

REVENUE ESTIMATING CONFERENCE

Tax: Article V/Highway Safety Fees

Issue: Red Light Camera Repeal

Bill Number(s): HB 6001

☒ **Entire Bill**

☐ **Partial Bill:**

Sponsor(s): Avila

Month/Year Impact Begins: 07/01/2021

Date of Analysis: 09/22/2017

Section 1: Narrative

a. Current Law:

Subsections (89) and (35) of section 316.003, F.S., defines "traffic infraction detector" and "local hearing officer". Subsection (8) of section 316.008, section 316.0083, and section 316.00831, F.S., provides for the administration of the Mark Wandall Traffic Safety Program (installation and use of traffic detector devices; authorization of the Department of Highway Safety and Motor Vehicles, counties or municipalities to use detectors; and the distribution of penalties). Section 316.07456, F.S., provides for transitional implementation of detectors. Section 316.0776, F.S., provides for the installation of traffic infraction detectors. Subsection (3) of section 318.15, F.S. relates to failure to comply with a civil penalty. Section 321.50, F.S. provides the authorization to use traffic infraction detectors. Subsection (5) section 28.37; subsection (56) of 316.003; paragraph (b) of subsection (1) and paragraph (a) of subsection (5) of section 316.640; paragraphs (a) and (c) of subsection (3) of section 316.50; section 318.121; subsection (2) of section 318.14; subsections (15) and (22) of section 318.18; subsection (8) of section 320.03; paragraph (d) of subsection (3) of section 322.27; and subsection (1) of section 655.960, F.S. provides the distribution of proceeds, enforcement by traffic infraction enforcement officers, procedures for disposition of citations, preemption of additional fees or surcharges, compliance, and penalties.

b. Proposed Change:

HB 6001 would repeal provisions in the above mentioned statutes relating to installation and use of traffic infraction detectors to enforce specified provisions when drivers fail to stop at a traffic signal, provisions that authorize DHSMV, county, or municipalities to use detectors, and provisions for distribution of penalties collected for specific violations.

Section 2: Description of Data and Sources

July 28, 2017 HSMV REC revenue and transactions forecast through FY 2022-23

Distribution Schedule of Court-Related Filing Fees, Service Charges, Costs, and Fines effective July 2017

Telephone interview with RLC vendor

Red Light Camera by Jurisdiction per the Florida Department of Revenue

Section 3: Methodology (Include Assumptions and Attach Details)

The repeal of these provisions results in a loss of direct RLC revenue and the subsequent UTC revenue. The loss of the direct RLC revenue to General Revenue and other state trust funds is based on the July 28, 2017 HSMV REC RLC forecast. The REC forecast is used to estimate the loss of these direct RLC revenue to local governments (based on their portion of the \$158 fine). The loss of the UTC revenue is also derived from the same forecast by applying the fees from the Clerks' Distribution Schedule to the number of forecasted transactions remitted by the Clerks of Court. There is also an assumed program reduction prior to the law's effective date due to local governments deciding not to renew their programs in response to the law change. Local government's renewal dates for FY 2018-19 through FY 2020-21 was obtained from a RLC vendor. This data and the state portion of RLC fines remitted to the Department of Revenue from local governments by jurisdiction was used to calculate a 10.5% possible reduction for FY 2018-19, a 32.3% possible reduction for FY 2019-20, and a 57.6% possible reduction for FY 2020-21. The middle scenario assumes a quarter of the local governments up for renewal decide not to renew their RLC program. The FY 2020-21 cash amounts are adjusted for 60 days to pay after notification of violation and the program reductions noted above. (See attached)

REVENUE ESTIMATING CONFERENCE

Tax: Article V/Highway Safety Fees

Issue: Red Light Camera Repeal

Bill Number(s): HB 6001

Section 4: Proposed Fiscal Impact

GR	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2018-19			(1.7)	(63.8)		
2019-20			(5.2)	(64.5)		
2020-21			(9.4)	(65.1)		
2021-22			(61.1)	(65.7)		
2022-23			(66.2)	(66.2)		

