

1 A bill to be entitled
 2 An act relating to renewable energy; amending s.
 3 366.91, F.S.; defining the terms "biogas" and
 4 "renewable natural gas"; authorizing the Public
 5 Service Commission to approve cost recovery by gas
 6 public utilities for contracts for the purchase of
 7 renewable natural gas if specified conditions are met;
 8 amending s. 366.92, F.S.; revising the definition of
 9 the term "renewable energy" to include renewable
 10 natural gas; amending ss. 373.236, and 403.973, F.S.;
 11 conforming cross-references; reenacting s.
 12 288.9606(7), F.S., relating to the issuance of revenue
 13 bonds, to incorporate the amendments made by the act;
 14 providing an effective date.

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

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 18 Section 1. Paragraphs (a) through (d) of subsection (2) of
 19 section 366.91, Florida Statutes, are redesignated as paragraphs
 20 (b) through (e), respectively, a new paragraph (a) and paragraph
 21 (f) are added to that subsection, and subsection (9) is added to
 22 that section, to read:

23 366.91 Renewable energy.—
 24 (2) As used in this section, the term:
 25 (a) "Biogas" means a mixture of carbon dioxide and

26 | hydrocarbons, primarily methane gas, which is released from the
 27 | biological decomposition of organic materials.

28 | (f) "Renewable natural gas" means anaerobically-generated
 29 | biogas, landfill gas, or waste-water treatment gas refined to a
 30 | methane content of 90 percent or greater which is capable of
 31 | being used as transportation fuel, for electric power
 32 | generation, or is of a quality capable of being injected into a
 33 | natural gas pipeline.

34 | (9) The commission may approve cost recovery by a gas
 35 | public utility for contracts for the purchase of renewable
 36 | natural gas in which the pricing provisions exceed the current
 37 | market price of natural gas, but which are otherwise deemed
 38 | reasonable and prudent by the commission.

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

41 | 366.92 Florida renewable energy policy.—

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

43 | (b) "Renewable energy" means renewable energy and
 44 | renewable natural gas as those terms are ~~as~~ defined in s.

45 | 366.91(2) 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) ~~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
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. 366.91(2)
71 ~~s. 366.91(2)(d)~~, are eligible for the expedited permitting
72 process.

73 (19) The following projects are ineligible for review
74 under 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) ~~s. 366.91(2)(d)~~.

82 3. Extract natural resources.

83 4. Produce oil.

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

86 Section 5. For the purpose of incorporating the amendment
87 made by this act to section 366.91, Florida Statutes, in a
88 reference thereto, subsection (7) of section 288.9606, Florida
89 Statutes, is reenacted to read:

90 288.9606 Issue of revenue bonds.—

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

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

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

101 (c) If permitted by federal law, finance qualifying
102 improvement projects within the state under s. 163.08.
103 Section 6. This act shall take effect July 1, 2021.