

REVENUE ESTIMATING CONFERENCE

TAX: Ad Valorem

ISSUE: Abandonment of Homestead

BILL NUMBER(S): CS/HB 7097 (Engrossed 3), Section 18

SPONSOR(S): Economic Affairs Committee; Finance and Tax Committee; Caldwell

MONTH/YEAR COLLECTION IMPACT BEGINS: Upon becoming law

DATE OF ANALYSIS: March 12, 2012

SECTION 1: NARRATIVE

- a. **Current Law:** section 196.061, F.S., provides that the rental of an entire dwelling previously claimed to be a homestead for tax purposes shall constitute the abandonment of said dwelling as a homestead, and said abandonment shall continue until such dwelling is physically occupied by the owner thereof.

- b. **Proposed Change:** replaces the words “an entire” with the phrase “all or substantially all of a” when referring to dwellings. This clarification corresponds with current law and administration.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

Florida Department of Revenue

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

None.

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High	(\$0)	(\$0)	(\$0)	(\$0)	(\$0)
Middle	(\$0)	(\$0)	(\$0)	(\$0)	(\$0)
Low	(\$0)	(\$0)	(\$0)	(\$0)	(\$0)

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted a zero impact.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	0	0	0	0	0
State Trust	0	0	0	0	0
Total State Impact	0	0	0	0	0
Total Local Impact	0	0	0	0	0
Total Impact	0	0	0	0	0

REVENUE ESTIMATING CONFERENCE

TAX: Mortgage Foreclosure Filing Fees

ISSUE: Redirect from SCRTF to GR

BILL NUMBER(S): Enrolled HB5403

SPONSOR(S): House Justice Appropriations Subcommittee, Rep. Glorioso

MONTH/YEAR COLLECTION IMPACT BEGINS: July 1, 2012 (June 1, 2012 Effective Date)

DATE OF ANALYSIS: 3/12/12

SECTION 1: NARRATIVE

- a. **Current Law:** Mortgage foreclosure filing fees and the incremental portion of cross-claim, counterclaim, counter-petition filing fees are presently deposited into the State Court Revenue Trust Fund (SCRTF).
- b. **Proposed Change:** Mortgage foreclosure filing fees and the incremental portion of cross-claim, counterclaim, counter-petition filing fees are redirected from the SCRTF to GR, except for \$770 of the \$1,700 portion of the filing fee on properties with a claim value of \$250,000 or more, which continues to be subject to deposit into the SCRTF.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

Used amount identified in the 12/5/11 Article V Fees and Transfers REC Detailed Forecast Spreadsheet for mortgage foreclosure filings and the incremental portion of cross-claim, counterclaim, counter-petition filing fee revenues presently deposited into the State Court Revenue Trust Fund (SCRTF) for FY 2012-13 through FY 2015-16 revenue amounts, except for the portion (930) of the \$1,700 filing fee on properties with a claim value of \$250,000 or more, for which the proportion being redirected to GR ($930/1,700 = 0.54706$) was multiplied times the revenue forecast for each fiscal year for that category to obtain the projected portion of the revenue forecast to be redirected. The resulting amount was then cross checked by dividing the revenue forecast for each year for the category by the \$1,700 fee amount to derive the total revenue forecast for each dollar of fee and multiplying that amount times the additional \$930 fee being redirected to GR for the category.

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

Calculated projected GR service charge amount resulting from mortgage foreclosure filing and the incremental portion of cross-claim, counterclaim, counter-petition filing fee revenues.

Since the effective date of the bill is June 1, 2012 the cash amount and the annualized amount for FY 2012-13 both equal 12 months revenue.

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High					
Middle					
GR	205.2	205.2	156.2	106.2	82.6
GR Service Charge	(16.4)	(16.4)	(12.5)	(8.5)	(6.6)
NET GR	188.8	188.8	143.7	97.7	76.0
SCRTF	(188.8)	(188.8)	(143.7)	(97.7)	(76.0)
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted the proposed estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	205.2	205.2	156.2	106.2	82.6
GR Svc Charge	(16.4)	(16.4)	(12.5)	(8.5)	(6.6)
SCRTF	(188.8)	(188.8)	(143.7)	(97.7)	(76.0)
Total State Impact	0	0	0	0	0
Total Local Impact	0	0	0	0	0
Total Impact	0	0	0	0	0

REVENUE ESTIMATING CONFERENCE

TAX: Local Business Taxes

ISSUE: Fair Associations

BILL NUMBER(S): CS/CS/HB 449, Engrossed sec 11

SPONSOR(S): Representative Steube

MONTH/YEAR COLLECTION IMPACT BEGINS: 07/01/2012

DATE OF ANALYSIS: March 13, 2012

SECTION 1: NARRATIVE

a. Current Law: Section 616.12(1), F.S., provide that every person operating an exhibition of any kind within the grounds of, and in connection with, a public fair or exposition must pay license taxes as provided by law. However, if the fair association secures a fair permit from the department and qualifies with all other provisions of ch. 616, F.S., the persons operating the exhibitions are not required to pay any license taxes but may operate under a tax exemption certificate issued to the fair association by the department. The department must set forth the proper forms and rules for carrying out the intent and purpose of this section, including the necessary tax exemption certificate, which must be signed by the tax collector, showing that the persons operating the exhibition has met all the requirements of ch. 616, F.S., and is fully exempt.

Section 616.12(2), F.S., provides that fair associations securing the required fair permit from the department are exempt from occupational license fees, occupational permit fees, or any occupational taxes assessed by the county, municipality, political subdivision, or agency, or instrumentality where the fair is held.

b. Proposed Change: The bill amends s. 616.12(1), F.S., to incorporate the reference to the annual public fair, as opposed to the fair. The bill also adds the local business tax authorized by ch. 205, F.S., to the license taxes that persons operating certain shows, exhibitions, carnivals, games, and other attractions within the grounds the grounds of any public fair are exempt from paying if the fair association satisfies the requirements of ch. 616, F.S., which includes securing the required fair permit from the department. The bill updates the language in the subsection to include the local business tax, which was formally referred to as an occupational license tax. The bill also no longer requires the tax exemption certificate to be signed by the tax collector.

The bill amends s. 616.12(2), F.S., to remove the term “occupational license fees” and replace it with the updated term “local business tax as defined by chapter 205” in reference to exemptions provided to any fair association that has secured the required annual fair permit from the department.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

Bill updates language for existing exemption from local business taxes (ch. 205). Fair associations are already exempt from local business taxes if they have received a permit from the Department of Agriculture and Consumer Services.

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High					
Middle	0	0	0	0	0
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted an estimate of zero.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	0	0	0	0	0
State Trust	0	0	0	0	0
Total State Impact	0	0	0	0	0
Total Local Impact	0	0	0	0	0
Total Impact	0	0	0	0	0

REVENUE ESTIMATING CONFERENCE

TAX: Stormwater Fees

ISSUE: Stormwater Fees for Agricultural Lands

BILL NUMBER(S): HB 1197 enrolled Sec 1

SPONSOR(S): State Affairs Committee; Representative Horner

MONTH/YEAR COLLECTION IMPACT BEGINS: 07/01/2012

DATE OF ANALYSIS: March 14, 2012

SECTION 1: NARRATIVE

- a. **Current Law:** A county may not charge an assessment or fee for stormwater management on a farm operation on land classified as agricultural that implements certain permits or practices. For each county that adopted a stormwater utility ordinance or resolution before March 1, 2009, stating the intent to use the uniform method of collection for stormwater ordinances may continue to charge an assessment or fee for stormwater if credits are provided for water quality or flood control practices.

- b. **Proposed Change:** Changes county to "Governmental entity" where "Governmental entity" has the same meaning in s. 164.1031, F.S. The definition specifically excludes water control and special districts created for water management purposes.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

Florida Stormwater Association 2009 Stormwater Utilities Survey
 Email survey to municipalities with stormwater utilities
 Conversations with Water Management Districts, FSA, and Farm Bureau
 DOR data-2010 and 2011 property rolls
 DFS Loger data

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

Conference previously adopted an estimate for the impact of cities only as part of total impact that included special and water districts. This analysis includes the addition of cities only.

SECTION 4: PROPOSED FISCAL IMPACT

Local Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High					
Middle	(\$.8m)	(\$.9m)	(\$1.0m)	(\$1.0m)	(\$1.1m)
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted the proposed estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	0	0	0	0	0
State Trust	0	0	0	0	0
Total State Impact	0	0	0	0	0
Total Local Impact	(.8)	(.9)	(1.0)	(1.0)	(1.0)
Total Impact	(.8)	(.9)	(1.0)	(1.0)	(1.0)

HB 1197 - Stormwater Fees

Currently: A county may not charge an assessment or fee for stormwater management on a farm operation on land classified as agricultural that implements certain permits or practices. For each county that adopted a stormwater utility ordinance or resolution before March 1, 2009, stating the intent to use the uniform method of collection for stormwater ordinances may continue to charge an assessment or fee for stormwater if credits are provided for water quality or flood control practices.

Changes county to "Governmental entity"

Governmental entity defined as: s.164.1031 F.S., -

"Governmental entity" includes local and regional governmental entities.

"Local governmental entities" includes municipalities, counties, school boards, special districts, and other local entities within the jurisdiction of one county created by general or special law or local ordinance.

"Regional governmental entities" includes regional planning councils, metropolitan planning organizations, water supply authorities that include more than one county, local health councils, water management districts, and other regional entities that are authorized and created by general or special law that have duties or responsibilities extending beyond the jurisdiction of a single county.

Specifically excludes water districts and special districts created for water management purposes.

Municipalities with SWU		
City of Altamonte Springs	City of Key West	City of Sanford
City of Apopka	City of Kissimmee	City of Satellite Beach
City of Atlantic Beach	City of Lake Alfred	City of South Daytona
City of Auburndale	City of Lake Mary	City of South Miami
City of Aventura	City of Lake Worth	City of St. Augustine
City of Bartow	City of Lakeland	City of St. Augustine Beach
City of Boca Raton	City of Largo	City of St. Cloud
City of Boynton Beach	City of Lauderdale Lakes	City of St. Petersburg
City of Bradenton	City of Lauderhill	City of Stuart
City of Bradenton Beach	City of Leesburg	City of Sunny Isles Beach
City of Cape Canaveral	City of Longwood	City of Sunrise
City of Cape Coral	City of Madeira Beach	City of Sweetwater
City of Casselberry	City of Margate	City of Tallahassee
City of Clearwater	City of Melbourne	City of Tamarac
City of Clermont	City of Miami	City of Tampa
City of Cocoa	City of Miami Gardens	City of Tarpon Springs
City of Cocoa Beach	City of Miami Springs	City of Tavares
City of Coconut Creek	City of Minneola	City of Titusville
City of Cooper City	City of Miramar	City of Treasure Island
City of Coral Gables	City of Mount Dora	City of Venice
City of Daytona Beach	City of Mulberry	City of West Melbourne
City of DeBary	City of Naples	City of West Miami
City of DeLand	City of Neptune Beach	City of West Palm Beach
City of Delray Beach	City of New Port Richey	City of West Park
City of Deltona	City of New Smyrna Beach	City of Wilton Manors
City of Doral	City of Niceville	City of Winter Garden
City of Dunedin	City of North Bay Village	City of Winter Haven
City of Eagle Lake	City of North Lauderdale	City of Winter Park
City of Edgewater	City of North Miami	City of Winter Springs
City of Eustis	City of North Miami Beach	Town of Bay Harbor Islands
City of Florida City	City of Oakland Park	Town of Dundee
City of Fort Lauderdale	City of Ocala	Town of Eatonville
City of Fort Meade	City of Ocoee	Town of Golden Beach
City of Fort Myers	City of Oldsmar	Town of Jupiter
City of Fort Pierce	City of Opa-Locka	Town of Lake Park
City of Fort Walton Beach	City of Orlando	Town of Malabar
City of Frostproof	City of Ormond Beach	Town of Medley
City of Fruitland Park	City of Oviedo	Town of Melbourne Beach
City of Gainesville	City of Palm Coast	Town of Pembroke Park
City of Gulfport	City of Palmetto	Town of Surfside
City of Haines City	City of Pensacola	Village of El Portal
City of Hallandale Beach	City of Pinellas Park	Village of Indian Creek
City of Hialeah	City of Plant City	Village of Key Biscayne
City of Hialeah Gardens	City of Polk City	Village of Miami Shores Village
City of Holly Hill	City of Pompano Beach	Village of Pinecrest
City of Holmes Beach	City of Port Orange	Village of Tequesta
City of Homestead	City of Port St. Lucie	
City of Indian Harbour Beach	City of Riviera Beach	
City of Jacksonville	City of Rockledge	
City of Jacksonville Beach	City of Safety Harbor	

Email survey of cities with SWU 2012

Respondents	Fiscal Impact (annualized)	Notes
City of Tallahassee	\$ 6,000.00	Only one farm in city limits
City of Kissimmee	\$ -	Does not charge ag stormwater fee.
City of Naples	\$ -	Does not have ag land w/in city limits
City of Miami Gardens	\$ -	Small areas of ag land.
City of Rockledge	\$ -	No fee for undeveloped land.
City of Jacksonville	\$ -	Minimal to no financial impact, currently offer credits.
City of Fort Walton Beach	\$ -	Does not have ag land w/in city limits, has
City of Casselberry	\$ -	Does not have ag land w/in city limits
City of Bradenton	\$ -	No fees from ag land
City of Jupiter	\$ -	No fees from ag land
Mount Dora	\$ -	Does not have ag land w/in city limits
City of Palm Coast		Going to send estimate.
City of Pensacola	\$ -	Little to no ag land, going to send numbers.
City of Atlantic Beach	\$ -	Does not have ag land w/in city limits
City of Key West	\$ -	Does not have ag land w/in city limits
Town of Surfside	\$ -	Does not have ag land w/in city limits
City of Stuart	\$ -	No impact
City of St Petersburg	\$ -	Does not have ag land w/in city limits
City of New Port Richey	\$ -	Does not have ag land w/in city limits
City of Edgewater	\$ -	No ag customers
Lake Alfred	\$ 1,248.00	
City of Miami	\$ -	no ag land in city limits.

From 2011 roll, Municipalities with stormwater utilities that have agricultural land.

