



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: May 2, 2023

RE: Eighth Week of Session Summary – Week of April 24 – April 28, 2023

With the 2023 Legislative Session winding down, various pieces of legislation continue to pass the House and Senate, while other bills will not make it across the finish line. Of the 1,873 bills that were filed during the 2023 Legislative Session, 146 have passed both chambers and 21 have already been approved by Governor Ron DeSantis. Additionally, the House may only consider returning messages, conference reports and concurrent resolutions after May 3.

Over the last week, House and Senate budget conferees met to close the funding gap that existed in the chambers' proposed budgets for FY 2023-24. On Tuesday morning, the Legislature filed the conference report on [SB 2500](#) and it was distributed to members of the House and Senate at 8:56 a.m. There is now a mandatory 72-hour “cooling off” period before the chambers can vote on the Legislature’s proposed budget for FY 2023-24.

The Legislature’s budget proposal totals \$117 billion and includes \$10.9 billion in total reserves. Highlights of the proposal include a 5% pay increase for all state employees, \$350 million for the Hurricane Ian and Nicole Recovery Grant Program within the Division of Emergency Management (DEM) and \$80 million for VISIT Florida. The Legislature is scheduled to vote on the budget on Friday, May 5 before sending to Governor Ron DeSantis for final approval.

Below is a summary of bills that are of interest to FAA and that we are monitoring closely.

Tourism Development

[HB 7053](#) would make harmful changes to VISIT FLORIDA’s business model and negatively impact the tourism industry in the process. The bill would require rural counties to pay 2% of the Tourist Development Tax (TDT) collections and all other counties to pay 5% of TDT dollars to fund VISIT

FLORIDA. This equates to approximately \$70 million for 2023-26 and following this time period, remittance of the TDT dollars to fund VISIT FLORIDA from counties would be voluntary and left up to the discretion of local governing boards. Additionally the bill would require all levied TDT to be reauthorized by a referendum every six years. TDT that is collected to cover County bond obligations would be exempt.

Additionally, the bill would eliminate rental car surcharge proceeds to VISIT FLORIDA and would prohibit any state appropriations to VISIT FLORIDA. Furthermore, VISIT FLORIDA would be required to use 75% of expenditures for activities, services and programs that directly benefit state parks, state forests and rural counties.

The bill would also require VISIT FLORIDA to match funds from each county on a one-to-one basis, while prohibiting any proceeds from TDT to be used as the match. Cooperative marketing or local DMO programs participation also cannot count toward the match. Counties would also be able to use TDT for tourism infrastructure such as transportation, sanitary sewer, solid waste, drainage, potable water and pedestrian facilities. HB 7053 has not been heard in the House and there is no Senate companion.

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 floor on April 28 and is scheduled to be considered on the House floor on Tuesday.

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 floor on April 28 and is scheduled to be considered on the House floor on Tuesday.

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 did not receive a committee hearing. The Senate companion – [SB 640](#) – by Senator Corey Simon (R-Tallahassee) did not receive a committee hearing.

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 bill never received a committee hearing. The Senate companion – [SB 388](#) – by Senator Jennifer Bradley (R-Fleming Island) has not received its second committee hearing 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 floor on April 27 and is expected to pass the House floor with an amendment on Wednesday before going back to the Senate for final approval.

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 passed the Senate floor on April 28 and is scheduled to be heard on the House floor on Tuesday. The House companion – [HB 1547](#) – by Representative Fiona McFarland (R-Sarasota) awaits consideration on the House floor.

Land Use and Development Regulations

[SB 1604](#) by Senator Blaise Ingoglia (R-Spring Hill) would provide types of relief that may be included in a negotiated settlement; require special magistrate to consider public interest served by comprehensive plan provisions that are inconsistent with proposed relief; provide procedures for deeming relief granted by special magistrate's recommendation; revise elements that must be included in comprehensive plan; revise frequency at which local government must evaluate its comprehensive plan; prohibit local government from adopting plan amendments to its comprehensive plan when it fails to meet certain requirements; provide for expansion of existing development of housing that contains affordable dwelling units if certain requirements are met; revise substation approval process to include applications for changes to existing electric substations. The Senate bill is scheduled to pass the House floor on Wednesday with an amendment before heading back to the Senate floor.

Department of Transportation

[HB 1305](#) by Representative Shane Abbott (R-DeFuniak Springs) would increase the maximum amount of debt service coverage that must be transferred from the State Transportation Trust Fund to the Right-of-Way Acquisition and Bridge Construction Trust Fund; authorize the department to provide up to 100

percent of project costs for certain eligible projects in rural areas of opportunity; authorize installation of an automated license plate recognition system within the right-of-way of any road on the State Highway System for a specified purpose; prohibit use of such system for certain purposes, etc. The House bill passed the Senate floor with two amendments on Tuesday and is in House returning messages. The Senate companion – [SB 1250](#) – was substituted for the House bill.

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 never received its final hearing in the Senate Fiscal Policy Committee. The House companion – [HB 731](#) – by Representative John Temple (R-Villages) awaits consideration on the House floor.

OGSR/Building Plans, Blueprints, Schematic Drawings and Diagrams

[SB 7008](#) by Senator Bryan Avila (R-Hialeah Gardens) would amend a provision which provides an exemption from public records for building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the internal layout or structural elements of an attractions and recreation facility, entertainment or resort complex, industrial complex, retail and service development, office development, health care facility, or hotel or motel development; remove a provision authorizing disclosure of exempt information under certain circumstances; remove the scheduled repeal of the exemption, etc. The bill has passed both chambers and is waiting to be sent to Governor DeSantis for final approval.

2023 LEGISLATIVE SESSION SCHEDULE

December 12 – December 16, 2022	1 st Interim Committee Week
January 3 – January 6, 2023	2 nd Interim Committee Week
January 17 – January 20, 2023	3 rd Interim Committee Week
January 23 – January 27, 2023	4 th Interim Committee Week
February 6 – February 10, 2023	5 th Interim Committee Week
February 13 – February 17, 2023	6 th Interim Committee Week
February 20 – February 24, 2023	7 th 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.