Revenue Estimating Conference Tax Collection Enforcement Diversion Program January 22, 2024 Executive Summary

The Revenue Estimating Conference convened on January 22, 2024, to adopt a forecast of revenues collected from the Tax Collection Enforcement Diversion program.

Background

The Tax Collection Enforcement Diversion program, which collects revenue owed by persons who have not remitted their sales tax collections as required, began as a pilot program in 2002 and was fully implemented in 2005. The program is operated by participating State Attorney's Offices in cooperation with the Department of Revenue (DOR). To be eligible for the program, taxpayers must meet certain requirements. They must show a pattern of delinquency for several months and the delinquency cannot exceed the misdemeanor level. Eight State Attorney's Offices currently participate in the program: Jacksonville, Clearwater, Miami, Tampa, West Palm Beach, Fort Lauderdale, Fort Myers, and Orlando (Key West participated in the program from FY 2008-09 through FY 2013-14).

Twenty-five percent of all collections from the program are distributed as sales tax collections via 212.20, F.S., and seventy-five percent are deposited monthly into the special reserve account of the Florida Association of Centers for Independent Living (FACIL). Those funds are to be used for administering the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program (JP-PAS) and for contracting with the State Attorneys participating in the tax collection enforcement diversion program. The JP-PAS provides personal care attendants and other support and services to persons with significant and chronic disabilities to enable them to obtain or maintain competitive and integrated employment, including self-employment.

Methodology

The DOR provided actual collections through December 2023 for the Tax Collection Enforcement Diversion program. Collections from July to December 2023 were 12.8% higher than the same period in the prior year. In part, this can be attributed to one-time payments in two of the circuits that are not expected to continue. Further, comparisons to the same month in the prior year are somewhat problematic since Hurricane Ian (September 2022) caused atypical office closures and suspension of enforcement activities in FY 2022-23. With the fluctuations in collections in FY 2022-23 and FY 2023-24 in mind, the January 2024 Conference adopted an estimated growth rate of 0.0 percent for FY 2023-24, maintaining total collections of \$3.6 million as in the prior year. Estimated collections are held to FY 2023-24 levels throughout the remainder of the forecast.

Forecast

	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	
Estimated Collections	3,566,975	3,566,975	3,566,975	3,566,975	3,566,975	3,566,975	