Roll	County	City with SWU	% ag JV (DOR data)	Total annual revenue generated by utility fee (2009 FSA survey)
2011	Polk	DUNDEE	14.192%	
2011	Palm Beach	PAHOKEE	8.668%	
2011	Miami-Dade	FLORIDA CITY	7.595%	
2011	Polk	HAINES CITY	6.141%	\$ 190,325
2011	Polk	LAKE ALFRED	5.157%	
2011	Miami-Dade	HOMESTEAD	4.927%	\$ 937,694
2011	Brevard	MALABAR	3.907%	
2011	Osceola	ST. CLOUD	3.843%	\$ 1,380,000
2011	Osceola	KISSIMMEE	3.731%	
2011	Polk	BARTOW	3.710%	
2011	Polk	POLK CITY	3.695%	
2011	Hillsborough	PLANT CITY	3.341%	\$ 2,082,000
2011	St. Lucie	PORT ST. LUCIE	3.312%	\$ 14,800,000
2011	Polk	MULBERRY	2.768%	
2011	Orange	APOPKA	2.511%	
2011	Orange	WINTER GARDEN	2.178%	\$ 1,468,096
2011	Polk	WINTER HAVEN	2.069%	\$ 584,938
2011	Volusia	DAYTONA BEACH	1.992%	
2011	Volusia	EDGEWATER	1.877%	\$ 943,423
2011	Lee	FORT MYERS	1.630%	\$ 2,700,000
2011	Seminole	SANFORD	1.597%	\$ 2,113,200
2011	Highlands	PALM COAST	1.457%	\$ 3,700,000
2011	Miami-Dade	HIALEAH GARDEN	1.425%	
2011	Marion	OCALA	1.289%	\$ 4,245,131
2011	Seminole	WINTER SPRINGS	1.280%	\$ 1,055,000
2011	Brevard	WEST MELBOURNE	1.264%	
2011	Polk	EAGLE LAKE	1.204%	
2011	Polk	AUBURNDALE	1.099%	\$ 44,829
2011	Orange	ORLANDO	1.089%	\$ 22,519,910
2011	Sarasota	VENICE	1.030%	\$ 2,000,000
2011	Lake	MINNEOLA	1.020%	\$ 91,000
2011	Orange	OCOEEE	0.892%	\$ 2,275,470
2011	Polk	LAKELAND	0.863%	\$ 3,313,960
2011	Broward	COCONUT CREEK	0.802%	
2011	Volusia	ORMOND BEACH	0.759%	
2011	Broward	COOPER CITY	0.751%	
2011	St. Lucie	FORT PIERCE	0.747%	\$ 2,298,787
2011	Polk	FORT MEADE	0.717%	\$ 140,000
2011	Manatee	PALMETTO	0.704%	
2011	Volusia	PORT ORANGE	0.677%	\$ 3,480,389
2011	Lake	FRUITLAND PARK	0.676%	\$ 21,000
2011	Broward	MIRAMAR	0.594%	\$ 1,257,000
2011	Miami-Dade	HIALEAH	0.561%	\$ 342,080
2011	Volusia	DEBARY	0.544%	\$ 700,000
2011	Orange	EATONVILLE	0.526%	
2011	Broward	SUNRISE	0.518%	\$ 2,872,064
2011	Okaloosa	NICEVILLE	0.512%	\$ 375,000
2011	Lake	LEESBURG	0.479%	\$ 635,065
2011	Miami-Dade	DORAL	0.475%	\$ 3,000,000
2011	Volusia	NEW SMYRNA BEA	0.458%	

2011	Seminole	OVIEDO	0.331%	\$ 697,000
2011	Alachua	GAINESVILLE	0.308%	\$ 6,189,844
2011	Lake	TAVARES	0.308%	\$ 139,760
2011	Volusia	DELTONA	0.253%	\$ 2,000,000
2011	Miami-Dade	PINECREST	0.238%	
2011	Lee	CAPE CORAL	0.234%	\$ 13,526,806
2011	Leon	TALLAHASSEE	0.232%	\$ 9,000,000
2011	Volusia	DELAND	0.220%	\$ 600,000
2011	Broward	POMPANO BEACH	0.218%	\$ 2,400,000
2011	St. Johns	ST AUGUSTINE	0.190%	\$ 734,328
2011	Pinellas	TARPON SPRINGS	0.165%	\$ 1,028,000
2011	Pinellas	PINELLAS PARK	0.163%	
2011	Brevard	MELBOURNE	0.144%	
2011	Brevard	COCOA	0.125%	\$ 520,000
2011	Manatee	BRADENTON	0.104%	\$ 1,500,000
2011	Pinellas	LARGO	0.098%	\$ 1,940,600
2011	Lake	MOUNT DORA	0.096%	\$ 24,760
2011	Palm Beach	BOYNTON BEACH	0.081%	\$ 3,200,000
2011	Lake	EUSTIS	0.072%	\$ 313,000
2011	Seminole	LAKE MARY	0.071%	\$ 242,500
2011	Pinellas	SAFETY HARBOR	0.063%	\$ 561,000
2011	Hillsborough	TAMPA	0.062%	\$ 6,902,089
2011	Brevard	ROCKLEDGE	0.061%	\$ 905,000
2011	Palm Beach	RIVIERA BEACH	0.054%	\$ 1,500,000
2011	Martin	STUART	0.054%	\$ 535,000
2011	Lake	CLERMONT	0.050%	\$ 733,000
2011	Broward	PEMBROKE PARK	0.049%	
2011	Miami-Dade	MIAMI GARDENS	0.047%	\$ 3,500,000
2011	Hendry	ATLANTIC BEACH	0.029%	\$ 482,000
2011	Brevard	TITUSVILLE	0.024%	\$ 1,800,000
2011	Palm Beach	LAKE WORTH	0.021%	\$ 2,717,000
2011	Pinellas	DUNEDIN	0.014%	\$ 1,618,880
2011	Broward	TAMARAC	0.014%	\$ 4,498,587
2011	Volusia	SOUTH DAYTONA	0.013%	
2011	Miami-Dade	SOUTH MIAMI	0.012%	
2011	Miami-Dade	SWEEETWATER	0.010%	
2011	Palm Beach	DELRAY BEACH	0.009%	\$ 2,200,000
2011	Miami-Dade	CORAL GABLES	0.006%	
2011	Palm Beach	WEST PALM BEAC	0.003%	\$ 8,000,000
2011	Palm Beach	JUPITER	0.002%	

Total \$ 161,575,515

Avg \$ 2,648,779

Total with avg for missing respondents \$ 238,390,104

62% of respondents exempt ag land \$ 90,588,240

2011 survey of counties done for HJR 7103 impact shows that, on average, .75% of county stormwater revenues were on ag land.

2009

Stormwater Fees on Municipalities with Ag Land \$ 90,588,240

0.75% \$ 679,412

FSA survey respondents

2001 2009 growth/yr

\$ 89,695,301 \$ 166,891,296 8.1%

2010

\$ 734,245

millions	FY 12/13	FY 12/13 - cash	FY 13/14	FY 14/15	FY 15/16
	\$ 0.9	\$ 0.8	\$ 1.0	\$ 1.0	\$ 1.1

REVENUE ESTIMATING CONFERENCE

TAX: Other Taxes and Fees

ISSUE: \$100 Fine for Criminal Offenses

BILL NUMBER(S): SB 1968

SPONSOR(S): Budget Committee

MONTH/YEAR COLLECTION IMPACT BEGINS: OCTOBER 1, 2012

DATE OF ANALYSIS: March 15, 2012

SECTION 1: NARRATIVE

- a. **Current Law:** Pursuant to s. 938.25, F.S., the court may assess a \$100 fee against a defendant who is found guilty or pleads guilty or nolo contendere to any violation of s. 893.13, F.S. (drug offenses). This assessment is deposited in the Operating Trust Fund of the Department of Law Enforcement (FDLE) for distribution to the five local county-operated crime laboratories. In FY 2010-11, \$718,458 was deposited into this trust fund. It is subject to the 8% GR service charge. According to FDLE, the county-operated labs had 79,309 service requests in FY 2010-11 and operating budgets totaling \$33.8 million.
- b. **Proposed Change:** Section 938.25, F.S. is renumbered as s. 938.055. The new section expands the current statutory reference concerning permissive assessments from s. 893.13, F.S. to the entire criminal code (Chapters 775-896). These chapters include the vast majority of misdemeanors and felonies. In addition, the bill mandates that judges shall assess the \$100 fee if the services of a local county-operated crime laboratory enumerated in s. 943.35(1) are used in connection with the investigation or prosecution of a violation of any provision of chapters 775-896.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

Florida Statistical Analysis Center, FDLE (2012), Computer Criminal History Database (Computer program): ICRIS DATABASE

FDLE fiscal impact analysis and Schedule I

Email correspondence with FDLE legislative affairs staff

Florida Department of Revenue, Clerk of Court Remittance System

Florida Association of Court Clerks and Comptrollers (FACC), Collection Rate Analysis 2011 (information received from the Office of the State Courts Administrator)

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

Assumed that the county-operated labs are primarily used by the eight counties¹ within the jurisdiction of the local labs. Offenders convicted in these counties would be subject to the mandatory \$100 assessment if the local labs provided services used in connection with the investigation or prosecution resulting in the conviction. Convictions in the jurisdiction counties which did not involve county-operated labs and convictions in the other fifty-nine counties could be subject to the assessment but the language is permissive.

For non-jurisdiction counties, calculated the number of individuals currently paying the \$100 assessment for the non-jurisdiction counties (FY 2010-11 collections for these counties divided by \$100). Then calculated "effective collection rate" equal to number of individuals paying the \$100 divided by the number of persons convicted of all offenses in Chapter 893.13, F.S. in FY 2010-11. Since the bill does not change the permissive language regarding the assessment, it was **assumed that this rate would not change under the new legislation.** The "effective collection rate" of 11.6% was applied to the number of persons convicted of any offense in Chapters 775-896, F.S. in FY 2010-11 in the non-jurisdiction counties and then multiplied by \$100 to estimate the amount that would have been collected if the expanded offenses in the new legislation had been in place in FY 2010-11 in those counties.

For jurisdiction counties, calculated the number of individuals currently paying the \$100 assessment for the eight jurisdiction counties (FY 2010-11 collections for these counties divided by \$100). Then calculated "effective collection rate" equal to number of individuals paying the \$100 divided by the number of persons convicted of all offenses in Chapter 893.13, F.S. in FY 2010-11.

Prepared high, medium, and low estimates based on the percentage of convictions in those counties which would have involved the use of county-operated labs (H=100%, M=75%, L=50%). FDLE was not able to provide an estimate of this percentage. For the convictions that were assumed to have used the services of county-operated labs, **assumed that judges would impose the assessment 100% of the time and that the collection rate, when assessed, would be 15.4%** (the actual collection percentage reported by FACC for FY 2010-11 for circuit and county criminal assessments.) This percentage was applied to the number of individuals who were convicted and used labs and multiplied by the \$100 assessment. For convictions which did not use the county-operated labs, **assumed the "effective collection rate" of 12.6%** and applied this rate to the number of individuals who were convicted and did not

REVENUE ESTIMATING CONFERENCE

TAX: Other Taxes and Fees
ISSUE: \$100 Fine for Criminal Offenses
BILL NUMBER(S): SB 1968
SPONSOR(S): Budget Committee
MONTH/YEAR COLLECTION IMPACT BEGINS: OCTOBER 1, 2012
DATE OF ANALYSIS: March 15, 2012
 use labs

and then multiplied by the \$100 assessment. Summing these two numbers provided an estimate of the amount that would have been collected if the expanded offenses in the new legislation had been in place in FY 2010-11 in the jurisdiction counties.

Numbers for the jurisdiction and non-jurisdiction counties were summed and then the amount collected in FY 2010-11 under the current statute (\$718,458) was subtracted to derive the estimated impact of the new legislation in FY 2010-11.

The FY 2010-11 numbers were increased by the growth rate shown in FDLE’s Schedule I for this assessment (.81% growth from FY 2010-11 actual prior year to FY 2011-12 current year estimate) and these numbers were used throughout the forecast period.

¹ The five county-operated labs are in Broward, Miami-Dade, Indian River, Palm Beach, and Pinellas Counties. Jurisdictions served by these five labs are Broward, Miami-Dade, Indian River, Martin, Okeechobee, Palm Beach, Pinellas, and St. Lucie Counties.

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High	1.81	2.41	2.41	2.41	2.41
Middle	1.77	2.36	2.36	2.36	2.36
Low	1.73	2.30	2.30	2.30	2.30

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted the middle estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	.1	.2	.2	.2	.2
State Trust	1.7	2.2	2.2	2.2	2.2
Total State Impact	1.8	2.4	2.4	2.4	2.4
Total Local Impact	0	0	0	0	0
Total Impact	1.8	2.4	2.4	2.4	2.4

CURRENT COLLECTIONS	Amount	Percent
1) Controlled substance assessment collected in FY 2010-11 (per Agency's Schedule I)	\$718,458	100.0%
Controlled substance assessment collected from non-jurisdiction counties in FY 2010-11 (per DOR Clerk of Court Revenue Remittance System adjusted to total)	\$437,026	60.8%
Controlled substance assessment collected from jurisdiction counties in FY 2010-11 (per DOR Clerk of Court Revenue Remittance System adjusted to total)	\$281,432	39.2%
UNDER CURRENT PERMISSIVE LANGUAGE:		
For non-jurisdiction counties , convictions for whom assessments of \$100 were collected (\$437,026/100)	4,370	
For non-jurisdiction counties : FY 2010-11 individuals found guilty or pled guilty/nolo contendere to offenses in Chapter 893.13, F.S. (from FDLE Criminal History data)	37,673	
"Effective collection rate" non-jurisdiction counties = Chapter 893.13, F.S. convictions in non-jurisdiction counties for which fee was collected divided by number of convictions	11.6%	
For jurisdiction counties , convictions for whom assessments of \$100 were collected (\$281,432/100)	2,814	
For jurisdiction counties : FY 2010-11 individuals found guilty or pled guilty/nolo contendere to offenses in Chapter 893.13, F.S. (from FDLE Criminal History data)	22,368	
"Effective collection rate" jurisdiction counties = Chapter 893.13, F.S. convictions in jurisdiction counties for which fee was collected divided by number of convictions	12.6%	
PROPOSED		
NON-JURISDICTION COUNTIES		
For non-jurisdiction counties: FY 2010-11 individuals found guilty or pled guilty/nolo contendere to offenses in Chapters 755-896, F.S. (from FDLE Criminal History data)	164,537	
Under permissive language, assume same rate observed in FY 2010-11 under current permissive statute (11.6% "effective collection rate") (.116 x 164,537 x \$100)	\$1,908,629	
JURISDICTION COUNTIES		
For jurisdiction counties: FY 2010-11 individuals found guilty or pled guilty/nolo contendere to offenses in Chapters 755-896, F.S. (from FDLE Criminal History data)	78,184	
Number subject to mandatory assessment based on varying assumptions concerning the percent of convictions in which the services of the county-operated labs were used		
	HIGH = 100%	78,184
	MEDIUM = 75%	58,638
	LOW = 50%	39,092
Note: County-operated labs--FY 2010-11 incoming service requests: 79,309		
Assume that fee will be assessed in 100% of convictions (per mandated language) and that the assessment will be collected at rate of 15.4% (OSCA collection rate for FY 2010-11)		
	HIGH = 100%	\$1,204,034
	MEDIUM = 75%	\$903,025
	LOW = 50%	\$602,017
Convictions which did not involve use of county-operated crime labs could be assessed under permissive language--assume same rate as observed in FY 2010-11 under current permissive statute (12.6% "effective collection rate") (% not using labs x 78,814 x .126 x \$100)		
	HIGH	\$0
	MEDIUM	\$246,280
	LOW	\$492,559
Total for jurisdiction counties:		
	HIGH = 100%	\$1,204,034
	MEDIUM = 75%	\$1,149,305
	LOW = 50%	\$1,094,576
TOTAL ESTIMATE FOR FY 2010-11 UNDER REVISED STATUTE (jurisdiction and non-jurisdiction counties)		
	HIGH = 100%	\$3,112,663
	MEDIUM = 75%	\$3,057,934
	LOW = 50%	\$3,003,205
Minus current collections (\$718,458)		
	HIGH = 100%	\$2,394,205
	MEDIUM = 75%	\$2,339,476
	LOW = 50%	\$2,284,747
ESTIMATE FOR FY 2011-12 AND SUBSEQUENT YEARS (increase FY 2010-11 by .81%)		
	HIGH = 100%	\$2,413,598
	MEDIUM = 75%	\$2,358,426
	LOW = 50%	\$2,303,254

REVENUE ESTIMATING CONFERENCE

TAX: Other Taxes and Fees
ISSUE: 911 Fee Exemption for Certain Law Enforcement Officers
BILL NUMBER(S): CS/HB 1227
SPONSOR(S): Judiciary Committee; Drake and Others
MONTH/YEAR COLLECTION IMPACT BEGINS: July 1, 2012
DATE OF ANALYSIS: March 14, 2012

SECTION 1: NARRATIVE

a. Current Law:

Section 401.465, Florida Statutes, requires that any person employed as a 911 public safety telecommunicator at a public safety agency that receives incoming 911 calls and dispatches public safety agencies to respond to the calls must be certified by the Department of Health by October 1, 2012. The certification requirement includes two components: (1) the completion of a training program and (2) passage of an examination administered by the Department of Health which measures the applicant’s competency and proficiency of the subject matter in the training program. Those persons employed prior to April 1, 2012, must pass the examination for certification; however, upon passage of the examination, completion of the training program is waived. Newly employed persons who begin their employment on or after April 1, 2012, are required to be certified by taking both a training program and passing the examination. The examination fee is set by the Department of Health at \$75.00, the maximum authorized in statute.

b. Proposed Change:

This bill authorizes a sworn state-certified law enforcement officer to perform as a 911 public safety telecommunicator on an occasional or limited basis if selected by the chief executive of the agency. The law enforcement officer must pass the 911 public safety telecommunicator certification examination prior to performing the duties. A law enforcement officer who fails the examination must complete a Department of Health approved training program before retaking the examination. The bill waives the \$75.00 fee for law enforcement officers taking the 911 public safety telecommunicator certification examination under this revision.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

House of Representatives Staff Analysis – Health and Human Services Committee – Fiscal Impact Statement – February 13, 2012
 Department of Health Bill Analysis, Economic Statement and Fiscal Note – February 8, 2012
 Discussions with staff from Department of Health and Health and Human Services Committee

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

The number of law enforcement officers that would be assigned 911 public safety telecommunication duties on occasional or limited bases is indeterminate.