TRUST	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2018-19			(0.4)	(13.9)		
2019-20			(1.1)	(14.0)		
2020-21			(2.0)	(14.1)		
2021-22			(13.3)	(14.3)		
2022-23			(14.4)	(14.4)		

LOCAL	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2018-19			(2.0)	(76.8)		
2019-20			(6.3)	(77.6)		
2020-21			(11.3)	(78.3)		
2021-22			(73.4)	(79.0)		
2022-23			(79.7)	(79.7)		

List of affected Trust Funds:

General Revenue Fund

Department of Health Emergency Medical Services Trust Fund

Brain & Spinal Cord Injury Trust Fund

State Courts Revenue Trust Fund

State Attorneys Revenue Trust Fund

Public Defenders Revenue Trust Fund

State Radio Systems Trust Fund

Local Trust Funds

Section 5: Consensus Estimate (Adopted: 09/22/2017): The Conference adopted the proposed estimate.

	GR		Trust		Local/Other		Total	
	Cash	Recurring	Cash	Recurring	Cash	Recurring	Cash	Recurring
2018-19	(1.7)	(63.8)	(0.4)	(13.9)	(2.0)	(76.8)	(4.1)	(154.5)
2019-20	(5.2)	(64.5)	(1.1)	(14.0)	(6.3)	(77.6)	(12.6)	(156.1)
2020-21	(9.4)	(65.1)	(2.0)	(14.1)	(11.3)	(78.3)	(22.7)	(157.5)
2021-22	(61.1)	(65.7)	(13.3)	(14.3)	(73.4)	(79.0)	(147.8)	(159.0)
2022-23	(66.2)	(66.2)	(14.4)	(14.4)	(79.7)	(79.7)	(160.3)	(160.3)

Current Law

RLC Revenue (07/28/2017 HSMV REC)

	2018-19	2019-20	2020-21	2021-22	2022-23
Remitted by Local Gov. to DOR	59.4	60.0	60.5	61.1	61.6
Remitted by Clerks of Court to DOR (LEO)	13.0	13.2	13.3	13.4	13.5
Total	72.4	73.1	73.8	74.5	75.2

RLC Transactions

Remitted by Local Gov. to DOR	715,604	722,549	729,375	736,053	742,571
Remitted by Clerks of Court to DOR (LEO)	157,084	158,608	160,107	161,573	163,003
Total	872,687	881,157	889,482	897,626	905,574

GR	61.1	61.7	62.3	62.8	63.4
TRUST	11.3	11.5	11.6	11.7	11.8
LOCAL	65.5	66.1	66.7	67.3	67.9
Subtotal	137.9	139.2	140.5	141.8	143.1

UTC Add-on

GR	2.7	2.8	2.8	2.8	2.9
TRUST	2.5	2.5	2.6	2.6	2.6
LOCAL	11.4	11.5	11.6	11.7	11.8
Subtotal	16.7	16.8	17.0	17.1	17.3

RLC and UTC Total

GR	63.8	64.5	65.1	65.7	66.2
TRUST	13.9	14.0	14.1	14.3	14.4
LOCAL	76.8	77.6	78.3	79.0	79.7
Subtotal	154.5	156.0	157.5	159.0	160.4

