



## 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 23, 2022

**RE:** Sixth Week of Session Summary – Week of February 14 - February 18, 2022

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With only three weeks remaining in the 2022 Legislative Session, policy and budget priorities are coming together before the Legislature adjourns *Sine Die* on March 11, 2022. In anticipation of the upcoming budget conference process, the House and Senate have passed their proposed budgets for FY 2022-23 off their respective floors. Although the Senate proposal of \$108.6 billion and the House proposal of \$105.3 billion puts the chambers \$3.3 billion apart, budget conference will allow leaders in the Senate and House to negotiate and close this gap before a final product is submitted to Governor Ron DeSantis.

The House also released their comprehensive tax package for FY 2022-23 last week. HB 7101 includes a seven-day “Freedom Week” sales tax holiday, a two-week disaster preparedness sales tax holiday, a two-week back-to-school sales tax holiday and a seven-day sales tax holiday on tools and equipment used in skilled trades.

At this point in the legislative process, if a bill has not been heard in committee and is not making its way toward the House or Senate floor, the probability of it being signed into law is diminishing. As the Legislature enters the final stretch of session, thousands of bills will die and not have the opportunity to become law.

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 awaits consideration on the House floor. The Senate companion - [SB 434](#) – by Senator Ed Hooper (R-Palm Harbor) is awaiting action in the House.

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### **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 unanimously passed the House Ways and Means Committee on Thursday, February 17<sup>th</sup> and awaits its final hearing in the House Commerce Committee. The Senate companion – [SB 1542](#) – by Senator George Gainer (R-Panama City) is awaiting its first hearing in the Senate Commerce & Tourism Committee.

### **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.

### **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 scheduled to be considered in the House Judiciary Committee on Wednesday, February 23<sup>rd</sup>. 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.

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### **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 awaits its second hearing in the House Ways and Means Committee. The Senate companion – [SB 512](#) – by Senator Danny Burgess (R-Zephyrhills) awaits a final hearing in the Senate Appropriations Committee.

### **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 awaits consideration on the House floor. The Senate companion – [SB 542](#) – by Senator Ana Maria Rodriguez (R-Doral) has passed the Senate and is awaiting action in the House.

## **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.