

CONSTITUTIONAL AMENDMENT INITIATIVE PETITION FORM

FOR PERSONAL USE ONLY (s. 100.371, F.S.)



Petition Number

1402

Date Received

12/23/2014



BALLOT TITLE: Limits or Prevents Barriers to Local Solar Electricity Supply

Ballot Summary: Limits or prevents government and electric utility imposed barriers to supplying local solar electricity. Local solar electricity supply is the non utility supply of solar generated electricity from a facility rated up to 2 megawatts to customers at the same or contiguous property as the facility. Barriers include government regulation of local solar electricity suppliers' rates, service and territory, and unfavorable electric utility rates, charges, or terms of service imposed on local solar electricity customers.

Financial Impact Statement: Based on current laws and administration, the amendment will result in decreased state and local government revenues overall. The timing and magnitude of these decreases cannot be determined because they are dependent on various technological and economic factors that cannot be predicted with certainty. State and local governments will incur additional costs, which will likely be minimal and partially offset by fees.

Sponsor: Floridians for Solar Choice, Inc.

Address: 1700 N. Monroe Street Suite 11-144 Tallahassee, FL 32303

Voter's Information and Attestation

Name - Last _____ First _____ Middle _____

Address _____

City _____ Zip _____ County _____

Registration No.

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 or Date of Birth

M	M	/	D	D	/	Y	Y	Y	Y
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FLDL Number

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 or SSN

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I am a registered Florida voter, and I am petitioning the Secretary of State to place the proposed amendment on the ballot.

Signature _____ **Date Signed**

M	M	/	D	D	/	Y	Y	Y	Y
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For Personal Use

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Forms for petition circulators can be obtained from the Division's Petition Circulator website.

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Notices

- This form becomes a public record once filed with the Supervisor of Elections.
- It is a first degree misdemeanor to knowingly sign the same petition more than once. [§104.185, F.S.]
- The form will not be validated if all of the requested information is not completed.

CONSTITUTIONAL AMENDMENT FULL TEXT

Article and Section Being Created or Amended:

Add new Section 29 to Article X

Full Text of the Proposed Amendment:

Section 29. Purchase and sale of solar electricity. –

(a) PURPOSE AND INTENT. It shall be the policy of the state to encourage and promote local small-scale solar-generated electricity production and to enhance the availability of solar power to customers. This section is intended to accomplish this purpose by limiting and preventing regulatory and economic barriers that discourage the supply of electricity generated from solar energy sources to customers who consume the electricity at the same or a contiguous property as the site of the solar electricity production. Regulatory and economic barriers include rate, service and territory regulations imposed by state or local government on those supplying such local solar electricity, and imposition by electric utilities of special rates, fees, charges, tariffs, or terms and conditions of service on their customers consuming local solar electricity supplied by a third party that are not imposed on their other customers of the same type or class who do not consume local solar electricity.

(b) PURCHASE AND SALE OF LOCAL SMALL-SCALE SOLAR ELECTRICITY.

(1) A local solar electricity supplier, as defined in this section, shall not be subject to state or local government regulation with respect to rates, service, or territory, or be subject to any assignment, reservation, or division of service territory between or among electric utilities.

(2) No electric utility shall impair any customer's purchase or consumption of solar electricity from a local solar electricity supplier through any special rate, charge, tariff, classification, term or condition of service, or utility rule or regulation, that is not also imposed on other customers of the same type or class that do not consume electricity from a local solar electricity supplier.

(3) An electric utility shall not be relieved of its obligation under law to furnish service to any customer within its service territory on the basis that such customer also purchases electricity from a local solar electricity supplier.

(4) Notwithstanding paragraph (1), nothing in this section shall prohibit reasonable health, safety and welfare regulations, including, but not limited to, building codes, electrical codes, safety codes and pollution control regulations, which do not prohibit or have the effect of prohibiting the supply of solar-generated electricity by a local solar electricity supplier as defined in this section.

(c) DEFINITIONS. For the purposes of this section:

(1) "local solar electricity supplier" means any person who supplies electricity generated from a solar electricity generating facility with a maximum rated capacity of no more than 2 megawatts, that converts energy from the sun into thermal or electrical energy, to any other person located on the same property, or on separately owned but contiguous property, where the solar energy generating facility is located.

(2) "person" means any individual, firm, association, joint venture, partnership, estate, trust, business trust, syndicate, fiduciary, corporation, government entity, and any other group or combination.

(3) "electric utility" means every person, corporation, partnership, association, governmental entity, and their lessees, trustees, or receivers, other than a local solar electricity supplier, supplying electricity to ultimate consumers of electricity within this state.

(4) "local government" means any county, municipality, special district, district, authority, or any other subdivision of the state.

(d) ENFORCEMENT AND EFFECTIVE DATE. This amendment shall be effective on January 3, 2017.

Initiative Information

Date Approved: 12/23/2014

Serial Number: 14-02

Sponsor Name: Floridians for Solar Choice, Inc.

Sponsor Address: 1700 North Monroe Street, Suite 11-144, Tallahassee, FL 32303