

**REVENUE ESTIMATING CONFERENCE**

**Tax:** Tuition and Fees

**Issue:** Florida College System Fee Waivers

**Bill Number(s):** CS/CS/HB 593

**Entire Bill**

**Partial Bill:**

**Sponsor(s):** Representative Trumbull

**Month/Year Impact Begins:** The bill takes effect July 1, 2019.

**Date of Analysis:** May 22, 2019

**Section 1: Narrative**

**a. Current Law:** Florida College System institutions are established in section 1000.21, F.S., to serve designated counties. Over the past two years, most counties in Florida have been impacted by Hurricane Irma, Hurricane Michael, or both. Many of the Florida College System institutions also had direct impacts from the storms, with some institutions experiencing enrollment declines. A map of the service areas for each college and a 5-year enrollment history are attached.

Pursuant to sections 1009.22 and 1009.23, F.S., Florida College System institutions must charge tuition and applicable fees to all students unless the student is exempt from paying fees or the student’s fees are waived. Students who cannot document Florida residency pursuant to section 1009.21, F.S., are classified as nonresidents for tuition purposes and must pay an out-of-state fee, in addition to tuition and other required fees, to enroll in a course at a Florida College System institution. Tuition and out-of-state fee rates are established in section 1009.22, F.S., for workforce education programs and section 1009.23, F.S., for college credit programs. A college may vary its tuition and out-of-state fee rate within the range of 5% below up to 5% above the rates set in statute for workforce education programs (section 1009.22(3)(d), F.S.) and within the range of 10% below up to 15% above the rates set in statute for college credit programs (section 1009.23(4), F.S.).

Florida College System institutions have additional discretion in setting out-of-state fees. Colleges that have a service area that borders another state may implement a differential out-of-state fee (sections 1009.22(4) and 1009.23(6)(a), F.S.). Additionally, all colleges are authorized to establish a differential out-of-state fee for nonresident students who are enrolled in distance learning courses, as long as the sum of the tuition and out-of-state fee covers the full cost of instruction (section 1009.23(6)(b), F.S.).

Section 1009.26, F.S., requires and authorizes a variety of fee waivers for specified types of students. Currently, there is no waiver specifically for out-of-state students enrolling in a Florida College System institution following an enrollment decline caused by a hurricane. The system average tuition and fee rates (for 30 credit hours) for FY 2018-19 are as follows:

<b>Institution/Level</b>	<b>FY 18-19 Resident Tuition and Fees</b>	<b>FY 18-19 Nonresident Tuition and Fees</b>	<b>Difference</b>
Workforce Education Courses	\$2,479	\$9,914	\$7,435
Lower Level College Credit Courses	\$3,206	\$11,672	\$8,466
Upper Level College Credit Courses	\$3,650	\$15,005	\$11,355

**b. Proposed Change:** The bill authorizes Florida College System institutions that serve counties directly impacted by a hurricane, and whose enrollment decreases by more than 10 percent as a result of such impacts, to waive out-of-state fees. The waivers are for the purpose of recruiting students for a period of 3 years, beginning 180 days after the date on which the hurricane directly impacted the counties served by the college. The waiver may be used by the student for up to 110 percent of the number of required credit hours of the program in which the student is enrolled, as long as the student does not disenroll for more than one semester. The number and value of waivers must be reported by the colleges to the State Board of Education annually. The bill prohibits the inclusion of out-of-state students enrolled under the fee waiver in the enrollment totals reported by the Education Estimating Conference on Florida College System enrollment.

**Section 2: Description of Data and Sources**

- Florida College System Tuition and Fees Schedule for FY 2018-19. Department of Education, Division of Florida Colleges.
- Florida College System Service Areas Map. Department of Education, Division of Florida Colleges.

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- Florida College System FTE-2A Enrollment Estimates, Education Estimating Conference on Florida College System Enrollment (March 4, 2019).
- Staff Analysis for CS/CS/HB 593, Florida House of Representatives.
- College Catalogs for Chipola, FSC at Jacksonville, Florida Gateway, Gulf Coast, North Florida, Northwest Florida, Pensacola, Tallahassee available on the colleges' websites.

**Section 3: Methodology (Include Assumptions and Attach Details)**

The proposed impact for the bill is **Zero/ Indeterminate** based on a number of factors.

First, the bill authorizes, but does not require, colleges to offer the fee waivers. It would be at the discretion of each local board of trustees to offer this type of waiver. Additionally, it is unknown when or if future hurricanes will impact Florida College System institutions and result in enrollment declines that would trigger the waiver authority.

Second, the bill does not prescribe how the enrollment decreases are to be calculated. It is possible the calculations could compare enrollment from year-to-year, semester-to-semester, or even by program. It is also not clear whether the calculation will be based on headcount enrollment or FTE (full-time-equivalent) enrollment. Based on the Florida College System FTE enrollment estimates adopted by the Education Estimating Conference on March 4, 2019, none of the colleges have reported a year-to-year enrollment decline for FY 2018-19 that exceeds the 10% threshold identified in the bill. The adopted estimates are based on FY 2018-19 Term 1 enrollment data, the Division of Florida Colleges' enrollment model based on that data, and adjustments to the model provided by the colleges. The final FTE for FY 2018-19 will be considered and adopted by the Conference in summer 2019. At that point, some colleges could qualify to offer this waiver.

An additional factor to consider is the existing statutory authority the colleges have to offer differential out-of-state tuition. A number of the colleges in North Florida currently offer discounted out-of-state fee rates to residents of Alabama and Georgia. Additionally, colleges throughout the state offer discounted out-of-state fee rates for nonresidents taking online classes. Currently, these nonresident students are reported in the enrollment estimates for lower level programs adopted by the Education Estimating Conference.

**Section 4: Proposed Fiscal Impact**

Because the fee waivers are authorized, but not required, and the full impact of previous and future hurricanes is not known, the proposed fiscal impact is Zero/ Indeterminate.

	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20			0/**	0/**		
2020-21			0/**	0/**		
2021-22			0/**	0/**		
2022-23			0/**	0/**		
2023-24			0/**	0/**		

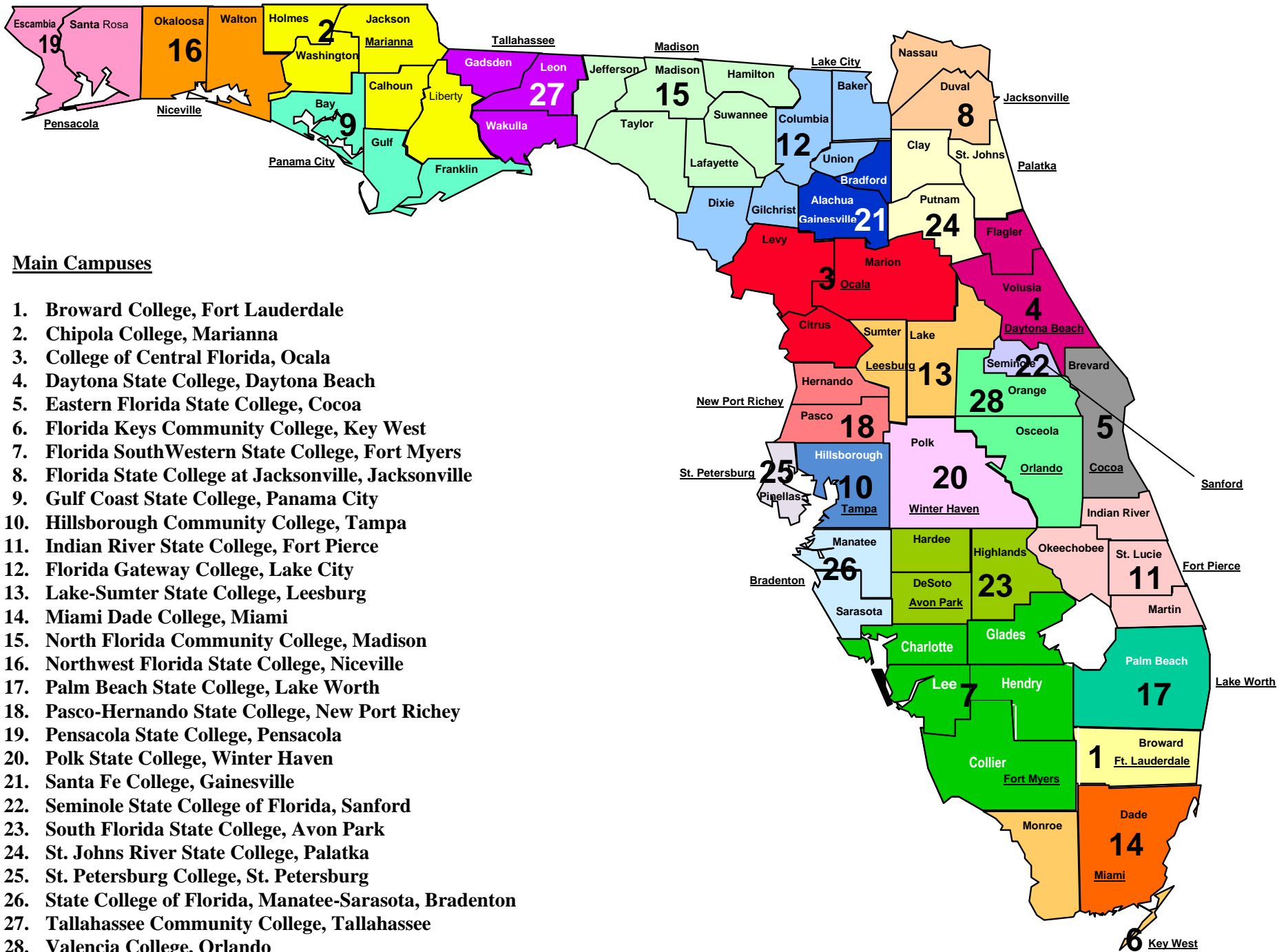
**List of affected Trust Funds:**

None. Tuition and fee revenue is maintained locally by each college and is not included in a state trust fund.

