

By the Committee on Regulated Industries; and Senator Collins

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1                   A bill to be entitled  
2           An act relating to energy resources; creating s.  
3           163.3210, F.S.; providing legislative intent; defining  
4           terms; allowing resiliency facilities in certain land  
5           use categories in local government comprehensive plans  
6           and specified districts if certain criteria are met;  
7           authorizing local governments to adopt ordinances for  
8           resiliency facilities if certain requirements are met;  
9           prohibiting amendments to a local government's  
10          comprehensive plan, land use map, zoning districts, or  
11          land development regulations in a manner that would  
12          conflict with resiliency facility classification after  
13          a specified date; amending s. 286.29, F.S.; revising  
14          energy guidelines for public businesses; deleting the  
15          requirement that the Department of Management Services  
16          develop and maintain the Florida Climate-Friendly  
17          Preferred Products List; deleting the requirement that  
18          state agencies contract for meeting and conference  
19          space only with facilities that have Green Lodging  
20          designations; deleting the requirement that state  
21          agencies, state universities, community colleges, and  
22          local governments that procure new vehicles under a  
23          state purchasing plan select certain vehicles under a  
24          specified circumstance; requiring the Department of  
25          Management Services to develop a Florida Humane  
26          Preferred Energy Products List in consultation with  
27          the Department of Commerce and the Department of  
28          Agriculture and Consumer Services; providing for  
29          assessment considerations in developing the list;

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30 defining the term "forced labor"; requiring state  
31 agencies and political subdivisions that procure  
32 energy products from state term contracts to consult  
33 the list and purchase or procure such products;  
34 prohibiting state agencies and political subdivisions  
35 from purchasing or procuring products not included in  
36 the list; amending s. 337.25, F.S.; prohibiting the  
37 Department of Transportation from assigning or  
38 transferring its permitting rights across  
39 transportation rights-of-way operated by the  
40 department to certain third parties under certain  
41 circumstances; amending s. 337.403, F.S.; prohibiting  
42 authorities from requiring the relocation of utilities  
43 on behalf of certain other third-party or governmental  
44 agency projects; amending s. 366.032, F.S.; including  
45 development districts as a type of political  
46 subdivision for purposes of preemption over utility  
47 service restrictions; amending s. 366.04, F.S.;

48 requiring the Public Service Commission to approve  
49 targeted storm reserve amounts for public utilities;  
50 providing requirements for the targeted storm reserve  
51 amounts; providing for base rate adjustments; amending  
52 s. 366.075, F.S.; authorizing the commission to  
53 establish an experimental mechanism to facilitate  
54 energy infrastructure investment for renewable natural  
55 gas; providing requirements for the experimental  
56 mechanism; requiring the commission to adopt rules;  
57 providing a timeframe for such rulemaking; amending s.  
58 366.94, F.S.; deleting terminology; conforming

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59 provisions to changes made by the act; authorizing the  
60 commission upon a specified date to approve voluntary  
61 public utility programs for electric vehicle charging  
62 if certain requirements are met; requiring that all  
63 revenues received from such program be credited to the  
64 public utility's general body of ratepayers; providing  
65 applicability; creating s. 366.99, F.S.; defining  
66 terms; authorizing public utilities to submit to the  
67 commission a petition for a proposed cost recovery for  
68 certain natural gas facilities relocation costs;  
69 requiring the commission to conduct annual proceedings  
70 to determine each utility's prudently incurred natural  
71 gas facilities relocation costs and to allow for the  
72 recovery of such costs; providing requirements for the  
73 commission's review; providing requirements for the  
74 allocation of such recovered costs; requiring the  
75 commission to adopt rules; providing a timeframe for  
76 such rulemaking; amending s. 377.601, F.S.; revising  
77 legislative intent; amending s. 377.6015, F.S.;  
78 revising the powers and duties of the department;  
79 conforming provisions to changes made by the act;  
80 amending s. 377.703, F.S.; revising additional  
81 functions of the department relating to energy  
82 resources; conforming provisions to changes made by  
83 the act; repealing ss. 377.801, 377.802, 377.803,  
84 377.804, 377.808, 377.809, and 377.816, F.S., relating  
85 to the Florida Energy and Climate Protection Act, the  
86 purpose of the act, and definitions under the act, the  
87 Renewable Energy and Energy-Efficient Technologies

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88 Grants Program, the Florida Green Government Grants  
89 Act, the Energy Economic Zone Pilot Program, and the  
90 qualified energy conservation bond allocation;  
91 prohibiting the approval of new or additional  
92 applications, certifications, or allocations under  
93 such programs; prohibiting new contracts, agreements,  
94 and awards under such programs; rescinding all  
95 certifications or allocations issued under such  
96 programs; providing an exception; providing  
97 application relating to existing contracts or  
98 agreements under such programs; amending ss. 288.9606  
99 and 380.0651, F.S.; conforming provisions to changes  
100 made by the act; amending s. 403.9405, F.S.; revising  
101 the applicability of the Natural Gas Transmission  
102 Pipeline Siting Act; amending s. 409.508, F.S.;

103 defining and redefining terms; requiring the  
104 Department of Commerce to expand categorical  
105 eligibility for the low-income home energy assistance  
106 program to include individuals who are enrolled in  
107 certain federal disability programs; requiring the  
108 department to develop a comprehensive process for  
109 automatic payments to be made on behalf of such  
110 individuals; providing requirements for such process;  
111 making technical changes; amending s. 720.3075, F.S.;

112 prohibiting certain homeowners' association documents  
113 from precluding certain types or fuel sources of  
114 energy production and the use of certain appliances;  
115 defining the term "appliance"; requiring the  
116 commission to conduct an assessment of the security

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117 and resiliency of the state's electric grid and  
118 natural gas facilities against physical threats and  
119 cyber threats; requiring the commission to consult  
120 with the Florida Digital Service; requiring  
121 cooperation from all operating facilities in the state  
122 relating to such assessment; requiring the commission  
123 to submit by a specified date a report of such  
124 assessment to the Governor and the Legislature;  
125 providing additional content requirements for such  
126 report; requiring the commission to study and evaluate  
127 the technical and economic feasibility of using  
128 advanced nuclear power technologies to meet the  
129 electrical power needs of the state; requiring the  
130 commission to submit by a specified date a report to  
131 the Governor and the Legislature which contains its  
132 findings and any additional recommendations for  
133 potential legislative or administrative actions;  
134 requiring the Department of Transportation, in  
135 consultation with the Office of Energy within the  
136 Department of Agriculture and Consumer Services, to  
137 study and evaluate the potential development of  
138 hydrogen fueling infrastructure to support hydrogen-  
139 powered vehicles; requiring the department to submit,  
140 by a specified date, a report to the Governor and the  
141 Legislature that contains its findings and  
142 recommendations for specified actions that may  
143 accommodate the future development of hydrogen fueling  
144 infrastructure; amending s. 220.193, F.S.; conforming  
145 a cross-reference; providing an effective date.

