



## MEMORANDUM

**TO:** Bill Lupfer, President and CEO, Florida Attractions Association

**FROM:** Jennifer J. Green, CAE, DPL, President  
Tim Parson, DPL, Vice President  
Adam Potts, DPL, Director of Government Affairs  
Ethan Merchant, DPL, Governmental Affairs Manager

**DATE:** February 1, 2022

**RE:** Third Week of Session Summary – Week of January 24-28, 2022

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With three weeks of the 2022 Legislative Session completed, the clock is ticking for legislation to make its way through the committee process and passed by the Legislature. Key issues that are making headlines in Tallahassee include redistricting, COVID-19 liability protections for health care providers and local government ordinances. Appropriation project requests and local funding initiative requests are also making their way through the legislative process and signal the beginning of the budgetmaking process for fiscal year 2022-23.

In news of interest to the Florida Attractions Association and their members, legislation that extends the scheduled sunset of VISIT FLORIDA has passed committee references in the House and Senate and now awaits consideration on the House and Senate floor. During last week's committee hearings, committee members gained a better understanding of the work VISIT FLORIDA does to promote urban and rural areas of the state and the various marketing campaigns that have been launched as the state recovers from the COVID-19 pandemic.

Several pieces of legislation that could impact the state's tourism industry are moving forward in the legislative process. Below is a summary of bills that have been filed that are of interest to FAA:

### **Florida Tourism Marketing**

[HB 489](#) by Representative Linda Chaney (R-St. Petersburg) would revise the scheduled repeal date of the Florida Tourism Industry Marketing Corporation; revise scheduled repeal date of Division of Tourism Marketing within Enterprise Florida, Inc. The bill passed the House Commerce Committee on Monday and awaits consideration on the House floor. The Senate companion - [SB 434](#) – by Senator Ed Hooper (R-Palm Harbor) passed the Senate Appropriations Committee on Thursday and awaits consideration on the Senate floor.

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### **Tourist Development Taxes**

[HB 6075](#) by Representative Anna Eskamani (D-Orlando) would remove a provision requiring a specified percentage of all tourist development tax revenues to be used to promote & advertise tourism. The bill awaits its first hearing in the House Tourism, Infrastructure & Energy Subcommittee. The Senate companion - [SB 1898](#) – by Senator Gary Farmer Jr. (D-Fort Lauderdale) is awaiting its first hearing in the Senate Commerce & Tourism Committee.

### **Tourist Development Taxes**

[HB 673](#) by Representative Jason Shoaf (R-Blountstown) would authorize certain coastal counties to be reimbursed for use of tourist development tax revenues for tourism training; revise the percentage of tourist development tax revenues that may be used to reimburse for expenses incurred in providing public safety services; authorize certain rural counties to be reimbursed for use of tourist development tax revenues for certain purposes regardless of whether certain other requirements are met. The bill is awaiting its first hearing in the House Tourism, Infrastructure & Energy Subcommittee. The Senate companion – [SB 1542](#) – by Senator George Gainer (R-Panama City) is awaiting its first hearing in the Senate Commerce & Tourism Committee.

### **Local Tax Referenda Requirements**

[HB 777](#) by Representative Will Robinson (R-Bradenton) would require referenda elections related to tourist development taxes, tourist impact taxes, children's services & independent special district property taxes, increases in county & municipal ad valorem tax millages, ninth-cent fuel tax, local option fuel taxes, & certain school district millage elections to be held on day of general elections. The bill awaits its final hearing in the House State Affairs Committee. The Senate companion – [SB 1194](#) – by Senator Jim Boyd (R-Bradenton) is awaiting its final hearing in the Senate Appropriations Committee.