REVENUE ESTIMATING CONFERENCE

Tax: Documentary Stamp Tax

Issue: Spousal Transfers – All Real Property

Bill Number(s): Proposed Language

☒ **Entire Bill**

☐ **Partial Bill:**

Sponsor(s): N/A

Month/Year Impact Begins: July 1, 2018

Date of Analysis: 9/22/2017

Section 1: Narrative

a. Current Law: Section 201.02(1)(a), Florida Statutes, states “On deeds, instruments, or writings whereby any lands, tenements, or other real property, or any interest therein, shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser or any other person by his or her direction, on each \$100 of the consideration therefor the tax shall be 70 cents. When the full amount of the consideration for the execution, assignment, transfer, or conveyance is not shown in the face of such deed, instrument, document, or writing, the tax shall be at the rate of 70 cents for each \$100 or fractional part thereof of the consideration therefor. For purposes of this section, consideration includes, but is not limited to, the money paid or agreed to be paid; the discharge of an obligation; and the amount of any mortgage, purchase money mortgage lien, or other encumbrance, whether or not the underlying indebtedness is assumed. If the consideration paid or given in exchange for real property or any interest therein includes property other than money, it is presumed that the consideration is equal to the fair market value of the real property or interest therein.”

Section 201.02(7), F.S., reads “Taxes imposed by this section do not apply to a deed, transfer, or conveyance between spouses or former spouses pursuant to an action for dissolution of their marriage wherein the real property is or was their marital home or an interest therein. Taxes paid pursuant to this section shall be refunded in those cases in which a deed, transfer, or conveyance occurred 1 year before a dissolution of marriage. This subsection applies in spite of any consideration as defined in subsection (1). This subsection does not apply to a deed, transfer, or conveyance executed before July 1, 1997.”

b. Proposed Change: Amends section 201.02(7), F.S., to create a new subparagraph “(a) Taxes imposed by this section do not apply to a deed, transfer, or conveyance between spouses of real property, or an interest therein, that secures a mortgage debt or other debt. This paragraph does not apply to a deed, transfer or conveyance executed before July 1, 2018.”

Section 2: Description of Data and Sources

2015 Ad Valorem Tax Rolls

2016 Ad Valorem Tax Rolls

2017 Ad Valorem Tax Rolls (sales data files and real property rolls)

General Revenue Consensus Estimating Conference Documentary Stamp Tax Growth Rates, August 2017

Section 3: Methodology (Include Assumptions and Attach Details)

After merging the real property information into all 2016 property transfers from the sales data file, all sales that were not between related parties were removed. These were filtered out based on Sale Qualification Code 30, which is defined as a “transfer involving affiliated parties (examples: family, corporate, business, landlord-tenant).” From the remaining records, multi-parcel sales were winnowed to a single record, which was needed to avoid over-counting the documentary stamps paid in a single transaction. If one parcel in a multi-parcel sale had a homestead classification in the year following the sale, that parcel was kept.

Three additional filters removed any records with:

1. a sale price of \$100 or less. The documentary stamp amount is based on the consideration, which includes “the amount of any mortgage, purchase money mortgage lien, or other encumbrance,” (section 201.02(1)(a)). Properties with consideration of \$100 or less were excluded due to lack of a mortgage or other debt.
2. a governmental land use code or an exemption for constitutional charitable predominant use (under section 196.196), as these transactions could not take place between spouses.
3. any value classified as homestead (based on the value in the 2017 Just Value – Homestead field).

Flags were added to the non-homestead records based on the Owner Name fields before and after the sale. Names with words or abbreviations denoting a business are excluded from the “Natural Persons” value. Names containing “Trust” were separated into a subset.

Documentary stamp amounts were calculated from the sale price. Growth rates were taken from the General Revenue Consensus Estimating Conference in August 2017. Due to the broad definition of the Sales Qualification Code, estimates assume

REVENUE ESTIMATING CONFERENCE

Tax: Documentary Stamp Tax

Issue: Spousal Transfers – All Real Property

Bill Number(s): Proposed Language

that some percentage of the sales took place among parties whose relationship was not spousal. The impact assumes 60% of documentary stamps paid are from transactions between spouses in the high estimate, 40% in the middle, and 20% in the low. The estimates from the proposed language for Spousal Transfers – Homestead Property was added to the non-homestead property estimate to estimate the impact for all real property.

The proposed language would take effect July 1, 2018.