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

Section 1. Section 163.3210, Florida Statutes, is created to read:

163.3210 Natural gas resiliency and reliability infrastructure.—

(1) It is the intent of the Legislature to maintain, encourage, and ensure adequate and reliable fuel sources for public utilities. The resiliency and reliability of fuel sources for public utilities is critical to the state's economy; the ability of the state to recover from natural disasters; and to the health, safety, welfare, and quality of life of the residents of the state.

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

(a) "Natural gas" means all forms of fuel commonly or commercially known or sold as natural gas, including compressed natural gas and liquefied natural gas.

(b) "Natural gas reserve" means a facility that is capable of storing and transporting and, when operational, actively stores and transports a supply of natural gas.

(c) "Public utility" has the same meaning as defined in s. 366.02.

(d) "Resiliency facility" means a facility owned and operated by a public utility for the purposes of assembling, creating, holding, securing, or deploying natural gas reserves for temporary use during a system outage or natural disaster.

(3) A resiliency facility is a permitted use in all commercial, industrial, and manufacturing land use categories in

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175 a local government comprehensive plan and all commercial,  
176 industrial, and manufacturing districts. A resiliency facility  
177 must comply with the setback and landscape criteria for other  
178 similar uses. A local government may adopt an ordinance  
179 specifying buffer and landscaping requirements for resiliency  
180 facilities, provided that such requirements do not exceed the  
181 requirements for similar uses involving the construction of  
182 other facilities that are permitted uses in commercial,  
183 industrial, and manufacturing land use categories and zoning  
184 districts.

185 (4) After July 1, 2024, a local government may not amend  
186 its comprehensive plan, land use map, zoning districts, or land  
187 development regulations in a manner that would conflict with a  
188 resiliency facility's classification as a permitted and  
189 allowable use, including, but not limited to, an amendment that  
190 causes a resiliency facility to be a nonconforming use,  
191 structure, or development.

192 Section 2. Section 286.29, Florida Statutes, is amended to  
193 read:

194 286.29 Energy guidelines for Climate-friendly public  
195 business. ~~The Legislature recognizes the importance of~~  
196 ~~leadership by state government in the area of energy efficiency~~  
197 ~~and in reducing the greenhouse gas emissions of state government~~  
198 ~~operations. The following shall pertain to all state agencies~~  
199 ~~when conducting public business:~~

200 ~~(1) The Department of Management Services shall develop the~~  
201 ~~"Florida Climate-Friendly Preferred Products List." In~~  
202 ~~maintaining that list, the department, in consultation with the~~  
203 ~~Department of Environmental Protection, shall continually assess~~

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204 ~~products currently available for purchase under state term~~  
205 ~~contracts to identify specific products and vendors that offer~~  
206 ~~clear energy efficiency or other environmental benefits over~~  
207 ~~competing products. When procuring products from state term~~  
208 ~~contracts, state agencies shall first consult the Florida~~  
209 ~~Climate-Friendly Preferred Products List and procure such~~  
210 ~~products if the price is comparable.~~

211 ~~(2) State agencies shall contract for meeting and~~  
212 ~~conference space only with hotels or conference facilities that~~  
213 ~~have received the "Green Lodging" designation from the~~  
214 ~~Department of Environmental Protection for best practices in~~  
215 ~~water, energy, and waste efficiency standards, unless the~~  
216 ~~responsible state agency head makes a determination that no~~  
217 ~~other viable alternative exists.~~

218 ~~(3) Each state agency shall ensure that all maintained~~  
219 ~~vehicles meet minimum maintenance schedules shown to reduce fuel~~  
220 ~~consumption, which include:~~

221 ~~(a) Ensuring appropriate tire pressures and tread depth.~~†

222 ~~(b) Replacing fuel filters and emission filters at~~  
223 ~~recommended intervals.~~†

224 ~~(c) Using proper motor oils.~~† ~~and~~

225 ~~(d) Performing timely motor maintenance.~~

226  
227 Each state agency shall measure and report compliance to the  
228 Department of Management Services through the Equipment  
229 Management Information System database.

230 ~~(4) When procuring new vehicles, all state agencies, state~~  
231 ~~universities, community colleges, and local governments that~~  
232 ~~purchase vehicles under a state purchasing plan shall first~~

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233 ~~define the intended purpose for the vehicle and determine which~~  
234 ~~of the following use classes for which the vehicle is being~~  
235 ~~procured:~~

- 236 ~~(a) State business travel, designated operator;~~  
237 ~~(b) State business travel, pool operators;~~  
238 ~~(c) Construction, agricultural, or maintenance work;~~  
239 ~~(d) Conveyance of passengers;~~  
240 ~~(e) Conveyance of building or maintenance materials and~~  
241 ~~supplies;~~  
242 ~~(f) Off-road vehicle, motorcycle, or all-terrain vehicle;~~  
243 ~~(g) Emergency response; or~~  
244 ~~(h) Other.~~

245  
246 ~~Vehicles described in paragraphs (a) through (h), when being~~  
247 ~~processed for purchase or leasing agreements, must be selected~~  
248 ~~for the greatest fuel efficiency available for a given use class~~  
249 ~~when fuel economy data are available. Exceptions may be made for~~  
250 ~~individual vehicles in paragraph (g) when accompanied, during~~  
251 ~~the procurement process, by documentation indicating that the~~  
252 ~~operator or operators will exclusively be emergency first~~  
253 ~~responders or have special documented need for exceptional~~  
254 ~~vehicle performance characteristics. Any request for an~~  
255 ~~exception must be approved by the purchasing agency head and any~~  
256 ~~exceptional performance characteristics denoted as a part of the~~  
257 ~~procurement process prior to purchase.~~

258 (2)~~(5)~~ All state agencies shall use ethanol and biodiesel  
259 blended fuels when available. State agencies administering  
260 central fueling operations for state-owned vehicles shall  
261 procure biofuels for fleet needs to the greatest extent

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262 practicable.