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	(Indeterminate)	(Indeterminate)	(Indeterminate)	(Indeterminate)	(Indeterminate)
State Trust	(Indeterminate)	(Indeterminate)	(Indeterminate)	(Indeterminate)	(Indeterminate)
Total State Impact	(Indeterminate)	(Indeterminate)	(Indeterminate)	(Indeterminate)	(Indeterminate)

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted an estimate of insignificant negative.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)
State Trust	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)
Total State Impact	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)

REVENUE ESTIMATING CONFERENCE

TAX: Other Taxes and Fees

ISSUE: Revenues from Sponsorship of State Trails

BILL NUMBER(S): SB 268

SPONSOR(S): Environmental Preservation and Conservation Committee; Commerce and Tourism Committee; Transportation Committee; and Senator Wise

MONTH/YEAR COLLECTION IMPACT BEGINS: Upon completion of rules to implement program

DATE OF ANALYSIS: March 16, 2012

SECTION 1: NARRATIVE

a. Current Law: There are no provisions directing programs within the Department of Environmental Protection (DEP) to allow a private or non-profit entity to post signage on department operated facilities and properties as part of an ongoing sponsorship arrangement. The Division of Recreation and Parks has received one time donations (with sign recognitions) and has had ongoing arrangements with State Park Citizen Support Organizations ("Friends" groups).

b. Proposed Change:

SB 268 authorizes the Department of Environmental Protection to enter into concession agreements with not-for-profit or private-sector entities for commercial sponsorship of specified state-owned greenway and trail facilities. The sponsoring entity would be allowed to erect signage at a specified trail advertising their sponsorship and support of the programs benefiting. Agreements are to be not less than one year in duration.

The bill directs that proceeds from the agreements be distributed as follows:

- 85 percent to the "appropriate department trust fund that is the source of funding for management and operation of state greenway and trail facilities and properties."
- 15 percent to the State Transportation Trust Fund "for use in the Traffic and Bicycle Safety Education program and the Safe Paths to School Program administered by the Department of Transportation."

s.260.0144, (f) (Line 67 of the bill) provides that the department may enter into sponsorship agreements with other state greenways or trails based on an approval process to be developed by the department. There are only two other state greenways and trails managed by the department that are not specified in the bill.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

Department of Environmental Protection staff provided preliminary estimates of revenue scenarios based on comparison of rates for a media company and the Department of Transportation's Turnpike Sponsor-A-Highway Program.

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

Of the seven trails authorized for sponsorship arrangements, one (the Florida Keys Overseas Heritage Trail) is almost entirely on Florida Department of Transportation (FDOT) Right of Way and was excluded from the revenue estimates due to potential FDOT signage limitations. Since the additional two trails not specified in the bill would still need to apply for approval for sponsorship agreements once a new approval process is developed, any revenue impact from these trails was excluded from this estimate.

Per department staff, there are approximately 29 possible locations along 6 of the 7 specified trails that could be considered for signage. The rate sponsors are willing to pay for signs at each location may depend on whether the Trail is close to more densely populated areas and whether sponsors are willing to pay more than the market advertising rate for perceived additional benefits of supporting programs beneficial to the community. In lieu of any comparable rates for similar sponsorship agreements, the following rates are used for high and low estimates:

Low revenue estimate (based on media company rate for bench signage discounted by one third for lower trail traffic):

29 sign locations x an average of \$50 per sign per 4 weeks (\$650 annually per sign) = \$18,850 annualized for six trails

High revenue estimate (based on to the Department of Transportation's Turnpike Sponsor-A-Highway Program):

29 sign locations x an average of \$200 per sign per 4 weeks (\$2600 annually per sign) = \$75,400 annualized for six trails

The department projects it may take as long as a year to write and obtain rule approval and it may take a further 4 to 6 weeks to procure sponsorships. This schedule would limit revenue for FY 2012-13 to approximately the last two months of the year.

REVENUE ESTIMATING CONFERENCE

TAX: Other Taxes and Fees

ISSUE: Revenues from Sponsorship of State Trails

BILL NUMBER(S): SB 268

SPONSOR(S): Environmental Preservation and Conservation Committee; Commerce and Tourism Committee; Transportation Committee; and Senator Wise

MONTH/YEAR COLLECTION IMPACT BEGINS: Upon completion of rules to implement program

DATE OF ANALYSIS: March 16, 2012

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: State Trust Funds (DEP & DOT)	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High	12,567	75,400	75,400	75,400	75,400
Middle	7,854	47,125	47,125	47,125	47,125
Low	3,142	18,850	18,850	18,850	18,850

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted an insignificant positive estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant
State Trust	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant
Total State Impact	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant
Total Local Impact	0	0	0	0	0
Total Impact	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant

REVENUE ESTIMATING CONFERENCE

TAX: Other Taxes (certification fee)
ISSUE: dental hygienist certification to administer anesthetic
BILL NUMBER(S): SB 1040
SPONSOR(S): Senator Bogdanoff
MONTH/YEAR COLLECTION IMPACT BEGINS: July 1, 2012
DATE OF ANALYSIS: March 14, 2012

SECTION 1: NARRATIVE

- a. **Current Law:** Current law (Chapter 466.024, F.S.) specifies certain procedures which are remediable (reversible) in nature that may be delegated to a dental hygienist by a licensed dentist.
- b. **Proposed Changes:** The bill adds the application of nontopical anesthetics to those procedures which are delegable. The bill restricts the delegation of applying anesthetics to those registered dental hygienists which also are certified to performs such procedures. A certification fee of up to \$35 is required. This certification is not required to be renewed but remains in effect as long as the hygienist is licensed.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

Department of Health e-mail

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

The Department of Health estimates that up to 10% of the 12,613 registered dental hygienists would apply for the certification with a fee of \$35. Assuming these figures, the initial fiscal impact would be \$44,000. For the purposes of this analysis, it is assumed that the initial impact would be spread over the next two fiscal years, followed by an insignificant recurring impact from newly registered hygienists. Certification fees are deposited into the Department of Health Medical Quality Assurance Trust Fund.

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2011-12 Cash	FY 2011-12 Annualized	FY 2012-13 Cash	FY 2013-14 Cash	FY 2014-15 Cash
High					
Middle	*	*	*	*	*
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted an insignificant positive estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant
State Trust	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant
Total State Impact	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant
Total Local Impact	0	0	0	0	0
Total Impact	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant

REVENUE ESTIMATING CONFERENCE

TAX: OTHER TAXES AND FEES

ISSUE: Public lodging establishments

BILL NUMBER(S): CS/HB249

SPONSOR(S): Rep Bembry

MONTH/YEAR COLLECTION IMPACT BEGINS:

DATE OF ANALYSIS: March 13, 2012

SECTION 1: NARRATIVE

a. Current Law:

Transient apartments and roominghouses are classified under s. 509.242 F.S. as public lodging establishments. All public lodging establishments are licensed and are annually inspected by the Division of Hotels and Restaurants (DHR). The annual fees range from \$145 to \$325, which includes a base fee of \$125, an incremental unit-based fee ranging from \$10 for a single unit to \$190 for more than 500 units and a \$10 Hospitality Education Program fee. Non-transient apartments pay a total in annual fees ranging from \$125 to \$295, which includes a base fee of \$95, an incremental unit-based fee ranging from \$20 to \$95, and a \$10 Hospitality Education program fee.

b. Proposed Change:

The bill would provide an exemption from regulation as public lodging establishments for apartment buildings that are inspected by the US Department of Housing and Urban Development, or its agent, and are primarily designated as housing for persons at least 62 years of age. DBPR indicates that 298 non-transient apartments would meet the criteria above.

Furthermore, the bill would exempt any roominghouse, boardinghouse, or other living or sleeping facility that is not classified as a hotel, motel, vacation rental, non-transient apartment, bed and breakfast inn, or transient apartment under s. 509.242 F.S.

The bill also adds three-family dwellings back into classification for vacation rentals.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

The analysis is based on revenue figures for apartments and roominghouses provided by the Division of Hotel and Restaurants.

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

As of October 3, 2011 DHR licenses 17,516 non-transient apartments and 1,005 transient apartments. The division estimates that 298 apartments will meet the criteria for exemption. The details as in the table below:

Units per Establishment	No. of HUD Establishments	License Fee per Establishment	Total Fees
5 to 25	131	\$125	\$16,375
26 to 50	29	\$140	\$4,060
51 to 100	90	\$155	\$13,950
101 to 200	40	\$180	\$7,200
201 to 300	8	\$210	\$1,680
301 to 400	0	\$240	\$0
401 to 500	0	\$265	\$0
Over 500	0	\$295	\$0
Total	298		\$43,265

REVENUE ESTIMATING CONFERENCE

TAX: OTHER TAXES AND FEES

ISSUE: Public lodging establishments

BILL NUMBER(S): CS/HB249

SPONSOR(S): Rep Bemby

MONTH/YEAR COLLECTION IMPACT BEGINS:

DATE OF ANALYSIS: March 13, 2012

The division also estimates that 377 roominghouses will also qualify for the exemption.

- o 377 roominghouses x \$188.84 average license fee = \$71,193 annual roominghouse license fees
- o 377 x \$10 HEP fee = \$3,770 annual HEP fees for roominghouse licenses
- o \$71,193 + \$3,770 = \$74,963 reduced roominghouse license fees annually

The division expects that the classification of three-family dwellings as vacation rentals may marginally increase revenue.

The license fees are deposited in the Division of Hotels and Restaurants Trust Fund and are charged 8% GR service charge.

SECTION 4: PROPOSED FISCAL IMPACT

Local Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High					
Middle					
License Fees Apartments	(\$43,265)	(\$43,265)	(\$43,265)	(\$43,265)	(\$43,265)
License Fees Roominghouse	(\$74,963)	(\$74,963)	(\$74,963)	(\$74,963)	(\$74,963)
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted the proposed estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)
State Trust	(.1)	(.1)	(.1)	(.1)	(.1)
Total State Impact	(.1)	(.1)	(.1)	(.1)	(.1)
Total Local Impact	0	0	0	0	0
Total Impact	(.1)	(.1)	(.1)	(.1)	(.1)

REVENUE ESTIMATING CONFERENCE

TAX: OTHER TAXES AND FEES

ISSUE: Scuba Divers' Fishing Licenses; Florida Wildlife Magazine; Blue Crab Fee

BILL NUMBER(S): CS/HB 7025

SPONSOR(S): Rep Crisafulli

MONTH/YEAR COLLECTION IMPACT BEGINS:

DATE OF ANALYSIS: March 13, 2012

SECTION 1: NARRATIVE

a. Current Law:

Section 320.08058, F.S., requires that 15%, but not less than \$300,000 of the proceeds collected from the Florida Panther specialty license plate be deposited in Florida Communities Trust Fund, while the remainder is deposited in the Florida Panther Research and Management Trust Fund. Section

379.2342, F.S., requires that Florida Wildlife Magazine be printed and provides for subscription fees.

S. 379.366(3)(a)(2) provides that the soft-shell crab endorsement fee be \$250.

S. 379.354(7), F.S., requires that any vessel for hire for saltwater fishing must have a vessel license.

b. Proposed Change:

The bill deletes the provision in s. 320.08058, F.S., for funds to be deposited in Florida Communities Trust Fund. Therefore, all funds will be deposited in the Florida Panther Research and Management Trust Fund.

The bill repeals s. 379.2342, F.S. and dissolves the Florida Wildlife Magazine Advisory Council. The requirement for the printing of the Florida Wildlife Magazine is removed as part of the repeal of this section.

The bill reduces the fee for a soft shell crab endorsement from \$250 to \$125.

S. 379.354(7)(a) is amended and s.379.354(7)(f) is created to clarify that scuba diving charter boats who want to take their customers fishing have two options: 1. Obtain a vessel license and their patrons will not have to obtain an individual fishing license, or 2. If the scuba diving charter boat chooses not to obtain a vessel license, their patrons must obtain an individual saltwater fishing license or risk being issued a citation.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

The analysis was provided by the staff at Fish and Wildlife Commission.

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

This bill would redirect at least \$300,000 annually in Florida Panther specialty license plate annual use fees from the FCT to the Florida Panther Research and Management Trust Fund. As a result, 100% of the Florida Panther specialty license plate fees would be deposited into the Florida Panther Research and Management Trust Fund to be used for programs to protect the endangered Florida panther.

The Commission would no longer collect approximately \$38,000 in annual Florida Wildlife magazine subscription fees.

As a result of the cap on the fishery and the forfeiture of non-renewal licenses, the endorsements for soft shell crab have dropped from 152 to 83 available today. The analysis assumes that all 83 of the remaining endorsements will renew in the coming years for \$125 per endorsement. Revenues are deposited into the Marine Resources Conservation Trust Fund, which is subject to 8% GR service charge.

The bill will have no impact on Commission enforcement actions with regard to vessel licenses for scuba diving charter boats, but will help to clarify the intent of the language of section 379.354(7).

REVENUE ESTIMATING CONFERENCE

TAX: OTHER TAXES AND FEES

ISSUE: Scuba Divers' Fishing Licenses; Florida Wildlife Magazine; Blue Crab Fee

BILL NUMBER(S): CS/HB 7025

SPONSOR(S): Rep Crisafulli

MONTH/YEAR COLLECTION IMPACT BEGINS:

DATE OF ANALYSIS: March 13, 2012

SECTION 4: PROPOSED FISCAL IMPACT

Local Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High					
Middle Soft Shell Endorsement Subscription Fees	(\$10,375) (\$38,000)	(\$10,375) (\$38,000)	(\$10,375) (\$38,000)	(\$10,375) (\$38,000)	(\$10,375) (\$38,000)
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted an insignificant negative estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)
State Trust	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)
Total State Impact	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)
Total Local Impact	0	0	0	0	0
Total Impact	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)

REVENUE ESTIMATING CONFERENCE

TAX: OTHER TAXES AND FEES

ISSUE: Building Construction and Inspection

BILL NUMBER(S): CS/CS/SB 704

SPONSOR(S): Sen. Bennett

MONTH/YEAR COLLECTION IMPACT BEGINS:

DATE OF ANALYSIS: March 13, 2012

SECTION 1: NARRATIVE

a. Current Law:

S.489.105(3), F.S., defines the term “Contractor” and provides specific definitions for 18 types of contractors.

Proposed Change:

S.489.105(3) is amended to modify the definition of contractor and several of the types of contractors. Specifically, individuals who demolish buildings and residences under three stories tall are now included in the definition of contractor. In addition, glass and glazing contractors are removed from the section.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

The Department of Business and Professional Regulation provided the analysis.