### **HB 9 - Consumer Data Privacy**

[HB 9](#) by Representative Fiona McFarland (R-Sarasota) would require collectors to provide notice to consumers about data collection, sharing, & selling practices; provide consumers the right to request data be disclosed, deleted, or corrected & to opt-in or opt-out of sale or sharing of such data; provide nondiscrimination measures, methods for requesting data & opting-in or opting-out of sale or sharing of such data, private cause of action, enforcement, & jurisdiction; preempt regulation of consumer data collection, sharing, & selling to the state. The bill is awaiting its first hearing in the House Commerce Committee. The Senate companion – [SB 1864](#) – by Senator Jennifer Bradley (R-Orange Park) is awaiting its first hearing in the Senate Commerce and Tourism Committee.

### **Acceptance of Cash Payments by Businesses**

[HB 233](#) by Representative Matt Willhite (D-Wellington) would require certain businesses to accept cash payments for services; prohibit fees or conditions for such transactions; provide exceptions, penalties, & rulemaking authority. The bill is awaiting its first hearing in the House Insurance & Banking Subcommittee. The Senate companion – [SB 408](#) – by Senator Shevrin Jones (D-Miami Gardens) is awaiting its first committee stop in the Senate Commerce & Tourism Committee.

### **Vacation Rentals**

[HB 325](#) by Representative Jason Fischer (R-Jacksonville) would require advertising platforms to collect & remit taxes for certain transactions; revise regulated activities of public lodging establishments & public food service establishments preempted to state; expand authority of local laws, ordinances, or regulations to include requiring vacation rentals to register with local vacation rental registration programs; preempt regulation of advertising platforms to state; authorize division to issue & deliver notice to cease & desist for certain violations; provide that such notice does not constitute agency action for which hearings may be sought; authorize division to collect attorney fees & costs; authorize division to impose fine on advertising platforms for violations. The bill passed the House Regulatory Reform Subcommittee on Thursday and awaits its second hearing in the House Ways and Means Committee. The Senate companion – [SB 512](#) – by Senator Danny Burgess (R-Zephyrhills) is scheduled to be heard in the Senate Community Affairs Committee on Wednesday, February 2.

### **Evidentiary Standards for Actions Arising During an Emergency**

[HB 411](#) by Representative Lauren Melo (R-Naples) would provide specified actions taken by business during declared emergencies may not be used as evidence in certain civil causes of action. The bill has passed all committee references and awaits consideration on the House floor. The Senate companion – [SB 542](#) – by Senator Ana Maria Rodriguez (R-Doral) passed the Senate floor on Thursday.

### **Online Marketplace Transparency**

[HB 1227](#) by Representative Jackie Toledo (R-Tampa) would requires online marketplaces to require high-volume third-party sellers using their service to provide information to online marketplace within specified timeframe; require online marketplace to suspend sellers who do not provide such certification or updated information; require online marketplaces to disclose information in specified manner; preempt regulation of verification & disclosure of such information to Department of Legal Affairs. The bill awaits its final stop in the House Commerce Committee. The Senate companion – [SB 944](#) – by Senator Dennis Baxley (R-Lady Lake) awaits its final hearing in the Senate Rules Committee.

## **2022 LEGISLATIVE SESSION SCHEDULE**

<b>September 20 – September 24, 2021</b>	1 <sup>st</sup> Interim Committee Week
<b>October 11 – October 15, 2021</b>	2 <sup>nd</sup> Interim Committee Week
<b>October 18 – October 22, 2021</b>	3 <sup>rd</sup> Interim Committee Week
<b>November 1 – November 5, 2021</b>	4 <sup>th</sup> Interim Committee Week
<b>November 15 – November 19, 2021</b>	5 <sup>th</sup> Interim Committee Week
<b>November 29 – December 3, 2021</b>	6 <sup>th</sup> Interim Committee Week
<b>January 11, 2022</b>	Regular Session Convenes
<b>March 1, 2022</b>	Last Day for Regular Committee Meetings
<b>March 11, 2022</b>	Last Day of Regular Session

We will continue to monitor these issues for FAA members and provide regular updates.