



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 20, 2023

RE: Second Week of Session Summary – Week of March 13 – March 17, 2023

The Florida Legislature gathered in Tallahassee for Week Two of the 2023 Legislative Session last week. While committees and subcommittees continued to meet and advance legislation, the House and Senate also held multiple floor sessions to pass policy and move it closer to the Governor's desk.

To date, more than 1,750 bills have been filed. The Legislature will continue to advance priority legislation until *Sine Die* on May 5, 2023. The Legislature is also beginning to piece together the state's proposed FY 2023-24 budget. Appropriation subcommittees in the House and Senate are expected to begin releasing their initial budget proposals as early as this week, with the full appropriations committees in the House and Senate anticipated to release their recommended budgets as early as Week Four of the 2023 Legislative Session.

In statewide news, Governor Ron DeSantis announced that Florida's unemployment rate dipped to 2.6% in January 2023, marking the 27th consecutive month that Florida's unemployment rate has remained lower than the national average. Additionally, job creation in the state has outpaced the national average for 22 consecutive months. Between January 2022 and January 2023, private sector employment in Florida has increased by 5.3%, significantly higher than the national average of 3.6% during the same period.

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

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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 is awaiting its second hearing in the Senate Agriculture, Environment and General Government Appropriations Committee. 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 is awaiting its second hearing in the Senate Agriculture, Environment and General Government Appropriations Committee. 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 passed the House floor by a vote of 80-31 on March 17 and has now been referred to the Senate Fiscal Policy Committee. The Senate companion – [SB 236](#) – by Senator Travis Hutson (R-Palm Coast) passed its final committee stop in the Senate Fiscal Policy Committee on March 16 by a vote of 13-6 and now moves to the Senate floor for consideration.

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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) awaits its second stop in the Senate Judiciary Committee.

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 bill passed the Senate Regulated Industries Committee by a vote of 5-2 on March 14 and now awaits its second hearing in the Senate Agriculture, Environment and General Government Appropriations Committee. The House companion – [HB 833](#) – by Representative Wyman Duggan (R-Jacksonville) is awaiting its first hearing in the House Regulatory Reform & Economic Development Subcommittee.

Technology Transparency

[SB 262](#) by Senator Jennifer Bradley (R-Fleming Island) would prohibit officers or salaried employees of governmental entities from using their positions or state resources to make certain requests of social media platforms; prohibit governmental entities from initiating or maintaining agreements or working relationships with social media platforms under a specified circumstance; prohibit a controller from collecting certain consumer information without the consumer’s authorization; require controllers that collect personal information to implement reasonable security procedures and practices to protect such information, etc. The bill is awaiting its first hearing in the Senate Commerce and Tourism Committee. The House companion – [HB 1547](#) – by Representative Fiona McFarland (R-Sarasota) is awaiting its first hearing in the House Regulatory Reform & Economic Development Subcommittee.

Local Tax Referenda Requirements

[SB 698](#) by Senator Blaise Ingoglia (R-Spring Hill) would require a referendum to reenact an expiring tourist development tax or tourist impact tax, respectively, to be held at the general election immediately preceding the expiration date of the tax; require a referendum to approve a millage rate increase for a children’s services independent special district property tax to be held at the general election immediately preceding the effective date of the increase; require a referendum to reenact an expiring local government discretionary sales surtax to be held at the general election immediately preceding the expiration date of the surtax; delete provisions that authorize school district millage elections to be held at any time and specify a limit on such elections, etc. The bill is awaiting its first hearing in the Senate Community Affairs

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Committee. The House companion – [HB 731](#) – by Representative John Temple (R-Villages) is awaiting its second stop in the House Ways & Means Committee.

2023 LEGISLATIVE SESSION SCHEDULE

December 12—December 16, 2022	1st Interim Committee Week
January 3—January 6, 2023	2nd Interim Committee Week
January 17—January 20, 2023	3rd Interim Committee Week
January 23—January 27, 2023	4th Interim Committee Week
February 6—February 10, 2023	5th Interim Committee Week
February 13—February 17, 2023	6th Interim Committee Week
February 20—February 24, 2023	7th Interim Committee Week
March 7, 2023	Regular Session Convenes
May 5, 2023	Last Day of Regular Session

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