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1		Tax Collection Enforcement Diversion Program January 22, 2024																	
2 3		Estimated Collections Based on Population Growth by County																	
4	Circuit		FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	
5	Fourth	onville (Clav, Duval, Nassau)	608,580	579,096	545,840	484,740	484,447	347,300	307,071	438,109	492,190	530,670	539,326	547,637	555,439	562,843	569,883	576,564	
6		Clearwater (Pasco, Pinellas)	586,898	743,904	934,184	558,410	732,871	420,019	331,834	524,886	631,319	615,797	623,089	629,223	634,981	640,793	646,609	652,320	
7	Ninth	Orlando (Orange, Oscecola)	N/A	N/A	N/A	N/A	N/A	139,410	409,658	545,648	463,171	440,449	450,758	461,043	470,854	480,171	489,034	497,461	
8	Eleventh	Miami (Dade)	254,642	365,934	332,081	375,291	280,612	326,382	326,921	186,673	487,903	372,275	375,875	379,399	382,646	385,668	388,512	391,205	
9	Thirteenth	1 \ 8/	1,087,737	1,011,313	869,767	585,990	474,504	574,400	792,215	1,500,176	999,336	626,124	637,482	648,234	658,438	668,291	677,790	686,895	
10		est Palm Beach (Palm Beach)	306,105	206,349	392,018	374,343	349,503	431,462	191,740	235,511	252,207	204,528	207,037	209,469	211,749	213,914	215,972	217,922	
11 12	Sixteenth	Key West (Monroe)* Fort Lauderdale (Broward)	750 504,142	N/A 595,250	N/A 830.645	N/A 844,241	N/A 793,325	N/A 754,018	N/A 648,174	N/A 717,915	N/A 653,630	N/A 555,806	N/A 561,140	N/A 566,490	N/A 571,417	N/A 575,951	N/A 580,151	N/A 584,048	
12		Collier, Glades, Hendry, Lee)	487,267	684,684	605,624	509,817	509,343	383,943	239,515	375,866	509,267	221.324	225,668	229,654	233,467	237,230	240,926	244,520	
14		rate by county (excl. Monroe)	3,835,371	4,186,530	4,510,159	3,732,833	3,624,604	3,376,936	3,247,129	4,524,785	4,489,023	3,566,975	3,620,376	3,671,148	3,718,990	3,764,862	3,808,878	3,850,934	
15		*The Key West judicial circuit			1 1	-,,	-,,	- ,	-,,	.,	.,,	-,	-,	-,	-,,	-,	-,,	-,	
16																			
17	Circuit											Estimated Growth in Population by Circuit							
18			FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	
19		onville (Clay, Duval, Nassau)	-1.0%	-4.8%	-5.7%	-11.2%	-0.1%	-28.3%	-11.6%	42.7%	12.3%	7.8%	1.6%	1.5%	1.4%	1.3%	1.3%	1.2%	
20		Clearwater (Pasco, Pinellas)	46.7%	26.8%	25.6%	-40.2%	31.2%	-42.7%	-21.0% 193.9%	58.2%	20.3%	-2.5% -4.9%	1.2% 2.3%	1.0%	0.9%	0.9%	0.9%	0.9%	
21 22	Eleventh	Orlando (Orange, Oscecola) Miami (Dade)	N/A 130.9%	N/A 43.7%	N/A -9.3%	N/A 13.0%	N/A -25.2%	N/A 16.3%	0.2%	33.2% -42.9%	-15.1% 161.4%	-4.9%	2.3%	0.9%	2.1%	2.0% 0.8%	0.7%	1.7% 0.7%	
22	Thirteenth	· /	4.4%	-7.0%	-9.5%	-32.6%	-23.2%	21.1%	37.9%	-42.9% 89.4%	-33.4%	-23.7%	1.0%	1.7%	1.6%	1.5%	1.4%	1.3%	
24		est Palm Beach (Palm Beach)	14.4%	-32.6%	90.0%	-4.5%	-6.6%	23.5%	-55.6%	22.8%	7.1%	-18.9%	1.2%	1.2%	1.0%	1.0%	1.4%	0.9%	
25	Sixteenth	· · · · ·	200.0%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
26		Fort Lauderdale (Broward)	-8.5%	18.1%	39.5%	1.6%	-6.0%	-5.0%	-14.0%	10.8%	-9.0%	-15.0%	1.0%	1.0%	0.9%	0.8%	0.7%	0.7%	
27		Collier, Glades, Hendry, Lee)	453.1%	40.5%	-11.5%	-15.8%	-0.1%	-24.6%	-37.6%	56.9%	35.5%	-56.5%	2.0%	1.8%	1.7%	1.6%	1.6%	1.5%	
28	Statewide	using growth rate by county	24.8%	9.2%	7.7%	-17.2%	-2.9%	-6.8%	-3.8%	39.3%	-0.8%	-20.5%	1.5%	1.4%	1.3%	1.2%	1.2%	1.1%	
29			T • 1 • 1• .		5 50/	1.70/	5 404	5.004	2.2%	10 60/	26.40	7.0%	0.40/	0.00/	1 70/	2.70/	2.004	2.000	
30		Growth in Florida State Sales T Growth in Total Population in C			5.5%	4.7% 1.6%	5.4% 1.6%	5.3% 1.6%	-3.2% 1.5%	10.6% 1.5%	26.4% 1.5%	7.2% 1.5%	-0.4% 1.5%	-0.9% 1.4%	1.7% 1.3%	2.7% 1.2%	2.8% 1.1%	2.8% 1.1%	
32		Growth in Total Population in C			e)	1.6%	1.6%	1.6%	1.5%	1.5%	1.5%	1.5%	1.5%	1.4%	1.3%	1.2%	1.1%	1.1%	
33	3 Growth in Total Collections Year-to-Date (6 months of collections)									12.8%	1.570	1.470	1.570	1.270	1.170	1.170			
34																			
35		PROPOSED FORECASTS (I										-	Estimated Grov	wth in Collection	ons				
36	6 I. Estimated Total Collections based on growth in Florida sales tax liability (Row 30)										3,552,707	3,520,733	3,580,585	3,677,261	3,780,224	3,886,070			
37	37 II. Estimated Total Collections based on FY2022-23 growth rate (Cell Q28)											2,834,316	2,252,146	1,789,554	1,421,978	1,129,903	897,820		
38	38 III. Estimated Total Collections based on holding to FY2022-23 actuals (Cell Q14)											3,566,975	3,566,975	3,566,975	3,566,975	3,566,975	3,566,975		
39	 IV. Estimated Total Collections based on growth in population by county (Line 14) V. Total Collections based on YTD collections, 6 months, assumes FY23 avg of \$297K/mo in rest of FY24, holding to FY24 for remaining FYs 											3,620,376	3,671,148	3,718,990	3,764,862	3,808,878	3,850,934		
40 42	V.	Total Collections based on YTL	collections, 6	months, assur	nes FY25 avg o	01 \$297K/mo 11	i rest of FY24, I	notating to FY2	4 Ior remaining	FIS			3,663,518	3,663,518	3,663,518	3,663,518	3,663,518	3,663,518	
43												Actual	Forecast						
29 30 31 32 33 34 35 36 37 38 39 40 42 43 44 45	44 ADOPTED FORECAST - JANUARY 2024									FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29			
45	45 III. Estimated Total Collections based on holding to FY2022-23 actuals (Cell Q14)										3,566,975	3,566,975	3,566,975	3,566,975	3,566,975	3,566,975	3,566,975		
46	46 Percent change over the prior FY									-20.5%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%			