**Section 5: Consensus Estimate Adopted: 05/22/2019): The Conference adopted a positive/negative indeterminate impact.**

	GR		Trust		Local/Other		Total	
	Cash	Recurring	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20	0.0	0.0	0.0	0.0	+/-	+/-	+/-	+/-
2020-21	0.0	0.0	0.0	0.0	+/-	+/-	+/-	+/-
2021-22	0.0	0.0	0.0	0.0	+/-	+/-	+/-	+/-
2022-23	0.0	0.0	0.0	0.0	+/-	+/-	+/-	+/-
2023-24	0.0	0.0	0.0	0.0	+/-	+/-	+/-	+/-

# THE FLORIDA COLLEGE SYSTEM



## Main Campuses

1. Broward College, Fort Lauderdale
2. Chipola College, Marianna
3. College of Central Florida, Ocala
4. Daytona State College, Daytona Beach
5. Eastern Florida State College, Cocoa
6. Florida Keys Community College, Key West
7. Florida SouthWestern State College, Fort Myers
8. Florida State College at Jacksonville, Jacksonville
9. Gulf Coast State College, Panama City
10. Hillsborough Community College, Tampa
11. Indian River State College, Fort Pierce
12. Florida Gateway College, Lake City
13. Lake-Sumter State College, Leesburg
14. Miami Dade College, Miami
15. North Florida Community College, Madison
16. Northwest Florida State College, Niceville
17. Palm Beach State College, Lake Worth
18. Pasco-Hernando State College, New Port Richey
19. Pensacola State College, Pensacola
20. Polk State College, Winter Haven
21. Santa Fe College, Gainesville
22. Seminole State College of Florida, Sanford
23. South Florida State College, Avon Park
24. St. Johns River State College, Palatka
25. St. Petersburg College, St. Petersburg
26. State College of Florida, Manatee-Sarasota, Bradenton
27. Tallahassee Community College, Tallahassee
28. Valencia College, Orlando

**Florida College System Enrollment History**

	<b>FY 2014-15</b>	<b>FY 2015-16</b>	<b>FY 2016-17</b>	<b>FY 2017-18</b>	<b>FY 2018-19</b>
<b>NUMBER OF FTE STUDENTS</b>	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>MARCH ESTIMATE</b>
Eastern Florida	11,039.2	10,535.4	10,706.2	10,730.9	10,815.0
Broward	30,125.9	30,052.7	29,471.0	28,626.3	28,625.0
Central Florida	5,770.5	5,285.5	5,162.1	5,099.6	5,159.0
Chipola	1,431.9	1,446.1	1,519.9	1,438.5	1,479.0
Daytona	11,334.2	11,753.6	11,658.0	11,405.6	11,767.0
Florida Southwestern	9,949.8	10,352.9	10,640.9	11,104.3	11,147.0
Florida Jacksonville	20,217.8	19,630.7	18,908.3	16,807.5	17,280.0
Florida Keys	707.3	714.5	721.3	714.3	721.0
Gulf Coast	3,989.8	3,854.1	3,675.6	3,584.8	3,324.0
Hillsborough	20,270.0	20,045.7	19,621.9	20,009.9	20,468.0
Indian River	13,309.3	13,725.0	13,860.7	13,317.5	13,057.0
Florida Gateway	1,948.0	1,980.9	2,178.2	2,335.6	2,445.0
Lake Sumter	2,786.7	2,878.8	2,970.9	3,110.9	3,252.0
State College Florida	7,538.1	7,409.2	7,069.5	6,900.6	6,752.0
Miami Dade	53,685.1	51,526.0	47,129.8	48,188.2	46,707.0
North Florida	805.8	814.4	836.6	865.5	862.0
Northwest Florida	4,775.6	4,250.4	3,978.1	3,888.6	3,899.0
Palm Beach	19,881.1	19,962.2	20,537.1	21,117.1	21,382.0
Pasco Hernando	7,704.7	7,743.4	7,726.3	7,654.4	7,607.0
Pensacola	7,621.2	7,054.2	7,108.3	7,220.2	7,253.0
Polk	7,496.1	7,207.9	6,582.0	6,533.0	6,543.0
St Johns River	4,722.2	4,520.2	4,424.9	4,535.4	4,644.0
St Petersburg	20,784.4	20,094.0	18,998.8	18,568.0	18,698.0
Santa Fe	11,190.6	10,979.7	11,394.5	11,246.3	11,148.0
Seminole	13,113.4	12,530.4	12,635.9	12,649.8	12,762.0
South Florida	2,240.5	2,168.1	2,243.9	2,362.3	2,366.0
Tallahassee	9,771.3	9,348.7	9,126.6	9,200.2	9,105.0
Valencia	29,967.4	30,127.0	30,012.4	30,827.2	32,617.0
<b>System</b>	<b>334,177.9</b>	<b>327,991.7</b>	<b>320,899.7</b>	<b>320,042.5</b>	<b>321,884.0</b>

**Florida College System Enrollment History**

	<b>FY 2014-15</b>	<b>FY 2015-16</b>	<b>FY 2016-17</b>	<b>FY 2017-18</b>	<b>FY 2018-19</b>
<b>% Change from Prior Year</b>	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>MARCH ESTIMATE</b>
Eastern Florida	-4.4%	-4.6%	1.6%	0.2%	0.8%
Broward	-1.2%	-0.2%	-1.9%	-2.9%	0.0%
Central Florida	-2.3%	-8.4%	-2.3%	-1.2%	1.2%
Chipola	-5.2%	1.0%	5.1%	-5.4%	2.8%
Daytona	-4.6%	3.7%	-0.8%	-2.2%	3.2%
Florida Southwestern	-2.0%	4.1%	2.8%	4.4%	0.4%
Florida Jacksonville	-6.7%	-2.9%	-3.7%	-11.1%	2.8%
Florida Keys	-8.9%	1.0%	1.0%	-1.0%	0.9%
Gulf Coast	-6.3%	-3.4%	-4.6%	-2.5%	-7.3%
Hillsborough	1.5%	-1.1%	-2.1%	2.0%	2.3%
Indian River	1.4%	3.1%	1.0%	-3.9%	-2.0%
Florida Gateway	-6.2%	1.7%	10.0%	7.2%	4.7%
Lake Sumter	0.0%	3.3%	3.2%	4.7%	4.5%
State College Florida	-1.3%	-1.7%	-4.6%	-2.4%	-2.2%
Miami Dade	-1.4%	-4.0%	-8.5%	2.2%	-3.1%
North Florida	1.0%	1.1%	2.7%	3.5%	-0.4%
Northwest Florida	-4.9%	-11.0%	-6.4%	-2.2%	0.3%
Palm Beach	-0.9%	0.4%	2.9%	2.8%	1.3%
Pasco Hernando	8.6%	0.5%	-0.2%	-0.9%	-0.6%
Pensacola	-10.5%	-7.4%	0.8%	1.6%	0.5%
Polk	-5.2%	-3.8%	-8.7%	-0.7%	0.2%
St Johns River	-1.0%	-4.3%	-2.1%	2.5%	2.4%
St Petersburg	0.4%	-3.3%	-5.5%	-2.3%	0.7%
Santa Fe	-3.2%	-1.9%	3.8%	-1.3%	-0.9%
Seminole	-5.4%	-4.4%	0.8%	0.1%	0.9%
South Florida	2.2%	-3.2%	3.5%	5.3%	0.2%
Tallahassee	-4.3%	-4.3%	-2.4%	0.8%	-1.0%
Valencia	1.2%	0.5%	-0.4%	2.7%	5.8%
<b>System</b>	<b>-1.9%</b>	<b>-1.9%</b>	<b>-2.2%</b>	<b>-0.3%</b>	<b>0.6%</b>

## REVENUE ESTIMATING CONFERENCE

**Tax:** Highway Safety Fees

**Issue:** Heavy Trucks Registration Timing

**Bill Number(s):** CS CS HB 87

**Entire Bill**

**Partial Bill:**

**Sponsor(s):** Ponder

**Month/Year Impact Begins:** July 1, 2019

**Date of Analysis:** 05/22/2019

### Section 1: Narrative

- a. Current Law:** Section 320.055, F.S. dictates renewal periods for motor vehicle registrations per 320.08. All heavy trucks registered under 320.08(4), F.S. are currently registered with a period beginning December 1. Sections 320.07 and 320.0705, F.S. allows these vehicles to register semiannually. Sections 320.0609 and 328.01, F.S. allow a surviving spouse of a vehicle owner to request a free title transfer upon presenting the death certificate of the vehicle owner.
- b. Proposed Change:** Effective September 1, 2020, Section 320.055, F.S. is revised to change the renewal period for heavy trucks registered per 320.08(4)(a) and (b) from the December 1 renewal period to the owner's birth month. This change will only apply to vehicles owned by a natural person. In order to implement these changes, the Department of Highway Safety and Motor Vehicles (DHSMV) shall give customers the option to renew their registrations on their birth dates in 2021 or 2022. Customers whose dates of birth occur during January through June may choose to renew for 1 to 18 months. Customers whose dates of birth occur during July through December may choose to renew for 7 to 24 months. Sections 320.07 and 320.0705, F.S. are revised to no longer allow heavy trucks registered per 320.08(4)(a) and (b) to register semiannually. Sections 320.0609 and 328.01, F.S. are revised to allow a surviving spouse of a vehicle owner to request a free title transfer upon presenting an electronic file of death record maintained by the Department of Health and presented to a Florida tax collector.

### Section 2: Description of Data and Sources

February 28, 2019 Highway Safety REC and REC History

Phone and email communication with DHSMV staff

DHSMV Heavy Truck Renewal Report, November 15, 2018

### Section 3: Methodology (Include Assumptions and Attach Details)

The forecasted amount for base tag registrations per sections 320.08(4)(a) and (b) was pulled from the most recent Highway Safety REC. Note that these amounts are distributed 26% to GR and 74% to STTF. Also note that this analysis only applies to base tag fees because ancillary fees will not be prorated. Thus, there will be no state revenue impact on a fiscal year basis from ancillary fees. The DHSMV provided the birth month percentages including the percentage owned by businesses, which will not be impacted by this bill. The fee paid by each birth month subset was calculated based upon whether each birth month chooses to renew in 2021 or 2022. The assumed preferences for the January to June birth months are attached, which start at 2% selecting 2021 for January birth months and steadily growing - eventually reaching 30% for June birth months. It is further assumed that 98% of January to June birth months selecting to renew until their 2021 birth month will renew again on their 2021 birth month. For July to December birth months, the second 12 months for customers who renew for 13 to 24 months will be treated the same as a biennial registration, with the revenue associated with the second 12 months being placed in the Clearing Fund and distributed in FY 2021-22. Thus, whether the customer chooses to renew until their 2021 or 2022 birth month will not change the base impact calculation for July to December birth months.

