

REVENUE ESTIMATING CONFERENCE

Tax: Ad Valorem

Issue: Elevated Properties

Bill Number(s): CS/HB1379

☒ **Entire Bill**

☐ **Partial Bill:**

Sponsor(s): Representative Chaney

Month/Year Impact Begins: January 1, 2023

Date of Analysis: 04/9/2021

Section 1: Narrative

a. Current Law:

(b) Changes, additions, or improvements that replace all or a portion of homestead property damaged or destroyed by misfortune or calamity shall not increase the homestead property's assessed value when the square footage of the homestead property as changed or improved does not exceed 110 percent of the square footage of the homestead property before the damage, or destruction.

Article VII Sec. 42 (i) The legislature, by general law and subject to conditions specified therein, may prohibit the consideration of the following in the determination of the assessed value of real property: (1) Any change or improvement to real property used for residential purposes made to improve the property's resistance to wind damage.

There is currently no Sec. 42 within Article XII

b. Proposed Change:

HB 1379 modifies Subsection 193.155(4) F.S., as follows; b) Changes, additions, or improvements that replace all or a portion of homestead property ~~damaged or destroyed by misfortune or calamity~~ shall not increase the homestead property's assessed value when the square footage of the homestead property as changed or improved does not exceed 110 percent of the square footage of the homestead property before ~~the damage, or destruction, or voluntary elevation of the homestead property if:~~

1. The homestead property was damaged or destroyed by misfortune or calamity; or

2. Before the voluntary elevation, the homestead property did not comply with the Federal Emergency Management Agency's National Flood Insurance Program requirements and Florida Building Code elevation requirements and was elevated in compliance with such requirements. The property owner must provide elevation certificates for both the original and elevated homestead property. For purposes of this subsection, the term "voluntary elevation" or "voluntarily elevated" means the elevation of an existing nonconforming homestead property or the removal and rebuilding of a nonconforming homestead property. Conforming areas below an elevated structure designated only for parking, storage, or access may not be included in the 110 percent calculation unless the area exceeds 110 percent of the square footage before the voluntary elevation.

HB 1379 modifies Subsection 193.155(6) F.S., as follows; b) (b) Changes, additions, or improvements that replace all or a portion of nonhomestead residential property ~~damaged or destroyed by misfortune or calamity~~ shall not increase the property's assessed value when the square footage of the property as changed or improved does not exceed 110 percent of the square footage of the property before ~~the damage, or destruction, or voluntary elevation of the property if:~~

1. The property was damaged or destroyed by misfortune or calamity; or

2. Before the voluntary elevation, the property did not comply with the Federal Emergency Management Agency's National Flood Insurance Program requirements and Florida Building Code elevation requirements and was elevated in compliance with such requirements. The property owner must provide elevation certificates for both the original and the elevated property. For purposes of this subsection, the term "voluntary elevation" or "voluntarily elevated" means the elevation of an existing nonconforming nonhomestead residential property or the removal and rebuilding of a nonconforming nonhomestead residential property. Conforming areas below an elevated structure designated only for parking, storage, or access may not be included in the 110 percent calculation unless the area exceeds 110 percent of the square footage before the voluntary elevation.

This act shall take effect on the effective date of the amendment to the State Constitution proposed by HJR 1377 or a similar joint resolution having substantially the same specific intent and purpose, if such amendment to the State Constitution is approved at the general election held in November 2022 or at an earlier special election specifically authorized by law for that purpose.

Section 2: Description of Data and Sources

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FEMA NFIP 2020 Florida Policies by County – provided by FEMA

FEMA NFIP 2020 Florida Policies below required elevation – Provided by FEMA (data limited to newer policies written with elevation requirements).

FEMA NFIP 2020 Florida Policies by Occupancy and Flood Zone – FEMA website

Number of residential parcels – Florida 2020 Databook – Florida Department of Revenue

Insurance Information Institute – iii.org – additional information on NFIP policy types and history

Section 3: Methodology (Include Assumptions and Attach Details)

The FEMA NFIP policy totals are a combination of FEMA direct and Write Your Own (WYO) policies which is a pool of insurance companies issuing policies on behalf of the federal government. The law prohibits lenders that are federally regulated, supervised or insured by federal agencies from lending money on a property in a floodplain (Special Flood Hazard Area) when a community is participating in the NFIP, unless the property is covered by flood insurance. This makes the NFIP policy count a reasonable proxy for the number of parcels in the Special Flood Hazard Area – SFHA. Other literature reviews suggest that nearly a million homes in Florida are in danger of flooding during a category 2 or higher hurricane and storm surge event due to not being built to the proper elevation. Data for private insurance policies not included in the NFIP program were not available, but are assumed to be a small proportion of the market.

The total number of National Flood Insurance Program (NFIP) policies in Florida is 1.7 million. Additional county level information from FEMA shows that approximately 627,000 of those policies are residential policies issued to owners in SFHA (high risk) zones.

Because FEMA was not able to provide county level data by policy type, the real property tax roll information was used to apportion policy counts by property type. The NAL was used to calculate what proportion of residential parcels were single family, mobile home, condos/cooperatives, and small multi-family (less than 10 units). These proportions were then applied at the county level to the policy data to estimate the number of parcels of each property type in the SFHA (high risk) area in each county. This calculated residential policy count by property type was used as the estimated number of parcels in each county that would be eligible for treatment under the proposed change. Condo data was converted from individual units to building count to better align with the other categories. Condominiums were separated into large (over 100 units) and small condos (less than 100 units) to better reflect the type of addition that would be needed to elevate the property. Small condos were usually low two or three-story buildings with 4-8 units per building grouped on the parcel and large condos were generally multi-story high rise buildings.

Counties were then grouped into coastal and inland counties. Each group was totaled by property type. These totals were used in the analysis to determine the possible impact by assuming that 1.5% (**1.5% was adopted by the 4/2/2021 impact conference**) of parcels in coastal counties and .25% of parcels in inland counties would choose to voluntarily elevate their dwelling each year. The 4/2/2021 Impact Conference set the mobile home participation rate to 0%, and this estimate incorporates that into the starting point.