263 (3) (a) The Department of Management Services shall, in  
264 consultation with the Department of Commerce and the Department  
265 of Agriculture and Consumer Services, develop a Florida Humane  
266 Preferred Energy Products List. In developing the list, the  
267 department must assess products currently available for purchase  
268 under state term contracts that contain or consist of an energy  
269 storage device with a capacity of greater than one kilowatt or  
270 that contain or consist of an energy generation device with a  
271 capacity of greater than 500 kilowatts and identify specific  
272 products that appear to be largely made free from forced labor,  
273 irrespective of the age of the worker. For purposes of this  
274 subsection, the term "forced labor" means any work performed or  
275 service rendered that is:

276 1. Obtained by intimidation, fraud, or coercion, including  
277 by threat of serious bodily harm to, or physical restraint  
278 against, a person, by means of a scheme intended to cause the  
279 person to believe that if he or she does not perform such labor  
280 or render such service, the person will suffer serious bodily  
281 harm or physical restraint, or by means of the abuse or  
282 threatened abuse of law or the legal process;

283 2. Imposed on the basis of a characteristic that has been  
284 held by the United States Supreme Court or the Florida Supreme  
285 Court to be protected against discrimination under the  
286 Fourteenth Amendment to the United States Constitution or under  
287 s. 2, Art. I of the State Constitution, including race, color,  
288 national origin, religion, gender, or physical disability;

289 3. Not performed or rendered voluntarily by a person; or

290 4. In violation of the Child Labor Law or otherwise

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291 performed or rendered through oppressive child labor.

292 (b) When procuring the types of energy products described  
293 in paragraph (a) from state term contracts, state agencies and  
294 political subdivisions shall first consult the Florida Humane  
295 Preferred Energy Products List and may not purchase or procure  
296 products not included in the list.

297 Section 3. Paragraph (e) is added to subsection (1) of  
298 section 337.25, Florida Statutes, to read:

299 337.25 Acquisition, lease, and disposal of real and  
300 personal property.—

301 (1)

302 (e) The department may not, without prior approval from the  
303 Legislature, assign or transfer its permitting rights across any  
304 transportation right-of-way operated by the department to a  
305 third party or governmental entity that does not operate the  
306 transportation right-of-way.

307 Section 4. Subsection (1) of section 337.403, Florida  
308 Statutes, is amended to read:

309 337.403 Interference caused by utility; expenses.—

310 (1) If a utility that is placed upon, under, over, or  
311 within the right-of-way limits of any public road or publicly  
312 owned rail corridor is found by the authority to be unreasonably  
313 interfering in any way with the convenient, safe, or continuous  
314 use, or the maintenance, improvement, extension, or expansion,  
315 of such public road or publicly owned rail corridor, the utility  
316 owner shall, upon 30 days' written notice to the utility or its  
317 agent by the authority, initiate the work necessary to alleviate  
318 the interference at its own expense except as provided in  
319 paragraphs (a)-(j). The authority may not require a utility

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320 within a public road operated by the authority to be relocated  
321 on behalf of any other third-party or governmental agency  
322 project related to a separate public or private road or  
323 transportation corridor. The work must be completed within such  
324 reasonable time as stated in the notice or such time as agreed  
325 to by the authority and the utility owner.

326 (a) If the relocation of utility facilities, as referred to  
327 in s. 111 of the Federal-Aid Highway Act of 1956, Pub. L. No.  
328 84-627, is necessitated by the construction of a project on the  
329 federal-aid interstate system, including extensions thereof  
330 within urban areas, and the cost of the project is eligible and  
331 approved for reimbursement by the Federal Government to the  
332 extent of 90 percent or more under the Federal-Aid Highway Act,  
333 or any amendment thereof, then in that event the utility owning  
334 or operating such facilities shall perform any necessary work  
335 upon notice from the department, and the state shall pay the  
336 entire expense properly attributable to such work after  
337 deducting therefrom any increase in the value of a new facility  
338 and any salvage value derived from an old facility.

339 (b) When a joint agreement between the department and the  
340 utility is executed for utility work to be accomplished as part  
341 of a contract for construction of a transportation facility, the  
342 department may participate in those utility work costs that  
343 exceed the department's official estimate of the cost of the  
344 work by more than 10 percent. The amount of such participation  
345 is limited to the difference between the official estimate of  
346 all the work in the joint agreement plus 10 percent and the  
347 amount awarded for this work in the construction contract for  
348 such work. The department may not participate in any utility

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349 work costs that occur as a result of changes or additions during  
350 the course of the contract.

351 (c) When an agreement between the department and utility is  
352 executed for utility work to be accomplished in advance of a  
353 contract for construction of a transportation facility, the  
354 department may participate in the cost of clearing and grubbing  
355 necessary to perform such work.

356 (d) If the utility facility was initially installed to  
357 exclusively serve the authority or its tenants, or both, the  
358 authority shall bear the costs of the utility work. However, the  
359 authority is not responsible for the cost of utility work  
360 related to any subsequent additions to that facility for the  
361 purpose of serving others. For a county or municipality, if such  
362 utility facility was installed in the right-of-way as a means to  
363 serve a county or municipal facility on a parcel of property  
364 adjacent to the right-of-way and if the intended use of the  
365 county or municipal facility is for a use other than  
366 transportation purposes, the obligation of the county or  
367 municipality to bear the costs of the utility work shall extend  
368 only to utility work on the parcel of property on which the  
369 facility of the county or municipality originally served by the  
370 utility facility is located.

371 (e) If, under an agreement between a utility and the  
372 authority entered into after July 1, 2009, the utility conveys,  
373 subordinates, or relinquishes a compensable property right to  
374 the authority for the purpose of accommodating the acquisition  
375 or use of the right-of-way by the authority, without the  
376 agreement expressly addressing future responsibility for the  
377 cost of necessary utility work, the authority shall bear the

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378 cost of removal or relocation. This paragraph does not impair or  
379 restrict, and may not be used to interpret, the terms of any  
380 such agreement entered into before July 1, 2009.

381 (f) If the utility is an electric facility being relocated  
382 underground in order to enhance vehicular, bicycle, and  
383 pedestrian safety and in which ownership of the electric  
384 facility to be placed underground has been transferred from a  
385 private to a public utility within the past 5 years, the  
386 department shall incur all costs of the necessary utility work.

