

CHAPTER 2022-83

Committee Substitute for Committee Substitute for House Bill No. 1411

An act relating to floating solar facilities; creating s. 163.32051, F.S.; providing legislative findings regarding floating solar facilities; defining the term “floating solar facility”; requiring a floating solar facility to be a permitted use in certain land use categories; requiring local governments to promote expanded uses of floating solar facilities by taking specified actions; authorizing a county or municipality to specify buffer and landscaping requirements; providing exceptions to the construction of floating solar facilities; requiring the Office of Energy within the Department of Agriculture and Consumer Services to submit specified recommendations to the Legislature regarding floating solar facilities for certain entities; providing an effective date.

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

Section 1. Section 163.32051, Florida Statutes, is created to read:

163.32051 Floating solar facilities.—

(1)(a) The Legislature finds that floating solar facilities, also known as “floatovoltaics,” can be effective tools in harnessing energy in bodies of water that have been permitted for storage.

(b) The Legislature finds that siting floating solar facilities on wastewater treatment ponds, abandoned limerock mine areas, stormwater treatment ponds, reclaimed water ponds, and other water storage reservoirs are beneficial uses of those areas for many reasons, including the fact that the water has a cooling effect on the solar panels, which can boost power production, and the panels help decrease the amount of water lost to evaporation and the formation of harmful algal blooms.

(c) Therefore, the Legislature finds that the siting of floating solar facilities should be encouraged by local governments as appropriate uses of water and land areas.

(2) For purposes of this section, the term “floating solar facility” means a solar facility as defined in s. 163.3205(2), which is located on wastewater treatment ponds, abandoned limerock mine areas, stormwater treatment ponds, reclaimed water ponds, or other water storage reservoirs.

(3) A floating solar facility shall be a permitted use in the appropriate land use categories in each local government comprehensive plan and each local government must amend its land development regulations to promote the expanded use of floating solar facilities.

(4) A county or municipality may adopt an ordinance specifying buffer and landscaping requirements for floating solar facilities. The requirements may not exceed the requirements for similar uses involving the construction of other solar facilities that are permitted uses in agricultural land use categories and zoning districts.

(5) Notwithstanding subsections (3) and (4), a floating solar facility may not be constructed in an Everglades Agricultural Area reservoir project if the local governments involved with the project determine that the floating solar facility will have a negative impact on that project.

(6) The Office of Energy within the Department of Agriculture and Consumer Services shall develop and submit recommendations to the Legislature by December 31, 2022, to provide a regulatory framework to private and public sector entities that implement floating solar facilities.

Section 2. This act shall take effect July 1, 2022.

Approved by the Governor April 27, 2022.

Filed in Office Secretary of State April 27, 2022.