

6138 Construction by at least 50 percent as compared to the energy  
 6139 efficiency provisions of the 2007 Florida Building Code adopted  
 6140 October 31, 2007.

6141 (2) The Florida Building Commission shall identify within  
 6142 code support and compliance documentation the specific building  
 6143 options and elements available to meet the energy performance  
 6144 goals established in subsection (1).

6145 (3) The Florida Building Commission shall, prior to  
 6146 implementing the goals established in subsection (1), adopt by  
 6147 rule and implement a cost-effectiveness test for proposed  
 6148 increases in energy efficiency. The cost-effectiveness test  
 6149 shall measure cost-effectiveness to the average consumer and  
 6150 shall ensure that energy efficiency increases result in a  
 6151 positive net financial impact to the average consumer. The rule  
 6152 shall not become effective until the conclusion of the next  
 6153 regular session of the Legislature following its adoption.

6154 Section 106. Subsection (1) of section 553.909, Florida  
 6155 Statutes, is amended, subsections (3) and (4) are renumbered as  
 6156 subsections (6) and (7), respectively, and new subsections (3),  
 6157 (4), and (5) are added to that section, to read:

6158 553.909 Setting requirements for appliances; exceptions.--

6159 (1) The Florida Energy Efficiency Code for Building  
 6160 Construction shall set the minimum requirements for commercial  
 6161 or residential swimming pool pumps, swimming pool water heaters,  
 6162 and heat traps and thermostat settings for water heaters used to  
 6163 heat potable water sold for residential use. The code shall  
 6164 further establish the minimum acceptable standby loss for  
 6165 electric water heaters and the minimum recovery efficiency and

6166 standby loss for water heaters fueled by natural gas or  
6167 liquefied petroleum gas.

6168 (3) Commercial or residential swimming pool pumps or water  
6169 heaters sold after July 1, 2011, shall comply with the  
6170 requirements of this subsection. Natural gas pool heaters shall  
6171 not be equipped with constantly burning pilots. Heat pump pool  
6172 heaters shall have a coefficient of performance at low  
6173 temperature of not less than 4.0. The thermal efficiency of gas-  
6174 fired pool heaters and oil-fired pool heaters shall not be less  
6175 than 80 percent. All pool heaters shall have a readily  
6176 accessible on-off switch that is mounted outside the heater and  
6177 that allows shutting off the heater without adjusting the  
6178 thermostat setting.

6179 (4) Pool pump motors shall not be split-phase, shaded-  
6180 pole, or capacitor start-induction run types. Residential pool  
6181 pumps and pool pumps motors with a total horsepower of 1 HP or  
6182 more shall have the capability of operating at two or more  
6183 speeds with a low speed having a rotation rate that is no more  
6184 than one-half of the motor's maximum rotation rate. Residential  
6185 pool pump motor controls shall have the capability of operating  
6186 the pool pump at a minimum of two speeds. The default  
6187 circulation speed shall be the residential filtration speed,  
6188 with a higher speed override capability being for a temporary  
6189 period not to exceed one normal cycle or 120 minutes, whichever  
6190 is less. Except that circulation speed for solar pool heating  
6191 systems shall be permitted to run at higher speeds during  
6192 periods of usable solar heat gain.

6193           (5) Portable electric spas standby power shall not be  
 6194 greater than 5(V<sup>2</sup>/3) watts where V = the total volume, in  
 6195 gallons, when spas are measured in accordance with the spa  
 6196 industry test protocol.

6197           ~~(6)~~~~(3)~~ The Florida Energy Efficiency Code for Building  
 6198 Construction may include standards for other appliances and  
 6199 energy-using systems if they are determined by the department to  
 6200 have a significant impact on the energy use of the building and  
 6201 if they are cost-effective to the consumer.

6202           ~~(7)~~~~(4)~~ If the provisions of this section are preempted in  
 6203 part by federal standards, those provisions not preempted shall  
 6204 apply.

6205           Section 107. (1) By July 1, 2009, the Agency for  
 6206 Enterprise Information Technology shall define objective  
 6207 standards for:

6208           (a) Measuring data center energy consumption and  
 6209 efficiency, including, but not limited to, airflow and cooling,  
 6210 power consumption and distribution, and environmental control  
 6211 systems in a data center facility.

6212           (b) Calculating total cost of ownership of energy-  
 6213 efficient information technology products, including initial  
 6214 purchase, installation, ongoing operation and maintenance, and  
 6215 disposal costs over the life cycle of the product.

6216           (2) State data centers and computing facilities designated  
 6217 by the Agency for Enterprise Information Technology shall  
 6218 evaluate their data center facilities for energy efficiency  
 6219 using the standards established pursuant to this section.

6220           (a) Results of these evaluations shall be reported to the