To determine the taxable value impact of each voluntarily elevated parcel an addition size (parking, storage, access only) was developed for each property type. The single family of 1,700 square feet was derived from conversations with property appraiser offices as being a common size for these properties. Property appraisers also provided three possible values for the additional square footage. They were \$60, \$30, and \$15. The most common value was \$30 per square foot. These values were used to develop a high medium and low taxable value impact for single family and mobile home estimates. Mobile home units were included in the analysis, because it is unknown at this time if they would be excluded due to building codes or other requirements. Small multi-family parcels on the NAL were analyzed and the most common footprint of an addition (parking, storage, access only) was determined to be 3,000 square feet. Since these additions would be similar to those for single family parcels the same values were used for the estimate. Condos were assumed to have a square foot value of the addition to be approximately \$45 per square foot if located under the building.

The individual taxable value impacts for each property type were multiplied by the estimated number of voluntary elevations for one year.

The high, middle, and low estimates were generated from totaling the high, middle and low impact calculations for all property types. These initial calculations reflect the 2023 taxable value impact if the referendum passes on the 2022 General Election. Then

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each year the estimated taxable value impact was calculated by multiplying the previous impact by the growth rate adopted by the March 2021 Revenue Estimating conference for residential property and then the additional impact of the new 1.5% of parcels with voluntary elevation was added. This cumulative taxable value impact was then multiplied by school and non-school statewide millage rates to estimate the statewide tax impact.

The impact for this estimate is limited to the additional space added under newly elevated property by the current owner. Subject to the provisions of the proposed change, the additional space under the elevated property will not be added to the assessed value of the property nor would the square footage be used in the calculation of the 110% or 1,500 square foot limitation for the assessed value caps unless the lower level addition area exceeds 110% of the previous square footage of the residence. The proposed language currently offers an expansion of the calamity treatment to voluntary elevation properties for up to 110% of the original property's square footage or 1,500 square feet whichever is greater.

Example Scenario:

2000 ft² property is elevated by a full story and expanded an additional 1200 ft² by an additional floor with no change in footprint of house. The rebuilt property now has a just value that reflects all of the improvements to the property, but a cap is applied to the assessed value.

Tax base changes under the proposed language

- 1. No additional assessed or taxable value for 2000 ft² parking, access, or storage under elevated property**
- 2. No additional assessed value for first 2200 ft² of elevated property regardless of prior value**
- 3. The value of 1000 ft² beyond first 2200 ft² is added as new construction (full value) to the assessed value**

This estimate represents only the measurement of the assessed value not added for item 1 above.

If the property is sold after the rebuild, the assessed value cap is removed in the next tax year for the new owner.

There is an indeterminate negative impact for the additional value generated by the elevation of the property improvement alone because of the wide variation in base values between counties and the possible improvements that could impact value other than square footage.

The impact does not measure the impact from potential changes to the classification of a given parcel or group of parcels.

Clarification is needed on how the 3,000 square foot improvement language applies to condominium owners. If the limit is applied to the individual unit or the complex changes the impact calculation. Language in the current statute implies that these types of improvements might actually be classified as common area and must be placed on the roll at just value and apportioned out to each unit instead of capped at the previous level.

The recurring value is set to the sixth-year cash value.

Section 4: Proposed Fiscal Impact

	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2021-22		\$(50.1 M)		\$(25.1 M)		\$(12.6 M)
2022-23		\$(50.1 M)		\$(25.1 M)		\$(12.6 M)
2023-24	\$(11.7 M)	\$(50.1 M)	\$(5.8 M)	\$(25.1 M)	\$(2.9 M)	\$(12.6 M)
2024-25	\$(23.9 M)	\$(50.1 M)	\$(12.0 M)	\$(25.1 M)	\$(6.0 M)	\$(12.6 M)
2025-26	\$(36.7 M)	\$(50.1 M)	\$(18.4 M)	\$(25.1 M)	\$(9.2 M)	\$(12.6 M)

List of affected Trust Funds: Ad Valorem

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Section 5: Consensus Estimate (Adopted: 04/09/2021): The impact of the implementing bill to the constitutional amendment is zero/negative indeterminate due to the requirement for a statewide referendum. If the constitutional amendment does not pass, the impact is zero.

If approved, the Conference adopted the middle impact:

	School		Non-School		Total Local/Other	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2021-22	0.0	(9.4)	0.0	(15.7)	0.0	(25.1)
2022-23	0.0	(9.4)	0.0	(15.7)	0.0	(25.1)
2023-24	(2.2)	(9.4)	(3.7)	(15.7)	(5.8)	(25.1)
2024-25	(4.5)	(9.4)	(7.5)	(15.7)	(12.0)	(25.1)
2025-26	(6.9)	(9.4)	(11.5)	(15.7)	(18.4)	(25.1)

	GR		Trust		Local/Other		Total	
	Cash	Recurring	Cash	Recurring	Cash	Recurring	Cash	Recurring
2021-22	0.0	0.0	0.0	0.0	0.0	0/(**)	0.0	0/(**)
2022-23	0.0	0.0	0.0	0.0	0.0	0/(**)	0.0	0/(**)
2023-24	0.0	0.0	0.0	0.0	0/(**)	0/(**)	0/(**)	0/(**)
2024-25	0.0	0.0	0.0	0.0	0/(**)	0/(**)	0/(**)	0/(**)
2025-26	0.0	0.0	0.0	0.0	0/(**)	0/(**)	0/(**)	0/(**)