In most scenarios, January to June birth months would be paying higher than the current base tag for a longer renewal period, July to November birth months would be paying a smaller amount for a shorter renewal period, and December birth months would not change. The transactions by birth month were calculated using the FY 2020-21 forecast and the birth month rates provided by DHSMV. While there is a calendar year offset, there is no negative offset in fiscal year 2021-22 because all registrations will begin paying the current base tag rate starting with the July 2021 birth month.

There is no impact resulting from changes to sections 320.0609 and 328.01, F.S. which allow a surviving spouse of a vehicle owner to request a free title transfer upon presenting an electronic file of death record maintained by the Department of Health and presented to a Florida tax collector.

**REVENUE ESTIMATING CONFERENCE**

**Tax:** Highway Safety Fees

**Issue:** Heavy Trucks Registration Timing

**Bill Number(s):** CS CS HB 87

**Section 4: Proposed Fiscal Impact**

GR	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20						
2020-21			0.4	0.0		
2021-22						
2022-23						
2023-24						

Trust	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20						
2020-21			1.2	0.0		
2021-22						
2022-23						
2023-24						

**List of affected Trust Funds:**

General Revenue Fund

State Transportation Trust Fund

**Section 5: Consensus Estimate (Adopted: 05/22/2019): The Conference adopted the proposed estimate.**

	GR		Trust		Local/Other		Total	
	Cash	Recurring	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2020-21	0.4	0.0	1.2	0.0	0.0	0.0	1.6	0.0
2021-22	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2022-23	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2023-24	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Current Forecast - Base Tag*						
	320.08(4)(a)		320.08(4)(b)		Total	
	#	\$	#	\$	#	\$
FY 2019-20	408,045	\$ 23,164,982	489,142	\$ 39,676,567	897,187	\$ 62,841,548
FY 2020-21	416,246	\$ 23,630,598	498,974	\$ 40,474,066	915,220	\$ 64,104,663
FY 2021-22	424,405	\$ 24,093,757	508,754	\$ 41,267,357	933,159	\$ 65,361,115
FY 2022-23	432,468	\$ 24,551,539	518,420	\$ 42,051,437	950,889	\$ 66,602,976
FY 2023-24	440,426	\$ 25,003,287	527,959	\$ 42,825,184	968,385	\$ 67,828,471

\* Does not include biennials or ancillary fees. Amounts above are distributed 26% to GR and 74% to STTF

Percentage Choosing Birth Month		
	2021	2022
January	2%	98%
February	5%	95%
March	10%	90%
April	10%	90%
May	20%	80%
June	30%	70%

Percentage of Jan. to June Birth Months choosing to renew until 2021 birth month continuing registration.	
	98%

320.08(4)(b) and (b) Birthday Monthly Rates												
January	February	March	April	May	June	July	August	September	October	November	December	Business*
7.46%	6.72%	7.20%	6.73%	6.89%	6.85%	7.59%	7.80%	7.93%	7.82%	7.44%	7.78%	11.79%

\* Business renewal periods will not change.

Prorated Base Tag Amount to be Paid During December 2020 Renewal Period (Not Including Business)																
320.08(4)(a)								320.08(4)(b)								
Current Fee	\$	60.75						Current Fee	\$	87.75						
Prorated	\$	5.06						Prorated	\$	7.31						
	2021 Birth Month	2022 Birth Month	Transactions (21 BM)	Transactions (22 BM)	Current Law	Proposed	Difference	Fee Based on Birth Month	2021 Birth Month	2022 Birth Month	Transactions (21 BM)	Transactions (22 BM)	Current Law	Proposed	Difference	
January	\$ 5.06	\$ 65.81	621	30,411	\$ 1,885,143	\$ 2,041,484	\$ 156,341	January	\$ 7.31	\$ 95.06	744	36,455	\$ 3,264,170	\$ 3,534,878	\$ 270,708	
February	\$ 10.13	\$ 70.88	1,399	26,589	\$ 1,700,311	\$ 1,981,995	\$ 281,685	February	\$ 14.63	\$ 102.38	1,678	31,874	\$ 2,944,128	\$ 3,431,872	\$ 487,744	
March	\$ 15.19	\$ 75.94	2,996	26,965	\$ 1,820,121	\$ 2,271,511	\$ 451,390	March	\$ 21.94	\$ 109.69	3,592	32,324	\$ 3,151,582	\$ 3,933,174	\$ 781,592	
April	\$ 20.25	\$ 81.00	2,803	25,229	\$ 1,702,979	\$ 2,267,233	\$ 564,254	April	\$ 29.25	\$ 117.00	3,360	30,244	\$ 2,948,748	\$ 3,925,767	\$ 977,019	
May	\$ 25.31	\$ 86.06	5,739	22,958	\$ 1,743,344	\$ 2,462,763	\$ 719,420	May	\$ 36.56	\$ 124.31	6,880	27,520	\$ 3,018,640	\$ 4,264,333	\$ 1,245,692	
June	\$ 30.38	\$ 91.13	8,558	19,969	\$ 1,733,041	\$ 2,589,164	\$ 856,122	June	\$ 43.88	\$ 131.63	10,259	23,938	\$ 3,000,802	\$ 4,483,198	\$ 1,482,396	
July	\$ 35.44		31,607		\$ 1,920,103	\$ 1,120,060	\$ (800,043)	July	\$ 51.19		37,888		\$ 3,324,704	\$ 1,939,411	\$ (1,385,293)	
August	\$ 40.50		32,459		\$ 1,971,885	\$ 1,314,590	\$ (657,295)	August	\$ 58.50		38,910		\$ 3,414,365	\$ 2,276,243	\$ (1,138,122)	
September	\$ 45.56		32,991		\$ 2,004,176	\$ 1,503,132	\$ (501,044)	September	\$ 65.81		39,547		\$ 3,470,278	\$ 2,602,709	\$ (867,570)	
October	\$ 50.63		32,541		\$ 1,976,884	\$ 1,647,403	\$ (329,481)	October	\$ 73.13		39,009		\$ 3,423,021	\$ 2,852,517	\$ (570,503)	
November	\$ 55.69		30,962		\$ 1,880,955	\$ 1,724,208	\$ (156,746)	November	\$ 80.44		37,116		\$ 3,256,917	\$ 2,985,507	\$ (271,410)	
December	\$ 60.75		32,363		\$ 1,966,075	\$ 1,966,075	\$ -	December	\$ 87.75		38,795		\$ 3,404,305	\$ 3,404,305	\$ -	
Total					\$ 22,305,016	\$ 22,889,619	\$ 584,603	Total					\$ 38,621,659	\$ 39,633,913	\$ 1,012,254	
<b>Additional Base Tag Revenue, FY 2020-21</b>					<b>FY 2021-22 Shift to Biennial</b>					<b>FY 2021-22 Shift to Biennial</b>						
Total	\$	1,596,857						\$	2,807,564							
Trust	\$	1,181,674														
GR	\$	415,183														



**REVENUE ESTIMATING CONFERENCE**

**Tax:** Highway Safety Fees  
**Issue:** Off-Highway Vehicles  
**Bill Number(s):** SB 310

- Entire Bill**  
 **Partial Bill:**

**Sponsor(s):** Perry

**Month/Year Impact Begins:** 07/01/2019

**Date of Analysis:** 05/22/2019

**Section 1: Narrative**

- a. Current Law:** Sections 261.03, 316.2074, and 317.003, F.S. defines an ATV as any motorized off-highway or all-terrain vehicles whose length is 50 inches or less, weight is 1,200 pounds or less, and is manufactured for recreations use. An ROV is defined as any motorized recreational off-highway vehicles whose length is 65 inches or less, weight is 2,000 pounds or less, is designed to travel on four or more tires, and is manufactured for recreations use. An ROV does not include golf carts or low-speed vehicles per 320.01, F.S. Sections 316.2123 and 316.21265, F.S. prohibit the use of ATV’s on certain roadways and provide an exception for law enforcement.
- b. Proposed Change:** Sections 261.03, 316.2074, and 317.003, F.S. are revised so that the definition of ATV is changed to any motorized off-highway or all-terrain vehicles whose length is 55 inches or less, weight is 1,500 pounds or less, and is manufactured for recreations use. An ROV is defined as any motorized recreational off-highway vehicles whose length is 80 inches or less, weight is 2,500 pounds or less, is designed to travel on four or more tires, and is manufactured for recreations use.

**Section 2: Description of Data and Sources**

Phone and email contact with HSMV staff  
 02/28/2019 Highway Safety REC  
 SB 310 HSMV Agency Bill Analysis completed 02/21/2019

**Section 3: Methodology (Include Assumptions and Attach Details)**

Increasing the statutory width and weight definitions for ATV’s and ROV’s will conform those sections to new vehicles entering the market. Additional vehicles being defined as ATV’s and ROV’s will result in additional collections of the \$29 off-highway title fee, which is split \$2 to the Highway Safety Operating Trust Fund (HSOTF) and \$27 to the Incidental Trust Fund (ITF) within the Department of Agriculture and Consumer Services. The additional transactions will also result in a positive impact to local funds through the \$4.25 tax collector fee. The current forecast of the \$2 HSOTF fee came directly from the Highway Safety REC. The \$27 ITF fee and tax collector fee were calculated by multiplying the transactions of the \$2 HSOTF fee by \$27 and \$4.25. The high, middle, and low scenarios assume that the increased width and weight specifications will increase transactions for the off-highway title fees as follows – by 20% in the high scenario, 10% in the middle scenario, and 5% in the low scenario.