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

The Department anticipates an indeterminate increase in the number of contractor licenses for the new requirement that persons demolishing structures three stories and under, must obtain a license. Although 286 licensees currently exist in the glass and glazing category, the Department expects “minimal to no fiscal impact” for the elimination of those contractors from the statute since they will be transferred back to their originating specialty rule category, and the license fee under the rule will be the same as currently exists under the statute.

SECTION 4: PROPOSED FISCAL IMPACT

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High					
Middle License Fees	Indeterminate	Indeterminate	Indeterminate	Indeterminate	Indeterminate
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted an insignificant positive estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant
State Trust	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant
Total State Impact	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant
Total Local Impact	0	0	0	0	0
Total Impact	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant

REVENUE ESTIMATING CONFERENCE

TAX: Fees

ISSUE: One-Stop Business Registration Portal and Clearing Trust Fund

BILL NUMBER(S): HB5501, HB5503

SPONSOR(S): Representatives Hooper, Berman, Ray, Steinberg

MONTH/YEAR COLLECTION IMPACT BEGINS: January 1, 2013

DATE OF ANALYSIS: 03/16/2012

SECTION 1: NARRATIVE

a. Current Law:

Currently, each state agency and local government is responsible for registering individuals for licenses and permits and for collecting and depositing the associated fees. Because of this, an individual desiring to start a business in the State of Florida must interact with several state agencies to register for taxes, request a license or receive certain permits. These tasks include visits to multiple state agency websites which collect duplicative information data from the potential applicant. The State of Florida does not have a single point-of-entry where businesses can accomplish these tasks.

Presently, obsolete language contained in section 288.109, F.S., directs the State Technology Office to establish and implement an Internet website for a One-Stop Permitting System, which would allow an applicant to complete and submit application forms for various permits to state agencies and counties by January 1, 2001. However, despite the current statutory language, the system was not built and the State Technology Office was later abolished.

b. Proposed Change:

HB 5501 revises Section 288.109, F.S., to authorize the Department of Revenue (DOR) to establish and implement an Internet website for the One-Stop Business Registration Portal by January 1, 2013. The Internet website will provide individuals and businesses with a single point-of-entry for:

- (a) Completing and submitting applications for various licenses, registrations, or permits that must be issued by a state agency or department in order for the applicant to transact business in the state.
- (b) Filing various documents that must be filed with state agencies or departments in order for the filer to transact business in the state.
- (c) Remitting payment for various fees that must be paid to state agencies or departments.

The bill directs the Department of Business and Professional Regulation, the Department of Economic Opportunity, the Department of Financial Services, the Department of the Lottery, the Department of Management Services, and the Department of State to cooperate with the DOR in the development and implementation of the portal.

The DOR must submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the implementation of the One-Stop Business Registration Portal, beginning January 1, 2013. The report must include a complete and detailed description of the DOR's activities and accomplishments related to implementation of the One-Stop Business Registration Portal during the previous calendar year and a plan for expansion of the portal. The report may also include recommendations for improving the effectiveness of the portal.

HB 5503 creates the One-Stop Business Registration Portal Clearing Trust Fund within the Department of Revenue (DOR). The trust fund is established for use as a depository for receipts generated through the utilization of the One-Stop Business Registration Portal to be established in section 288.109, F.S., per HB 5501. The DOR will distribute the moneys collected in the trust fund to the appropriate agencies and accounts by the twenty-fifth of each month.

NOTE: Distributing receipts on the twenty-fifth of each month will cause a revenue shortfall of approximately 20% of the June collections in the initial year of implementation for participating agencies. In subsequent fiscal years the receipts from the prior fiscal year's June collections should roughly offset the loss of the current fiscal year's June collections

It should also be noted that as a part of this initiative the DOR has developed a tentative implementation plan for the One Stop Business Registration Portal, which includes up to four potential phases over the next three fiscal years. The total estimated cost of the multi-year project is \$7.0 to \$9.0 million. The implementation of phase 1, which provides the One Stop Business Registration Portal for new businesses, is estimated to cost \$3.0 million. This amount is provided in Specific Appropriation 3085 of the General Appropriations Acts for Fiscal Year 2012-2013.

REVENUE ESTIMATING CONFERENCE

TAX: Fees

ISSUE: One-Stop Business Registration Portal and Clearing Trust Fund

BILL NUMBER(S): HB5501, HB5503

SPONSOR(S): Representatives Hooper, Berman, Ray, Steinberg

MONTH/YEAR COLLECTION IMPACT BEGINS: January 1, 2013

DATE OF ANALYSIS: 03/16/2012

SECTION 2: DESCRIPTION OF DATA AND SOURCES

Florida Department of Financial Services FLAIR Information Warehouse
Long-Term Revenue Analysis FY 1970 through FY 2020-21

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

1. Assumed that the six agencies initially directed to participate in this initiative record the fee collections subject to this legislation using the standard fees (0001xx) and licenses (0002xx) revenue categories. The Department of Management Services recorded no receipts in these revenue categories.
2. Assumed a growth rate in collections from FY2010-11 to FY2011-12 equal to the proportion of year-to-date collections through January 31 of both years (-7.5%).
3. For all subsequent years, assumed an annual growth rate in collections of the blended rate of the Trust Funds Transportation, Education Fees, Administrative Funds and Other Trust Funds contained in Table 1.2 of the Long-Term Revenue Analysis.
4. Assumed that a portion of the June 2013 collections for the participating agencies would represent the onetime loss in revenues.
5. Because customer use of the portal is optional, it is assumed that a portion of the customers will do business with the cognizant agencies and a portion will choose to use the portal. The High, Middle and Low estimates assume customer portal use of 50%, 25% and 15%, respectively.

HB 5501 estimated revenues collected by the Department of Revenue through the One Stop Business Registration Portal are shown below. Approximately 38% of the revenue collections subject to the legislation are currently deposited in General Revenue.

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High	168.8m	337.6m	344.4m	352.3m	362.9m
Middle	84.4m	168.8m	172.2m	176.1m	181.4m
Low	50.7m	101.3m	103.3m	105.7m	108.9m

SECTION 4: PROPOSED FISCAL IMPACT

HB 5503 estimated one time fiscal year revenue loss by participating agencies arising from process delay. Approximately 38% of the revenue collections subject to the legislation are currently deposited in General Revenue.

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High	(3.8m)	(3.8m)	0	0	0
Middle	(1.9m)	(1.9m)	0	0	0
Low	(1.2m)	(1.2m)	0	0	0

REVENUE ESTIMATING CONFERENCE

TAX: Fees

ISSUE: One-Stop Business Registration Portal and Clearing Trust Fund

BILL NUMBER(S): HB5501, HB5503

SPONSOR(S): Representatives Hooper, Berman, Ray, Steinberg

MONTH/YEAR COLLECTION IMPACT BEGINS: January 1, 2013

DATE OF ANALYSIS: 03/16/2012

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted in estimate of indeterminate negative for 2012-13, and zero thereafter.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	(Indeterminate)	0	0	0	0
State Trust	(Indeterminate)	0	0	0	0
Total State Impact	(Indeterminate)	0	0	0	0
Total Local Impact	0	0	0	0	0
Total Impact	(Indeterminate)	0	0	0	0

REVENUE ESTIMATING CONFERENCE

TAX: Other Taxes (endorsement fee)

ISSUE: endorsement of radiologic technologist specialty

BILL NUMBER(S): CS/HB 309

SPONSOR(S): House of Representatives Health & Human Services Quality Subcommittee, Rep. Oliva

MONTH/YEAR COLLECTION IMPACT BEGINS: July 1, 2012

DATE OF ANALYSIS: March 14, 2012

SECTION 1: NARRATIVE

- a. **Current Law:** Current law (Chapter 468, Part IV, F.S.) regulates the certification of radiologic personnel working under the supervision of a licensed practitioner.

- b. **Proposed Changes:** The bill permits a radiologic technologist to receive an endorsement as a specialty technologist. The endorsement will indicate the type of radiologic specialty in which the technologist is trained. An endorsement fee of up to \$100 is authorized by the bill. This certification is not required to be renewed but remains in effect as long as the radiologist is licensed.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

Department of Health and committee staff analysis

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

The Department of Health estimates that up to 20% of the approximately 6,400 currently certified technologists will seek an endorsement indicating their radiologic specialty. The Department anticipates a fee of \$45. Assuming these figures, the initial fiscal impact would be \$57,600. The Department has further indicated that the endorsements would be granted over a two year period, followed by an insignificant recurring impact from newly registered technologists. Certification fees are deposited into the Department of Health Medical Quality Assurance Trust Fund.

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2011-12 Cash	FY 2011-12 Annualized	FY 2012-13 Cash	FY 2013-14 Cash	FY 2014-15 Cash
High					
Middle	*	*	*	*	*
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted an insignificant positive estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant
State Trust	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant
Total State Impact	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant
Total Local Impact	0	0	0	0	0
Total Impact	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant

REVENUE ESTIMATING CONFERENCE

TAX: OTHER TAXES AND FEES

ISSUE: Florida Farm Winery Program

BILL NUMBER(S): part of CS/HB 1197 – Section 4

SPONSOR(S): Rep. Horner

MONTH/YEAR COLLECTION IMPACT BEGINS:

DATE OF ANALYSIS: March 13, 2012

SECTION 1: NARRATIVE

a. Current Law:

S. 599.004, F.S., requires that to qualify as a certified Florida Farm Winery, a winery must produce or sell less than 250,000 gallons of wine annually and maintain at least 10 acres of owned or managed vineyards in Florida.

b. Proposed Change:

The bills amends the qualifications for certification to reduce the required number of acres to 5. The land does not have to contain vineyards, but it must produce commodities which are used in the production of wine. The bill also adds the requirement that at least 60% of the wine produced must be made from state agricultural products.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

The analysis was provided by the Florida Dept. of Agriculture and Consumer Services.

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

The Department assumed that in addition to the 4 new wineries that have expressed interest in the program, as many as 10 new wineries may apply (An indeterminate number of currently designated wineries may not qualify under the new provisions requiring that 60% of the wine produced be made from state agricultural products). For 14 new wineries, the Department expects to collect:

- \$100 annual registration fee – \$1400.
- \$10 DOT sign fee - \$140 (This assumes that they will only opt to get 1 sign each)

The funds are deposited in the Viticulture Trust Fund and are subject to the 8% GR service charge.

SECTION 4: PROPOSED FISCAL IMPACT

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High					
Middle					
Registration Fee	\$1400	\$1400	\$1400	\$1400	\$1400
DOT Sign Fee	\$140	\$140	\$140	\$140	\$140
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted an insignificant positive estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant
State Trust	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant
Total State Impact	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant
Total Local Impact	0	0	0	0	0
Total Impact	Insignificant	Insignificant	Insignificant	Insignificant	Insignificant

REVENUE ESTIMATING CONFERENCE

TAX: Sales & Use Tax

ISSUE: Fair Association Activities

BILL NUMBER(S): CS/CS/ HB 449 Enrolled

SPONSOR(S): Representative Steube

MONTH/YEAR COLLECTION IMPACT BEGINS: July 1, 2012

DATE OF ANALYSIS : MARCH 12, 2012

SECTION 1: NARRATIVE

a. Current Law: 212.08(7)(gg) F.S. The sale or lease to or by a fair association of real or tangible personal property is exempt from sales tax imposed by chapter 212 except for charges for tangible personal property or admissions made through an agent or independent contractor. 616.07(1) F.S. No member, officer, director or trustee of a fair association shall be personally liable for any to the debts of the association. 616.07(2) F.S. All money and property of the association shall, except for the payment of its just debts and liabilities, be and remain perpetually public property, administered by the association as trustee, to be used exclusively for the legitimate purpose of the association, and shall be, so long as so used, exempt from all forms of taxation, including special assessment.

b. Proposed Change: The proposed language in section 7 adds: “any projects, activities, events, program, and uses authorized by this part serve an essential governmental purpose and , therefore, are not taxable and are not subject to assessments” to 616.07(2)F.S. The addition of this language would have confused how this broad exemption from all taxes would be interpreted with respect to the exclusion from the exemption from sales tax that is specifically written into 212.08(7)(gg) F.S. with respect to agents of the fair,, but for the language preventing the subsection from applying to Chapter 212, F.S.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High					
Middle	0	0	0	0	0
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted a zero estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	0	0	0	0	0
State Trust	0	0	0	0	0
Total State Impact	0	0	0	0	0
Total Local Impact	0	0	0	0	0
Total Impact	0	0	0	0	0

REVENUE ESTIMATING CONFERENCE

TAX: Sales and Use Tax
ISSUE: Spaceport Property
BILL NUMBER(S): HB59er
SPONSOR(S): Representative Ray
MONTH/YEAR COLLECTION IMPACT BEGINS: 07/01/2012
DATE OF ANALYSIS: 3/15/2012

SECTION 1: NARRATIVE

- a. **Current Law:** In section 331.304 spaceport territory is currently defined as the following:
 - (1). Certain real property located in Brevard County that is included within the 1998 boundaries of Patrick Air Force Base, Cape Canaveral Air Force Station, or John F. Kennedy Space Center.
 - (2). Certain real property located in Santa Rosa, Okaloosa, Gulf, and Walton Counties which is included within the 1997 boundaries of Eglin Air Force Base.

Statute 212.02(22) defines “Spaceport activities” as those directed or sponsored by Space Florida on spaceport territory pursuant to its powers and responsibilities under the Space Florida Act. According to statute 212.08, industrial machinery and equipment purchased for exclusive use by a new or expanding business in spaceport activities, or for use in new businesses that manufacture, process, compound, or produce for sale items of tangible personal property are exempt from sales tax.

- b. **Proposed Change:** Expands the definition of spaceport territory to include additional counties and area in the state:
 - (3). Property included within the boundaries of Cecil Airport and Cecil Commerce Center.
 - (4). Property that is licensed by the Federal Aviation Administration as a spaceport.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

Florida Tax Handbook 2011
 Air force Personnel Center – Database
 Cecil Field Development Strategy- <http://www.jia.aero/PDFs/2010-Cecil-Field-Development-Strategy.pdf>

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

According to the Cecil Field Development Strategy, Cecil Field is one of the four airports serving the Jacksonville area and accommodates a wide range of aviation operations of which are primarily corporate jet operations. Growth for Cecil Field is currently anticipated through increased military activity, air cargo and maintenance/ repair/ overhaul. Jacksonville International Airport will continue to serve the area as the primary commercial service airport but Cecil Field will support charter operations. Larger commercial aircraft such as Boeing 747’s and 767’s operate at the airport on a regular basis.

The high impact is derived by multiplying the number of employees at Cecil Airport and Commerce Center by the machinery and equipment tax exemption per capita. The per capita capital tax exemption works out to be \$754.61/person, which is the total amount of allocated tax exemptions for spaceports, divided by the number of employees at such locations. Multiplying the per capita capital tax exemption by the number of employees provides us with an estimated impact of (\$1.9m). The out years are grown by the business investment sales tax growth rates from the general revenue estimating conference.

The middle impact represents the development strategy for Cecil Airfield. This report indicates \$26 million is to be invested over ten years, beginning in 2010. It is assumed that \$26 million will be matched by the private sector over that same span of time. It is also assumed that 100 percent of those dollars are in machinery and equipment. The total exemption would amount to \$1.5 million at \$155,000 per year.