	A	B	C	D	E	F	G	H	I	J
1	Data from County Parcel and Policy data used to estimate eligible parcels									
2	1. Identify population and value of parcel addition									
3										
4		Total Number of Eligible Parcels (from County Parcels and Policies)								
5		Single Family	Mobile Home	Condo -Small	Condo - Large	Small Multi-Family	Total			
6	Coastal	421,578	37,842	224	35	11,000	470,679			
7	Inland	11,859	2,441	13	4	212	14,529			
8	Total	433,437	40,283	237	39	11,212	485,208			
9										
10		Percent of Voluntary Elevations - Annual								
11	Coastal	100%	0%	100%	100%	100%				
12	Inland	100%	0%	100%	100%	100%				
13										
14		Estimated Voluntary Elevations - annual								
15		Single Family	Mobile Home	Condo -Small	Condo - Large	Small Multi-Family				
16		433,437	-	237	39	11,212				
17		Assumes these voluntary elevations add additional parking and storage space								
18										
19		Square Foot Addition per parcel	Dollars per Square Foot for Parcel Addition (Parking, Storage, Access only)							
20			High	Medium	Low					
21			\$ 60	\$ 30	\$ 15					
22	Single Family & MH	1,700	\$ 102,000	\$ 51,000	\$ 25,500					
23										
24	Small Multi-Family		\$ 60	\$ 30	\$ 15					
25		3,000	\$ 180,000	\$ 90,000	\$ 45,000					
26										
27			\$ 45	\$ 45	\$ 45					
28	Condo - Small	3,000	\$ 135,000	\$ 135,000	\$ 135,000					
29	Condo - Large	13,000	\$ 585,000	\$ 585,000	\$ 585,000					
30										
31										
32	2. Calculate annual taxable value impact									
33										
34		Taxable Value Impact	Based on annual elevations times value of addition							
35			High	Medium	Low					
36		Single Family	\$ 44,210,574,000	\$ 22,105,287,000	\$ 11,052,643,500					
37	Group	Mobile Home	\$ -	\$ -	\$ -					
38		Small Multi-Family	\$ 2,018,160,000	\$ 1,009,080,000	\$ 504,540,000					
39		Condo - Small	\$ 31,995,000	\$ 31,995,000	\$ 31,995,000					
40		Condo - Large	\$ 22,815,000	\$ 22,815,000	\$ 22,815,000					
41		Total	\$ 46,283,544,000	\$ 23,169,177,000	\$ 11,611,993,500					
42										

	A	B	C	D	E	F	G	H	I	J
43	Source: 3/21 Ad Valorem Estimating Conference									
44	Residential Growth Rates									
45	Calendar	Homestead AV	Non-Homestead AV	Total	Growth Rates					
46	2019	875,203	688,025	1,563,228						
47	2020	940,790	718,390	1,659,180	6.14%					
48	2021	1,005,604	753,049	1,752,630	5.63%					
49	2022	1,077,733	785,334	1,854,590	5.82%					
50	2023	1,148,464	815,973	1,956,728	5.51%					
51	2024	1,219,160	846,118	2,055,515	5.05%					
52	2025	1,292,420	877,135	2,156,655	4.92%					
53	2026	1,367,066	909,340	2,260,488	4.81%					
54										
55	3. Apply Growth Rate to prior year's total and add value of the additional 1% of parcels with new elevations beginning in 2024									
56										
57		High	Medium	Low						
58										
59		\$ 46,283,544,000	\$ 23,169,177,000	\$ 11,611,993,500						
60	2022									
61	2023	\$ 46,283,544,000	\$ 23,169,177,000	\$ 11,611,993,500						
62	2024	\$ 48,620,206,255	\$ 24,338,891,691	\$ 12,198,234,409						
63	2025	\$ 51,012,525,290	\$ 25,536,467,727	\$ 12,798,438,946						
64	2026	\$ 53,468,543,308	\$ 26,765,930,972	\$ 13,414,624,804						
65										
66										
67	4. Apply Millage Rates									
68	School	6.3996								
69	Non-School	10.7629								
70										
71		School			Non-School			Total		
72		High	Medium	Low	High	Medium	Low	High	Medium	Low
73	2022									
74	2023	\$ 296,196,131	\$ 148,273,446	\$ 74,312,104	\$ 498,146,116	\$ 249,368,016	\$ 124,978,966	\$ 794,342,247	\$ 397,641,463	\$ 199,291,070
75	2024	\$ 311,149,833	\$ 155,759,152	\$ 78,063,811	\$ 523,295,427	\$ 261,957,563	\$ 131,288,630	\$ 834,445,260	\$ 417,716,714	\$ 209,352,441
76	2025	\$ 326,459,716	\$ 163,423,158	\$ 81,904,880	\$ 549,043,767	\$ 274,846,979	\$ 137,748,584	\$ 875,503,483	\$ 438,270,137	\$ 219,653,464
77	2026	\$ 342,177,247	\$ 171,291,230	\$ 85,848,222	\$ 575,477,695	\$ 288,079,594	\$ 144,380,544	\$ 917,654,941	\$ 459,370,824	\$ 230,228,766
78										
79										
80	Summary - 1 % per year voluntary elevation									
81	Tax Impact									
82		High		Middle		Low				
83		Cash	Recurring	Cash	Recurring	Cash	Recurring			
84	2021-22									
85	2022-23									
86	2023-24	\$ (794. 3 M)	\$ (794. 3 M)	\$ (397. 6 M)	\$ (397. 6 M)	\$ (199. 3 M)	\$ (199. 3 M)			
87	2024-25	\$ (834. 4 M)	\$ (834. 4 M)	\$ (417. 7 M)	\$ (417. 7 M)	\$ (209. 4 M)	\$ (209. 4 M)			
88	2025-26	\$ (875. 5 M)	\$ (875. 5 M)	\$ (438. 3 M)	\$ (438. 3 M)	\$ (219. 7 M)	\$ (219. 7 M)			
89	2026-27	\$ (917. 7 M)	\$ (917. 7 M)	\$ (459. 4 M)	\$ (459. 4 M)	\$ (230. 2 M)	\$ (230. 2 M)			