Section 4: Proposed Fiscal Impact

	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2018-19	\$ (9.6 M)	\$ (9.6 M)	\$ (8.0 M)	\$ (8.0 M)	\$ (6.3 M)	\$ (6.3 M)
2019-20	\$ (10.0 M)	\$ (10.0 M)	\$ (8.3 M)	\$ (8.3 M)	\$ (6.6 M)	\$ (6.6 M)
2020-21	\$ (10.4 M)	\$ (10.4 M)	\$ (8.6 M)	\$ (8.6 M)	\$ (6.8 M)	\$ (6.8 M)
2021-22	\$ (10.7 M)	\$ (10.7 M)	\$ (8.9 M)	\$ (8.9 M)	\$ (7.1 M)	\$ (7.1 M)
2022-23	\$ (11.1 M)	\$ (11.1 M)	\$ (9.2 M)	\$ (9.2 M)	\$ (7.3 M)	\$ (7.3 M)

List of affected Trust Funds:

Documentary Stamp Trust Fund Group

Section 5: Consensus Estimate (Adopted: 09/22/2017): The Conference adopted the middle estimate for the homesteaded properties and an average of the middle and the high for all other properties. The Conference assumes interest therein means a direct interest in the real property.

	GR		Trust		Local/Other		Total	
	Cash	Recurring	Cash	Recurring	Cash	Recurring	Cash	Recurring
2018-19	(3.5)	(3.5)	(5.2)	(5.2)	0.0	0.0	(8.7)	(8.7)
2019-20	(3.6)	(3.6)	(5.4)	(5.4)	0.0	0.0	(9.0)	(9.0)
2020-21	(3.7)	(3.7)	(5.6)	(5.6)	0.0	0.0	(9.3)	(9.3)
2021-22	(3.8)	(3.8)	(5.8)	(5.8)	0.0	0.0	(9.6)	(9.6)
2022-23	(4.0)	(4.0)	(6.0)	(6.0)	0.0	0.0	(10.0)	(10.0)

Impact Summary

	A	B	C	D	E	F	G
1	All Sales Between related parties (Qual code = 30) above De Minimus Transfer value						
2							
3	Spousal Transfer of Homesteads Doc Stamp Impact						
4		High		Middle		Low	
5	Year	Cash	Recurring	Cash	Recurring	Cash	Recurring
6	2018-19	\$ (5.6 M)	\$ (5.6 M)	\$ (5.3 M)	\$ (5.3 M)	\$ (5.0 M)	\$ (5.0 M)
7	2019-20	\$ (5.8 M)	\$ (5.8 M)	\$ (5.5 M)	\$ (5.5 M)	\$ (5.2 M)	\$ (5.2 M)
8	2020-21	\$ (6.0 M)	\$ (6.0 M)	\$ (5.7 M)	\$ (5.7 M)	\$ (5.4 M)	\$ (5.4 M)
9	2021-22	\$ (6.2 M)	\$ (6.2 M)	\$ (5.9 M)	\$ (5.9 M)	\$ (5.6 M)	\$ (5.6 M)
10	2022-23	\$ (6.4 M)	\$ (6.4 M)	\$ (6.1 M)	\$ (6.1 M)	\$ (5.8 M)	\$ (5.8 M)
11							
12	Spousal Transfer (All Property) Doc Stamp Impact						
13		High		Middle		Low	
14	Year	Cash	Recurring	Cash	Recurring	Cash	Recurring
15	2018-19	\$ (9.6 M)	\$ (9.6 M)	\$ (8.7 M)	\$ (8.7 M)	\$ (6.3 M)	\$ (6.3 M)
16	2019-20	\$ (10.0 M)	\$ (10.0 M)	\$ (9.0 M)	\$ (9.0 M)	\$ (6.6 M)	\$ (6.6 M)
17	2020-21	\$ (10.4 M)	\$ (10.4 M)	\$ (9.3 M)	\$ (9.3 M)	\$ (6.8 M)	\$ (6.8 M)
18	2021-22	\$ (10.7 M)	\$ (10.7 M)	\$ (9.6 M)	\$ (9.6 M)	\$ (7.1 M)	\$ (7.1 M)
19	2022-23	\$ (11.1 M)	\$ (11.1 M)	\$ (10.0 M)	\$ (10.0 M)	\$ (7.3 M)	\$ (7.3 M)