**Section 4: Proposed Fiscal Impact**

Trust	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20	0.2	0.2	0.1	0.1	*	*
2020-21	0.2	0.2	0.1	0.1	*	*
2021-22	0.2	0.2	0.1	0.1	*	*
2022-23	0.2	0.2	0.1	0.1	*	*
2023-24	0.2	0.2	0.1	0.1	*	*

Local	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20	*	*	*	*	*	*
2020-21	*	*	*	*	*	*
2021-22	*	*	*	*	*	*
2022-23	*	*	*	*	*	*
2023-24	*	*	*	*	*	*

**REVENUE ESTIMATING CONFERENCE**

**Tax:** Highway Safety Fees  
**Issue:** Off-Highway Vehicles  
**Bill Number(s):** SB 310

**List of affected Trust Funds:**

Highway Safety Operating Trust Fund  
 Incidental Trust Fund  
 Local Trust Funds

**Section 5: Consensus Estimate (Adopted: 05/22/2019): The Conference adopted the low estimate.**

	GR		Trust		Local/Other		Total	
	Cash	Recurring	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20	*	*	*	*	*	*	*	*
2020-21	*	*	*	*	*	*	*	*
2021-22	*	*	*	*	*	*	*	*
2022-23	*	*	*	*	*	*	*	*
2023-24	*	*	*	*	*	*	*	*

	A	B	C	D	E	F	G	H	I
1									
2	<b>Current Forecast</b>								
3		Trans.	\$2 Fee (HSOTF)	\$27 Fee (ITF)	\$4.25 Fee (Tax Coll.)				
4	2019-20	32,929	\$ 65,950	\$ 889,074	\$ 139,947				
5	2020-21	33,184	\$ 66,462	\$ 895,973	\$ 141,033				
6	2021-22	33,454	\$ 67,003	\$ 903,259	\$ 142,180				
7	2022-23	33,872	\$ 67,840	\$ 914,544	\$ 143,956				
8	2023-24	34,378	\$ 68,854	\$ 928,218	\$ 146,108				
9									
10	<b>Low - 5% Increase</b>						<b>Change</b>		
11		Trans.	\$2 Fee (HSOTF)	\$27 Fee (ITF)	\$4.25 Fee (Tax Coll.)		HSOTF	ITF	Tax Coll
12	2019-20	34,575	\$ 69,150	\$ 933,528	\$ 146,944		\$ 3,200	\$ 44,454	\$ 6,997
13	2020-21	34,843	\$ 69,687	\$ 940,772	\$ 148,085		\$ 3,225	\$ 44,799	\$ 7,052
14	2021-22	35,127	\$ 70,253	\$ 948,422	\$ 149,289		\$ 3,251	\$ 45,163	\$ 7,109
15	2022-23	35,566	\$ 71,131	\$ 960,271	\$ 151,154		\$ 3,292	\$ 45,727	\$ 7,198
16	2023-24	36,097	\$ 72,195	\$ 974,629	\$ 153,414		\$ 3,341	\$ 46,411	\$ 7,305
17									
18	<b>Middle -10% Increase</b>						<b>Change</b>		
19		Trans.	\$2 Fee (HSOTF)	\$27 Fee (ITF)	\$4.25 Fee (Tax Coll.)		HSOTF	ITF	Tax Coll
20	2019-20	36,222	\$ 72,443	\$ 977,982	\$ 153,942		\$ 6,493	\$ 88,907	\$ 13,995
21	2020-21	36,503	\$ 73,005	\$ 985,571	\$ 155,136		\$ 6,543	\$ 89,597	\$ 14,103
22	2021-22	36,799	\$ 73,599	\$ 993,585	\$ 156,398		\$ 6,596	\$ 90,326	\$ 14,218
23	2022-23	37,259	\$ 74,518	\$1,005,998	\$ 158,352		\$ 6,679	\$ 91,454	\$ 14,396
24	2023-24	37,816	\$ 75,633	\$1,021,040	\$ 160,719		\$ 6,779	\$ 92,822	\$ 14,611
25									
26	<b>High - 20% Increase</b>						<b>Change</b>		
27		Trans.	\$2 Fee (HSOTF)	\$27 Fee (ITF)	\$4.25 Fee (Tax Coll.)		HSOTF	ITF	Tax Coll
28	2019-20	39,514	\$ 79,029	\$1,066,889	\$ 167,936		\$ 13,079	\$ 177,815	\$ 27,989
29	2020-21	39,821	\$ 79,642	\$1,075,168	\$ 169,239		\$ 13,180	\$ 179,195	\$ 28,207
30	2021-22	40,145	\$ 80,290	\$1,083,911	\$ 170,616		\$ 13,287	\$ 180,652	\$ 28,436
31	2022-23	40,646	\$ 81,293	\$1,097,453	\$ 172,747		\$ 13,453	\$ 182,909	\$ 28,791
32	2023-24	41,254	\$ 82,508	\$1,113,862	\$ 175,330		\$ 13,654	\$ 185,644	\$ 29,222

**REVENUE ESTIMATING CONFERENCE**

**Tax:** Highway Safety Fees

**Issue:** Voluntary Contributions on Driver’s License, ID Cards, and Motor Vehicle Registrations

**Bill Number(s):** CS CS SB 252

**Entire Bill**

**Partial Bill:**

**Sponsor(s):** Bradley

**Month/Year Impact Begins:** 07/01/2019

**Date of Analysis:** 05/22/2019

**Section 1: Narrative**

- a. Current Law:** Section 320.02, F.S. lists the voluntary contributions to be listed on each application form for motor vehicle registration and renewal of registration, including a \$1 voluntary donation to the Auto Club Group Traffic Safety Foundation Inc. Section 322.08, F.S. lists the voluntary contributions to be listed on each application form for an original, renewal, or replacement driver license or identification card, including a \$1 voluntary donation to the Auto Club Group Traffic Safety Foundation Inc.
- b. Proposed Change:** Sections 320.02, F.S. and 322.08, F.S. are revised to no longer allow the \$1 voluntary contribution to the Auto Club Group Traffic Safety Foundation Inc. be listed on application forms for motor vehicle registration, driver license, or identification cards. A \$1 voluntary donation for the Live Like Bella Childhood Cancer Foundation is added to the application for motor vehicle registration.

**Section 2: Description of Data and Sources**

The historical and forecasted total for voluntary contributions was extracted from the Highway Safety REC history and forecast. The \$1 voluntary donation to the Auto Club Group Traffic Safety Foundation associated with both motor vehicle registrations and drivers licenses for FY 2017-18 was extracted from the REC history. To derive a forecast, this number was grown by the growth rates for total voluntary contributions. Thus, the total projected loss from abolishing this contribution ranges from -\$27,120 to -\$28,517. This reduction will be offset by the new contribution to the Live Like Bella Childhood Cancer Foundation, calculated by averaging the voluntary contributions of all 38 motor vehicle and driver license voluntary contribution types excluding the highest and lowest. The resulting new contribution calculation ranges from \$28,376 to \$29,517. The net change between the abolished and new contributions results in a positive insignificant change to the forecast.

**Section 3: Methodology (Include Assumptions and Attach Details)**

02/28/2019 Highway Safety REC and Conference History

**Section 4: Proposed Fiscal Impact**

Local/Other	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20			*	*		
2020-21			*	*		
2021-22			*	*		
2022-23			*	*		
2023-24			*	*		

**List of affected Trust Funds:**

Other

**Section 5: Consensus Estimate (Adopted: 05/22/2019): The Conference adopted the proposed estimate.**

	GR		Trust		Local/Other		Total	
	Cash	Recurring	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20	0.0	0.0	0.0	0.0	Insignificant	Insignificant	Insignificant	Insignificant
2020-21	0.0	0.0	0.0	0.0	Insignificant	Insignificant	Insignificant	Insignificant
2021-22	0.0	0.0	0.0	0.0	Insignificant	Insignificant	Insignificant	Insignificant
2022-23	0.0	0.0	0.0	0.0	Insignificant	Insignificant	Insignificant	Insignificant
2023-24	0.0	0.0	0.0	0.0	Insignificant	Insignificant	Insignificant	Insignificant

	A	B	C	D	E	F	G	H	I	J	K
1											
2		Total Voluntary Contributions	Growth Rate		Traffic Safety Foundation MVL	Traffic Safety Foundation DL	Traffic Safety Foundation Total		Live Like Bella Childhood Cancer Foundation*		Net Change
3	2017-18	\$ 1,282,117			\$ 11,287	\$ 13,904	\$ 25,191		\$ -		
4											
5	2018-19	\$ 1,366,797	6.6%		\$ 12,032	\$ 14,822	\$ 26,854		\$ -		
6	2019-20	\$ 1,380,330	1.0%		\$ 12,151	\$ 14,969	\$ 27,120		\$ 28,376		\$ 1,256
7	2020-21	\$ 1,393,997	1.0%		\$ 12,272	\$ 15,117	\$ 27,389		\$ 28,657		\$ 1,269
8	2021-22	\$ 1,407,799	1.0%		\$ 12,393	\$ 15,267	\$ 27,660		\$ 28,941		\$ 1,281
9	2022-23	\$ 1,421,737	1.0%		\$ 12,516	\$ 15,418	\$ 27,934		\$ 29,228		\$ 1,294
10	2023-24	\$ 1,435,814	1.0%		\$ 12,640	\$ 15,570	\$ 28,210		\$ 29,517		\$ 1,307
11											
12	* 2019-20 forecast based upon average of 38 voluntary DL and MVL contributions excluding the lowest and highest.										

## REVENUE ESTIMATING CONFERENCE

**Tax:** Local Taxes and Fees

**Issue:** Prohibits local governments from requiring notices, applications, approvals, permits, fees, or mitigation for the pruning, trimming, or removal of trees on residential property if a property owner obtains specified documentation and prohibits local governments from requiring property owners to replant such trees.