387 (g) An authority may bear the costs of utility work  
388 required to eliminate an unreasonable interference when the  
389 utility is not able to establish that it has a compensable  
390 property right in the particular property where the utility is  
391 located if:

392 1. The utility was physically located on the particular  
393 property before the authority acquired rights in the property;

394 2. The utility demonstrates that it has a compensable  
395 property right in adjacent properties along the alignment of the  
396 utility or, after due diligence, certifies that the utility does  
397 not have evidence to prove or disprove that it has a compensable  
398 property right in the particular property where the utility is  
399 located; and

400 3. The information available to the authority does not  
401 establish the relative priorities of the authority's and the  
402 utility's interests in the particular property.

403 (h) If a municipally owned utility or county-owned utility  
404 is located in a rural area of opportunity, as defined in s.  
405 288.0656(2), and the department determines that the utility is  
406 unable, and will not be able within the next 10 years, to pay

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407 for the cost of utility work necessitated by a department  
408 project on the State Highway System, the department may pay, in  
409 whole or in part, the cost of such utility work performed by the  
410 department or its contractor.

411 (i) If the relocation of utility facilities is necessitated  
412 by the construction of a commuter rail service project or an  
413 intercity passenger rail service project and the cost of the  
414 project is eligible and approved for reimbursement by the  
415 Federal Government, then in that event the utility owning or  
416 operating such facilities located by permit on a department-  
417 owned rail corridor shall perform any necessary utility  
418 relocation work upon notice from the department, and the  
419 department shall pay the expense properly attributable to such  
420 utility relocation work in the same proportion as federal funds  
421 are expended on the commuter rail service project or an  
422 intercity passenger rail service project after deducting  
423 therefrom any increase in the value of a new facility and any  
424 salvage value derived from an old facility. In no event shall  
425 the state be required to use state dollars for such utility  
426 relocation work. This paragraph does not apply to any phase of  
427 the Central Florida Commuter Rail project, known as SunRail.

428 (j) If a utility is lawfully located within an existing and  
429 valid utility easement granted by recorded plat, regardless of  
430 whether such land was subsequently acquired by the authority by  
431 dedication, transfer of fee, or otherwise, the authority must  
432 bear the cost of the utility work required to eliminate an  
433 unreasonable interference. The authority shall pay the entire  
434 expense properly attributable to such work after deducting any  
435 increase in the value of a new facility and any salvage value

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436 derived from an old facility.

437 Section 5. Subsections (1), (2), and (5) of section  
438 366.032, Florida Statutes, are amended to read:

439 366.032 Preemption over utility service restrictions.—

440 (1) A municipality, county, special district, development  
441 district, or other political subdivision of the state may not  
442 enact or enforce a resolution, ordinance, rule, code, or policy  
443 or take any action that restricts or prohibits or has the effect  
444 of restricting or prohibiting the types or fuel sources of  
445 energy production which may be used, delivered, converted, or  
446 supplied by the following entities to serve customers that such  
447 entities are authorized to serve:

448 (a) A public utility or an electric utility as defined in  
449 this chapter;

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

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

453 (d) A natural gas transmission company as defined in s.  
454 368.103; or

455 (e) A Category I liquefied petroleum gas dealer or Category  
456 II liquefied petroleum gas dispenser or Category III liquefied  
457 petroleum gas cylinder exchange operator as defined in s.  
458 527.01.

459 (2) Except to the extent necessary to enforce the Florida  
460 Building Code adopted pursuant to s. 553.73 or the Florida Fire  
461 Prevention Code adopted pursuant to s. 633.202, a municipality,  
462 county, special district, development district, or other  
463 political subdivision of the state may not enact or enforce a  
464 resolution, an ordinance, a rule, a code, or a policy or take

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465 any action that restricts or prohibits or has the effect of  
466 restricting or prohibiting the use of an appliance, including a  
467 stove or grill, which uses the types or fuel sources of energy  
468 production which may be used, delivered, converted, or supplied  
469 by the entities listed in subsection (1). As used in this  
470 subsection, the term "appliance" means a device or apparatus  
471 manufactured and designed to use energy and for which the  
472 Florida Building Code or the Florida Fire Prevention Code  
473 provides specific requirements.

474 (5) Any municipality, county, special district, development  
475 district, or political subdivision charter, resolution,  
476 ordinance, rule, code, policy, or action that is preempted by  
477 this act that existed before or on July 1, 2021, is void.

478 Section 6. Subsection (10) is added to section 366.04,  
479 Florida Statutes, to read:

480 366.04 Jurisdiction of commission.—

481 (10) The commission shall approve a targeted storm reserve  
482 amount to be effective January 1, 2025, for each public utility.  
483 The targeted storm reserve amount must be set at a level equal  
484 to 80 percent of the approved incremental storm costs incurred  
485 for the public utility's highest cost storm impacting its  
486 service area over the 5 calendar years before January 2025. The  
487 approved incremental storm costs that form the basis for the  
488 targeted storm reserve amount must be based on the filings of  
489 the public utility with the commission and orders issued by the  
490 commission.

491 (a)1. The initial targeted storm reserve amount established  
492 by the commission:

493 a. Is subject to adjustment on an annual basis for

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494 successive rolling 5-year periods;

495 b. Must be funded by an increase in base rates effective  
496 January 1, 2025; and

497 c. Must be designed to allow the utility to recover the  
498 costs to fund the targeted reserve level over a 4-year period.

499 2. All base rate adjustments and accompanying tariffs must  
500 be:

501 a. Implemented by administrative approval of the commission  
502 and employ the most recent authorized base rate structure for  
503 the public utility;

504 b. Filed by October 15 together with the current storm  
505 reserve and supporting documentation and the highest cost storm  
506 over the prior 5 years as reflected by commission order; and

507 c. Administratively approved by each November 15 to take  
508 effect on January 1 of the following calendar year.

509 (b) Suspension of base rate increases and implementation of  
510 base rate adjustments under this subsection based on use and  
511 depletion of the storm reserve and the determination of the  
512 annual storm reserve amount must be administratively determined  
513 and approved by the commission consistent with calendar  
514 deadlines under paragraph (a).

515 (c) The adjustments to base rates must be designed to fund  
516 the public utility storm reserves; the cost recovery of such  
517 base rates must be without regard to any impact on a public  
518 utility's previous, current, or projected earnings; and the  
519 revenues from such base rates may not be considered in the  
520 calculation of a public utility's earnings in earnings  
521 surveillance reports filed with the commission.