	A	B	C	D	E	F	G	H	I	J
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3										
4		Total Number of Eligible Parcels (from County Parcels and Policies)								
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6	Coastal	421,578	37,842	224	35	11,000	470,679			
7	Inland	11,859	2,441	13	4	212	14,529			
8	Total	433,437	40,283	237	39	11,212	485,208			
9										
10		Percent of Voluntary Elevations - Annual								
11	Coastal	1.50%	0.00%	1.50%	1.50%	1.50%				
12	Inland	0.25%	0.00%	0.25%	0.25%	0.25%				
13										
14		Estimated Voluntary Elevations - annual								
15		Single Family	Mobile Home	Condo -Small	Condo - Large	Small Multi-Family				
16		6,353	-	3	1	166				
17		Assumes these voluntary elevations add additional parking and storage space								
18										
19		Square Foot Addition per parcel	Dollars per Square Foot for Parcel Addition (Parking, Storage, Access only)							
20			High	Medium	Low					
21			\$ 60	\$ 30	\$ 15					
22	Single Family & MH	1,700	\$ 102,000	\$ 51,000	\$ 25,500					
23										
24	Small Multi-Family		\$ 60	\$ 30	\$ 15					
25		3,000	\$ 180,000	\$ 90,000	\$ 45,000					
26										
27			\$ 45	\$ 45	\$ 45					
28	Condo - Small	3,000	\$ 135,000	\$ 135,000	\$ 135,000					
29	Condo - Large	13,000	\$ 585,000	\$ 585,000	\$ 585,000					
30										
31	2. Calculate annual taxable value impact									
32										
33		Taxable Value Impact	Based on annual elevations times value of addition							
34			High	Medium	Low					
35		Single Family	\$ 648,006,000	\$ 324,003,000	\$ 162,001,500					
36	Group	Mobile Home	\$ -	\$ -	\$ -					
37		Small Multi-Family	\$ 29,880,000	\$ 14,940,000	\$ 7,470,000					
38		Condo - Small	\$ 405,000	\$ 405,000	\$ 405,000					
39		Condo - Large	\$ 585,000	\$ 585,000	\$ 585,000					
40		Total	\$ 678,876,000	\$ 339,933,000	\$ 170,461,500					
41										

	A	B	C	D	E	F	G	H	I	J
42	Source: 3/21 Ad Valorem Estimating Conference									
43	Residential Growth Rates									
44	Calendar	Homestead AV	Non-Homestead AV	Total	Growth Rates					
45	2019	875,203	688,025	1,563,228						
46	2020	940,790	718,390	1,659,180	6.14%					
47	2021	1,005,604	753,049	1,752,630	5.63%					
48	2022	1,077,733	785,334	1,854,590	5.82%					
49	2023	1,148,464	815,973	1,956,728	5.51%					
50	2024	1,219,160	846,118	2,055,515	5.05%					
51	2025	1,292,420	877,135	2,156,655	4.92%					
52	2026	1,367,066	909,340	2,260,488	4.81%					
53										
54	3. Apply Growth Rate to prior year's total and add value of the additional 1% of parcels with new elevations beginning in 2024									
55										
56		High	Medium	Low						
57										
58		\$ 678,876,000	\$ 339,933,000	\$ 170,461,500						
59	2022									
60	2023	\$ 678,876,000	\$ 339,933,000	\$ 170,461,500						
61	2024	\$ 1,392,025,605	\$ 697,027,793	\$ 349,528,887						
62	2025	\$ 2,139,395,131	\$ 1,071,257,498	\$ 537,188,681						
63	2026	\$ 2,921,273,148	\$ 1,462,766,610	\$ 733,513,341						
64										
65	4. Apply Millage Rates									
66	School	6.3996								
67	Non-School	10.7629								
68										
69		School			Non-School			Total		
70		High	Medium	Low	High	Medium	Low	High	Medium	Low
71	2022									
72	2023	\$ 4,344,534	\$ 2,175,435	\$ 1,090,885	\$ 7,306,689	\$ 3,658,672	\$ 1,834,664	\$ 11,651,223	\$ 5,834,107	\$ 2,925,549
73	2024	\$ 8,908,406	\$ 4,460,699	\$ 2,236,845	\$ 14,982,261	\$ 7,502,055	\$ 3,761,952	\$ 23,890,667	\$ 11,962,753	\$ 5,998,796
74	2025	\$ 13,691,271	\$ 6,855,619	\$ 3,437,792	\$ 23,026,140	\$ 11,529,860	\$ 5,781,719	\$ 36,717,412	\$ 18,385,478	\$ 9,219,511
75	2026	\$ 18,694,977	\$ 9,361,120	\$ 4,694,191	\$ 31,441,431	\$ 15,743,641	\$ 7,894,746	\$ 50,136,409	\$ 25,104,761	\$ 12,588,937
76										
77	Summary - 1 % per year voluntary elevation									
78	Tax Impact									
79		High		Middle		Low				
80		Cash	Recurring	Cash	Recurring	Cash	Recurring			
81	2021-22									
82	2022-23									
83	2023-24	\$ (11. 7 M)	\$ (11. 7 M)	\$ (5. 8 M)	\$ (5. 8 M)	\$ (2. 9 M)	\$ (2. 9 M)			
84	2024-25	\$ (23. 9 M)	\$ (23. 9 M)	\$ (12. 0 M)	\$ (12. 0 M)	\$ (6. 0 M)	\$ (6. 0 M)			
85	2025-26	\$ (36. 7 M)	\$ (36. 7 M)	\$ (18. 4 M)	\$ (18. 4 M)	\$ (9. 2 M)	\$ (9. 2 M)			
86	2026-27	\$ (50. 1 M)	\$ (50. 1 M)	\$ (25. 1 M)	\$ (25. 1 M)	\$ (12. 6 M)	\$ (12. 6 M)			

