



## 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:** March 14, 2023

**RE:** First Week of Session Summary – Week of March 6 – March 10, 2023

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The 2023 Legislative Session officially started last week, as members of the Legislature convened on Tuesday to begin the 60-day session. To open Session, Senate President Kathleen Passidomo (R-Naples) and House Speaker Paul Renner (R-Palm Coast) addressed their respective chambers and laid out their priorities for the next two months.

In their speeches, President Passidomo and Speaker Renner touched on similar priorities, including affordable housing, tax relief, tort reform and school choice. Both leaders are also focused on providing support to law enforcement officers and fighting the war on fentanyl. Environmental protection will also be a top priority in the Legislature, as President Passidomo and Speaker Renner will seek to preserve our natural resources and create "Florida's Central Park" within the Florida Wildlife Corridor.

Governor Ron DeSantis' priorities appear to align with the Legislature's, as he laid out his legislative agenda in Tuesday's State of the State Address. To begin his address, Governor DeSantis highlighted Florida's top position nationally for in-migration, new business formation, law enforcement recruitment, parental involvement in education and higher education. The Governor also discussed the state's response to Hurricanes Ian and Nicole, tax relief and toll relief. Governor DeSantis also applauded Speaker Renner and President Passidomo for addressing legal reform, affordable housing and constitutional carry during the 2023 Legislative Session.

As we move through the 2023 Legislative Session, the state's FY 2023-24 budget will begin to take form. In his budget recommendations – known as the Framework for Freedom Budget – Governor DeSantis is proposing a total budget of \$114.8 billion for FY 2023-24, with more than \$15 billion in total reserves.

Industry-specific highlights from the Governor's proposed budget include the following:

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- \$100 million for the state's tourism marketing agency, VISIT FLORIDA.
- A 15-week Freedom Summer Sales Tax Holiday. This will provide a sales tax exemption on certain outdoor recreation purchases, as well as tickets for museums, the arts and other events.
- More than \$406 million for resiliency, including \$350 million for statewide resiliency projects and \$56 million for resiliency planning and coral reef protection.
- \$5 million for Cultural and Museum Grants.

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 and that we are monitoring closely.

### **Safety Standards for Amusement Rides**

[SB 902](#) by Senator Geraldine Thompson (D-Orlando) would require permanent amusement rides operated for the first time in this state after a specified date to have a ride commissioning and certification report on file with the Department of Agriculture and Consumer Services within a specified timeframe; authorize the department to conduct unannounced inspections for specified purposes; revise the circumstances under which the owner or manager of an amusement ride is required to report an accident and under which the department may impound an amusement ride involved in an accident, etc. The bill passed the Senate Agriculture Committee unanimously on Monday, March 13. The House companion – [HB 1241](#) – by Representative Lavon Bracy-Davis (D-Orlando) is awaiting its first hearing in the House Regulatory Reform & Economic Development Subcommittee.

### **Public Records/Active Amusement Ride Investigation**

[SB 904](#) by Senator Geraldine Thompson would provide an exemption from public records requirements for all investigatory records made or received by the Department of Agriculture and Consumer Services pursuant to an active amusement ride investigation for a specified timeframe; provide for future legislative review and repeal of the exemption; provide a statement of public necessity, etc. The bill passed the Senate Agriculture Committee unanimously on Monday, March 13. The House companion – [HB 1243](#) – by Representative Lavon Bracy-Davis is awaiting its first hearing in the House Regulatory Reform & Economic Development Subcommittee.

### **Tourist Development Taxes**

[HB 309](#) by Representative Jason Shoaf (R-Blountstown) would authorize certain fiscally constrained counties to use designated percentage of tourist development tax revenues received to reimburse for expenses incurred for certain purposes and provide specifications for use of those tax revenues. The bill is awaiting its first hearing in the House Ways and Means Committee. The Senate companion – [SB 640](#) – by Senator Corey Simon (R-Tallahassee) is awaiting its first hearing in the Senate Commerce and Tourism Committee.

### **Civil Remedies**

[HB 837](#) by Representative Tom Fabricio (R-Hialeah) would create a rebuttable presumption that lodestar fee is sufficient & reasonable attorney fee in most civil actions; reduce statute of limitations for negligence

actions; provide standards for bad faith actions; provide for distribution of proceeds when two or more third-party claims arising out of single occurrence exceed policy limits; limit applicability of provisions relating to attorney fees in certain actions against insurers; provide standards for evidence to prove damages for medical expenses in certain civil actions; require certain disclosures with respect to claims for medical expenses for treatment rendered under letters of protection; require trier of fact to consider fault of certain persons who contribute to an injury; provide that owner or principal operator of multifamily residential property which substantially implements specified security measures on that property has presumption against liability in connection with certain criminal acts that occur on premises; revise provisions relating to immunity from liability for injury to trespassers on real property; specify applicability of provisions relating to offer of judgment & demand for judgment. The bill has passed all committees and awaits consideration on the House floor. The Senate companion – [SB 236](#) – by Senator Travis Hutson (R-Palm Coast) is scheduled to receive its second committee hearing in the Senate Judiciary Committee on Tuesday, March 14.

### **Resale of Tickets**

[HB 317](#) by Representative Fiona McFarland (R-Sarasota) would provide requirements for websites of ticket resellers; provide for donation, transfer, & resale of certain tickets; authorize original seller to request certain information from final ticket holders; prohibit original ticket seller from taking certain actions against person who purchases or resells ticket; preempt regulation of sale or resale of tickets to state. The House bill is awaiting its first hearing in the House Regulatory Reform & Economic Development Subcommittee. The Senate companion – [SB 388](#) – by Senator Jennifer Bradley (R-Fleming Island) passed the Senate Commerce and Tourism Committee on Monday, March 13 and awaits its second committee hearing.

### **Vacation Rentals**

[SB 714](#) by Senator Nick DiCeglie (R-St. Petersburg) would require advertising platforms to collect and remit specified taxes for certain vacation rental transactions; define the term “advertising platform”; revise the regulated activities of public lodging establishments and public food service establishments preempted to the state to include licensing; require advertising platforms to require that persons placing advertisements for vacation rentals include certain information in the advertisements and attest to certain information; authorize the division to revoke, refuse to issue or renew, or suspend vacation rental licenses under certain circumstances, etc. The Senate bill is scheduled to be heard in the Senate Regulated Industries Committee on Tuesday, March 14. The House companion – [HB 833](#) – by Representative Wyman Duggan (R-Jacksonville) is awaiting its first hearing in the House Regulatory Reform & Economic Development Subcommittee.

## **2023 LEGISLATIVE SESSION SCHEDULE**

**December 12 – December 16, 2022**  
**January 3 – January 6, 2023**  
**January 17 – January 20, 2023**  
**January 23 – January 27, 2023**  
**February 6 – February 10, 2023**

1<sup>st</sup> Interim Committee Week  
2<sup>nd</sup> Interim Committee Week  
3<sup>rd</sup> Interim Committee Week  
4<sup>th</sup> Interim Committee Week  
5<sup>th</sup> Interim Committee Week

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**February 13 – February 17, 2023**

**February 20 – February 24, 2023**

**March 7, 2023**

**May 5, 2023**

6<sup>th</sup> Interim Committee Week

7<sup>th</sup> Interim Committee Week

Regular Session Convenes

Last Day of Regular Session

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