**Bill Number(s):** CS/HB 1159 (ordered enrolled on April 26, 2019)

**Entire Bill**

**Partial Bill:**

**Sponsor(s):** State Affairs Committee and Representative La Rosa

**Month/Year Impact Begins:** July 1, 2019

**Date of Analysis:** May 22, 2019

### Section 1: Narrative

#### a. Current Law:

##### Local Tree Pruning, Trimming, and Removal Regulations

According to a recent House staff analysis, local governments may have tree ordinances that specify the species that must be used in a given area depending on the land use, require a permit prior to trimming or removing trees, or protect certain trees because they are considered an important community resource.<sup>1</sup>

The staff analysis cites several examples of local tree ordinances. In Broward County the removal of any historical tree without first obtaining approval from the Board of County Commissioners is prohibited. Additionally, the removal of any tree without first obtaining a tree removal license from the county's Environmental Protection and Growth Management Department is prohibited. Furthermore, municipalities within Broward County may adopt and enforce their own tree preservation regulations in addition to Broward County's tree regulations. County tree regulations may be suspended during emergency conditions caused by hurricanes or other natural disasters by the county administrator.<sup>2</sup>

Orange County requires a permit or authorization to remove a protected tree unless an exemption or exception applies. The law does not restrict tree trimming or maintenance but encourages property owners to practice proper trimming habits that avoid the need for "severe" trimming of any tree. Permits are not required for trees located on single-family residential lots equal to or less than two acres with an occupied residential dwelling. Permitting requirements are waived during county-declared emergencies.<sup>3</sup>

##### Mangrove Trimming and Preservation Act

According to the same House staff analysis, Florida has three native species of mangrove trees growing along its coastline, which can be harmed or killed if not trimmed properly. The "1996 Mangrove Trimming and Preservation Act" requires the Department of Environment Protection (DEP) to regulate the trimming and alteration of mangroves statewide, except where DEP has delegated its authority to local governments that meet certain requirements and request such delegation. The Act prohibits mangrove trimming or alteration without a permit issued by DEP or a delegated local government, unless the trimming or alteration falls within certain exceptions.

#### b. Proposed Change: The legislation creates s. 163.045, F.S., as follows:

##### 163.045 Tree pruning, trimming, or removal on residential property.—

(1) A local government may not require a notice, application, approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on residential property if the property owner obtains documentation from an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect that the tree presents a danger to persons or property.

(2) A local government may not require a property owner to replant a tree that was pruned, trimmed, or removed in accordance with this section.

(3) This section does not apply to the exercise of specifically delegated authority for mangrove protection pursuant to ss. 403.9321-403.9333.

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<sup>1</sup> See House of Representatives Staff Analysis for CS/HB 1159 Private Property Rights, April 18, 2019, available at <https://www.myfloridahouse.gov/Sections/Documents/loadaddoc.aspx?FileName=h1159e.SAC.DOCX&DocumentType=Analysis&BillNumber=1159&Session=2019> (last visited May 1, 2019).

<sup>2</sup> Ch.27, art. XIV, ss. 404, 405, 406, and 407; Broward County Code of Ordinances.

<sup>3</sup> Ch.15, Art. VIII, ss. 278, 279(a), 279(b), 283, and 301(e); Orange County Code of Ordinances.

**REVENUE ESTIMATING CONFERENCE**

**Tax:** Local Taxes and Fees

**Issue:** Prohibits local governments from requiring notices, applications, approvals, permits, fees, or mitigation for the pruning, trimming, or removal of trees on residential property if a property owner obtains specified documentation and prohibits local governments from requiring property owners to replant such trees.

**Bill Number(s):** CS/HB 1159 (ordered enrolled on April 26, 2019)

**Section 2: Description of Data and Sources**

Results of EDR survey of county and municipal governments.

Reported Local Government AFR Revenues: Acct. 329.000 Other Permits, Fees, and Special Assessments.

Reported Local Government AFR Revenues: Acct. 354.000 Fines – Local Ordinance Violations.

**Section 3: Methodology (Include Assumptions and Attach Details)**

See attached spreadsheet.

**Section 4: Proposed Fiscal Impact (Millions)**

**Alternative 1: 10% of Local Tree Ordinance-Related Fee & Fine Revenue Derived from Trees on Residential Property Certified to Present a Danger to Persons or Property**

	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20	(\$0.7)	(\$0.7)	(\$0.4)	(\$0.4)	(\$0.2)	(\$0.2)
2020-21	(\$0.8)	(\$0.8)	(\$0.4)	(\$0.4)	(\$0.2)	(\$0.2)
2021-22	(\$0.9)	(\$0.9)	(\$0.4)	(\$0.4)	(\$0.2)	(\$0.2)
2022-23	(\$1.0)	(\$1.0)	(\$0.5)	(\$0.5)	(\$0.3)	(\$0.3)
2023-24	(\$1.0)	(\$1.0)	(\$0.5)	(\$0.5)	(\$0.3)	(\$0.3)

**Alternative 2: 25% of Local Tree Ordinance-Related Fee & Fine Revenue Derived from Trees on Residential Property Certified to Present a Danger to Persons or Property**

	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20	(\$1.8)	(\$1.8)	(\$0.9)	(\$0.9)	(\$0.5)	(\$0.5)
2020-21	(\$2.0)	(\$2.0)	(\$1.0)	(\$1.0)	(\$0.5)	(\$0.5)
2021-22	(\$2.2)	(\$2.2)	(\$1.1)	(\$1.1)	(\$0.6)	(\$0.6)
2022-23	(\$2.4)	(\$2.4)	(\$1.2)	(\$1.2)	(\$0.6)	(\$0.6)
2023-24	(\$2.6)	(\$2.6)	(\$1.3)	(\$1.3)	(\$0.7)	(\$0.7)

**Alternative 3: 50% of Local Tree Ordinance-Related Fee & Fine Revenue Derived from Trees on Residential Property Certified to Present a Danger to Persons or Property**

	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20	(\$3.6)	(\$3.6)	(\$1.8)	(\$1.8)	(\$1.0)	(\$1.0)
2020-21	(\$4.0)	(\$4.0)	(\$2.0)	(\$2.0)	(\$1.1)	(\$1.1)
2021-22	(\$4.3)	(\$4.3)	(\$2.2)	(\$2.2)	(\$1.2)	(\$1.2)
2022-23	(\$4.8)	(\$4.8)	(\$2.4)	(\$2.4)	(\$1.3)	(\$1.3)
2023-24	(\$5.2)	(\$5.2)	(\$2.6)	(\$2.6)	(\$1.4)	(\$1.4)

**List of Affected Trust Funds:** Local funds

**REVENUE ESTIMATING CONFERENCE**

**Tax:** Local Taxes and Fees

**Issue:** Prohibits local governments from requiring notices, applications, approvals, permits, fees, or mitigation for the pruning, trimming, or removal of trees on residential property if a property owner obtains specified documentation and prohibits local governments from requiring property owners to replant such trees.

**Bill Number(s):** CS/HB 1159 (ordered enrolled on April 26, 2019)

**Section 5: Consensus Estimate (Adopted: 05/22/2019): The Conference adopted the high of the Alternative 1 Scenario.**

	GR		Trust		Local/Other		Total	
	Cash	Recurring	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20	0.0	0.0	0.0	0.0	(0.7)	(0.7)	(0.7)	(0.7)
2020-21	0.0	0.0	0.0	0.0	(0.8)	(0.8)	(0.8)	(0.8)
2021-22	0.0	0.0	0.0	0.0	(0.9)	(0.9)	(0.9)	(0.9)
2022-23	0.0	0.0	0.0	0.0	(1.0)	(1.0)	(1.0)	(1.0)
2023-24	0.0	0.0	0.0	0.0	(1.0)	(1.0)	(1.0)	(1.0)



	A	B	C	D	E	F	G	H	I	J	K	L
1	<b>Fiscal Impact Analysis of CS/HB 1159 - Private Property Rights</b>											
2	<b>Issue: Prohibits Local Governments from Requiring a Permit, Application, Notice, Fee, Approval, or Mitigation for the Pruning, Trimming, or Removal of a Tree on Residential Property That Has Been Certified to Present a Danger to Persons or Property</b>											
3												
4	<b>I. EDR Survey of County and Municipal Governments</b>											
5	<b>County</b>		<b>2018 Population Estimate</b>	<b>Local Ordinance?</b>	<b>Local Fee?</b>	<b>Local Fine?</b>	<b>Fee and/or Fine Revenue in FY 2017-18</b>	<b>Comment</b>				
6	Brevard		583,563	Yes	No	No	\$ -	Current ordinance already provides such an exemption so no anticipated fiscal impact.				
7	Broward		1,897,976	No info	No info	No info	\$ -	Legislation will likely have no fiscal impact to the county.				
8	Calhoun		15,093	No	No	No	\$ -					
9	Citrus		145,721	Yes	Yes	Yes	\$ 52,000					
10	Franklin		12,009	No	No	No	\$ -					
11	Glades		13,002	No	No	No	\$ -					
12	Hillsborough		1,408,864	Yes	Yes	Yes	\$ 262,912					
13	Indian River		151,825	Yes	No	No	\$ -	Current ordinance already provides such an exemption so no anticipated fiscal impact.				
14	Marion		353,898	No	No	No	\$ -					
15	Martin		155,556	No	No	No	\$ -					
16	Osceola		352,496	No	No	No	\$ -					
17	Pinellas		970,532	Yes	Yes	Yes	No info	Fee and fine revenues are not readily available.				
18	Polk		673,028	No	No	No	\$ -					
19	Sarasota		417,442	Yes	Yes	Yes	\$ 435,435					
20	St. Johns		238,742	Yes	No	No	\$ -	Current ordinance already provides such an exemption so no anticipated fiscal impact.				
21	St. Lucie		302,432	Yes	Yes	Yes	\$ 41,100					
22	Sumter		124,935	No	No	No	\$ -					
23	Suwannee		44,879	No	No	No	\$ -					
24	<b>Total Survey</b>		<b>7,861,993</b>				<b>\$ 791,447</b>					
25	<b>Statewide County Pop. Less Duval</b>		<b>19,887,707</b>									
26	<b>Survey % of Statewide</b>		<b>40%</b>									
27												
28	<b>Estimated Statewide County Fiscal Impact</b>				<b>\$ 2,002,045</b>	<b>Methodology: Extrapolated survey responders' fiscal impact / population ratio to statewide county population (less Duval).</b>						
29												
30												
31	<b>Municipality</b>	<b>Respective County</b>	<b>2018 Population Estimate</b>	<b>Local Ordinance?</b>	<b>Local Fee?</b>	<b>Local Fine?</b>	<b>Fee and/or Fine Revenue in FY 2017-18</b>	<b>Comment</b>				
32	Alachua	Alachua	10,155	Yes	No	No	\$ -					
33	Belle Glade	Palm Beach	17,589	No	No	No	\$ -					
34	Belleair	Pinellas	3,977	Yes	Yes	Yes	\$ 20,723					
35	Blountstown	Calhoun	2,498	No	No	No	\$ -					
36	Campbellton	Jackson	215	No	No	No	\$ -					
37	Casselberry	Seminole	29,778	Yes	Yes	Yes	\$ -	Current ordinance already provides such an exemption so no anticipated fiscal impact.				
38	Center Hill	Sumter	1,101	No	No	No	\$ -					
39	Cloud Lake	Palm Beach	137	No	No	No	\$ -					
40	Coral Springs	Broward	128,757	Yes	Yes	Yes	\$ 180					
41	Deerfield Beach	Broward	78,573	Yes	Yes	Yes	\$ 3,070					
42	Dunedin	Pinellas	37,054	Yes	Yes	Yes	\$ 60,000					
43	Fort Lauderdale	Broward	182,827	Yes	Yes	Yes	\$ 279,789					
44	Fort Walton Beach	Okaloosa	20,830	Yes	Yes	Yes	\$ 86					
45	Frostproof	Polk	3,130	No	No	No	\$ -					
46	Glen Ridge	Palm Beach	223	No	No	No	\$ -					
47	Golf	Palm Beach	257	No	No	No	\$ -					
48	Gulfport	Pinellas	12,544	Yes	No	Yes	\$ 300					