	A	B	C	D	E	G	H	I	J	K	L	M	N	O	P	Q	R
1	Coastal / Inland	County	Parcel Count - Residential (SF, MH, Condo Multi-family small	Parcels with FNIP policy - All zones	Number of residential policy owners in SFHA zones	Policy Coverage	Number of Properties eligible for assessment cap for new construction (adjusted for 24 month ownership)	Pct SF in NAL	Pct MH	Pct Condo/Coop	Pct Small Multi-family	Single Family Estimate	Mobile Home Estimate	Small Condo Estimate	Large Condo Estimate	Small Multi- family Estimate	Total
2	C	Bay	85,650	32,223	6,925	37.6%	6,925	66%	10%	22%	2%	4,551	692			155	5,398
3	C	Brevard	244,994	49,435	5,307	20.2%	5,307	79%	5%	15%	1%	4,202	244			65	4,511
4	C	Broward	673,439	187,569	69,922	27.9%	69,922	58%	1%	39%	2%	40,238	430			1,710	42,378
5	C	Charlotte	98,844	36,848	18,182	37.3%	18,182	75%	6%	18%	1%	13,682	1,003			240	14,925
6	C	Collier	204,078	104,868	42,449	51.4%	42,449	47%	2%	50%	1%	20,073	722			408	21,203
7	C	Duval	312,876	34,666	4,056	11.1%	4,056	42%	56%	2%	0%	1,708	2,252			2	3,962
8	C	Escambia	117,089	19,435	7,575	16.6%	7,575	86%	3%	9%	2%	6,550	228			126	6,904
9	C	Flagler	50,542	11,862	2,543	23.5%	2,543	84%	4%	7%	4%	2,143	106			104	2,353
10	C	Franklin	8,175	2,493	1,558	30.5%	1,558	85%	3%	9%	2%	1,330	48			33	1,411
11	C	Gulf	7,950	1,666	670	21.0%	670	40%	51%	6%	3%	265	345			20	630
12	C	Hillsborough	420,633	62,003	20,908	14.7%	20,908	81%	13%	5%	2%	16,847	2,671			386	19,904
13	C	Indian River	71,482	21,687	5,232	30.3%	5,232	72%	28%	0%	0%	3,779	1,444			9	5,232
14	C	Lee	345,637	134,553	53,349	38.9%	53,349	82%	12%	5%	1%	43,667	6,439			519	50,625
15	C	Manatee	156,698	36,890	11,415	23.5%	11,415	64%	33%	0%	3%	7,274	3,815			326	11,415
16	C	Martin	69,851	17,231	2,448	24.7%	2,448	79%	17%	2%	2%	1,932	414			60	2,406
17	C	Miami-Dade	789,012	345,253	211,300	43.8%	211,300	70%	4%	24%	2%	148,507	8,863			3,225	160,595
18	C	Monroe	42,842	30,350	15,555	70.8%	15,555	67%	12%	17%	4%	10,432	1,802			655	12,889
19	C	Nassau	37,085	10,654	1,440	28.7%	1,440	71%	17%	11%	1%	1,025	242			16	1,283
20	C	Okaloosa	84,834	19,694	4,325	23.2%	4,325	79%	4%	16%	1%	3,433	165			38	3,636
21	C	Palm Beach	576,527	131,042	31,948	22.7%	31,948	64%	1%	33%	2%	20,566	198			567	21,331
22	C	Pasco	213,197	22,647	6,987	10.6%	6,987	79%	14%	0%	2%	5,525	963			108	6,596
23	C	Pinellas	389,761	124,309	47,192	31.9%	47,192	65%	5%	27%	3%	30,761	2,124			1,513	34,398
24	C	Saint Johns	107,564	36,629	7,544	34.1%	7,544	80%	5%	14%	2%	6,012	387			117	6,516
25	C	Saint Lucie	125,943	19,257	5,321	15.3%	5,321	84%	4%	12%	1%	4,447	194			63	4,704
26	C	Santa Rosa	67,326	14,056	4,306	20.9%	4,306	87%	9%	3%	1%	3,751	399			44	4,194
27	C	Sarasota	214,932	58,954	18,316	27.4%	18,316	68%	6%	24%	2%	12,445	1,018			387	13,850
28	C	Volusia	215,240	44,522	4,847	20.7%	4,847	82%	3%	13%	1%	3,976	165			56	4,197
29	C	Wakulla	11,895	1,296	474	10.9%	474	68%	28%	3%	0%	323	135			1	459
30	C	Walton	48,055	19,170	3,223	39.9%	3,223	66%	10%	22%	1%	2,134	334			47	2,515
31	I	Alachua	75,077	2,711	267	3.6%	267	81%	7%	10%	2%	216	20			6	242
32	I	Baker	7,151	167	49	2.3%	49	66%	33%	0%	1%	32	16			-	48
33	I	Bradford	8,433	458	128	5.4%	128	69%	31%	0%	0%	88	39			-	127
34	I	Calhoun	3,793	88	26	2.3%	26	69%	31%	0%	0%	18	8			-	26
35	I	Citrus	73,353	5,205	2,101	7.1%	2,101	76%	21%	2%	1%	1,595	445			14	2,054
36	I	Clay	73,948	5,741	921	7.8%	921	84%	13%	3%	0%	770	118			3	891
37	I	Columbia	20,924	729	166	3.5%	166	63%	35%	0%	1%	105	59			2	166
38	I	DeSoto	9,316	435	115	4.7%	115	49%	0%	47%	4%	56	-			5	61
39	I	Dixie	6,809	420	85	6.2%	85	62%	29%	7%	3%	53	24			2	79
40	I	Gadsden	14,875	132	11	0.9%	11	79%	16%	5%	0%	9	2			-	11
41	I	Gilchrist	5,341	191	49	3.6%	49	75%	24%	0%	1%	37	12			-	49
42	I	Glades	4,325	241	33	5.6%	33	48%	51%	0%	1%	16	17			-	33
43	I	Hamilton	3,557	48	18	1.3%	18	77%	19%	3%	0%	14	3			-	17
44	I	Hardee	6,082	97	23	1.6%	23	56%	40%	0%	4%	13	9			1	23
45	I	Hendry	11,048	959	154	8.7%	154	70%	24%	3%	4%	107	36			5	148
46	I	Hernando	78,730	3,235	906	4.1%	906	55%	40%	2%	3%	500	359			29	888
47	I	Highlands	41,246	938	161	2.3%	161	84%	15%	1%	1%	134	24			1	159
48	I	Holmes	4,692	95	24	2.0%	24	85%	3%	10%	1%	21	1			-	22
49	I	Jackson	13,308	135	30	1.0%	30	76%	2%	21%	1%	23	-			-	23
50	I	Jefferson	4,186	78	16	1.9%	16	77%	23%	0%	0%	12	4			-	16
51	I	Lafayette	1,814	123	39	6.8%	39	67%	32%	0%	1%	26	12			1	39