522 Section 7. Section 366.075, Florida Statutes, is amended to

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523 read:

524 366.075 Experimental and transitional rates; experimental  
525 mechanisms.—526 (1) The commission is authorized to approve rates on an  
527 experimental or transitional basis for any public utility to  
528 encourage energy conservation or to encourage efficiency. The  
529 application of such rates may be for limited geographic areas  
530 and for a limited period.531 (2) The commission is authorized to approve the geographic  
532 area used in testing experimental rates and shall specify in the  
533 order setting those rates the area affected. The commission may  
534 extend the period designated for the test if it determines that  
535 further testing is necessary to fully evaluate the effectiveness  
536 of such experimental rates.537 (3) The commission is authorized to establish an  
538 experimental mechanism to facilitate energy infrastructure  
539 investment consistent with the structure set forth in s.  
540 366.96(7) and (8), the intent of s. 366.91(1), and the  
541 definition of the term "renewable natural gas" in s.  
542 366.91(2)(f). The commission shall have discretion to determine  
543 whether to use an annual proceeding to conduct such experimental  
544 mechanism. The commission shall adopt rules to implement and  
545 administer this subsection and shall propose a rule for adoption  
546 as soon as practicable after the effective date of this act, but  
547 not later than October 31, 2024.548 Section 8. Section 366.94, Florida Statutes, is amended to  
549 read:550 366.94 Electric vehicle charging ~~stations.~~—

551 (1) The provision of electric vehicle charging to the

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552 public by a nonutility is not the retail sale of electricity for  
553 the purposes of this chapter. The rates, terms, and conditions  
554 of electric vehicle charging services by a nonutility are not  
555 subject to regulation under this chapter. This section does not  
556 affect the ability of individuals, businesses, or governmental  
557 entities to acquire, install, or use an electric vehicle charger  
558 for their own vehicles.

559 (2) The Department of Agriculture and Consumer Services  
560 shall adopt rules to provide definitions, methods of sale,  
561 labeling requirements, and price-posting requirements for  
562 electric vehicle charging ~~stations~~ to allow for consistency for  
563 consumers and the industry.

564 (3) (a) It is unlawful for a person to stop, stand, or park  
565 a vehicle that is not capable of using an electrical recharging  
566 station within any parking space specifically designated for  
567 charging an electric vehicle.

568 (b) If a law enforcement officer finds a motor vehicle in  
569 violation of this subsection, the officer or specialist shall  
570 charge the operator or other person in charge of the vehicle in  
571 violation with a noncriminal traffic infraction, punishable as  
572 provided in s. 316.008(4) or s. 318.18.

573 (4) The commission may approve voluntary public utility  
574 programs to become effective on or after January 1, 2025, for  
575 residential, customer-specific electric vehicle charging if the  
576 commission determines that the rates and rate structure of the  
577 program will not adversely impact the public utility's general  
578 body of ratepayers. All revenues received from the program must  
579 be credited to the public utility's retail ratepayers. This  
580 provision does not preclude cost recovery for electric vehicle

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581 charging programs approved by the commission before January 1,  
582 2024.

583 Section 9. Section 366.99, Florida Statutes, is created to  
584 read:

585 366.99 Natural gas facilities relocation costs.-

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

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

588 337.401(1) (a).

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

592 (c) "Natural gas facilities" or "facilities" means gas  
593 mains, laterals, and service lines used to distribute natural  
594 gas to customers. The term includes all ancillary equipment  
595 needed for safe operations, including, but not limited to,  
596 regulating stations, meters, other measuring devices,  
597 regulators, and pressure monitoring equipment.

598 (d) "Natural gas facilities relocation costs" means the  
599 costs to relocate or reconstruct facilities as required by a  
600 mandate, a statute, a law, an ordinance, or an agreement between  
601 the utility and an authority, including, but not limited to,  
602 costs associated with reviewing plans provided by an authority.  
603 The term does not include any costs recovered through the public  
604 utility's base rates.

605 (e) "Public utility" or "utility" has the same meaning as  
606 in s. 366.02, except that the term does not include an electric  
607 utility.

608 (2) A utility may submit to the commission, pursuant to  
609 commission rule, a petition describing the utility's projected

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610 natural gas facilities relocation costs for the next calendar  
611 year, actual natural gas facilities relocation costs for the  
612 prior calendar year, and proposed cost-recovery factors designed  
613 to recover such costs. A utility's decision to proceed with  
614 implementing a plan before filing such a petition does not  
615 constitute imprudence.

616 (3) The commission shall conduct an annual proceeding to  
617 determine each utility's prudently incurred natural gas  
618 facilities relocation costs and to allow each utility to recover  
619 such costs through a charge separate and apart from base rates,  
620 to be referred to as the natural gas facilities relocation cost  
621 recovery clause. The commission's review in the proceeding is  
622 limited to determining the prudence of the utility's actual  
623 incurred natural gas facilities relocation costs and the  
624 reasonableness of the utility's projected natural gas facilities  
625 relocation costs for the following calendar year; and providing  
626 for a true-up of the costs with the projections on which past  
627 factors were set. The commission shall require that any refund  
628 or collection made as a part of the true-up process includes  
629 interest.

630 (4) All costs approved for recovery through the natural gas  
631 facilities relocation cost recovery clause must be allocated to  
632 customer classes pursuant to the rate design most recently  
633 approved by the commission.

634 (5) If a capital expenditure is recoverable as a natural  
635 gas facilities relocation cost, the public utility may recover  
636 the annual depreciation on the cost, calculated at the public  
637 utility's current approved depreciation rates, and a return on  
638 the undepreciated balance of the costs at the public utility's

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639 weighted average cost of capital using the last approved return  
640 on equity.