Homestead Transfers

	A	B	C	D	E	F	G
1	All Homestead Sales Between Related Parties (Sale Qualification Code = 30) above De Minimus Transfer Value						
2	Homestead as of January 1 2017. Sales data and Doc Stamps Paid from 2016 sales.						
3							
4	Natural Person	Trust (1=Trust in name)	Sum of Doc Stamps Paid	Sum of Sales Price	Count		
5	0	0	\$ 568,438	\$ 82,244,853	610		
6	0	1	\$ 13,378	\$ 1,911,100	6		
7	1	0	\$ 5,092,122	\$ 736,047,079	5,589		
8	1	1	\$ 327,550	\$ 46,792,866	207		
9							
10	Total Homestead Doc Stamp		\$ 6,001,488				
11	Homestead Doc only Natural Person		\$ 5,419,672				
12	Homestead Doc Natural Person no Trusts		\$ 5,092,122				
13							
14	Doc Stamp Growth Rates - GR 8/17						
15	2017-18	4.30%					
16	2018-19	4.00%					
17	2019-20	3.70%					
18	2020-21	3.60%					
19	2021-22	3.60%					
20	2022-23	3.50%					
21							
22	Homestead Doc Stamp paid grown into forecast period						
23		95%	90%	85%			
24		High	Middle	Low			
25	2017-18	\$ 5,370,082	\$ 5,087,446	\$ 4,804,810			
26	2018-19	\$ 5,584,885	\$ 5,290,944	\$ 4,997,003			
27	2019-20	\$ 5,791,526	\$ 5,486,709	\$ 5,181,892			
28	2020-21	\$ 6,000,021	\$ 5,684,230	\$ 5,368,440			
29	2021-22	\$ 6,216,022	\$ 5,888,863	\$ 5,561,704			
30	2022-23	\$ 6,433,583	\$ 6,094,973	\$ 5,756,363			
31							
32							
33	Doc Stamp Exemption for Homesteads Impact						
34		High	Middle	Low			
35	Year	Cash	Recurring	Cash	Recurring	Cash	Recurring
36	2018-19	\$ (5.6 M)	\$ (5.6 M)	\$ (5.3 M)	\$ (5.3 M)	\$ (5.0 M)	\$ (5.0 M)
37	2019-20	\$ (5.8 M)	\$ (5.8 M)	\$ (5.5 M)	\$ (5.5 M)	\$ (5.2 M)	\$ (5.2 M)
38	2020-21	\$ (6.0 M)	\$ (6.0 M)	\$ (5.7 M)	\$ (5.7 M)	\$ (5.4 M)	\$ (5.4 M)
39	2021-22	\$ (6.2 M)	\$ (6.2 M)	\$ (5.9 M)	\$ (5.9 M)	\$ (5.6 M)	\$ (5.6 M)
40	2022-23	\$ (6.4 M)	\$ (6.4 M)	\$ (6.1 M)	\$ (6.1 M)	\$ (5.8 M)	\$ (5.8 M)

