

By Senator Collins

14-01073A-24

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1                   A bill to be entitled  
2       An act relating to wind energy facility siting;  
3       creating s. 377.708, F.S.; defining terms; prohibiting  
4       construction, operation, or expansion of wind energy  
5       facilities and offshore wind energy facilities in this  
6       state; authorizing injunctive relief; requiring the  
7       department to adopt rules; providing an effective  
8       date.

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

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12       Section 1. Section 377.708, Florida Statutes, is created to  
13   read:

14       377.708 Wind energy facility siting.-

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

16       (a) "Department" means the Department of Environmental  
17   Protection.

18       (b) "Offshore wind energy facility" means any wind energy  
19   facility located on state submerged lands or territorial waters,  
20   including other buildings, structures, or electrical  
21   transmission cabling to be sited on state submerged lands or  
22   territorial waters, or connected to corresponding onshore  
23   substations which are used to support the operation of any wind  
24   energy facility sited on submerged lands or territorial waters  
25   that are not under the jurisdiction of the state.

26       (c) "Wind energy facility" means an electrical wind  
27   generation facility or expansion thereof having at least a 1  
28   megawatt rated capacity, including substations; meteorological  
29   data towers; aboveground, underground, and electrical

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30 transmission lines; and transformers, control systems, and other  
31 buildings or structures under common ownership or operating  
32 control used to support the operation of the facility the  
33 primary purpose of which is to offer electricity supply for  
34 sale.

35 (2) PROHIBITED ACTIVITIES.—The construction, operation, or  
36 expansion of a wind energy facility or an offshore wind energy  
37 facility in this state is prohibited.

38 (3) INJUNCTIVE RELIEF.—The department may bring an action  
39 for injunctive relief against the owner of a wind energy  
40 facility or an offshore wind energy facility who constructs,  
41 operates, or expands a wind energy facility or an offshore wind  
42 energy facility in this state.

43 (4) RULES.—The department shall adopt rules to implement  
44 this section.

45 Section 2. This act shall take effect upon becoming a law.