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High					
Middle	(\$0.1m)	(\$0.1m)	(\$0.1m)	(\$0.1m)	(\$0.1m)
Low					

REVENUE ESTIMATING CONFERENCE

TAX: Sales and Use Tax

ISSUE: Spaceport Property

BILL NUMBER(S): HB59er

SPONSOR(S): Representative Ray

MONTH/YEAR COLLECTION IMPACT BEGINS: 07/01/2012

DATE OF ANALYSIS: 3/15/2012

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted the proposed estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	(.1)	(.1)	(.1)	(.1)	(.1)
State Trust	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)
Total State Impact	(.1)	(.1)	(.1)	(.1)	(.1)
Total Local Impact	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)
Total Impact	(.1)	(.1)	(.1)	(.1)	(.1)

REVENUE ESTIMATING CONFERENCE

TAX: Sales/Corporate/Beverage/Insurance Premium

ISSUE: Scholarship credit

BILL NUMBER(S): CS/CS/CS/HB 859

SPONSOR(S): Representative Corcoran

MONTH/YEAR COLLECTION IMPACT BEGINS: FY 2012-13

DATE OF ANALYSIS: March 16, 2012

SECTION 1: NARRATIVE

1. **Current Law:** Tax credit cap amount is \$218.8 million in state FY 2012-13, with a 25% increase in the cap in each subsequent year if actual credits reach 90% of the cap for the prior year.
2. **Proposed Change:** Tax credit cap amount is increased to \$229.0 million in FY2012-13, with changes in eligibility criteria.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

1. REC estimates – Current law Scholarship credit impacts – January 2012
2. DOR – Monthly SFO report (March 05, 2012)
3. Impact conference- January 13, 2012

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

1. Assumed scholarship credit cap is reached in every year till end of forecast horizon, therefore cap increases by 25% in each year.
2. Corporate income tax credit is assumed a ceiling at FY 2012-13 level of \$54.6 million.
3. Other sources (Beverage, Sales and IPT) are expected to be claimed at FY 2011-12 percentage shares, apportioned to reach the cap.
4. No soft ceiling is assumed based on December 16, 2011 impact conference.
5. For FEFP impact and net impact, refer to the FEFP analysis.

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High	-10.2	-25.0	-12.8	-16.0	-20.0
Middle					
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted the proposed estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue:					
Beverage	(6.3)	(15.2)	(7.9)	(9.8)	(12.2)
Sales	(1.4)	(3.7)	(1.8)	(2.3)	(2.9)
Insurance Premium	(2.2)	(5.8)	(2.8)	(3.6)	(4.6)
Corporate	(0.3)	(0.3)	(0.3)	(0.3)	(.3)
State Trust	0	0	0	0	0
Total State Impact	(10.2)	(25.0)	(12.8)	(16.0)	(20.0)
Total Local Impact	0	0	0	0	0
Total Impact	(10.2)	(25.0)	(12.8)	(16.0)	(20.0)

Credits approved as of March 1, 2012, for fiscal tax year July 1, 2011, to June 30, 2012										
Month	Approved Dollar Amount									Cummulative
	Corporate	Insurance	Malt	Wine	Liquor	Sales Tax Direct Pay	Oil	Gas	Total	
Jan-11	\$85,000	\$715,000							\$800,000	\$800,000
Feb-11	4,075,000	50,000							\$4,125,000	\$4,925,000
Mar-11	1,295,000	3,500,000							\$4,795,000	\$9,720,000
Apr-11	2,691,000	1,976,678	3,600,000		10,000,000	2,000,000			\$20,267,678	\$29,987,678
May-11	6,825,000	3,250,000	1,080,000	500,000	500,000				\$12,155,000	\$42,142,678
Jun-11	12,500,000	705,000	38,550,000	4,685,000	8,781,000	1,000,000			\$66,221,000	\$108,363,678
Jul-11	2,975,000	10,525,000	20,000,000			500			\$33,500,500	\$141,864,178
Aug-11	15,320,000	1,715,000	3,939,826			10,000			\$20,984,826	\$162,849,004
Sep-11	8,583,000	(6,175,000)				5,020,000			\$7,428,000	\$170,277,004
Oct-11**	4,650,000	1,315,996							\$5,965,996	\$176,243,000
Nov-11									\$0	\$176,243,000
Dec-11	(4,425,000)	(539,232)							(\$4,964,232)	\$171,278,768
Jan-12			1,000,000			650,000			\$1,650,000	\$172,928,768
Feb-12									\$0	\$172,928,768
Mar-12									\$0	\$172,928,768
Apr-12									\$0	\$172,928,768
May-12									\$0	\$172,928,768
Jun-12									\$0	\$172,928,768
Jul-12									\$0	\$172,928,768
Aug-12									\$0	\$172,928,768
Sep-12									\$0	\$172,928,768
Oct-12									\$0	\$172,928,768
Nov-12									\$0	\$172,928,768
Dec-12									\$0	\$172,928,768
Totals	\$54,574,000	\$17,038,442	\$68,169,826	\$5,185,000	\$19,281,000	\$8,680,500	\$0	\$0	\$172,928,768	

** Additional applications submitted in October 2011 approved after rescindments approved in December 2011.
 * Applications submitted for credit against more than one tax; so approved applications by tax is greater than total applications reported for mo

Adopted Estimates - Scholarship Credit Forecast from GR Conference Jan, 2012

	<u>FY 2010-11</u>	<u>FY 2011-12</u>	<u>FY 2012-13</u>	<u>FY 2013-14</u>	<u>FY 2014-15</u>	<u>FY 2015-16</u>	<u>FY 2016-17</u>
Beverage	\$(47.3)	\$(95.6)	\$(130.2)	\$(173.5)	\$(227.6)	\$(295.2)	\$(379.7)
Sales		\$(8.4)	\$(11.4)	\$(15.2)	\$(19.9)	\$(25.9)	\$(33.3)
IPT	\$(21.9)	\$(16.8)	\$(22.9)	\$(30.5)	\$(40.0)	\$(51.9)	\$(66.8)
CIT	\$(70.8)	\$(54.2)	\$(54.2)	\$(54.2)	\$(54.2)	\$(54.2)	\$(54.2)
Totals	\$(140.0)	\$(175.0)	\$(218.8)	\$(273.4)	\$(341.8)	\$(427.2)	\$(534.1)

Proposed Estimates - Scholarship Credit Impacts Mar 2012 w/Jan 2012 adopted numbers and HB859 cap Increase and new expected numbers from FY2012-13 forward

	<u>FY 2010-11</u>	<u>FY 2011-12</u>	<u>FY 2012-13</u>	<u>FY 2013-14</u>	<u>FY 2014-15</u>	<u>FY 2015-16</u>	<u>FY 2016-17</u>
Beverage	\$(47.3)	\$(95.6)	\$(136.5)	\$(181.3)	\$(237.3)	\$(307.4)	\$(394.9)
Sales		\$(8.4)	\$(12.8)	\$(17.0)	\$(22.2)	\$(28.8)	\$(37.0)
IPT	\$(21.9)	\$(16.8)	\$(25.1)	\$(33.4)	\$(43.7)	\$(56.5)	\$(72.6)
CIT	\$(70.8)	\$(54.2)	\$(54.6)	\$(54.6)	\$(54.6)	\$(54.6)	\$(54.6)
Totals	\$(140.0)	\$(175.0)	\$(229.0)	\$(286.3)	\$(357.8)	\$(447.3)	\$(559.1)
Difference	\$0.0	\$0.0	\$(10.2)	\$(12.8)	\$(16.0)	\$(20.0)	\$(25.0)

Difference by Source

Beverage	\$0.0	\$0.0	\$(6.3)	\$(7.9)	\$(9.8)	\$(12.2)	\$(15.2)
Sales	\$0.0	\$0.0	\$(1.4)	\$(1.8)	\$(2.3)	\$(2.9)	\$(3.7)
IPT	\$0.0	\$0.0	\$(2.2)	\$(2.8)	\$(3.6)	\$(4.6)	\$(5.8)
CIT	\$0.0	\$0.0	\$(0.3)	\$(0.3)	\$(0.3)	\$(0.3)	\$(0.3)
Totals	\$0.0	\$0.0	\$(10.2)	\$(12.8)	\$(16.0)	\$(20.0)	\$(25.0)

FEFP Cost Savings Assumptions For HB 859 ON TAX CREDIT PROVISIONS

16-Mar-12

Assumptions	Current Law	Under Bill
Remittances	Flow through from Revenue spreadsheet for baselines	Flow through from Revenue spreadsheet for change
Scholarship Distribution	Each cap year over 2 fiscal years	Same
Credits from Corporate All other sources	80% FY 1; 20% FY 2 100% FY 1	Same Same
Administrative Costs	3%	Same
Maximum Scholarship Award	Percentage of FTE dollars per student 60% in 2010-11 64% in 2010-12 68% in 2012-13 72% in 2013-14 76% in 2014-15 80% in 2015-16 and thereafter	Same
Distribution of Children by Family Income <=200% of poverty level <200%, but <= 215% of poverty level <215% but <= 230% of poverty level	Phased in so that in 2013-14 the distribution is 90% 8% 2% 2010-11 distribution is based on actual data%	Same
Reduction in Scholarship Award <=200% of poverty level <200%, but <= 215% of poverty level <215% but <= 230% of poverty level	3% 25% 50%	Same
Average Scholarship Award per Slot	Weighted average of scholarship award by income distribution.	Same
% of students who would have been in public schools otherwise	Varies by grade	Varies by grade and eligibility
FEFP Savings per slot	\$6,000 for 2010-11; \$5,500 for 2011-12 and beyond	Same

Students entering kindergarten and grade 1 have no change in eligibility.

**I. Estimates for students filling occupied slots.
These are grades 2-5 private school students now eligible under bill.**

Section 1: Students in Private School 2005-2009; Source for total students is U.S. Census Bureau, 2005-2006 American Community Survey, Source for students with family income less than 185% of the poverty level comes from the American Community Survey 2005-2009 estimates, public use microdata sample. Data may also include some home school students.

	A.	B.	C.
	All students enrolled in private schools	Students enrolled in private schools with family income less than 185% of the poverty level	% of all students with family income less than 185% of poverty level
Total Grades 1-12	317,689	58,940	18.6%
Grades 1-4	106,964	19,124	17.9%
Grades 5-8	112,826	20,109	17.8%
Grades 9-12	97,899	19,707	20.1%

Section 2: Students in private school 2010-11. Source: Florida's Private Schools Annual Report 2010-11, DOE Website.

	A.	B.
	Students enrolled in private schools	Estimate of students enrolled in private schools with family income less than 185% of the poverty level
Total Grades 2-5	77,042	13,771
Grades 2-4	57,910	10,366
Grades 5	19,132	3,405

Section 3: Estimated breakdown of students in Section 2 column B by who receive a scholarship in 2011-12 and who do not receive a scholarship in 2011-12 but would be eligible under the bill.

	A.	B.
	Students receiving tax-credit scholarship	Students not receiving tax-credit scholarship
Total Grades 2-12	13,303	736
Grades 2-4	10,634	-
Grades 5	2,669	736

All of the students in section 3 are considered in the population of students in occupied slots who might receive a tax-credit scholarship. From the June 2010 Quarterly Report on this program, 83.6 % of all students receiving a tax credit scholarship are enrolled in religious schools. It is assumed that the percentage of students in religious schools with family income less than 185% of poverty level is higher than in all private schools. This population is considered available beginning in 2012-13 and the population is reduced as these students receive scholarships. These students contribute to the FEFP Savings at 0% rate. It is estimated that about 27% of this population would enter each year until the pool of students is exhausted. To get the percentage estimate, the total occupied slots newly eligible (736) was divided by the sum of 736 and the number of eligible students in grade five who entered public schools in grade 5 from public schools in 2010-11 (1991). $736 / (736 + 1991) = 27\%$.

II. Students filling empty slots in grades 2-12.

Types of students who might fill empty slots: Students in this category under current law consists of eligible students leaving public schools. Students in this category under the bill would be the former in addition to grades 2-5 income eligible students who would have had to leave private school to enter public school for financial reasons, income eligible students entering from home education, and income eligible students moving into the state from other areas. These four groups compete for the same slots, called empty slots in this analysis. The first two groups contribute 100% to the FEFP savings; the home education students contribute to FEFP savings at rate of 0%; the students from other areas contribute at an indeterminate rate. The number of income eligible home education students who would choose to enter a private school with a scholarship is indeterminate. Thus, this analysis fills the empty slots at 100% contribution to FEFP savings.

Estimate of empty slots: Total slots to be filled minus the occupied slots filled.

Student Tracking

	Total Enrollment					Total Slots	
	2009-10 Final	2010-11 Final	2011-12 Est (Nov)	2010-11		2011-12 Est.	
KG	4,745	5,611	6,100	Enrollments from	5,537	6,119	Slots total estimated by school year outlays divided by average scholarship award
G1	4,231	4,830	5,522	Florida DOE website	4,767	5,539	
G2	3,400	4,073	4,494	Quarterly Reports	4,019	4,508	
G3	2,965	3,502	3,822	For the	3,456	3,834	Slots by grade prorated by enrollment distribution
G4	2,585	3,059	3,345	Tax Credit	3,019	3,355	
G5	2,227	2,669	2,976	Scholarship	2,634	2,985	
G6	2,151	2,665	2,763	Program	2,630	2,772	
G7	1,989	2,244	2,394		2,215	2,401	
G8	1,677	1,941	1,978		1,915	1,984	
G9	1,140	1,464	1,488		1,445	1,493	
G10	906	1,057	1,207		1,043	1,211	
G11	720	839	845		828	848	
G12	497	596	644		588	646	
Total	29,233	34,550	37,578		34,096	37,695	

Slots broken down into: Group A --- slots needed for cohort movement of 2011-12 students and for new entries in kindergarten and grade 1
 Group B --- slots needed for new scholarships in grades 2-12

The eligibility changes for HB 859 affect only Group B. KG and kindergarten slots and slots for continuing students are not affected by the eligibility changes.
 The cap increase affects all grade levels

Baseline: Under Current Law										
	2011-12	2012-13	2013-14	2014-15	2015-16	2011-12	2012-13	2013-14	2014-15	2015-16
Group A: Cohort Movement of 2011-12 slots and New Entries in KG and Grade 1						Ratios for Savings Group A				
KG	6,119	7,039	7,959	8,879	9,799	0.950	0.950	0.950	0.950	0.950
G1	5,539	6,199	7,119	8,039	8,959	0.950	0.950	0.950	0.950	0.950
G2	4,508	5,539	6,199	7,119	8,039	0.951	0.950	0.950	0.950	0.950
G3	3,834	4,508	5,539	6,199	7,119	0.952	0.951	0.950	0.950	0.950
G4	3,355	3,834	4,508	5,539	6,199	0.953	0.952	0.951	0.950	0.950
G5	2,985	3,355	3,834	4,508	5,539	0.954	0.953	0.952	0.951	0.950
G6	2,772	2,985	3,355	3,834	4,508	0.955	0.954	0.953	0.952	0.951
G7	2,401	2,772	2,985	3,355	3,834	0.956	0.955	0.954	0.953	0.952
G8	1,984	2,401	2,772	2,985	3,355	0.957	0.956	0.955	0.954	0.953
G9	1,493	1,984	2,401	2,772	2,985	0.958	0.957	0.956	0.955	0.954
G10	1,211	1,493	1,984	2,401	2,772	0.959	0.958	0.957	0.956	0.955
G11	848	1,211	1,493	1,984	2,401	0.960	0.959	0.958	0.957	0.956
G12	646	848	1,211	1,493	1,984	0.961	0.960	0.959	0.958	0.957
2011-12 base slots	37,695	37,049	36,201	34,990	33,497					
2011-12 base FEFP savings slots	35,925	35,304	34,490	33,329	31,899					
New entries in KG and G1		7,119	15,158	24,117	33,996					
New FEFP savings slots in KG & G1		6,763	14,400	22,911	32,296					
Total Slots	37,695	44,168	51,359	59,107	67,493					
Savings Slots	35,925	42,067	48,890	56,240	64,195					
Group B Baseline: New Scholarships in Grades 2-12										
Total Slots		8,005	10,976	14,717	20,161					
Savings slots		8,005	10,976	14,717	20,161					
Baseline Total Slots Grps A-B		52,173	62,335	73,824	87,654					
Baseline Savings Slots Grps A-B		50,072	59,866	70,957	84,356					
Under Bill: Cap and Eligibility Changes										
	2011-12	2012-13	2013-14	2014-15	2015-16					
Group A Under Change										
Group A baseline total slots	37,695	44,168	51,359	59,107	67,493					
Group A baseline FEFP Savings Slots	35,925	42,067	48,890	56,240	64,195					
Additional KG-G1 slots										
Increase in growth slots		49%	18%	14%	14%					
Cum. # of KG-G1 growth slots		490	670	810	950					
Additional Group A KG and G1 Savings Slots (at 95%)		466	637	770	903					
Total Group A Slots	44,658	52,029	59,917	68,443	77,396					
Total Group A FEFP Savings Slots	42,533	49,527	57,010	65,098	73,398					
Group B Under Change										
Total Slots for Group B		9,838	13,227	17,366	23,318					
Annual Slots for Group B		9,838	3,389	4,139	5,952					
Available for Annual Occupied Slots		736	537	392	286					
% of available occupied slots filled		27.0%	27.0%	27.0%	27.0%					
Filled Annual Empty Slots		9,639	3,244	4,033	5,875					
Filled Annual Occupied Slots		199	145	106	77					
Cumulative empty Slots filled		9,639	12,883	16,916	22,791					
Cumulative Occupied Slots filled		199	344	450	527					
Group B FEFP Savings Slots		9,639	12,883	16,916	22,791					
Change Total Slots Grps A-B		54,496	65,256	77,283	91,761					
Change Savings Slots Grps A-B		52,172	62,410	73,926	87,889					
Difference between Bill Changes and Baseline										
	2012-13	2013-14	2014-15	2015-16						
Total Slots	2,323	2,921	3,459	4,107						
FEFP Savings Slots	2,100	2,544	2,969	3,533						