	A	B	C	D	E	F	G	H	I	J	K	L
1	<b>Fiscal Impact Analysis of CS/HB 1159 - Private Property Rights</b>											
2	<b>Issue: Prohibits Local Governments from Requiring a Permit, Application, Notice, Fee, Approval, or Mitigation for the Pruning, Trimming, or Removal of a Tree on Residential Property That Has Been Certified to Present a Danger to Persons or Property</b>											
3												
49	Hampton	Bradford	465	No	No	No	\$ -					
50	Havana	Gadsden	1,800	No	No	No	\$ -					
51	Horseshoe Beach	Dixie	171	Yes	Yes	Yes	\$ -					
52	Indialantic	Brevard	2,842	No info	No info	No info	\$ -	Legislation will have no fiscal impact to the town.				
53	Jacob City	Jackson	242	No	No	No	\$ -					
54	Key West	Monroe	24,509	Yes	No	Yes	\$ 40,000					
55	Kissimmee	Osceola	72,369	Yes	Yes	Yes	\$ 11,000					
56	Lake Park	Palm Beach	8,829	Yes	Yes	Yes	\$ 500					
57	Lake Wales	Polk	15,791	Yes	No	Yes	\$ -					
58	Lake Worth	Palm Beach	38,257	Yes	Yes	Yes	\$ 2,500					
59	Lantana	Palm Beach	11,397	Yes	Yes	Yes	\$ -					
60	Largo	Pinellas	83,526	Yes	Yes	Yes	\$ 10,000					
61	Laurel Hill	Okaloosa	551	No	No	No	\$ -					
62	Maitland	Orange	18,612	Yes	Yes	Yes	\$ 7,000					
63	Mary Esther	Okaloosa	3,971	Yes	Yes	Yes	\$ 1,000					
64	McIntosh	Marion	453	Yes	No	Yes	\$ 100					
65	Melbourne Village	Brevard	673	Yes	Yes	Yes	\$ 1,570					
66	Miami	Miami-Dade	481,333	Yes	Yes	Yes	\$ 27,896					
67	Micanopy	Alachua	605	No	No	No	\$ -					
68	Naples	Collier	20,344	Yes	Yes	Yes	\$ 65,075					
69	New Port Richey	Pasco	15,863	Yes	Yes	Yes	\$ 6,040					
70	Ocean Ridge	Palm Beach	1,827	Yes	Yes	Yes	\$ -					
71	Orange Park	Clay	8,630	Yes	Yes	No	\$ -					
72	Orchid	Indian River	423	No info	No info	No info	\$ -	Legislation will have no or very little fiscal impact to the town.				
73	Palm Springs	Palm Beach	23,448	Yes	Yes	Yes	\$ -					
74	Penney Farms	Clay	766	No	No	No	\$ -					
75	Pinellas Park	Pinellas	53,144	Yes	Yes	Yes	\$ 6,292					
76	Plant City	Hillsborough	38,938	Yes	No	Yes	\$ -					
77	Plantation	Broward	89,595	Yes	Yes	Yes	\$ 72,818					
78	Ponce Inlet	Volusia	3,111	Yes	Yes	Yes	\$ -	No current fee for removal of trees that present a danger to persons to property.				
79	Port St. Lucie	St. Lucie	185,843	Yes	Yes	Yes	\$ 35					
80	Punta Gorda	Charlotte	19,487	Yes	No	No	\$ -					
81	Safety Harbor	Pinellas	17,470	Yes	Yes	Yes	\$ 45,685					
82	Sanford	Seminole	59,033	Yes	Yes	Yes	\$ -					
83	Sarasota	Sarasota	55,832	Yes	Yes	Yes	\$ 60,000					
84	Sebastian	Indian River	24,630	Yes	Yes	Yes	\$ 5,875					
85	Sopchoppy	Wakulla	473	No	No	No	\$ -					
86	St. Augustine Beach	St. Johns	6,713	Yes	Yes	Yes	\$ 2,500					
87	St. Leo	Pasco	1,319	Yes	Yes	Yes	\$ -					
88	St. Petersburg	Pinellas	266,076	Yes	Yes	Yes	\$ 84,370					
89	Surfside	Miami-Dade	5,934	Yes	No	No	\$ -	Town is subject to Miami-Dade County's landscape ordinance.				
90	Umatilla	Lake	4,081	Yes	Yes	Yes	\$ 1,170					
91	Vernon	Washington	751	No	No	No	\$ -					
92	Weston	Broward	66,972	Yes	Yes	Yes	\$ 59,183					
93	Winter Haven	Polk	42,828	No	No	No	\$ -					
94	Yankeetown	Levy	504	Yes	Yes	Yes	\$ 850					
95	Zolfo Springs	Hardee	1,796	No	No	No	\$ -					
96	<b>Total Survey</b>		<b>2,311,872</b>				<b>\$ 875,607</b>					
97	<b>Statewide Municipal</b>		<b>10,556,970</b>									

	A	B	C	D	E	F	G	H	I	J	K	L
1	<b>Fiscal Impact Analysis of CS/HB 1159 - Private Property Rights</b>											
2	<b>Issue: Prohibits Local Governments from Requiring a Permit, Application, Notice, Fee, Approval, or Mitigation for the Pruning, Trimming, or Removal of a Tree on Residential Property That Has Been Certified to Present a Danger to Persons or Property</b>											
3												
98	Survey % of Statewide		21.9%									
99												
100	Estimated Statewide Municipal Fiscal Impact				\$ 3,998,386	Methodology: Extrapolated survey responders' fiscal impact / population ratio to statewide municipal population.						
101												
102	<b>II. Select Fee and Fine Revenue Collections Reported in County and Municipal Governments' Annual Financial Reports (Post-Great Recession)</b>											
103												
104		Revenue Acct. 329.000			Revenue Acct. 354.000							
105		Other Permits, Fees, and Special Assessments			Fines - Local Ordinance Violations			Combined Totals				
106	FY	Counties	Municipalities		Counties	Municipalities		Counties	Municipalities			
107	2009-10	\$ 70,216,512	\$ 42,372,886		\$ 17,400,767	\$ 58,031,172		\$ 87,617,279	\$ 100,404,058			
108	2010-11	\$ 73,679,230	\$ 59,167,938		\$ 13,503,591	\$ 52,592,259		\$ 87,182,821	\$ 111,760,197			
109	2011-12	\$ 98,324,282	\$ 68,956,342		\$ 17,334,865	\$ 61,722,781		\$ 115,659,147	\$ 130,679,123			
110	2012-13	\$ 75,739,103	\$ 87,614,447		\$ 19,076,176	\$ 63,679,575		\$ 94,815,279	\$ 151,294,022			
111	2013-14	\$ 92,645,808	\$ 75,537,473		\$ 24,161,916	\$ 61,006,980		\$ 116,807,724	\$ 136,544,453			
112	2014-15	\$ 103,199,849	\$ 94,565,641		\$ 28,233,502	\$ 68,870,080		\$ 131,433,351	\$ 163,435,721			
113	2015-16	\$ 115,768,236	\$ 117,029,683		\$ 29,160,463	\$ 70,530,517		\$ 144,928,699	\$ 187,560,200			
114	2016-17	\$ 113,756,392	\$ 135,971,268		\$ 29,264,782	\$ 69,189,798		\$ 143,021,174	\$ 205,161,066			
115	Data Source: Compiled from Annual Financial Reports (AFR) submitted by counties and municipalities to the Department of Financial Services.											
116												
117	<b>III. Projected FY 2017-18 Extrapolated Statewide and Survey Responder Fiscal Impacts into the Forecast Period Using a Compound Annual Growth Rate (CAGR) Calculated from Historical Revenue Collections</b>											
118												
119	CAGR:	Counties	Municipalities									
120	2009-10 to 2016-17	7.3%	10.7%									
121		HIGH			MIDDLE			LOW				
122		Extrapolated Statewide			50% OF HIGH			Survey Responders				
123	FY	Counties	Municipalities	Counties	Municipalities	Counties	Municipalities					
124	2017-18	\$ 2,002,045	\$ 3,998,386	\$ 1,001,023	\$ 1,999,193	\$ 791,447	\$ 875,607					
125	2018-19	\$ 2,147,214	\$ 4,428,122	\$ 1,073,607	\$ 2,214,061	\$ 848,835	\$ 969,715					
126	2019-20	\$ 2,302,910	\$ 4,904,044	\$ 1,151,455	\$ 2,452,022	\$ 910,385	\$ 1,073,937	\$ 7,206,954	\$ 3,603,477	\$ 1,984,322		
127	2020-21	\$ 2,469,895	\$ 5,431,117	\$ 1,234,947	\$ 2,715,559	\$ 976,397	\$ 1,189,361	\$ 7,901,012	\$ 3,950,506	\$ 2,165,758		
128	2021-22	\$ 2,648,988	\$ 6,014,839	\$ 1,324,494	\$ 3,007,419	\$ 1,047,196	\$ 1,317,190	\$ 8,663,826	\$ 4,331,913	\$ 2,364,386		
129	2022-23	\$ 2,841,067	\$ 6,661,297	\$ 1,420,533	\$ 3,330,648	\$ 1,123,128	\$ 1,458,758	\$ 9,502,364	\$ 4,751,182	\$ 2,581,886		
130	2023-24	\$ 3,047,074	\$ 7,377,235	\$ 1,523,537	\$ 3,688,617	\$ 1,204,567	\$ 1,615,541	\$ 10,424,308	\$ 5,212,154	\$ 2,820,108		
131												
132	<b>IV. Proposed Fiscal Impact Alternatives</b>											
133												
134	Methodologies:											
135	High: Sum of statewide fiscal impacts extrapolated from county and municipal survey responders.											
136	Middle: 50% of the High											
137	Low: Sum of fiscal impacts from county and municipal survey responders.											
138												
139												