	A	B	C	D	E	G	H	I	J	K	L	M	N	O	P	Q	R
52	I	Lake	134,617	3,732	634	2.8%	634	55%	45%	0%	0%	349	282			2	633
53	I	Leon	87,241	3,112	654	3.6%	654	67%	5%	26%	3%	436	32			19	487
54	I	Levy	17,309	934	342	5.4%	342	84%	8%	5%	3%	288	27			9	324
55	I	Liberty	2,153	16	3	0.7%	3	45%	53%	1%	0%	1	2			-	3
56	I	Madison	5,009	91	23	1.8%	23	62%	35%	0%	3%	14	8			1	23
57	I	Marion	145,275	3,397	463	2.3%	463	67%	3%	27%	3%	312	14			13	339
58	I	Okeechobee	14,844	1,431	467	9.6%	467	51%	45%	2%	3%	236	210			14	460
59	I	Orange	384,438	13,550	2,148	3.5%	2,148	84%	2%	13%	1%	1,811	33			23	1,867
60	I	Osceola	128,472	7,725	2,513	6.0%	2,513	85%	4%	10%	1%	2,126	107			19	2,252
61	I	Polk	234,939	6,975	1,102	3.0%	1,102	80%	13%	4%	3%	883	147			32	1,062
62	I	Putnam	32,712	1,289	465	3.9%	465	52%	47%	1%	0%	242	218			2	462
63	I	Seminole	148,686	7,124	1,134	4.8%	1,134	87%	1%	11%	1%	989	13			9	1,011
64	I	Sumter	66,568	3,106	174	4.7%	174	91%	8%	1%	0%	158	15			-	173
65	I	Suwannee	12,749	512	117	4.0%	117	49%	51%	0%	0%	57	59			-	116
66	I	Taylor	8,534	579	142	6.8%	142	63%	36%	0%	0%	89	51			-	140
67	I	Union	2,551	54	12	2.1%	12	53%	46%	1%	0%	6	6			-	12
68	I	Washington	7,454	126	26	1.7%	26	66%	33%	0%	1%	17	9			-	26
69		Unknown		14,857	6,343												
70		Total	7,693,710	1,722,098	637,401	22%	631,058					433,437	40,283	-	-	11,212	484,932
71																	
72																	
73				1,036,659	total residential parcels with FNIP policies												
74				1,722,098													
75				60.2%													
76																	
77	C	Coastal	5,792,151	1,631,262	615,317							421,578	37,842	Buildings	Buildings	224	35
78	I	Inland	1,901,559	75,979	15,741							11,859	2,441			13	4
79		Total			631,058												
80																	
81																	
82	(1)	Special Flood Hazard Area policy count divided by total FEMA policy count															
83	(2)	FIRM(Flood Insurance Rate Maps) policies meaning they were constructed prior to the existence of the program or prior to the initial FIRM maps in those areas elevation data was not required.															

	A	B	C	D	E	F	G	H	I	J
1										
2	Data from Pinellas County Property Appraiser - SF homes in SFHA A&V - Elevation at grade									
3										
4	1. Identify population and value of parcel addition									
5										
6		Total Number of Eligible Parcels (from County Parcels and Policies)								
7		51,800	Single Family in SFHA							
8										
9		51,800	Total							
10										
11		Percent of Voluntary Elevations - Annual								
12		1.00%	Pinellas							
13										
14										
15		Estimated Voluntary Elevations - annual								
16		518								
17										
18		Square Foot Addition per parcel	Dollars per Square Foot for Parcel Addition (Parking, Storage, Access only)							
19			High	Medium	Low					
20			\$ 60	\$ 30	\$ 15					
21		1,700	\$ 102,000	\$ 51,000	\$ 25,500					
22		1,500	\$ 90,000	\$ 45,000	\$ 22,500					
23		Pinellas estimate of per sq ft value of improvement is \$60 per sq ft.								
24	2. Calculate annual taxable value impact									
25										
26		Taxable Value Impact	Based on annual elevations times value of addition							
27			High	Medium	Low					
28		1700	\$ 52,836,000	\$ 26,418,000	\$ 13,209,000					
29	Square Feet	1500	\$ 46,620,000	\$ 23,310,000	\$ 11,655,000					
30										

	A	B	C	D	E	F	G	H	I	J
31	Source: 3/21 Ad Valorem Estimating Conference									
32	Residential Growth Rates									
33	Calendar	Homestead AV	Non-Homestead AV	Total	Growth Rates					
34	2019	875,203	688,025	1,563,228						
35	2020	940,790	718,390	1,659,180	6.14%					
36	2021	1,005,604	753,049	1,752,630	5.63%					
37	2022	1,077,733	785,334	1,854,590	5.82%					
38	2023	1,148,464	815,973	1,956,728	5.51%					
39	2024	1,219,160	846,118	2,055,515	5.05%					
40	2025	1,292,420	877,135	2,156,655	4.92%					
41	2026	1,367,066	909,340	2,260,488	4.81%					
42										
43										
44	3. Apply Growth Rate to prior year's total and add value of the additional 1% of parcels with new elevations beginning in 2024									
45										
46		High	Medium	Low						
47		Based on 1,700 sq ft and High per Sq Ft of \$60	Average of the two medium estimates	Based on 1,500 sq ft and Low per Sq Ft of \$15						
48		\$ 52,836,000	\$ 24,864,000	\$ 11,655,000						
49	2022									
50	2023	\$ 52,836,000	\$ 24,864,000	\$ 11,655,000						
51	2024	\$ 108,339,468	\$ 50,983,279	\$ 23,898,412						
52	2025	\$ 166,506,227	\$ 78,355,871	\$ 36,729,315						
53	2026	\$ 227,358,734	\$ 106,992,346	\$ 50,152,662						
54										
55										
56	4. Apply Millage Rates									
57	School	6.3996								
58	Non-School	10.7629								
59										
60		School			Non-School			Total		
61		High	Medium	Low	High	Medium	Low	High	Medium	Low
62	2022									
63	2023	\$ 338,129	\$ 159,120	\$ 74,587	\$ 568,670	\$ 267,609	\$ 125,442	\$ 906,799	\$ 426,729	\$ 200,029
64	2024	\$ 693,329	\$ 326,273	\$ 152,940	\$ 1,166,049	\$ 548,729	\$ 257,217	\$ 1,859,378	\$ 875,002	\$ 410,157
65	2025	\$ 1,065,573	\$ 501,446	\$ 235,053	\$ 1,792,093	\$ 843,338	\$ 395,315	\$ 2,857,666	\$ 1,344,784	\$ 630,368
66	2026	\$ 1,455,005	\$ 684,708	\$ 320,957	\$ 2,447,044	\$ 1,151,550	\$ 539,789	\$ 3,902,049	\$ 1,836,258	\$ 860,746

REVENUE ESTIMATING CONFERENCE

Tax: Sales & Use Tax

Issue: Restaurant Collection Allowance

Bill Number(s): Proposed Language

☒ **Entire Bill**

☐ **Partial Bill:**

Sponsor(s):

