
182 rates of emissions and those in and near environmental justice
183 communities.

184 3. All municipal natural gas-fired units to reach zero
185 emissions by 2045, unless the units are converted to green
186 hydrogen or similar technology that can achieve zero carbon
187 emissions.

188 4. All units that use combined heat and power or
189 cogeneration technology to reach zero emissions by 2045, unless
190 the units are converted to green hydrogen or similar technology
191 that can achieve zero carbon emissions.

192 (c) Provide recommendations for creating:

193 1. A coal to solar program to support the transition of
194 coal plants to renewable energy facilities.

195 2. A commission on market-based carbon pricing solutions.

196 3. An electric generation task force to investigate carbon
197 capture and sequestration.

198 (4) Achieving 100 percent renewable energy generation is
199 intended to provide unique benefits to the state, including all
200 of the following:

201 (a) Displacing fossil fuel consumption within the state.

202 (b) Adding new electrical generating facilities in the
203 transmission network.

26-00081B-23

2023970__

204 (c) Reducing air pollution, particularly criteria pollutant
205 emissions and toxic air contaminants.

206 (d) Contributing to the safe and reliable operation of the
207 electrical grid, including providing predictable electrical
208 supply, voltage support, lower line losses, and congestion
209 relief.

210 (e) Enhancing economic development and job creation in the
211 clean energy industry.

212 (5) The plan must consider the potential impact of existing
213 and additional renewable energy incentives and programs with an
214 emphasis on solar and distributed resources, including energy
215 storage. The plan must also consider the impact of power
216 purchase agreements on attaining 100 percent renewable energy
217 generation. The office must submit a statewide plan outlining
218 potential strategies to reach the goals of this section to the
219 Governor, the President of the Senate, and the Speaker of the
220 House of Representatives by January 1, 2025, and must provide
221 updates on the progress of achieving the state's renewable
222 energy goals each January 1 thereafter.

223 Section 6. Section 377.8225, Florida Statutes, is created
224 to read:

225 377.8225 Renewable Energy Workforce Development Advisory
226 Committee.—

227 (1) (a) The Renewable Energy Workforce Development Advisory
228 Committee is created in the Office of Energy within the
229 Department of Agriculture and Consumer Services and consists of
230 13 members, all of whom are appointed by the Commissioner of
231 Agriculture. The appointees shall include one representative of
232 the Department of Agriculture and Consumer Services and one

26-00081B-23

2023970__

233 representative of the Department of Economic Opportunity, who
234 shall serve as co-chairs of the committee, one representative of
235 the Department of Environmental Protection, one representative
236 of the Department of Education, two representatives of state
237 universities or colleges with programs or research focused on
238 renewable energy, and one representative from each of the
239 following:

- 240 1. The Florida AFL-CIO.
- 241 2. The Florida Building and Construction Trades Council.
- 242 3. An organization serving environmental justice
243 communities. For purposes of this section, the term
244 "environmental justice" means the fair treatment and meaningful
245 involvement of all people regardless of race, color, national
246 origin, or income, with respect to the development,
247 implementation, and enforcement of environmental laws,
248 regulations, and policies.
- 249 4. A renewable energy business.
- 250 5. An occupational training organization.
- 251 6. An economic development organization.
- 252 7. A community development organization.

253
254 In making these appointments, the commissioner shall consider
255 the places of residence of the members to ensure statewide
256 representation.

257 (b) The term of office of each member of the advisory
258 committee is 2 years and shall be staggered.

259 (c) In case of a vacancy on the advisory committee, the
260 commissioner shall appoint a successor member for the unexpired
261 portion of the term.

26-00081B-23

2023970__

262 (d) The members of the advisory committee shall serve
263 without compensation while in the performance of their official
264 duties.

265 (2) The advisory committee shall:

266 (a) Develop, in consultation with the Department of
267 Economic Opportunity, recommendations for a displaced energy
268 workers bill of rights to provide state support to transitioning
269 energy sector workers. Once the advisory committee is satisfied
270 with the recommendations for developing the program, the
271 committee shall submit the recommendations to the commissioner
272 for inclusion in the annual report under subsection (4).

273 (b) Develop, in consultation with the Department of
274 Corrections, recommendations for a returning residents clean
275 jobs training program to provide training for careers in the
276 clean energy sector to individuals who are currently
277 incarcerated. Once the committee is satisfied with the
278 recommendations for developing the program, the committee shall
279 submit the recommendations to the commissioner for inclusion in
280 the annual report under subsection (4).

281 (c) Develop, in consultation with the Department of
282 Education, recommendations for an energy transition navigators
283 program to provide education, outreach, and recruitment to
284 equity-focused populations to promote awareness of workforce
285 development programs. Once the advisory committee is satisfied
286 with the recommendations for developing the program, the
287 committee shall submit the recommendations to the commissioner
288 for inclusion in the annual report under subsection (4).

289 (d)1. Identify those workers currently working in the
290 energy sector and their current training requirements. The

26-00081B-23

2023970__

291 committee shall identify the employment potential of the energy
292 efficiency and renewable energy industry and the skills and
293 training needed for workers in those fields, and make
294 recommendations to the commissioner for policies to promote
295 employment growth and access to jobs in those fields.
296 Recommendations of the committee may not reduce the training
297 required for renewable energy jobs. The committee shall
298 prioritize maximizing employment opportunities for residents of
299 environmental justice communities, minorities, women, and
300 workers displaced in the transition to renewable energy.

301 2. By January 1, 2024, the advisory committee shall
302 establish a target for the number of residents working in the
303 renewable energy industry by 2027. The committee shall also
304 establish a target for the number of those jobs held by
305 residents of environmental justice communities, proportional to
306 the percentage of residents who live in environmental justice
307 communities, and the number of those jobs held by workers
308 displaced in the transition to renewable energy. The committee
309 shall create similar targets for each subsequent 5-year period.

310 3. The advisory committee shall submit an annual report to
311 the commissioner recommending changes to existing state policies
312 and programs to meet the targets set forth in subparagraph 2.

313 (3) The advisory committee shall meet at least three times
314 annually to review progress in expanding renewable energy
315 employment. These meetings shall be open to members of the
316 public and shall provide opportunities for public comment. At
317 least one of these meetings shall be held in an environmental
318 justice community each year.

319 (4) The commissioner shall prepare a report on the findings

26-00081B-23

2023970__

320 and recommendations of the advisory committee and submit the
321 report to the President of the Senate and the Speaker of the
322 House of Representatives by January 1, 2024, and each January 1
323 thereafter.

324 Section 7. This act shall take effect July 1, 2023.