



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: April 17, 2023

RE: Sixth Week of Session Summary – Week of April 10 – April 14, 2023

With three weeks remaining in the 2023 Legislative Session, legislators are moving bills through the committee process and passing legislation off the House and Senate floors. The House and Senate are also moving closer to beginning the budget conference process. The chambers will reconcile a \$700 million difference in their spending plans for FY 2023-24 before sending to Governor DeSantis for final approval. Governor DeSantis also wields line-item veto authority once he receives the Legislature's proposed budget.

Following severe flooding and rainfall in Broward County last week, Governor DeSantis issued Executive Order 23-65 (Emergency Management – Broward County Flooding). The executive order declares a state of emergency in Broward County, and state agencies, including the Florida Division of Emergency Management (FDEM) are assisting local governments in recovery efforts.

Additionally, the House Ways and Means Committee and Senate Finance and Tax Committee have released their proposed tax packages for FY 2023-24. [HB 7063](#) and [SB 7062](#) would provide permanent sales tax exemptions on specific baby/infant products such as diapers and oral hygiene products. Additional highlights of the proposals include two two-week Back-to-School Sales Tax Holidays, along with a two-week Disaster Preparedness Sales Tax Holiday, a one-week "Tool Time" Sales Tax Holiday, and a three-month Freedom Summer Sales Tax Holiday on recreational items and activities.

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 been referred to the House Ways and Means Committee and the House Appropriations Committee, but does not yet have a hearing scheduled. There is no Senate companion at this time.

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 is scheduled to be heard in the Senate Agriculture, Environment and General Government Appropriations Committee on Tuesday, April 18. The House companion – [HB 1241](#) – by Representative Lavon Bracy-Davis (D-Orlando) awaits its final hearing in the House Commerce Committee.

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 scheduled to be heard in the Senate Agriculture, Environment and General Government Appropriations Committee on Tuesday, April 18. The House companion – [HB 1243](#) – by Representative Lavon Bracy-Davis awaits its second hearing in the House Ethics, Elections and Open Government Subcommittee.

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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.

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 is scheduled to be heard in the Senate Agriculture, Environment and General Government Appropriations Committee on Tuesday, April 18. The House companion – [HB 833](#) – by Representative Wyman Duggan (R-Jacksonville) passed its final stop in the House Commerce Committee on Monday, April 17.

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 unanimously passed the Senate Commerce and Tourism Committee on April 4 and awaits its final stop in the Senate Rules Committee. The House companion – [HB 1547](#) – by Representative Fiona McFarland (R-Sarasota) awaits its final hearing in the House Commerce Committee.

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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 scheduled to be heard in the Senate Finance & Tax Committee on Tuesday, April 17. The House companion – [HB 731](#) – by Representative John Temple (R-Villages) has passed all committees and 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	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.