Month/Year Impact Begins: July 1, 2021

Date of Analysis: April 9, 2021

Section 1: Narrative

a. Current Law:

Section F.S. 212.12 (1)(a)1 Notwithstanding any other law and for the purpose of compensating persons granting licenses for and the lessors of real and personal property taxed hereunder, for the purpose of compensating dealers in tangible personal property, for the purpose of compensating dealers providing communication services and taxable services, for the purpose of compensating owners of places where admissions are collected, and for the purpose of compensating remitters of any taxes or fees reported on the same documents utilized for the sales and use tax, as compensation for the keeping of prescribed records, filing timely tax returns, and the proper accounting and remitting of taxes by them, such seller, person, lessor, dealer, owner, and remitter (except dealers who make mail order sales) who files the return required pursuant to s. 212.11 only by electronic means and who pays the amount due on such return only by electronic means shall be allowed 2.5 percent of the amount of the tax due, accounted for, and remitted to the department in the form of a deduction. However, if the amount of the tax due and remitted to the department by electronic means for the reporting period exceeds \$1,200, an allowance is not allowed for all amounts in excess of \$1,200. For purposes of this subparagraph, the term “electronic means” has the same meaning as provided in s. 213.755(2)(c).

Section 212.12 (2)(d)1. A dealer entitled to the collection allowance provided in this section may elect to forego the collection allowance and direct that the amount be transferred into the Educational Enhancement Trust Fund. Such an election must be made with the timely filing of a return and may not be rescinded once made. If a dealer who makes such an election files a delinquent return, underpays the tax, or files an incomplete return, the amount transferred into the Educational Enhancement Trust Fund shall be the amount of the collection allowance remaining after resolution of liability for all of the tax, interest, and penalty due on that return or underpayment of tax. The Department of Education shall distribute the remaining amount from the trust fund to the school districts that have adopted resolutions stating that those funds will be used to ensure that up-to-date technology is purchased for the classrooms in the district and that teachers are trained in the use of that technology. Revenues collected in districts that do not adopt such a resolution shall be equally distributed to districts that have adopted such resolutions.

b. Proposed Change:

Paragraphs (a) and (d) of Section F.S. 212.12 (1)(a)1. Notwithstanding any other law and for the purpose of compensating persons granting licenses for and the lessors of real and personal property taxed hereunder, for the purpose of compensating dealers in tangible personal property, for the purpose of compensating dealers providing communication services and taxable services, for the purpose of compensating owners of places where admissions are collected, and for the purpose of compensating remitters of any taxes or fees reported on the same documents utilized for the sales and use tax, as compensation for the keeping of prescribed records, filing timely tax returns, and the proper accounting and remitting of taxes by them, such seller, person, lessor, dealer, owner, and remitter (except dealers who make mail order sales) who files the return required pursuant to s. 212.11 only by electronic means and who pays the amount due on such return only by electronic means shall be allowed 2.5 percent of the amount of the tax due, accounted for, and remitted to the department in the form of a deduction. However, except as provided in subparagraph (a)2., if the amount of the tax due and remitted to the department by electronic means for the reporting period exceeds \$1,200, an allowance is not allowed for all amounts in excess of \$1,200. For purposes of this subparagraph, the term “electronic means” has the same meaning as provided in s. 213.755(2)(c).

2. The \$1,200 limitation in subparagraph (a)1. does not apply to returns filed by full-service restaurants (NAICS National Number 722511), from July 1, 2021 through June 30, 2023. As used in this subparagraph, the term “NAICS” means those classifications contained in the North American Industry Classification System, as published in 2007 by the Office of Management and Budget, Executive Office of the President.

Section 212.12 (2)(d)1. A dealer entitled to the collection allowance provided in this section may elect to forego the collection allowance and direct that the amount be transferred into the Educational Enhancement Trust Fund. Such an election must be made with the timely filing of a return and may not be rescinded once made; provided, however, that for any

REVENUE ESTIMATING CONFERENCE

Tax: Sales & Use Tax

Issue: Restaurant Collection Allowance

Bill Number(s): Proposed Language

business eligible for an increased collection allowance under subparagraph (a)2., which previously elected to forego the collection allowance under this paragraph, such business can elect to retain the collection allowance allowable under subparagraph (a)2., less the amount that is transferred pursuant to this section. If the business does not retain the increased collection allowance allowable under subparagraph (a)2., the transfer to the Educational Enhancement Trust Fund under this paragraph is still limited to the standard transfer amount and is not increased by the additional allowance under subparagraph (a)2. If a dealer who makes such an election files a delinquent return, underpays the tax, or files an incomplete return, the amount transferred into the Educational Enhancement Trust Fund shall be the amount of the collection allowance remaining after resolution of liability for all of the tax, interest, and penalty due on that return or underpayment of tax. The Department of Education shall distribute the remaining amount from the trust fund to the school districts that have adopted resolutions stating that those funds will be used to ensure that up-to-date technology is purchased for the classrooms in the district and that teachers are trained in the use of that technology. Revenues collected in districts that do not adopt such a resolution shall be equally distributed to districts that have adopted such resolutions.

Section 2: Description of Data and Sources

General Revenue - Tourism & Rec. Growth Rates from April 6, 2021

DOR Sales and Use Tax Monthly Rolls 2017-2020

DOR Sales Tax Annual Files 2018 & 2019 – NAICS code 722511

Section 3: Methodology (Include Assumptions and Attach Details)

Sales and Use Tax Collection Allowance and Tax Due were obtained from the Department's monthly tax rolls for kind code 8 & from the annual file for NAICS code 722511 – Full-Service Restaurants. The proportion of those NAICS Code entities in kind code 8 were found in the annual data and applied to the monthly data to approximate the NAICS cohort for the monthly data. Using the percentage and the monthly totals, the adjusted collection allowance and adjusted tax due were calculated and totaled to find the total adjusted tax due before collection allowance is removed. From the total adjusted tax due, a calculated adjusted collection allowance was found and used to find the difference between the calculated adjusted collection allowance and the original adjusted collection allowance. The difference for 2020 was approximated by taking the proportions for NAICS 722511 in Kind code 8 in the annual data and averaging them for 2020, then applied to the 2020 totals

The monthly and the annual differences were averaged to convert to FY in 2018-19 and grown by the Tourism & Rec. Growth rates from the General Revenue Estimating Conference held April 6, 2021. The monthly data's growth begins with FY 2019-2020 as the monthly data was available for use in the analysis.