Non-Homestead Transfers

	A	B	C	D	E	F	G
1	All Homestead Sales Between Related Parties (Sale Qualification Code = 30) above De Minimus Transfer Value						
2	Non-Homestead as of January 1 2017. Sales data and Doc Stamps Paid from 2016 sales.						
3							
4	Natural Person	Trust (1=Trust in name)	Sum of Doc Stamps Paid	Sum of Sales Price	Count		
5	0	0	\$ 18,138,526	\$ 2,644,713,857	4,255		
6	0	1	\$ 680,926	\$ 97,385,642	303		
7	1	0	\$ 5,382,261	\$ 780,600,941	5,132		
8	1	1	\$ 840,420	\$ 120,060,064	466		
9							
10	Total Non-Homestead Doc Stamp		\$ 25,042,134				
11	Non-Homestead Doc only Natural Person		\$ 6,222,681				
12	Non-Homestead Doc Natural Person no Trusts		\$ 5,382,261				
13							
14	Doc Stamp Growth Rates - GR 8/17						
15	2017-18	4.30%					
16	2018-19	4.00%					
17	2019-20	3.70%					
18	2020-21	3.60%					
19	2021-22	3.60%					
20	2022-23	3.50%					
21							
22	Non-Homestead Doc Stamp paid grown into forecast period						
23		60%	50%	20%			
24		High	Middle	Low			
25	2017-18	\$ 3,894,154	\$ 3,245,128	\$ 1,298,051			
26	2018-19	\$ 4,049,920	\$ 3,374,934	\$ 1,349,973			
27	2019-20	\$ 4,199,767	\$ 3,499,806	\$ 1,399,922			
28	2020-21	\$ 4,350,959	\$ 3,625,799	\$ 1,450,320			
29	2021-22	\$ 4,507,593	\$ 3,756,328	\$ 1,502,531			
30	2022-23	\$ 4,665,359	\$ 3,887,799	\$ 1,555,120			
31							
32							
33	Doc Stamp Exemption for Non-Homestead Impact						
34		High	Middle	Low			
35	Year	Cash	Recurring	Cash	Recurring	Cash	Recurring
36	2018-19	\$ (4.0 M)	\$ (4.0 M)	\$ (3.4 M)	\$ (3.4 M)	\$ (1.3 M)	\$ (1.3 M)
37	2019-20	\$ (4.2 M)	\$ (4.2 M)	\$ (3.5 M)	\$ (3.5 M)	\$ (1.4 M)	\$ (1.4 M)
38	2020-21	\$ (4.4 M)	\$ (4.4 M)	\$ (3.6 M)	\$ (3.6 M)	\$ (1.5 M)	\$ (1.5 M)
39	2021-22	\$ (4.5 M)	\$ (4.5 M)	\$ (3.8 M)	\$ (3.8 M)	\$ (1.5 M)	\$ (1.5 M)
40	2022-23	\$ (4.7 M)	\$ (4.7 M)	\$ (3.9 M)	\$ (3.9 M)	\$ (1.6 M)	\$ (1.6 M)

REVENUE ESTIMATING CONFERENCE

Tax: Documentary Stamp Tax

Issue: Spousal Transfers – Homestead Property

Bill Number(s): Proposed Language

☒ **Entire Bill**

☐ **Partial Bill:**

Sponsor(s): N/A

Month/Year Impact Begins: July 1, 2018

Date of Analysis: 9/22/2017

Section 1: Narrative

a. Current Law: Section 201.02(1)(a), Florida Statutes, states “On deeds, instruments, or writings whereby any lands, tenements, or other real property, or any interest therein, shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser or any other person by his or her direction, on each \$100 of the consideration therefor the tax shall be 70 cents. When the full amount of the consideration for the execution, assignment, transfer, or conveyance is not shown in the face of such deed, instrument, document, or writing, the tax shall be at the rate of 70 cents for each \$100 or fractional part thereof of the consideration therefor. For purposes of this section, consideration includes, but is not limited to, the money paid or agreed to be paid; the discharge of an obligation; and the amount of any mortgage, purchase money mortgage lien, or other encumbrance, whether or not the underlying indebtedness is assumed. If the consideration paid or given in exchange for real property or any interest therein includes property other than money, it is presumed that the consideration is equal to the fair market value of the real property or interest therein.”