	A	B	C	D	E	F	G	H	I	J	K	L
1	<b>Fiscal Impact Analysis of CS/HB 1159 - Private Property Rights</b>											
2	<b>Issue: Prohibits Local Governments from Requiring a Permit, Application, Notice, Fee, Approval, or Mitigation for the Pruning, Trimming, or Removal of a Tree on Residential Property That Has Been Certified to Present a Danger to Persons or Property</b>											
3												
140	<b>Alternative 1: 10% of Local Tree Ordinance-Related Fees &amp; Fine Revenue Derived from Trees on Residential Property Certified to Present a Danger to Persons or Property</b>											
141												
142		<b>High</b>			<b>Middle</b>			<b>Low</b>				
143	<b>State FY</b>	<b>Cash</b>	<b>Recurring</b>	<b>Cash</b>	<b>Recurring</b>	<b>Cash</b>	<b>Recurring</b>	<b>Cash</b>	<b>Recurring</b>			
144	2019-20	\$ (720,695)	\$ (720,695)	\$ (360,348)	\$ (360,348)	\$ (198,432)	\$ (198,432)					
145	2020-21	\$ (790,101)	\$ (790,101)	\$ (395,051)	\$ (395,051)	\$ (216,576)	\$ (216,576)					
146	2021-22	\$ (866,383)	\$ (866,383)	\$ (433,191)	\$ (433,191)	\$ (236,439)	\$ (236,439)					
147	2022-23	\$ (950,236)	\$ (950,236)	\$ (475,118)	\$ (475,118)	\$ (258,189)	\$ (258,189)					
148	2023-24	\$ (1,042,431)	\$ (1,042,431)	\$ (521,215)	\$ (521,215)	\$ (282,011)	\$ (282,011)					
149												
150	<b>Alternative 2: 25% of Local Tree Ordinance-Related Fees &amp; Fine Revenue Derived from Trees on Residential Property Certified to Present a Danger to Persons or Property</b>											
151												
152		<b>High</b>			<b>Middle</b>			<b>Low</b>				
153	<b>State FY</b>	<b>Cash</b>	<b>Recurring</b>	<b>Cash</b>	<b>Recurring</b>	<b>Cash</b>	<b>Recurring</b>	<b>Cash</b>	<b>Recurring</b>			
154	2019-20	\$ (1,801,738)	\$ (1,801,738)	\$ (900,869)	\$ (900,869)	\$ (496,080)	\$ (496,080)					
155	2020-21	\$ (1,975,253)	\$ (1,975,253)	\$ (987,626)	\$ (987,626)	\$ (541,439)	\$ (541,439)					
156	2021-22	\$ (2,165,957)	\$ (2,165,957)	\$ (1,082,978)	\$ (1,082,978)	\$ (591,096)	\$ (591,096)					
157	2022-23	\$ (2,375,591)	\$ (2,375,591)	\$ (1,187,795)	\$ (1,187,795)	\$ (645,472)	\$ (645,472)					
158	2023-24	\$ (2,606,077)	\$ (2,606,077)	\$ (1,303,039)	\$ (1,303,039)	\$ (705,027)	\$ (705,027)					
159												
160												
161	<b>Alternative 3: 50% of Local Tree Ordinance-Related Fees &amp; Fine Revenue Derived from Trees on Residential Property Certified to Present a Danger to Persons or Property</b>											
162												
163		<b>High</b>			<b>Middle</b>			<b>Low</b>				
164	<b>State FY</b>	<b>Cash</b>	<b>Recurring</b>	<b>Cash</b>	<b>Recurring</b>	<b>Cash</b>	<b>Recurring</b>	<b>Cash</b>	<b>Recurring</b>			
165	2019-20	\$ (3,603,477)	\$ (3,603,477)	\$ (1,801,738)	\$ (1,801,738)	\$ (992,161)	\$ (992,161)					
166	2020-21	\$ (3,950,506)	\$ (3,950,506)	\$ (1,975,253)	\$ (1,975,253)	\$ (1,082,879)	\$ (1,082,879)					
167	2021-22	\$ (4,331,913)	\$ (4,331,913)	\$ (2,165,957)	\$ (2,165,957)	\$ (1,182,193)	\$ (1,182,193)					
168	2022-23	\$ (4,751,182)	\$ (4,751,182)	\$ (2,375,591)	\$ (2,375,591)	\$ (1,290,943)	\$ (1,290,943)					
169	2023-24	\$ (5,212,154)	\$ (5,212,154)	\$ (2,606,077)	\$ (2,606,077)	\$ (1,410,054)	\$ (1,410,054)					

**REVENUE ESTIMATING CONFERENCE**

**Tax:** Other Taxes and Fees

**Issue:** DEP Law Enforcement Trust Fund

**Bill Number(s):** HB 5401

**Entire Bill**

**Partial Bill:** Section 17

**Sponsor(s):** Agriculture and Natural Resources Appropriations Subcommittee and Representative Raschein

**Month/Year Impact Begins:** The bill takes effect July 1, 2019.

**Date of Analysis:** May 22, 2019

**Section 1: Narrative**

- a. Current Law:** Under current law, law enforcement activities related to the investigation of certain environmental crimes and the enforcement of related laws are provided by the Florida Fish and Wildlife Conservation Commission (FWC) through a memorandum of agreement with the Department of Environmental Protection (DEP). Pursuant to section 932.7055(6)(d), F.S., the FWC must deposit any proceeds accrued pursuant to the Florida Contraband Forfeiture Act into the State Game Trust Fund or the Marine Resources Conservation Trust Fund within FWC.
- b. Proposed Change:** The bill creates a Division of Law Enforcement within DEP and transfers from FWC to DEP the primary powers and duties of the FWC relating to the investigation of certain environmental crimes and the enforcement of related laws. The bill amends section 932.7055, F.S., to require DEP to deposit any proceeds accrued pursuant to the Florida Contraband Forfeiture Act into one of the following DEP trust funds: Internal Improvement Trust Fund, Water Quality Assurance Trust Fund, Inland Protection Trust Fund, Coastal Protection Trust Fund, or Solid Waste Management Trust Fund, as specified by the statute under which the violation occurs.

**Section 2: Description of Data and Sources**

- Legislative Appropriations System/Planning and Budgeting Subsystem (LAS/PBS) Schedule I Trust Funds Available Reports.
- Forfeiture Annual Reports (FY 2016-17 and FY 2017-18). Florida Department of Law Enforcement. Available at <http://www.fdle.state.fl.us/OIG/Publications> (last accessed May 7, 2019).
- Email correspondence with Florida Fish and Wildlife Conservation Commission Staff (May 8, 2019).

**Section 3: Methodology (Include Assumptions and Attach Details)**

The table below shows the revenue reported by FWC from the sale of confiscated or forfeited property since FY 2014-15. According to FWC staff, the majority of revenues are associated with hunting and fishing violations and not from environmental violations. FWC staff indicated the impact on FWC trust funds is expected to be minimal, if any.

TRUST FUND	2014-15	2015-16	2016-17	2017-18	2018-19
					YTD
MARINE RESOURCES CONSERVATION	36,176	963	2,113	865	0
STATE GAME	0	0	0	0	0
<b>TOTAL</b>	<b>36,176</b>	<b>963</b>	<b>2,113</b>	<b>865</b>	<b>0</b>

**Section 4: Proposed Fiscal Impact**

Any proceeds accrued pursuant to the Florida Contraband Forfeiture Act by the new Division of Law Enforcement at DEP for certain environmental violations will now be deposited in DEP trust funds rather than FWC trust funds. FWC staff indicated the impact on FWC trust funds is expected to be minimal, if any, because very little of the FWC revenue is associated with environmental violations. The net fiscal impact is zero.