The High impact uses the grown annual data, the low impact uses the grown monthly data, and the middle impact uses an average of the high and the low.

First year cash is 11/12ths as the limitation removal begins July 1, 2021 and the last year of the impact in cash is at 1/12ths of the final recurring year. The uncapped collection allowance ends June 30, 2023.

Section 4: Proposed Fiscal Impact

	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2021-22	\$(34.4 M)		\$(32.3 M)		\$(30.2 M)	
2022-23	\$(41.1 M)		\$(38.6 M)		\$(36.2 M)	
2023-24	\$(3.6 M)		\$(3.4 M)		\$(3.2 M)	
2024-25	\$-		\$-		\$-	
2025-26	\$-		\$-		\$-	

List of affected Trust Funds: General Revenue Fund

REVENUE ESTIMATING CONFERENCE

Tax: Sales & Use Tax

Issue: Restaurant Collection Allowance

Bill Number(s): Proposed Language

Section 5: Consensus Estimate (Adopted: 04/09/2021) The Conference adopted the middle estimate.

	GR		Trust		Revenue Sharing		Local Half Cent	
	Cash	Recurring	Cash	Recurring	Cash	Recurring	Cash	Recurring
2021-22	(24.9)	0.0	(Insignificant)	0.0	(0.8)	0.0	(2.4)	0.0
2022-23	(29.7)	0.0	(Insignificant)	0.0	(1.0)	0.0	(2.8)	0.0
2023-24	(2.6)	0.0	(Insignificant)	0.0	(0.1)	0.0	(0.2)	0.0
2024-25	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2025-26	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

	Local Option		Total Local		Total	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2021-22	(4.2)	0.0	(7.4)	0.0	(32.3)	0.0
2022-23	(5.1)	0.0	(8.9)	0.0	(38.6)	0.0
2023-24	(0.5)	0.0	(0.8)	0.0	(3.4)	0.0
2024-25	0.0	0.0	0.0	0.0	0.0	0.0
2025-26	0.0	0.0	0.0	0.0	0.0	0.0

	B	C	D	E	F	G	H	I
2	Collection Allowance Tables							
3	8 - Monthly Table							
4	Kind Codes	Coll. Allow.	Tax Due Total	Adj. Coll. Allow	Adj. Tax Due	Total Adj Tax Due	Calc. Adj. Coll. Allow.	Difference
5	2018	\$ 9,517,805	\$ 2,687,803,148	\$ 4,959,814	\$ 1,400,638,471	\$ 1,405,598,285	\$ 35,139,957	\$ (30,180,143)
6	2019	\$ 9,449,127	\$ 2,791,889,551	\$ 5,001,823	\$ 1,477,865,243	\$ 1,482,867,066	\$ 37,071,677	\$ (32,069,854)
7	2020	\$ 8,838,449	\$ 2,336,890,388	\$ 4,642,180	\$ 1,227,394,802	\$ 1,232,036,983	\$ 30,800,925	\$ (26,158,744)
8								
9	8 - Annual Data (NAICS 722511)							
10	Year	Coll. Allow.	Tax Due Total	Total Tax Due	Calc. Coll. Allow.	Difference		
11	2018	\$ 4,078,185	\$ 1,571,433,716	\$ 1,575,511,902	39,387,798	(35,309,612)		
12	2019	\$ 4,273,623	\$ 1,729,584,417	\$ 1,733,858,040	43,346,451	(39,072,828)		
13								
14	Proportion of Naics 722511 in Kind code 8 Annual Data							
15	2018	52.1%						
16	2019	52.9%						
17	2020*	52.5%						
18	*average of 2018 & 2019 %'s							
19								
20	Growth Rates From General Revenue Estimating Conference - April 6, 2021							
21	Tourism & Rec.							
22	2019-20	-11.1%						
23	2020-21	-8.0%						
24	2021-22	23.2%						
25	2022-23	9.6%						
26	2023-24	5.9%						
27	2024-25	4.9%						
28	2025-26	3.9%						

	B	C	D	E	F	G	H	I
29								
30	Converted to FY and grown Tourism & Rec growth Rates							
31	8 - Annual		8 - Monthly					
32	2018-19	(37,191,220)	2018-19	\$ (31,124,999)				
33	2019-20	(33,062,995)	2019-20	\$ (29,114,299)				
34	2020-21	(30,417,955)	2020-21	\$ (26,785,155)				
35	2021-22	(37,474,921)	2021-22	\$ (32,999,311)				
36	2022-23	(41,072,513)	2022-23	\$ (36,167,245)				
37	2023-24	(43,495,792)	2023-24	\$ (38,301,112)				
38	2024-25	(45,627,085)	2024-25	\$ (40,177,867)				
39	2025-26	(47,406,542)	2025-26	\$ (41,744,804)				
40								
41	Impact Window (in \$M)							
42		8 - Annual	8 - Monthly					
43	2021-22	\$ (37.5)	\$ (33.0)					
44	2022-23	\$ (41.1)	\$ (36.2)					
45	2023-24	\$ (43.5)	\$ (38.3)					
46	2024-25	\$ (45.6)	\$ (40.2)					
47	2025-26	\$ (47.4)	\$ (41.7)					
48								
49	Impact							
50		High		Middle		Low		
51		Cash	Recurring	Cash	Recurring	Cash	Recurring	
52	2021-2022	\$ (34.4 M)	\$ (37.5 M)	\$ (32.3 M)	\$ (35.2 M)	\$ (30.2 M)	\$ (33.0 M)	
53	2022-2023	\$ (41.1 M)	\$ (41.1 M)	\$ (38.6 M)	\$ (38.6 M)	\$ (36.2 M)	\$ (36.2 M)	
54	2023-2024	\$ (3.6 M)	\$ (43.5 M)	\$ (3.4 M)	\$ (40.9 M)	\$ (3.2 M)	\$ (38.3 M)	
55	2024-2025	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
56	2025-2026	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	