Section 201.02(7), F.S., reads “Taxes imposed by this section do not apply to a deed, transfer, or conveyance between spouses or former spouses pursuant to an action for dissolution of their marriage wherein the real property is or was their marital home or an interest therein. Taxes paid pursuant to this section shall be refunded in those cases in which a deed, transfer, or conveyance occurred 1 year before a dissolution of marriage. This subsection applies in spite of any consideration as defined in subsection (1). This subsection does not apply to a deed, transfer, or conveyance executed before July 1, 1997.”

b. Proposed Change: Amends section 201.02(7), F.S., to create a new subparagraph “(a) Taxes imposed by this section do not apply to a deed, transfer, or conveyance between spouses of real estate that is or was used and owned as a homestead by either spouse as defined in s. 196.102(13) and which secures a mortgage debt or other debt. This paragraph does not apply to a deed, transfer, or conveyance of property if neither spouse has claimed the property as a homestead within one year prior to the deed, transfer, or conveyance, nor does it apply to a deed, transfer or conveyance executed before July 1, 2018.”

Section 2: Description of Data and Sources

2015 Ad Valorem Tax Rolls

2016 Ad Valorem Tax Rolls

2017 Ad Valorem Tax Rolls (sales data files and real property rolls)

General Revenue Consensus Estimating Conference Documentary Stamp Tax Growth Rates, August 2017

Section 3: Methodology (Include Assumptions and Attach Details)

After merging the real property information into all 2016 property transfers from the sales data file, all sales that were not between related parties were removed. These were filtered out based on Sale Qualification Code 30, which is defined as a “transfer involving affiliated parties (examples: family, corporate, business, landlord-tenant).” From the remaining records, multi-parcel sales were winnowed to a single record, which was needed to avoid over-counting the documentary stamps paid in a single transaction. If one parcel in a multi-parcel sale had a homestead classification in the year following the sale, that parcel was kept.

Three additional filters removed any records with:

1. a sale price of \$100 or less. The documentary stamp amount is based on the consideration, which includes “the amount of any mortgage, purchase money mortgage lien, or other encumbrance,” (section 201.02(1)(a)). Properties with consideration of \$100 or less were excluded due to lack of a mortgage or other debt.
2. a governmental land use code or an exemption for constitutional charitable predominant use (under section 196.196), as these transactions could not take place between spouses.
3. any value not classified as homestead (based on the value in the 2017 Just Value – Homestead field).

Flags were added to the homestead records based on the Owner Name fields from before and after the sale. Names with words or abbreviations denoting a business are excluded from the “Natural Persons” value. Names containing “Trust” were separated into a subset.

REVENUE ESTIMATING CONFERENCE

Tax: Documentary Stamp Tax

Issue: Spousal Transfers – Homestead Property

Bill Number(s): Proposed Language

Documentary stamp amounts were calculated from the sale price. Growth rates were taken from the General Revenue Consensus Estimating Conference in August 2017. Due to the broad definition of the Sales Qualification Code, estimates assume that some percentage of the sales took place among parties whose relationship was not spousal. The impact assumes 95% of documentary stamps paid are from transactions between spouses in the high estimate, 90% in the middle, and 85% in the low. The proposed language would take effect July 1, 2018.

Section 4: Proposed Fiscal Impact

	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2018-19	\$ (5.6 M)	\$ (5.6 M)	\$ (5.3 M)	\$ (5.3 M)	\$ (5.0 M)	\$ (5.0 M)
2019-20	\$ (5.8 M)	\$ (5.8 M)	\$ (5.5 M)	\$ (5.5 M)	\$ (5.2 M)	\$ (5.2 M)
2020-21	\$ (6.0 M)	\$ (6.0 M)	\$ (5.7 M)	\$ (5.7 M)	\$ (5.4 M)	\$ (5.4 M)
2021-22	\$ (6.2 M)	\$ (6.2 M)	\$ (5.9 M)	\$ (5.9 M)	\$ (5.6 M)	\$ (5.6 M)
2022-23	\$ (6.4 M)	\$ (6.4 M)	\$ (6.1 M)	\$ (6.1 M)	\$ (5.8 M)	\$ (5.8 M)

List of affected Trust Funds:

Documentary Stamp Trust Fund Group

Section 5: Consensus Estimate (Adopted: 09/22/2017): The Conference adopted the middle estimate.