FEFP Cost Savings Calculation WITH CAP LIMIT CHANGES and STUDENT ELIGIBILITY CHANGES

Under HB 859

Baseline		2011-12	2012-13	2013-14	2014-15	2015-16
1	Percentage Remittances in First FY	93.8%	95.0%	96.0%	96.8%	97.5%
2	Remittances					
3	CY 2010	\$140,000,000	\$14,160,000			
4	CY 2011	\$175,000,000	\$164,150,601	\$10,849,399		
5	CY 2012	\$218,750,000		\$207,900,601	\$10,849,399	
6	CY 2013	\$273,437,500			\$262,588,101	\$10,849,399
7	CY 2014	\$341,796,875				\$330,947,476
8	CY 2015	\$427,246,094				
9	FY Total Remittances		\$178,310,601	\$218,750,000	\$273,437,500	\$341,796,875
10	Remittances less Adm. Cost		\$172,961,283	\$212,187,500	\$265,234,375	\$331,542,969
11	FEFP dollars/UFTE		\$6,267	\$6,267	\$6,267	\$6,267
12	Scholarship Percentage of FEFP dollars/UFTE		64%	68%	72%	76%
13	Max Scholarship award		\$4,011	\$4,262	\$4,512	\$4,763
14	Scholarship Award Factor		96%	95%	94%	94%
15	Avg Scholarship award		\$3,854	\$4,067	\$4,255	\$4,491
16	Scholarships that can be funded with remittances ¹		37,695	52,173	62,335	73,824
17	Scholarships for FEFP savings		35,925	50,072	59,866	70,957
18	FEFP savings per student		\$5,500	\$5,500	\$5,500	\$5,500
19	FEFP savings		\$197,587,500	\$275,396,000	\$329,263,000	\$390,263,500
20	FEFP savings in millions		\$197.6	\$275.4	\$329.3	\$390.3
21	Revenue Impact in millions		(\$175.0)	(\$218.8)	(\$273.4)	(\$341.8)
22	Net Savings in Millions		\$22.6	\$56.6	\$55.8	\$48.5

Average Scholarship Award Factor

		2011-12	2012-13	2013-14	2014-15	2015-16
26	Income <=200% of poverty level (pl)		97%	94%	90%	90%
27	Distribution <200%, but <= 215% of pl		2%	5%	8%	8%
28	Assumptions <215% but <= 230% of pl		1%	1%	2%	2%
29	Factor		96%	95%	94%	94%

With Change		2011-12	2012-13	2013-14	2014-15	2015-16
34	Percentage Remittances in First FY	93.8%	95.2%	96.2%	96.9%	97.6%
35	Remittances					
36	CY 2010	\$140,000,000	\$14,160,000			
37	CY 2011	\$175,000,000	\$164,150,601	\$10,849,399		
38	CY 2012	\$229,000,000		\$217,642,229	\$11,357,771	
39	CY 2013	\$286,250,000			\$274,892,229	\$11,357,771
40	CY 2014	\$357,812,500				\$346,454,729
41	CY 2015	\$447,265,625				
42	FY Total Remittances		\$178,310,601	\$228,491,628	\$286,250,000	\$357,812,500
43	Remittances less Adm. Cost		\$172,961,283	\$221,636,879	\$277,662,500	\$347,078,125
44	FEFP dollars/UFTE		\$6,267	\$6,267	\$6,267	\$6,267
45	Scholarship Percentage of FEFP dollars/UFTE		64%	68%	72%	76%
46	Max Scholarship award		\$4,011	\$4,262	\$4,512	\$4,763
47	Scholarship Award Factor		96%	95%	94%	94%
48	Avg Scholarship award		\$3,854	\$4,067	\$4,255	\$4,491
49	Scholarships that can be funded with remittances ¹		37,578	54,496	65,256	77,283
50	Scholarships for FEFP savings		35,925	52,172	62,410	73,926
51	FEFP savings per student		\$5,500	\$5,500	\$5,500	\$5,500
52	FEFP savings		\$197,587,500	\$286,946,000	\$343,255,000	\$406,593,000
53	FEFP savings in millions		\$197.6	\$286.9	\$343.3	\$406.6
54	Revenue Impact in millions		(\$175.0)	(\$229.0)	(\$286.3)	(\$357.8)
55	Net Savings in Millions		\$22.6	\$57.9	\$57.0	\$48.8

IMPACT --- Change - Baseline

58	FEFP savings in millions		\$11.6	\$14.0	\$16.3	\$19.4
59	Revenue Impact in millions		(\$10.3)	(\$12.8)	(\$16.0)	(\$20.0)
60	Net Savings in Millions		\$1.3	\$1.2	\$0.3	(\$0.6)

¹ Scholarships are projected from remittances except for 2011-12 which are estimated from actual and projected dollars used for scholarships.

REVENUE ESTIMATING CONFERENCE

TAX: Tuition

ISSUE: Tuition at Differentiated and Market Rates for Universities of Academic and Research Excellence

BILL NUMBER(S): HB 7129

SPONSOR(S): Education Committee and Representative Proctor

MONTH/YEAR COLLECTION IMPACT BEGINS: 2012-13 Academic Year provided certain conditions are met

DATE OF ANALYSIS: March 16, 2012

SECTION 1: NARRATIVE

a. Current Law:

Section 1009.24, F.S. establishes the undergraduate tuition rate and certain state university student fees and establishes procedures for other fees and proposals for fee increases. Effective July 1, 2011, the resident undergraduate tuition for lower-level and upper-level coursework shall be \$103.32 per credit hour (Section 1009.24(4) (a), F.S).

b. Proposed Change:

- Beginning with the 2012-2013 academic year, the bill authorizes a state research university that substantially meets 11 of the 14 academic and research excellence standards established in the bill to increase student tuition and fees to differentiated and market rate in addition to the tuition differential fee once each academic year beginning with the Fall term.
 - a. Of the eleven existing universities, UF meets 13 of the academic and research standards criteria, FSU meets 11, USF meets 5, UCF meets 4, NCF meets 2, and the remaining meet none of the criteria.
- For the 2012-2013 fiscal year, an institution qualified for additional tuition and fee authority provided by the bill is required to submit a tuition and fee proposal to the BOG for approval. Upon approval by the BOG, an amendment may be proposed on behalf of the institution to increase the budget authority from the Education and General Student and Other Fees Trust Fund to accommodate the expenditure of additional revenues generated by the approved increased tuition and fee rate proposal. Such budget amendment would not be required to be adopted by the LBC, but would be added to the institutions' budget authority for the 2012-2013 fiscal year after a 14 day consultation period if there is no objection by the chair and vice-chair of the LBC or the Speaker of the House and President of the Senate. Beginning in the 2013-2014 fiscal year, and thereafter, an institution qualified for additional tuition and fee authority provided by the bill is required to submit a tuition and fee proposal by May 31 of each year to provide adequate time for the BOG to include the necessary budget authority from the trust fund in their annual Legislative Budget Request (LBR).

SECTION 2: DESCRIPTION OF DATA AND SOURCES

Legislative Staff from House and Senate Appropriations and Senate Education committees
Board of Governors Staff

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

It is not possible to project the specific details of the market rate proposals that may or may not be forthcoming from eligible universities; therefore the specific revenue impact from this bill is indeterminate. However, if the two universities which currently appear to be eligible (FSU and UF) each raised tuition by 1% for all levels under the provisions of the bill, the corresponding revenue generated would be \$4.5 million for FSU and \$4.4 million for UF. These amounts were calculated on the total of the base tuition (\$103.32) plus the differential rate of 15%. According to a March 14, 2012 article in the Gainesville Sun, UF appears to be contemplating a 4 year flat market rate at the national average for the incoming freshman level only starting Fall of 2013.

Tuition rates for Florida universities:

- The average annual tuition and required fees total for institutions in Florida's State University System is \$5,531. Florida State University's (FSU) total is \$5,825.20; the University of Florida's (UF) total is \$5,656.50.

National benchmark tuition rates:

- The October 2011 report from the College Board showed a national average tuition and fees total of \$8,244 for public in-state 4-year colleges.
- The average in-state tuition for 59 universities all in the United States that are members of the Association of American Universities (AAU) is \$23,625. The AAU is an invitation-only, non-profit association of preeminent public and private research universities.

REVENUE ESTIMATING CONFERENCE

TAX: Tuition

ISSUE: Tuition at Differentiated and Market Rates for Universities of Academic and Research Excellence

BILL NUMBER(S): HB 7129

SPONSOR(S): Education Committee and Representative Proctor

MONTH/YEAR COLLECTION IMPACT BEGINS: 2012-13 Academic Year provided certain conditions are met

DATE OF ANALYSIS: March 16, 2012

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High	indeterminate	indeterminate	indeterminate	indeterminate	indeterminate
Middle					
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted an indeterminate positive estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	0	0	0	0	0
State Trust	0	0	0	0	0
Total State Impact	0	0	0	0	0
Total Local Impact	Indeterminate	Indeterminate	Indeterminate	Indeterminate	Indeterminate
Total Impact	Indeterminate	Indeterminate	Indeterminate	Indeterminate	Indeterminate

REVENUE ESTIMATING CONFERENCE

TAX: Sales and Use Tax

ISSUE: Distribution to Florida Institute of Technology

BILL NUMBER(S): HB7099, Section 6

SPONSOR(S):

MONTH/YEAR COLLECTION IMPACT BEGINS: July, 1, 2013

DATE OF ANALYSIS: 3/15/2012

SECTION 1: NARRATIVE

- a. **Current Law:** There is no distribution to Florida Institute of Technology

- b. **Proposed Change:** Beginning 30 days after notice by DEO, Dept of Revenue shall distribute \$416,666 monthly to the Florida Institute of Technology.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

High assumes 11/12ths, Middle assumes 8/12ths, Low assumes 4/12ths

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High	(\$0)	(\$5m)	(\$4.6m)	(\$5m)	(\$5m)
Middle	(\$0)	(\$5m)	(\$3.4m)	(\$5m)	(\$5m)
Low	(\$0)	(\$5m)	(\$1.7m)	(\$5m)	(\$5m)

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted the high estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	0	(5.0)	(4.6)	(5.0)	(5.0)
State Trust	0	0	0	0	0
Total State Impact	0	(5.0)	(4.6)	(5.0)	(5.0)
Total Local Impact	0	0	0	0	0
Total Impact	0	(5.0)	(4.6)	(5.0)	(5.0)

REVENUE ESTIMATING CONFERENCE

TAX: Intangibles

ISSUE: Government Leaseholds

BILL NUMBER(S): HB 7087 (Enrolled), Sections 1 and 2

SPONSOR(S): Finance & Tax Committee; Precourt; Albritton; Grant; Workman; Smith; Roberson, K; Crisafulli; Baxley

MONTH/YEAR COLLECTION IMPACT BEGINS: October 1, 2012

DATE OF ANALYSIS: March 16, 2012

SECTION 1: NARRATIVE

a. Current Law:

Section 196.199(2), F.S., provides conditions for exemptions related to property owned by governmental units but used by nongovernmental lessees.

Section 196.199(2)(a), F.S., provides an exemption for the following:

leasehold interests in property of the United States, of the state or any of its several political subdivisions, or of municipalities, agencies, authorities, and other public bodies corporate of the state shall be exempt from ad valorem taxation only when the lessee serves or performs a governmental, municipal, or public purpose or function, as defined in s. 196.012(6). In all such cases, all other interests in the leased property shall also be exempt from ad valorem taxation. However, a leasehold interest in property of the state may not be exempted from ad valorem taxation when a nongovernmental lessee uses such property for the operation of a multipurpose hazardous waste treatment facility.

Section 196.199(2)(b), F.S., provides the following exception:

Except as provided in paragraph (c), the exemption provided by this subsection shall not apply to those portions of a leasehold or other interest defined by s. 199.023(1)(d), Florida Statutes 2005, subject to the provisions of subsection (7). Such leasehold or other interest shall be taxed only as intangible personal property pursuant to chapter 199, Florida Statutes 2005, if rental payments are due in consideration of such leasehold or other interest. All applicable collection, administration, and enforcement provisions of chapter 199, Florida Statutes 2005, shall apply to taxation of such leaseholds. If no rental payments are due pursuant to the agreement creating such leasehold or other interest, the leasehold or other interest shall be taxed as real property. Nothing in this paragraph shall be deemed to exempt personal property, buildings, or other real property improvements owned by the lessee from ad valorem taxation.