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

644 Section 10. Section 377.601, Florida Statutes, is amended  
645 to read:

646 377.601 Legislative intent.—

647 (1) The purpose of the state's energy policy is to ensure  
648 an adequate and reliable supply of energy for the state in a  
649 manner that promotes the health and welfare of the public and  
650 economic growth. The Legislature intends that governance of the  
651 state's energy policy be efficiently directed toward achieving  
652 this purpose ~~The Legislature finds that the state's energy~~  
653 ~~security can be increased by lessening dependence on foreign~~  
654 ~~oil; that the impacts of global climate change can be reduced~~  
655 ~~through the reduction of greenhouse gas emissions; and that the~~  
656 ~~implementation of alternative energy technologies can be a~~  
657 ~~source of new jobs and employment opportunities for many~~  
658 ~~Floridians. The Legislature further finds that the state is~~  
659 ~~positioned at the front line against potential impacts of global~~  
660 ~~climate change. Human and economic costs of those impacts can be~~  
661 ~~averted by global actions and, where necessary, adapted to by a~~  
662 ~~concerted effort to make Florida's communities more resilient~~  
663 ~~and less vulnerable to these impacts. In focusing the~~  
664 ~~government's policy and efforts to benefit and protect our~~  
665 ~~state, its citizens, and its resources, the Legislature believes~~  
666 ~~that a single government entity with a specific focus on energy~~  
667 ~~and climate change is both desirable and advantageous. Further,~~

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668 ~~the Legislature finds that energy infrastructure provides the~~  
669 ~~foundation for secure and reliable access to the energy supplies~~  
670 ~~and services on which Florida depends. Therefore, there is~~  
671 ~~significant value to Florida consumers that comes from~~  
672 ~~investment in Florida's energy infrastructure that increases~~  
673 ~~system reliability, enhances energy independence and~~  
674 ~~diversification, stabilizes energy costs, and reduces greenhouse~~  
675 ~~gas emissions.~~

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

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

679 (b) Ensuring adequate supply and capacity.

680 (c) Ensuring a secure, resilient, and reliable energy  
681 supply, with an emphasis on a diverse supply of domestic energy  
682 resources.

683 (d) Protecting public safety.

684 (e) Ensuring consumer choice.

685 (f) Protecting the state's natural resources, including its  
686 coastlines, tributaries, and waterways.

687 (g) Supporting economic growth.

688 (3)(2) In furtherance of the goals in subsection (2), it is  
689 the policy of the state of Florida to:

690 (a) Develop and Promote the cost-effective development and  
691 effective use of a diverse supply of domestic energy resources  
692 in this the state and, discourage all forms of energy waste, and  
693 recognize and address the potential of global climate change  
694 wherever possible.

695 (b) Promote the cost-effective development and maintenance  
696 of energy infrastructure that is resilient to natural and

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697 manmade threats to the security and reliability of the state's  
698 energy supply ~~Play a leading role in developing and instituting~~  
699 ~~energy management programs aimed at promoting energy~~  
700 ~~conservation, energy security, and the reduction of greenhouse~~  
701 ~~gas emissions.~~

702 (c) Reduce reliance on foreign energy resources.

703 (d)~~(e)~~ Include energy considerations in all state,  
704 regional, and local planning.

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

707 (f)~~(e)~~ Encourage local governments to include energy  
708 considerations in all planning and to support their work in  
709 promoting energy management programs.

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

712 (h)~~(g)~~ Consider in its decisions the energy needs of each  
713 economic sector, including residential, industrial, commercial,  
714 agricultural, and governmental uses, and reduce those needs  
715 whenever possible.

716 (i)~~(h)~~ Promote energy education and the public  
717 dissemination of information on energy and its impacts in  
718 relation to the goals in subsection (2) ~~environmental, economic,~~  
719 ~~and social impact.~~

720 (j)~~(i)~~ Encourage the research, development, demonstration,  
721 and application of domestic energy resources, including the use  
722 of alternative energy resources, particularly renewable energy  
723 resources.

724 (k)~~(j)~~ Consider, in its decisionmaking, the impacts of  
725 energy-related activities on the goals in subsection (2) ~~social,~~

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726 ~~economic, and environmental impacts of energy-related~~  
727 ~~activities,~~ including the whole-life-cycle impacts of any  
728 potential energy use choices, so that detrimental effects of  
729 these activities are understood and minimized.

730 (1) ~~(k)~~ Develop and maintain energy emergency preparedness  
731 plans to minimize the effects of an energy shortage within this  
732 state Florida.

733 Section 11. Subsection (2) of section 377.6015, Florida  
734 Statutes, is amended to read:

735 377.6015 Department of Agriculture and Consumer Services;  
736 powers and duties.—

737 (2) The department shall:

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

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

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

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

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

750 (c) ~~(f)~~ Advocate for energy and climate change issues  
751 consistent with the goals in s. 377.601(2) and provide  
752 educational outreach and technical assistance in cooperation  
753 with the state's academic institutions.

754 (d) ~~(g)~~ Be a party in the proceedings to adopt goals and

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755 submit comments to the Public Service Commission pursuant to s.  
756 366.82.

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

759 Section 12. Subsection (1) and paragraphs (e), (f), and (m)  
760 of subsection (2) of section 377.703, Florida Statutes, are  
761 amended to read:

762 377.703 Additional functions of the Department of  
763 Agriculture and Consumer Services.—

764 (1) LEGISLATIVE INTENT.—Recognizing that energy supply and  
765 demand questions have become a major area of concern to the  
766 state which must be dealt with by effective and well-coordinated  
767 state action, it is the intent of the Legislature to promote the  
768 efficient, effective, and economical management of energy  
769 problems, centralize energy coordination responsibilities,  
770 pinpoint responsibility for conducting energy programs, and  
771 ensure the accountability of state agencies for the  
772 implementation of s. 377.601 ~~s. 377.601(2)~~, the state energy  
773 policy. It is the specific intent of the Legislature that  
774 nothing in this act shall in any way change the powers, duties,  
775 and responsibilities assigned by the Florida Electrical Power  
776 Plant Siting Act, part II of chapter 403, or the powers, duties,  
777 and responsibilities of the Florida Public Service Commission.

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

781 (e) The department shall analyze energy data collected and  
782 prepare long-range forecasts of energy supply and demand in  
783 coordination with the Florida Public Service Commission, which

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784 is responsible for electricity and natural gas forecasts. To  
785 this end, the forecasts shall contain:

786 1. An analysis of the relationship of state economic growth  
787 and development to energy supply and demand, including the  
788 constraints to economic growth resulting from energy supply  
789 constraints.

790 ~~2. Plans for the development of renewable energy resources~~  
791 ~~and reduction in dependence on depletable energy resources,~~  
792 ~~particularly oil and natural gas, and~~ An analysis of the extent  
793 to which domestic energy resources, including renewable energy  
794 sources, are being utilized in this ~~the~~ state.

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

800 4. An assessment of the state's energy resources, including  
801 examination of the availability of commercially developable and  
802 imported fuels, and an analysis of anticipated impacts in  
803 relation to the goals in s. 377.601(2) ~~effects on the state's~~  
804 ~~environment and social services~~ resulting from energy resource  
805 development activities or from energy supply constraints, or  
806 both.