**FWC Trust Funds (Marine Resources Conservation, State Game)**

	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20			(0/*)	(0/*)		
2020-21			(0/*)	(0/*)		
2021-22			(0/*)	(0/*)		
2022-23			(0/*)	(0/*)		
2023-24			(0/*)	(0/*)		

**REVENUE ESTIMATING CONFERENCE**

**Tax:** Other Taxes and Fees

**Issue:** DEP Law Enforcement Trust Fund

**Bill Number(s):** HB 5401

**DEP Trust Funds (Internal Improvement, Water Quality Assurance, Inland Protection, Coastal Protection, Solid Waste Management)**

	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20			0/*	0/*		
2020-21			0/*	0/*		
2021-22			0/*	0/*		
2022-23			0/*	0/*		
2023-24			0/*	0/*		

**List of affected Trust Funds:**

- FWC Marine Resources Conservation
- FWC State Game
- DEP Internal Improvement
- DEP Water Quality Assurance
- DEP Inland Protection
- DEP Coastal Protection
- DEP Solid Waste Management

**Section 5: Consensus Estimate Adopted: 05/22/2019): The Conference adopted a net zero impact.**

	GR		Trust		Local/Other		Total	
	Cash	Recurring	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2020-21	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2021-22	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2022-23	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2023-24	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

**REVENUE ESTIMATING CONFERENCE**

**Tax:** Other Taxes and Fees

**Issue:** Permit and Inspection Fees

**Bill Number(s):** HB7073

**Entire Bill**

**Partial Bill:**

**Sponsor(s):** Health Quality Subcommittee, Plakon and others

**Month/Year Impact Begins:** July 1, 2019

**Date of Analysis:** May 22, 2019

**Section 1: Narrative**

- a. Current Law:** The federal Food and Drug Administration (FDA) regulates the manufacture, sale, and distribution of prescription drugs to ensure safety and effectiveness of drugs. In Florida, the Department of Business and Professional Regulation (DBPR) Division of Drugs, Devices, and Cosmetics and the Department of Health (DOH) Board of Pharmacy together regulate prescription drugs in the state from manufacture to distribution and dispensing. Federal law currently prohibits anyone other than the original manufacturer from importing FDA-approved drugs into the country. There are no permitting fees regarding drug importation currently in Florida.
- b. Proposed Change:** The bill, which is linked to HB19, authorizes the Department of Business and Professional Regulation (DPBR) and the Department of Health Board of Pharmacy to charge fees relating to new permits created by HB 19. HB 19 creates two new permits for the International Prescription Drug Importation Program: an international export pharmacy under the Department of Health Board of Pharmacy and an international prescription drug wholesale distributor under the Department of Business and Professional Regulation (DBPR). The Department of Health Board of Pharmacy may charge international export pharmacies initial permit and renewal fees up to \$250, delinquent fees up to \$100, and change of location fees up to \$100, pursuant to 465.022(14), F.S. DBPR must charge international prescription drug wholesale distributors an annual permit fee between \$300 and \$800, an annual on-site inspection fee between \$1,000 and \$3,000, and a late permit renewal fee of \$100, per 499.041, F.S.

**Section 2: Description of Data and Sources**

Staff of Health Quality Subcommittee HB 7073 Staff Analysis (Final 5/15/2019)

Staff of HHS Committee CS/HB 19 Staff Analysis (Final 5/15/2019)

Correspondence with AHCA, DOH and DBPR.

**Section 3: Methodology (Include Assumptions and Attach Details)**

HB 19 requires the Agency for Health Care Administration (AHCA) to seek federal approval by July 1, 2020 and to begin operating the program within 6 months of receiving the approval. Due to the federal approval contingency, the impact of the bill is zero or a positive indeterminate.

**Section 4: Proposed Fiscal Impact**

	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20			0/**	0/**		
2020-21			0/**	0/**		
2021-22			0/**	0/**		
2022-23			0/**	0/**		
2023-24			0/**	0/**		

**List of affected Trust Funds:** Medical Quality Assurance Trust Fund & Professional Regulation Trust Fund

**Section 5: Consensus Estimate (Adopted: 05/22/2019): The Conference adopted the proposed estimate.**

	GR		Trust		Local/Other		Total	
	Cash	Recurring	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20	0/**	0/**	0/**	0/**	0.0	0.0	0/**	0/**
2020-21	0/**	0/**	0/**	0/**	0.0	0.0	0/**	0/**
2021-22	0/**	0/**	0/**	0/**	0.0	0.0	0/**	0/**
2022-23	0/**	0/**	0/**	0/**	0.0	0.0	0/**	0/**
2023-24	0/**	0/**	0/**	0/**	0.0	0.0	0/**	0/**

**REVENUE ESTIMATING CONFERENCE**

**Tax:** Other Taxes and Fees

**Issue:** Telehealth Registration Fees

**Bill Number(s):** HB 7067

**Entire Bill**

**Partial Bill:**

**Sponsor(s):** Health Quality Subcommittee, Yarborough

**Month/Year Impact Begins:** July 1, 2020

**Date of Analysis:** May 22, 2019

**Section 1: Narrative**

- a. **Current Law:** Florida does not currently have a statutory structure for the delivery of health care services through telehealth, nor are there fees associated with out-of-state health care professionals providing telehealth services to Florida residents.
- b. **Proposed Change:** The bill, which is linked to HB 23, amends 456.47 (4) F.S. (created by HB 23) by adding subparagraph (i) requiring the Department of Health (DOH) or the applicable regulatory board to charge a \$150 registration fee for out-of-state health care professionals seeking to provide health care services using telehealth to Florida residents. The bill also creates a biennial registration renewal fee of \$150 for those providers.

**Section 2: Description of Data and Sources**

Staff of Health Quality Subcommittee HB7067 Staff Analysis (Final 5/10/2019)

Staff of HHS Committee and Ways and Means CS/CS/HB 23 Staff Analysis (Final 5/10/2019)

**Section 3: Methodology (Include Assumptions and Attach Details)**

There is no information about the number of out-of-state health care providers that may register to provide telehealth services to Florida residents. It is assumed that the number will be greater than zero. Therefore, the impact to revenue is positive indeterminate beginning FY 2020-21.

**Section 4: Proposed Fiscal Impact**

	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20			0	Indeterminate		
2020-21			Indeterminate	Indeterminate		
2021-22			Indeterminate	Indeterminate		
2022-23			Indeterminate	Indeterminate		
2023-24			Indeterminate	Indeterminate		

**List of affected Trust Funds:**

Medical Quality Assurance Trust Fund

Other

**Section 5: Consensus Estimate (Adopted: 05/22/2019): The Conference adopted the proposed estimate.**

	GR		Trust		Local/Other		Total	
	Cash	Recurring	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20	0.0	**	0.0	**	0.0	0.0	0.0	**
2020-21	**	**	**	**	0.0	0.0	**	**
2021-22	**	**	**	**	0.0	0.0	**	**
2022-23	**	**	**	**	0.0	0.0	**	**
2023-24	**	**	**	**	0.0	0.0	**	**



## REVENUE ESTIMATING CONFERENCE

**Tax:** Reemployment Tax  
**Issue:** Domestic Violence  
**Bill Number(s):** CS/HB 563 Enrolled

**Entire Bill**

**Partial Bill:**

**Sponsor(s):** Rep. Joseph

**Month/Year Impact Begins:** 4/2021

**Date of Analysis:** 5/17/2019

### Section 1: Narrative

- a. Current Law:** Section 433.101, Florida Statutes, provides for certain instances where an employee who voluntarily leaves work will not be disqualified from receiving reemployment benefits. Voluntarily leaving work where the discontinuation of employment is a direct result of circumstances related to domestic violence is not one of the instances where an employee will not be disqualified from receiving reemployment benefits.

Section 433.131, Florida Statutes, provides that certain benefits paid will not be charged back to the employer of record. Benefits received by an employee voluntarily leaving as a direct result of circumstances related to domestic violence is not one of the situations where the benefits are not charged back to the account of the employer of record.

Section 741.28 (2) "Domestic violence" means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.

- b. Proposed Change:** Amends section 433.101(1)(a)2. to provide that an individual is not disqualified for voluntarily leaving work if he or she proves that his or her discontinued employment is a direct result of circumstances related to domestic violence as defined in s. 741.28. further provides that an individual who voluntarily leaves work under this sub-subparagraph must:
- (I) Make reasonable efforts to preserve employment, unless the individual establishes that such remedies are likely to be futile or to increase the risk of future incidents of domestic violence. Such efforts may include seeking a protective injunction, relocating to a secure place, or seeking reasonable accommodation from the employing unit, such as a transfer or change of assignment;
  - (II) Provide evidence such as an injunction, a protective order, or other documentation authorized by state law which reasonably proves that domestic violence has occurred; and
  - (III) Reasonably believe that he or she is likely to be the victim of a future act of domestic violence at, in transit to, or departing from his or her place of employment. An individual who is otherwise eligible for benefits under this sub-subparagraph is ineligible for each week that he or she no longer meets such criteria or refuses a reasonable accommodation offered in good faith by his or her employing unit.
3. The employment record of an employing unit may not be charged for the payment of benefits to an individual who has voluntarily left work under sub-subparagraph 2.c.

Amends section 443.131 to add subparagraph (3)(a) 6. If an individual is separated from work as a direct result of domestic violence and meets all requirements in s. 443.101(1)(a)2.c., benefits subsequently paid to the individual based on wages paid by the employer before separation may not be charged to the employment record of the employer.

### Section 2: Description of Data and Sources

#### Section 3: Methodology (Include Assumptions and Attach Details)

The legislation creates additional circumstances where an employee may receive reemployment benefits where that employee would not be eligible for benefits under current law. The legislation further specifies that the employment record of an employing unit may not be charged for payment of benefits who has voluntarily left work as a direct result of circumstances related to domestic violence.

The creation of additional situations where reemployment benefits are received results in increasing the amount of reemployment tax paid to fund the trust fund that provides such benefits. However, as the legislation also specifies that the employment record or an employing unit may not be charged, these additional taxes may only be generated through either the noncharge factor or the fund size factor portions of the earned rate calculation. As both those calculations are formula driven, for any given period,

**REVENUE ESTIMATING CONFERENCE**

**Tax:** Reemployment Tax

**Issue:** Domestic Violence

**Bill Number(s):** CS/HB 563 Enrolled

additional taxes would only be generated in those instances where the additional benefits cause the factor to be higher within the statutory directed rounding. As such, the impact is either zero/positive insignificant or zero/positive indeterminant cash in each period and positive indeterminant or positive insignificant on a recurring basis.

**Section 4: Proposed Fiscal Impact**

	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20	\$0/**	**			0/*	*
2020-21	\$0/**	**			0/*	*
2021-22	\$0/**	**			0/*	*
2022-23	\$0/**	**			0/*	*
2023-24	\$0/**	**			0/*	*

**List of affected Trust Funds:** Reemployment Tax

**Section 5: Consensus Estimate (Adopted: 05/22/2019): The Conference adopted the low estimate.**

	GR		Trust		Local/Other		Total	
	Cash	Recurring	Cash	Recurring	Cash	Recurring	Cash	Recurring
2019-20	0.0	0.0	0/*	*	0.0	0.0	0/*	*
2020-21	0.0	0.0	0/*	*	0.0	0.0	0/*	*
2021-22	0.0	0.0	0/*	*	0.0	0.0	0/*	*
2022-23	0.0	0.0	0/*	*	0.0	0.0	0/*	*
2023-24	0.0	0.0	0/*	*	0.0	0.0	0/*	*