Section 196.012(6), F.S., provides that:

governmental, municipal, or public purpose or function shall be deemed to be served or performed when the lessee under any leasehold interest created in property of the United States, the state or any of its political subdivisions, or any municipality, agency, special district, authority, or other public body corporate of the state is demonstrated to perform a function or serve a governmental purpose which could properly be performed or served by an appropriate governmental unit or which is demonstrated to perform a function or serve a purpose which would otherwise be a valid subject for the allocation of public funds. For purposes of the preceding sentence, an activity undertaken by a lessee which is permitted under the terms of its lease of real property designated as an aviation area on an airport layout plan which has been approved by the Federal Aviation Administration and which real property is used for the administration, operation, business offices and activities related specifically thereto in connection with the conduct of an aircraft full service fixed base operation which provides goods and services to the general aviation public in the promotion of air commerce shall be deemed an activity which serves a governmental, municipal, or public purpose or function. Any activity undertaken by a lessee which is permitted under the terms of its lease of real property designated as a public airport as defined in s. 332.004(14) by municipalities, agencies, special districts, authorities, or other public bodies corporate and public bodies politic of the state, a spaceport as defined in s. 331.303, or which is located in a deepwater port identified in s. 403.021(9)(b) and owned by one of the foregoing governmental units, subject to a leasehold or other possessory interest of a nongovernmental lessee that is deemed to perform an aviation, airport, aerospace, maritime, or port purpose or operation shall be deemed an activity that serves a governmental, municipal, or public purpose. **The use by a lessee, licensee, or management company of real property or a portion thereof as a convention center, visitor center, sports facility with permanent seating, concert hall, arena, stadium, park, or beach is deemed a use that serves a governmental, municipal, or public purpose or function when access to the property is open to the general public with or without a charge for admission.** If property deeded to a municipality by the United States is subject to a requirement that the Federal Government, through a schedule established by the Secretary of the Interior, determine that the property is being maintained for public historic preservation, park, or recreational purposes and if those conditions are not met the property will revert back to the Federal Government, then such

REVENUE ESTIMATING CONFERENCE

TAX: Intangibles

ISSUE: Government Leaseholds

BILL NUMBER(S): HB 7087 (Enrolled), Sections 1 and 2

SPONSOR(S): Finance & Tax Committee; Precourt; Albritton; Grant; Workman; Smith; Roberson, K; Crisafulli; Baxley

MONTH/YEAR COLLECTION IMPACT BEGINS: October 1, 2012

DATE OF ANALYSIS: March 16, 2012

property shall be deemed to serve a municipal or public purpose. The term “governmental purpose” also includes a direct use of property on federal lands in connection with the Federal Government’s Space Exploration Program or spaceport activities as defined in s. 212.02(22). Real property and tangible personal property owned by the Federal Government or Space Florida and used for defense and space exploration purposes or which is put to a use in support thereof shall be deemed to perform an essential national governmental purpose and shall be exempt. “Owned by the lessee” as used in this chapter does not include personal property, buildings, or other real property improvements used for the administration, operation, business offices and activities related specifically thereto in connection with the conduct of an aircraft full service fixed based operation which provides goods and services to the general aviation public in the promotion of air commerce provided that the real property is designated as an aviation area on an airport layout plan approved by the Federal Aviation Administration. For purposes of determination of “ownership,” buildings and other real property improvements which will revert to the airport authority or other governmental unit upon expiration of the term of the lease shall be deemed “owned” by the governmental unit and not the lessee. Providing two-way telecommunications services to the public for hire by the use of a telecommunications facility, as defined in s. 364.02(14), and for which a certificate is required under chapter 364 does not constitute an exempt use for purposes of s. 196.199, unless the telecommunications services are provided by the operator of a public-use airport, as defined in s. 332.004, for the operator’s provision of telecommunications services for the airport or its tenants, concessionaires, or licensees, or unless the telecommunications services are provided by a public hospital.

b. Proposed Change:

Section 1 of the impact analyzed on February 17, 2012, provides an intangible tax exemption when the lessee serves or performs a governmental, municipal, or public purpose or function, as defined in s. 196.012(6), F.S. (this is in addition to the current ad valorem exemption).

Section 2 provides that Section 1 takes effect upon becoming a law and applies retroactively to all governmental leaseholds in existence as of January 1, 2011. In addition, the enrolled bill adds that Section 1 is intended to be remedial in nature and does not create a right to a refund or require any governmental entity to refund any tax, penalty, or interest remitted to the Department of Revenue before the effective date of this act.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

Florida Department of Revenue, Revenue Accounting Section, Intangible Governmental Leasehold Distributions
Florida Department of Revenue, Audit Information

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

The statewide historical amounts of intangible tax collections for governmental leaseholds since FY 2000-01 are as follows:

<u>FISCAL YEAR</u>	<u>AMOUNT</u>
2000-2001	\$1,542,607
2001-2002	\$1,209,926
2002-2003	\$1,551,606
2003-2004	\$1,108,175
2004-2005	\$1,526,028
2005-2006	\$858,968
2006-2007	\$463,930
2007-2008	\$514,881
2008-2009	\$720,433
2009-2010	\$942,316
2010-2011	\$949,364
Average	\$1,035,294

REVENUE ESTIMATING CONFERENCE

TAX: Intangibles

ISSUE: Government Leaseholds

BILL NUMBER(S): HB 7087 (Enrolled), Sections 1 and 2

SPONSOR(S): Finance & Tax Committee; Precourt; Albritton; Grant; Workman; Smith; Roberson, K; Crisafulli; Baxley

MONTH/YEAR COLLECTION IMPACT BEGINS: October 1, 2012

DATE OF ANALYSIS: March 16, 2012

- For the middle, 90% of the average was used throughout the forecast period; and

For the remedial language, the Department of Revenue determined that the approximate dollar amount associated with government leasehold audit activity for FY 2012-13 is \$300,000. The middle estimate is twice the low or \$600,000.

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High					
Middle	(0.9 m)	(0.9 m)	(1.5 m)	(0.9 m)	(0.9 m)
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted the proposed estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	0	0	0	0	0
State Trust	0	0	0	0	0
Total State Impact	0	0	0	0	0
Total Local Impact	(.9)	(.9)	(1.5)	(.9)	(.9)
Total Impact	(.9)	(.9)	(1.5)	(.9)	(.9)

REVENUE ESTIMATING CONFERENCE

TAX: Cigarette Tax

ISSUE: Distributions: Moffitt Center, Biomedical Research Trust fund

BILL NUMBER(S): HB7087, Section 3

SPONSOR(S): Committee on Finance & Tax

MONTH/YEAR COLLECTION IMPACT BEGINS: July 1, 2013

DATE OF ANALYSIS: March 9, 2012

SECTION 1: NARRATIVE

- a. **Current Law:** S. 210.21 (2) (b) 2, Florida Statutes, provides for a distribution of 1.47% of Cigarette Tax collections (net of service charge and DBPR administrative costs) to the H. Lee Moffitt Cancer Center and Research Institute. The distribution is to continue through June 30, 2020. In no year shall the distribution be less than it would have been had the distribution been in effect in 2001-02 (\$5.6 million). The Biomedical Research Trust Fund does not receive a distribution from the Cigarette Tax
- b. **Proposed Change:** Section 3 of the bill amends S. 210.21 (2) (b) 2, Florida Statutes, to end the 1.47% distribution on June 30, 2012. A new 2.75% distribution would begin July 1, 2012, subject to the same minimum distribution, and would continue through June 30, 2020. In no year shall the distribution be less than it would have been had the distribution been in effect in 2001-02 (\$10.6 million). S. 210.21 (2) (c) is created to provide a 1% distribution to the Biomedical Research Trust Fund in the Department of Health.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

January 2012 Revenue Estimating conference on Tobacco Tax and Surcharge

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

Due to the low level of excise tax currently and in the forecast compared to 2001-02, the result of the first part of this legislation is to put into place a distribution of \$10.6 million annually, replacing the current \$5.6 million annually. The impact is therefore \$5.0 million additional revenue to the Moffitt Center, and a loss of \$5.0 million to the General Revenue Fund.

See attached for details.

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High					
Middle—GR	0	(7.6)	(7.6)	(7.6)	(7.6)
Moffitt Center	0	5.0	5.0	5.0	5.0
Biomedical Research TF	0	2.6	2.6	2.6	2.6
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted the proposed estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	0	(7.6)	(7.6)	(7.6)	(7.6)
Moffitt Center	0	5.0	5.0	5.0	5.0
Biomedical Research TF	0	2.6	2.6	2.6	2.6
Total State Impact	0	0	0	0	0
Total Local Impact	0	0	0	0	0
Total Impact	0	0	0	0	0

**Cigarette Excise Tax--Moffitt Center distribution, Distribution to Biomedical Research Trust Fund
HB7087**

	Cigarette Tax									
	Cigarette Tax	Refunds	Net Tax	GR Service Charge	AB&T Trust Fund	County Rev Sharing	PMATF	Moffitt Center	Biomed Rsch TF	General Revenue
2012-13										
Jan 12	286.4	0.2	286.2	22.9	2.6	7.6	76.4	5.6		171.2
HB7087	286.4	0.2	286.2	22.9	2.6	7.6	76.4	5.6		171.2
								0.0	0.0	0.0
2013-14										
Jan 12	284.2	0.2	284.0	22.7	2.6	7.5	75.8	5.6		169.8
HB7087	284.2	0.2	284.0	22.7	2.6	7.5	75.8	10.6	2.6	162.2
Difference								5.0	2.6	-7.6
2014-15										
Jan 12	282.8	0.2	282.6	22.6	2.5	7.5	75.4	5.6		169.0
HB7087	282.8	0.2	282.6	22.6	2.5	7.5	75.4	10.6	2.6	161.4
Difference								5.0	2.6	-7.6
2015-16										
Jan 12	281.7	0.2	281.5	22.5	2.5	7.4	75.1	5.6		168.3
HB7087	281.7	0.2	281.5	22.5	2.5	7.4	75.1	10.6	2.6	160.7
Difference								5.0	2.6	-7.6

* Note--the 2.75% on its own would yield only \$7.1m in 2013-14, \$7.1m in 2014-15, and \$7.1m in 2015-16. The additional money results from the language requiring the distribution to at least match what it would have been had it been in place in 2001-02, when net tax was \$418.2 million. Since current and future collections are not expected to approach the \$418.2 million, the floor of \$10.6 million will be the distribution amount, just as under current law the 2001-02 floor of \$5.6 million is in effect.

REVENUE ESTIMATING CONFERENCE

TAX: Corporate Income/ Insurance Premium Tax

ISSUE: New Markets

BILL NUMBER(S): HB7087, Section 16 & 17

SPONSOR(S):

MONTH/YEAR COLLECTION IMPACT BEGINS: July 1, 2012

DATE OF ANALYSIS: 03/09/2012

SECTION 1: NARRATIVE

- a. **Current Law:** Dept of Economic Opportunity in consultation with Enterprise Florida designated industries which are eligible to receive low-income community investments. The industries must have the greatest potential to create strong positive impacts on or benefits to Florida, regional and local economies. However, DEO may allow investments in additional industries if it determines that such investments would have a positive impact on a community. DEO may not approve more than \$97.5 million in tax credits during the existence of the program, or more than 20 million in a single state fiscal year. Each qualified low income business may not receive more than \$10 million in investments.

The tax credit itself is equal to 39% of the purchase price of the investment and the credit may be claimed as follows:

1. For the tax year in which the qualified equity investment is initially made and the subsequent tax year, the credit will be zero.
2. For the third credit allowance date, the credit will be 7% of the purchase price for the qualified equity investment
3. For the fourth, fifth, sixth and seventh credit allowance dates, the credit will be 8% of the purchase price for the qualified equity investment.

- b. **Proposed Change:**

Bill increases the total credit cap from \$97.5 million to \$163.8 million. It also increases the annual limit on the credit from \$20 million to \$33.6 million.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

DOR New market Program Data

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

An additional \$170 over the current level of investment would manage to achieve the new cap outlined in HB7087

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High					
Middle	(\$0m)	(\$13.6m)	(\$0m)	(\$11.9m)	(\$13.6m)
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted the proposed estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	0	(13.6)	0	(11.9)	(13.6)
State Trust	0	0	0	0	0
Total State Impact	0	(13.6)	0	(11.9)	(13.6)
Total Local Impact	0	0	0	0	0
Total Impact	0	(13.6)	0	(11.9)	(13.6)

	A	B	C	D
1	Date	Investment	Return	Credit
2	2012-13	\$170	0%	\$0
3	2013-14		0%	\$0
4	2014-15		7%	\$11.9
5	2015-16		8%	\$13.6
6	2016-17		8%	\$13.6
7	2017-18		8%	\$13.6
8	2018-19		8%	\$13.6

REVENUE ESTIMATING CONFERENCE

TAX: Sales and Use Tax/Corporate Income Tax

ISSUE: Entertainment industry financial incentive program: tax credit extended to FY 2015-16 and etc.

BILL NUMBER(S): HB 7087 ER3, Section 15

SPONSOR(S):

MONTH/YEAR COLLECTION IMPACT BEGINS: upon becoming law

DATE OF ANALYSIS: 3/13/2012

SECTION 1: NARRATIVE

- a. **Current Law:** annual allocation of tax credits are \$74.5m for FY 2011-12; \$42.0m per fiscal year for FY 2012-13, FY 2013-14 and FY 2014-15
Tax credits are awarded on first-come, first-served basis
- b. **Proposed Change:** extended the tax credits of \$42.0m to FY 2015-16
288.1254 F.S. has many sub paragraphs amended such as “If more than 45% (other than 25% originally) of the sum of total tax credits initially certified and awarded after April 1, 2012 (rather than July 1, 2010), total tax credits initially certified after April 1, 2012, but not yet awarded, and total tax credits available for certification after April 1, 2012, but not yet certified has been awarded for high-impact television series, then no high-impact television series is eligible for tax credits under this subparagraph. Tax credits initially certified for a high-impact television series after April 1, 2012, may not be awarded if the award will cause the percentage threshold in this sub-subparagraph to be exceeded. This sub-subparagraph does not prohibit the award of tax credits certified before April 1, 2012, for high-impact television series”; and (as in (4)(b)1.c(III)) “Subject to sub-subparagraph b., first priority in the queue for tax credit awards not yet certified shall be given to high-impact television series and high-impact digital media projects. For the purposes of determining priority between a high-impact television series and a high-impact digital media project, the first position must go to the first application received. Thereafter, priority shall be determined by alternating between a high-impact television series and a high-impact digital media project on a first-come, first-served basis. However, if the Office of Film and Entertainment receives an application for a high-impact television series or high-impact digital media project that would be certified but for the alternating priority, the office may certify the project as being in the priority position if an application that would normally be the priority position is not received within 5 business days”. Yet those changes do not have impact on the annual allocation of tax credit amount.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High					
Middle					\$42.0m
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted the proposed estimate, 80% Sales Tax, and 20% Corporate Income Tax.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue: Sales Tax	0	0	0	0	(29.9)
General Revenue: Corporate Tax	0	0	0	0	(8.4)
State Trust	0	0	0	0	(Insignificant)
Total State Impact	0	0	0	0	(38.3)
Revenue Sharing	0	0	0	0	(.9)
Local Gov't Half Cent	0	0	0	0	(2.8)
Total Local Impact	0	0	0	0	(3.7)
Total Impact	0	0	0	0	(42.0)

REVENUE ESTIMATING CONFERENCE

TAX: Sales and Use
ISSUE: Exemption to Gas Turbine Manufacturers
BILL NUMBER(S): HB7087e3, Section 8
SPONSOR(S):
MONTH/YEAR COLLECTION IMPACT BEGINS: January 1, 2013
DATE OF ANALYSIS: March 13, 2012

SECTION 1: NARRATIVE

a. Current Law: There is no current exemption for items relating to the production of gas turbines

b. Proposed Change: Provides an exemption on the sales and use tax for cores, electrical discharge machining (EDM) supplies, brass electrodes, ceramic guides, reamers, grinding and deburring wheels, Norton vortex wheels, argon, nitrogen, helium, fluid abrasive cutters, solvents and soaps, boroscopes, penetrants, patterns, dies and molds used in the production of gas turbine engine parts used for aircraft or industrial applications.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

US Census NAICS
 2010 annual survey of manufacturers
 Department Annual Return Data

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

Identified industry by NAICS and then examined the use tax within those NAICS codes. We make two assumptions about additional activity:

- (1) There is activity within the identified NAICS codes that is not captured in our annual data file
- (2) There is activity outside the identified NAICS codes that would still be included in this exemption

The list of exempt materials in the proposed language does not appear to be exclusive.
 The identified NAICS codes with descriptions are attached.

Our base estimate is the total use tax paid within the identified NAICS codes. The low estimate represents a doubling of our base value, which captures the non-exclusive nature of the list, in addition to the potential activity taking place outside of the identified NAICS codes. Due to the uncertainty of the scope of activity taking place outside said NAICS codes and the additional materials that may be covered, the middle and high estimates are double and triple the low estimate, respectively.