807 (f) The department shall submit an annual report to the  
808 Governor and the Legislature reflecting its activities and  
809 making recommendations for policies for improvement of the  
810 state's response to energy supply and demand and its effect on  
811 the health, safety, and welfare of the residents of this state.  
812 The report must include a report from the Florida Public Service

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813 Commission on electricity and natural gas and information on  
814 energy conservation programs conducted and underway in the past  
815 year and include recommendations for energy efficiency and  
816 conservation programs for the state, including:

817 1. Formulation of specific recommendations for improvement  
818 in the efficiency of energy utilization in governmental,  
819 residential, commercial, industrial, and transportation sectors.

820 2. Collection and dissemination of information relating to  
821 energy efficiency and conservation.

822 3. Development and conduct of educational and training  
823 programs relating to energy efficiency and conservation.

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

827 (m) In recognition of the devastation to the economy of  
828 this state and the dangers to the health and welfare of  
829 residents of this state caused by severe hurricanes, and the  
830 potential for such impacts caused by other natural disasters,  
831 the Division of Emergency Management shall include in its energy  
832 emergency contingency plan and provide to the Florida Building  
833 Commission for inclusion in the Florida Energy Efficiency Code  
834 for Building Construction specific provisions to facilitate the  
835 use of cost-effective ~~solar~~ energy technologies as emergency  
836 remedial and preventive measures for providing electric power,  
837 street lighting, and water heating service in the event of  
838 electric power outages.

839 Section 13. Sections 377.801, 377.802, 377.803, 377.804,  
840 377.808, 377.809, and 377.816, Florida Statutes, are repealed.

841 Section 14. (1) For programs established pursuant to s.

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842 377.804, s. 377.808, s. 377.809, or s. 377.816, Florida  
843 Statutes, there may not be:

844 (a) New or additional applications, certifications, or  
845 allocations approved.

846 (b) New letters of certification issued.

847 (c) New contracts or agreements executed.

848 (d) New awards made.

849 (2) All certifications or allocations issued under such  
850 programs are rescinded except for the certifications of, or  
851 allocations to, those certified applicants or projects that  
852 continue to meet the applicable criteria in effect before July  
853 1, 2024. Any existing contract or agreement authorized under any  
854 of these programs shall continue in full force and effect in  
855 accordance with the statutory requirements in effect when the  
856 contract or agreement was executed or last modified. However,  
857 further modifications, extensions, or waivers may not be made or  
858 granted relating to such contracts or agreements, except  
859 computations by the Department of Revenue of the income  
860 generated by or arising out of the qualifying project.

861 Section 15. Subsection (7) of section 288.9606, Florida  
862 Statutes, is amended to read:

863 288.9606 Issue of revenue bonds.—

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

868 (a) Finance the undertaking of any project within this the  
869 state that promotes renewable energy as defined in s. 366.91 ~~or~~  
870 ~~s. 377.803;~~

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

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

876 (d) Finance the costs of acquisition or construction of a  
877 transportation facility by a private entity or consortium of  
878 private entities under a public-private partnership agreement  
879 authorized by s. 334.30.

880 Section 16. Paragraph (w) of subsection (2) of section  
881 380.0651, Florida Statutes, is amended to read:

882 380.0651 Statewide guidelines, standards, and exemptions.—

883 (2) STATUTORY EXEMPTIONS.—The following developments are  
884 exempt from s. 380.06:

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

888  
889 If a use is exempt from review pursuant to paragraphs (a)-(u),  
890 but will be part of a larger project that is subject to review  
891 pursuant to s. 380.06(12), the impact of the exempt use must be  
892 included in the review of the larger project, unless such exempt  
893 use involves a development that includes a landowner, tenant, or  
894 user that has entered into a funding agreement with the state  
895 land planning agency under the Innovation Incentive Program and  
896 the agreement contemplates a state award of at least \$50  
897 million.

898 Section 17. Subsection (2) of section 403.9405, Florida  
899 Statutes, is amended to read:

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900 403.9405 Applicability; certification; exemption; notice of  
901 intent.—

902 (2) ~~No construction of~~ A natural gas transmission pipeline  
903 may not be constructed ~~be undertaken after October 1, 1992,~~  
904 without first obtaining certification under ss. 403.9401-  
905 403.9425, but these sections do not apply to:

906 (a) Natural gas transmission pipelines which are less than  
907 100 ~~15~~ miles in length or which do not cross a county line,  
908 unless the applicant has elected to apply for certification  
909 under ss. 403.9401-403.9425.

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

918 (c) Natural gas transmission pipelines that are owned or  
919 operated by a municipality or any agency thereof, by any person  
920 primarily for the local distribution of natural gas, or by a  
921 special district created by special act to distribute natural  
922 gas, unless the applicant elects to apply for certification of  
923 that pipeline under ss. 403.9401-403.9425.

924 Section 18. Section 409.508, Florida Statutes, is amended  
925 to read:

926 409.508 Low-income home energy assistance program.—

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

928 (a) "Department" means the Department of Commerce.

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929        (b) "Eligible household" means a household eligible for  
930 funds from the program ~~Low-income Home Energy Assistance Act of~~  
931 ~~1981, 42 U.S.C. ss. 8621 et seq.~~

932        (c)~~(b)~~ "Home energy" means a source of heating or cooling  
933 in residential dwellings.

934        (d) "Program" means the federal low-income home energy  
935 assistance program established pursuant to 42 U.S.C. ss. 8621 et  
936 seq.

937        (e)~~(e)~~ "Utility" means any person, corporation,  
938 partnership, municipality, cooperative, association, or other  
939 legal entity and its lessees, trustees, or receivers now or  
940 hereafter owning, operating, managing, or controlling any plant  
941 or other facility supplying electricity or natural gas to or for  
942 the public within this state, directly or indirectly, for  
943 compensation.

944        (2) The department ~~of Economic Opportunity~~ is designated as  
945 the state agency to administer the program ~~Low-income Home~~  
946 ~~Energy Assistance Act of 1981, 42 U.S.C. ss. 8621 et seq.~~ The  
947 department may ~~of Economic Opportunity is authorized to provide~~  
948 home energy assistance benefits to eligible households which may  
949 be in the form of cash, vouchers, certificates, or direct  
950 payments to electric or natural gas utilities or other energy  
951 suppliers and operators of low-rent, subsidized housing in  
952 behalf of eligible households. Priority must ~~shall~~ be given to  
953 eligible households having at least one elderly or handicapped  
954 individual and to eligible households with the lowest incomes.

