

## CHAPTER 2010-282

### House Bill No. 15-A

An act relating to energy efficiency rebate programs; authorizing the Florida Energy and Climate Commission to pay certain rebates pursuant to the Florida ENERGY STAR Residential HVAC Rebate Program; authorizing the Florida Energy and Climate Commission to pay certain rebates pursuant to the Solar Energy System Incentives Program; providing appropriations; providing a penalty; providing an effective date.

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

Section 1. (1) As provided in this section and section 2, a portion of the total amount appropriated in this act shall be utilized by the Florida Energy and Climate Commission to pay rebates to eligible applicants who submit an application pursuant to the Florida ENERGY STAR Residential HVAC Rebate Program administered by the commission, as approved by the United States Department of Energy. An applicant is eligible for a rebate under this section if:

(a) A complete application is submitted to the commission on or before November 30, 2010.

(b) The central air conditioner, air source heat pump, or geothermal heat pump system replacement for which the applicant is seeking a rebate was purchased from or contracted for purchase with a Florida-licensed contractor after August 29, 2010, but before September 15, 2010, and fully installed prior to submission of the application for a rebate.

(c) The commission determines that the application complies with this section and any existing agreement with the United States Department of Energy governing the Florida ENERGY STAR Residential HVAC Rebate Program.

(d) The applicant provides the following information to the commission on or before November 30, 2010:

1.a. A copy of the sales receipt indicating a date of purchase after August 29, 2010, but before September 15, 2010, with the make and model number identified and circled along with the name and address of the Florida-licensed contractor who installed the system; or

b. A copy of the contract for the purchase and installation of the system indicating a contract date after August 29, 2010, but before September 15, 2010, and a copy of the sales receipt indicating a date of purchase after August 29, 2010, but on or before November 30, 2010, with the make and model number identified and circled along with the name and address of the Florida-licensed contractor who installed the system.

2. A copy of the mechanical building permit issued by the county or municipality and pulled by the Florida-licensed contractor who installed the system for the residence.

3. A copy of the Air Distribution System Test Report results from a Florida-certified Class 1 energy gauge rater, a Florida-licensed mechanical contractor, or a recognized test and balance agent. The results from the test must indicate the home has no more than 15 percent leakage to the outside as measured by 0.10 Qn.out or less.

4. A copy of the summary of the Manual J program completed for the residence to indicate that the proper methodology for sizing the new system was completed.

(2) The Florida Energy and Climate Commission shall pay a \$1,500 rebate to each consumer who submits an application pursuant to the Florida ENERGY STAR Residential HVAC Rebate Program if the application is approved by the commission in accordance with this act. The commission shall pay all rebates authorized in this section prior to paying any rebates authorized in section 2.

Section 2. Notwithstanding s. 377.806(6), Florida Statutes, the Florida Energy and Climate Commission shall utilize up to \$28,902,623, less any amount in excess of \$2,467,244 used to pay rebates pursuant to section 1, to pay a percentage of each unpaid and approved rebate application submitted pursuant to the Solar Energy System Incentives Program established in s. 377.806, Florida Statutes. An applicant is eligible for a rebate under this section if the application submitted complies with s. 377.806, Florida Statutes. The percentage of each approved rebate to be paid shall be derived by dividing the remaining appropriation by the total dollar value of the backlog of final approved solar rebates, pursuant to the authorized limits provided in s. 377.806, Florida Statutes.

Section 3. For the 2010-2011 fiscal year, and to exclusively implement section 1, the sum of \$2,467,244 in nonrecurring funds is appropriated from the Grants and Donations Trust Fund to the Florida Energy and Climate Commission. In addition, the sum of \$28,902,623 from the Grants and Donations Trust Fund, from Specific Appropriation 2561A, chapter 2009-81, Laws of Florida, is immediately reverted and reappropriated to the Florida Energy and Climate Commission for the 2010-2011 fiscal year to implement section 1, if actual rebates paid exceed \$2,467,244, and section 2.

Section 4. Any applicant who obtains a rebate pursuant to this act based on the submission of information that the applicant knows to be false commits a theft, punishable as provided in s. 812.014, Florida Statutes.

Section 5. This act shall take effect upon becoming a law.

Approved by the Governor November 17, 2010.

Filed in Office Secretary of State November 17, 2010.