SECTION 4: PROPOSED FISCAL IMPACT

Turbine Engine Manufacturing

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High					
Middle					
Low	(\$ 0.61 M)	(\$ 1.47 M)	(\$ 1.52 M)	(\$ 1.57 M)	(\$ 1.62 M)

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 12/22/11) The conference adopted the low estimate, assuming the bill only applies to aircraft engines and gas turbine engines.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	(.5)	(1.3)	(1.3)	(1.4)	(1.4)
State Trust	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)
Total State Impact	(.5)	(1.3)	(1.3)	(1.4)	(1.4)
Total Local Impact	(.1)	(.3)	(.3)	(.3)	(.3)
Total Impact	(.6)	(1.6)	(1.6)	(1.7)	(1.7)

	A	B	C	D	E	F	G	H
1			FY 10'11	FY 11'12	FY 12'13	FY 13'14	FY 14'15	FY 15'16
2		Total (Aircraft & Turbine Manuf.)	\$ 2,439,705	\$ 2,517,775	\$ 2,575,684	\$ 2,658,120	\$ 2,756,579	\$ 2,850,127
3		Aircraft & Parts manuf.	\$ 1,048,912	\$ 1,082,477	\$ 1,107,374	\$ 1,142,816	\$ 1,185,147	\$ 1,225,366
4	333611	Turbines (excludes aircraft)	\$ 635,563	\$ 655,901	\$ 670,987	\$ 692,462	\$ 718,111	\$ 742,481
5	336412	Aircraft Engine Manuf.	\$ 458,091	\$ 472,750	\$ 483,623	\$ 499,102	\$ 517,589	\$ 535,154
6		Molds & Castings	\$ 297,139	\$ 306,647	\$ 313,700	\$ 323,740	\$ 335,732	\$ 347,125
7			2.0%	3.2%	2.3%	3.2%	3.7%	3.4%
8		Aviation Fuel Consumption Growth Rate						
9		*/REC Oct 2011		2012-13 cash	2012-13	2013-14	2014-15	2015-16
10			Initial, 333611, 336412	\$ 1.35	\$ 1.47	\$ 1.52	\$ 1.57	\$ 1.62
11			Initial, 333611	\$ 0.90	\$ 0.98	\$ 1.02	\$ 1.05	\$ 1.09
12								
13			Aircraft manuf.	\$ 1.02	\$ 1.11	\$ 1.14	\$ 1.19	\$ 1.23
14								
15								
16		Turbine Engine Manufacturing	High	\$ 4.04	\$ 4.40	\$ 4.55	\$ 4.71	\$ 4.87
17			Middle	\$ 2.69	\$ 2.94	\$ 3.03	\$ 3.14	\$ 3.25
18			Low	\$ 1.35	\$ 1.47	\$ 1.52	\$ 1.57	\$ 1.62

NAICS	General Description	Detail
333611	Turbine and Turbine Generator Set Units Manufacturing	comprises establishments primarily engaged in manufacturing turbines
336412	Aircraft Engine and Engine Parts Manufacturing	manufacturing aircraft engines and engine parts

	333611 (excludes aircraft)		336412		
	Total Use Tax Paid				
2009	\$	678,212.31	\$	537,705.52	
2010	\$	567,989.70	\$	360,512.50	
	CY to FY				
FY 09'10	\$	623,101.01	\$	449,109.01	
				Aviation Fuel Consumption Growth Rate	
FY 10'11	\$	635,563.03	\$	458,091.19	2.0% */REC Oct 2011
FY 11'12	\$	655,901.04	\$	472,750.11	3.2%
FY 12'13	\$	670,986.77	\$	483,623.36	2.3%
FY 13'14	\$	692,462.11	\$	499,102.03	3.2%
FY 14'15	\$	718,111.35	\$	517,589.08	3.7%
FY 15'16	\$	742,481.49	\$	535,154.21	3.4%

NAICS	General Description	Detail
331512	Steel Investment Foundries	Investment castings, foundries
331528	Other Nonferrous Foundries (except Die-Casting)	primarily engaged in pouring molten nonferrous metals (except aluminum and copper) into molds to manufacture nonferrous castings
333511	Industrial Mold Manufacturing	Die casting manufacturing, foundry casting molds
333514	Special Die and Tool, Die Set, Jig, and Fixture Manufacturing	Primarily engaged in manufacturing special tools and fixtures, such as cutting dies and jigs.
333611	Turbine and Turbine Generator Set Units Manufacturing	comprises establishments primarily engaged in manufacturing turbines
336411	Aircraft Manufacturing	(1) manufacturing or assembling complete aircraft; (2) developing and making aircraft prototypes; (3) aircraft conversion (i.e., major modifications to systems); and (4) complete aircraft overhaul and rebuilding (i.e., periodic restoration of aircraft to original design specifications).
336412	Aircraft Engine and Engine Parts Manufacturing	manufacturing aircraft engines and engine parts
336413	Other Aircraft Parts and Auxiliary Equipment Manufacturing	

Total Use Tax Paid

	Excluding Aircraft Manuf.		Aircraft & Parts manuf.		
2009	\$	1,321,913	\$	736,033	
2010	\$	1,405,132	\$	1,320,656	
FY 09'10	\$	1,363,522	\$	1,028,345	*/REC Oct 2011
					Aviation Fuel Consumption Growth Rate
FY 10'11	\$	1,390,793	\$	1,048,912	2.0%
FY 11'12	\$	1,435,298	\$	1,082,477	3.2%
FY 12'13	\$	1,468,310	\$	1,107,374	2.3%
FY 13'14	\$	1,515,304	\$	1,142,816	3.2%
FY 14'15	\$	1,571,432	\$	1,185,147	3.7%
FY 15'16	\$	1,624,761	\$	1,225,366	3.4%

NAICS	General Description	Detail
331512	Steel Investment Foundries	Investment castings, foundries
331528	Other Nonferrous Foundries (except Die-Casting)	primarily engaged in pouring molten nonferrous metals (except aluminum and copper) into molds to manufacture nonferrous castings
333511	Industrial Mold Manufacturing	Die casting manufacturing, foundry casting molds
333514	Special Die and Tool, Die Set, Jig, and Fixture Manufacturing	Primarily engaged in manufacturing special tools and fixtures, such as cutting dies and jigs.

Total Use Tax Paid

2009 283,188.16
2010 299,436.76

CY to FY

FY 09'10 **291,312.46**

Aviation Fuel Consumption Growth Rate */REC Oct 2011

FY 10'11 297,138.71 2.0%
FY 11'12 306,647.15 3.2%
FY 12'13 313,700.03 2.3%
FY 13'14 323,740.20 3.2%
FY 14'15 335,731.74 3.7%
FY 15'16 347,125.28 3.4%

REVENUE ESTIMATING CONFERENCE

TAX: SUT

ISSUE: Taxicabs, sales or lease of accessible vehicles

BILL NUMBER(S): HB7087e3, Section 8

SPONSOR(S):

MONTH/YEAR COLLECTION IMPACT BEGINS: January 1, 2013

DATE OF ANALYSIS: 3/13/2012

SECTION 1: NARRATIVE

- a. **Current Law:** Currently, there is no sales tax exemption for accessible taxicabs such as the one provided for in this bill.
- b. **Proposed Change:** This bill amends s. 212.08, F.S., to add an exemption to the sales, rental, use, consumption, distribution, and storage tax for sales or leases of accessible taxicabs, as defined, provided that, should the accessible vehicle be an aftermarket conversion, only the price of the conversion is exempt from the tax.

SECTION 2: DESCRIPTION OF DATA AND SOURCES

U.S. Economic Census Data
FEEC Data

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

Analysis assumes a 1:1 relationship between taxicab employees and vehicles.
Analysis assumes a 10 year depreciable vehicle life.

See attached.

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High					
Middle	(\$0.10 M)	(\$0.23 M)	(\$0.25 M)	(\$0.27 M)	(\$0.29 M)
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted the middle estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	(.1)	(.2)	(.3)	(.3)	(.3)
State Trust	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)
Total State Impact	(.1)	(.2)	(.3)	(.3)	(.3)
Total Local Impact	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)
Total Impact	(.1)	(.2)	(.3)	(.3)	(.3)

	485310 taxi service	1992	1997	2002	2007 ann. Grwth	2008	2009	2010	2011	2012	2013	
Florida	# establishment	121	125	141	122	-2.85%				2.50%	8.70%	
	Revenue \$m		55.183	116.64	138.46	3.49%	119.61	92.00	92.00	97.94	94.30	102.50
	Ann. Payroll m	28.974	15.257	22.57	38.23	11.12%						
	REC oct 2011 employment 48-49 growth rate						-0.30%	-5.45%	-5.53%	0.26%	2.26%	2.51%
	# employees	1549	933	1,125	1,657	8.05%	1,652	1,562	1,476	1,479	1,513	1,551
	90% employees independent contractors				14,913		14,868	14,058	13,281	13,315	13,616	13,958

# employees	14000
# cars	14000 <i>assume 1:1 (employee/car) ratio</i>

Replacement Cars	1400 <i>assume 10 year depreciable life</i>
Accessible Replacement (High)	140 <i>10% accessible</i>
Accessible Replacement (Middle)	112 <i>8% accessible</i>
Accessible Replacement (Low)	84 <i>6% accessible</i>

Average Cost per Accessible Vehicle	\$	30,000					
		2011	2012	2013	2014	2015	2016
<i>New vehicle registration</i>			9.88%	8.36%	10.20%	7.75%	4.19%
High	\$	252,000	\$ 276,898	\$ 300,046	\$ 330,651	\$ 356,276	\$ 371,204
Middle	\$	201,600	\$ 221,518	\$ 240,037	\$ 264,521	\$ 285,021	\$ 296,964
Low	\$	151,200	\$ 166,139	\$ 180,028	\$ 198,391	\$ 213,766	\$ 222,723
			FY 12-13'	FY 12-13'	FY 13-14'	FY 14-15'	FY 15-16'
	\$		0.26	\$ 0.29	\$ 0.32	\$ 0.34	\$ 0.36
	\$		0.21	\$ 0.23	\$ 0.25	\$ 0.27	\$ 0.29
	\$		0.16	\$ 0.17	\$ 0.19	\$ 0.21	\$ 0.22

Data U.S. Economic Census

<http://www.census.gov>

NAICS						grow by kind code 23 growth rate				grow by REC auto	
	1992	1997	2002	2007	ann. Grwth	2008	2009	2010	2011	2012	2013
485310 taxi service											
U.S. # establishment	3,423	3,184	3,141	2,830	-2.06%						
Revenue \$m		1,280.60	1,601.90	1,828.09	2.68%						
Ann. Payroll m	449.00	392.76	472.07	587.43	4.47%						
# employees	31,420	27,850	29,571	32,534	1.93%						
Florida # establishment	121	125	141	122	-2.85%					2.50%	8.70%
Revenue \$m		55.183	116.64	138.46	3.49%	119.61	92.00	92.00	97.94	94.30	102.50
Ann. Payroll m	28.974	15.257	22.57	38.23	11.12%						
REC oct 2011 employment 48-49 growth rate						-0.30%	-5.45%	-5.53%	0.26%	2.26%	2.51%
# employees	1549	933	1,125	1,657	8.05%	1,652	1,562	1,476	1,479	1,513	1,551
90% employees independent contractors				14,913		14,868	14,058	13,281	13,315	13,616	13,958
leasing price (\$90 per day)				32,850		32,850	32,850	32,850	32,850	32,850	32,850
radio (10% of leasing price)				3,285		3,285	3,285	3,285	3,285	3,285	3,285
60% leasing 100%				293,935,230		293,053,424	277,082,013	261,759,377	262,439,952	268,371,095	275,107,209
30% leasing radio equipment				14,696,762		14,652,671	13,854,101	13,087,969	13,121,998	13,418,555	13,755,360
6% sales tax				18,517,919		18,462,366	17,456,167	16,490,841	16,533,717	16,907,379	17,331,754
Florida sales tax data	2007	2008	2009	2010	2011						
kcode 23 taxable sales m	\$47,536	\$41,067	\$31,587	\$31,585	\$33,626						
sales taxes m	\$3,116	\$2,691	\$2,063	\$2,067	\$2,207						
txbl growth rate		-13.61%	-23.08%	-0.01%	6.46%						
sales tax growth		-13.65%	-23.34%	0.19%	6.80%						

assumptions

- (1) within the taxicab industry, 60% of operators lease both the vehicle and the radio equipment, 30% lease only the radio equipment and 10% are employee driven cabs leasing neither the vehicle nor the radio equipment
Based on International TaxCab Association and Florida Industry Sources
- (2) The share of receipts paid to the dispatch company consist of 60% for operators leasing both the vehicle and the radio equipment, 30% for operator leasing only the radio equipment, and 100% for operators of employee driven cabs.
Based on International TaxCab Association and Florida Industry Sources
- (3) cab receipts per week grow in line with Florida personal income; average cost of equipment and parts grows by the CPI
- (4) # employees grow by REC oct 2011 employment by industry (48-49 naics)
- (5) the leased vehicles and radio equipment are sales tax paid when purchased.

AMSVans.com

Conversion Pricing

\$	14,980
\$	12,980
\$	16,980

Used Wheelchair Van with
New Handicap Conversion

	2011	2010	2008	2007
\$	30,980	\$ 32,980	\$ 32,000	\$ 29,980
\$	31,980	\$ 28,980	\$ 30,980	\$ 30,980
\$	31,980	\$ 28,980	\$ 29,980	
\$	32,980	\$ 30,980	\$ 28,980	
\$	34,980	\$ 28,980	\$ 26,900	
\$	35,480	\$ 32,980	\$ 24,900	

REVENUE ESTIMATING CONFERENCE

TAX: Sales and Use Tax

ISSUE: Exemption of sales tax on repair of aircrafts with takeoff weight between 2,000 to 15,000 pounds

BILL NUMBER(S): HB7087

SPONSOR(S):

MONTH/YEAR COLLECTION IMPACT BEGINS: January 1, 2013

DATE OF ANALYSIS: March 16th, 2012

SECTION 1: NARRATIVE

- a. **Current Law:** Currently, section 212.08(7)(ee), F.S., provides sales tax exemption for all labor charges for the repair and maintenance of qualified aircraft of more than 15,000 pounds maximum certified takeoff weight. Section 212.08(7)(rr), F.S., provides sales tax exemption for parts in the repair or maintenance of qualified aircraft of more than 15,000 pounds maximum certified takeoff weight.
- b. **Proposed Change:** amends 212.08(7)(ee) and 212.08(7)(rr), F.S., to provide same sales tax exemption for the parts and labor for the repair and maintenance of qualified aircraft with takeoff weight between 2,000 to 15,000 pounds

SECTION 2: DESCRIPTION OF DATA AND SOURCES

FAA data

SECTION 3: METHODOLOGY (INCLUDE ASSUMPTIONS AND ATTACH DETAILS)

See Attached

The first year cash was losered from 11/12ths to 5/12ths.

SECTION 4: PROPOSED FISCAL IMPACT

State Impact: All Funds	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
High					
Middle	(\$5.1m)	(\$12.3m)	(\$12.7m)	(\$13.1m)	(\$13.7m)
Low					

SECTION 5: CONSENSUS ESTIMATE (ADOPTED 3/16/12) The conference adopted the middle estimate.

	FY 2012-13 Cash	FY 2012-13 Annualized	FY 2013-14 Cash	FY 2014-15 Cash	FY 2015-16 Cash
General Revenue	(4.2)	(10.0)	(10.4)	(10.7)	(11.1)
State Trust	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)	(Insignificant)
Total State Impact	(4.2)	(10.0)	(10.4)	(10.7)	(11.1)
Revenue Sharing	(.1)	(.3)	(.3)	(.4)	(.4)
Local Gov't Half Cent	(.4)	(1.0)	(1.0)	(1.0)	(1.1)
Local Option	(.4)	(1.0)	(1.0)	(1.0)	(1.1)
Total Local Impact	(.9)	(2.3)	(2.3)	(2.4)	(2.6)
Total Impact	(5.1)	(12.3)	(12.7)	(13.1)	(13.7)