955        (3)(a) The department shall expand categorical eligibility  
956 for the program to include households with residents of this  
957 state who are enrolled in any of the following federal

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958 disability programs:

959 1. Social Security Disability Insurance program.

960 2. Social Security Insurance program.

961 3. United States Department of Veterans Affairs disability  
962 benefits.

963 4. Supplemental Nutritional Assistance Program.

964 5. Temporary Assistance for Needy Families.

965 (b) The department shall develop a comprehensive process  
966 for automatic program payments on behalf of such individuals to  
967 be made directly to the household's home energy supplier. The  
968 process must include all of the following:

969 1. Detailed requirements for any necessary statutory or  
970 regulatory change, application process change, or other  
971 requirement necessary to allow the department to identify  
972 individuals who qualify under this subsection for automatic  
973 program payments without requiring the individual to submit  
974 additional program applications.

975 2. A data sharing process detailing the steps the  
976 department will take to identify and share a list of  
977 categorically eligible residents with home energy suppliers. A  
978 home energy supplier that agrees to receive direct program  
979 payments must apply the benefits as prescribed to the resident  
980 accounts identified by the department and document such payments  
981 in its annual program performance measures report.

982 (4) Agreements may be established between electric or  
983 natural gas utility companies, other energy suppliers, the  
984 department, and the Department of Revenue to provide, and the  
985 Department of Economic Opportunity for the purpose of providing  
986 payments to energy suppliers in the form of a credit against

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987 sales and use taxes due or direct payments to energy suppliers  
988 for services rendered to low-income, eligible households.

989 (5)~~(4)~~ The department ~~of Economic Opportunity~~ shall adopt  
990 rules to carry out ~~the provisions of this section act~~.

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

993 720.3075 Prohibited clauses in association documents.—

994 (3) Homeowners' association documents, including  
995 declarations of covenants, articles of incorporation, or bylaws,  
996 may not preclude:

997 (a) The display of up to two portable, removable flags as  
998 described in s. 720.304(2)(a) by property owners. However, all  
999 flags must be displayed in a respectful manner consistent with  
1000 the requirements for the United States flag under 36 U.S.C.  
1001 chapter 10.

1002 (b) Types or fuel sources of energy production which may be  
1003 used, delivered, converted, or supplied by the following  
1004 entities to serve customers within the association that such  
1005 entities are authorized to serve:

1006 1. A public utility or an electric utility as defined in  
1007 this chapter;

1008 2. An entity formed under s. 163.01 that generates, sells,  
1009 or transmits electrical energy;

1010 3. A natural gas utility as defined in s. 366.04(3)(c);

1011 4. A natural gas transmission company as defined in s.  
1012 368.103; or

1013 5. A category I liquefied petroleum gas dealer, a category  
1014 II liquefied petroleum gas dispenser, or a category III  
1015 liquefied petroleum gas cylinder exchange operator as defined in

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1016 s. 527.01.

1017 (c) The use of an appliance, including a stove or grill,  
1018 which uses the types or fuel sources of energy production which  
1019 may be used, delivered, converted, or supplied by the entities  
1020 listed in paragraph (b). As used in this paragraph, the term  
1021 "appliance" means a device or apparatus manufactured and  
1022 designed to use energy and for which the Florida Building Code  
1023 or the Florida Fire Prevention Code provides specific  
1024 requirements.

1025 Section 20. (1) The Public Service Commission shall conduct  
1026 an assessment of the security and resiliency of the state's  
1027 electric grid and natural gas facilities against both physical  
1028 threats and cyber threats. The commission shall consult with the  
1029 Florida Digital Service in assessing cyber threats. All electric  
1030 utilities, natural gas utilities, and natural gas pipelines  
1031 operating in this state, regardless of ownership structure,  
1032 shall cooperate with the commission to provide access to all  
1033 information necessary to conduct the assessment.

1034 (2) By January 1, 2025, the commission shall submit a  
1035 report of its assessment to the Governor, the President of the  
1036 Senate, and the Speaker of the House of Representatives. The  
1037 report must also contain any recommendations for potential  
1038 legislative or administrative actions that may enhance the  
1039 physical security or cyber security of the state's electric grid  
1040 or natural gas facilities.

1041 Section 21. (1) Recognizing the evolution and advances that  
1042 have occurred and continue to occur in nuclear power  
1043 technologies, the Public Service Commission shall study and  
1044 evaluate the technical and economic feasibility of using

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1045 advanced nuclear power technologies, including small modular  
1046 reactors, to meet the electrical power needs of the state, and  
1047 research means to encourage and foster the installation and use  
1048 of such technologies at military installations in this state.

1049 (2) By January 1, 2025, the commission shall prepare and  
1050 submit a report to the Governor, the President of the Senate,  
1051 and the Speaker of the House of Representatives, containing its  
1052 findings and any recommendations for potential legislative or  
1053 administrative actions that may enhance the use of advanced  
1054 nuclear technologies in a manner consistent with the energy  
1055 policy goals in s. 377.601(2), Florida Statutes.

1056 Section 22. (1) Recognizing the continued development of  
1057 technologies that support the use of hydrogen as a  
1058 transportation fuel and the potential for such use to help meet  
1059 the state's energy policy goals in s. 377.601(2), Florida  
1060 Statutes, the Department of Transportation, in consultation with  
1061 the Office of Energy within the Department of Agriculture and  
1062 Consumer Services, shall study and evaluate the potential  
1063 development of hydrogen fueling infrastructure, including  
1064 fueling stations, to support hydrogen-powered vehicles that use  
1065 the state highway system.

1066 (2) By January 1, 2025, the department shall prepare and  
1067 submit a report to the Governor, the President of the Senate,  
1068 and the Speaker of the House of Representatives, containing its  
1069 findings and any recommendations for potential legislative or  
1070 administrative actions that may accommodate the future  
1071 development of hydrogen fueling infrastructure in a manner  
1072 consistent with the energy policy goals in s. 377.601(2),  
1073 Florida Statutes.

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1074 Section 23. Paragraph (d) of subsection (2) of section  
1075 220.193, Florida Statutes, is amended to read:

1076 220.193 Florida renewable energy production credit.—

1077 (2) As used in this section, the term:

1078 (d) "Florida renewable energy facility" means a facility in  
1079 the state that produces electricity for sale from renewable  
1080 energy, ~~as defined in s. 377.803.~~

1081 Section 24. This act shall take effect July 1, 2024.