	GR		Trust		Local/Other		Total	
	Cash	Recurring	Cash	Recurring	Cash	Recurring	Cash	Recurring
2018-19	(2.1)	(2.1)	(3.2)	(3.2)	0.0	0.0	(5.3)	(5.3)
2019-20	(2.2)	(2.2)	(3.3)	(3.3)	0.0	0.0	(5.5)	(5.5)
2020-21	(2.3)	(2.3)	(3.4)	(3.4)	0.0	0.0	(5.7)	(5.7)
2021-22	(2.3)	(2.3)	(3.6)	(3.6)	0.0	0.0	(5.9)	(5.9)
2022-23	(2.4)	(2.4)	(3.7)	(3.7)	0.0	0.0	(6.1)	(6.1)

Impact Summary

	A	B	C	D	E	F	G
1	All Sales Between related parties (Qual code = 30) above De Minimus Transfer value						
2							
3	Spousal Transfer of Homesteads Doc Stamp Impact						
4		High		Middle		Low	
5	Year	Cash	Recurring	Cash	Recurring	Cash	Recurring
6	2018-19	\$ (5.6 M)	\$ (5.6 M)	\$ (5.3 M)	\$ (5.3 M)	\$ (5.0 M)	\$ (5.0 M)
7	2019-20	\$ (5.8 M)	\$ (5.8 M)	\$ (5.5 M)	\$ (5.5 M)	\$ (5.2 M)	\$ (5.2 M)
8	2020-21	\$ (6.0 M)	\$ (6.0 M)	\$ (5.7 M)	\$ (5.7 M)	\$ (5.4 M)	\$ (5.4 M)
9	2021-22	\$ (6.2 M)	\$ (6.2 M)	\$ (5.9 M)	\$ (5.9 M)	\$ (5.6 M)	\$ (5.6 M)
10	2022-23	\$ (6.4 M)	\$ (6.4 M)	\$ (6.1 M)	\$ (6.1 M)	\$ (5.8 M)	\$ (5.8 M)
11							
12	Spousal Transfer (All Property) Doc Stamp Impact						
13		High		Middle		Low	
14	Year	Cash	Recurring	Cash	Recurring	Cash	Recurring
15	2018-19	\$ (9.6 M)	\$ (9.6 M)	\$ (8.7 M)	\$ (8.7 M)	\$ (6.3 M)	\$ (6.3 M)
16	2019-20	\$ (10.0 M)	\$ (10.0 M)	\$ (9.0 M)	\$ (9.0 M)	\$ (6.6 M)	\$ (6.6 M)
17	2020-21	\$ (10.4 M)	\$ (10.4 M)	\$ (9.3 M)	\$ (9.3 M)	\$ (6.8 M)	\$ (6.8 M)
18	2021-22	\$ (10.7 M)	\$ (10.7 M)	\$ (9.6 M)	\$ (9.6 M)	\$ (7.1 M)	\$ (7.1 M)
19	2022-23	\$ (11.1 M)	\$ (11.1 M)	\$ (10.0 M)	\$ (10.0 M)	\$ (7.3 M)	\$ (7.3 M)

Homestead Transfers

	A	B	C	D	E	F	G
1	All Homestead Sales Between Related Parties (Sale Qualification Code = 30) above De Minimus Transfer Value						
2	Homestead as of January 1 2017. Sales data and Doc Stamps Paid from 2016 sales.						
3							
4	Natural Person	Trust (1=Trust in name)	Sum of Doc Stamps Paid	Sum of Sales Price	Count		
5	0	0	\$ 568,438	\$ 82,244,853	610		
6	0	1	\$ 13,378	\$ 1,911,100	6		
7	1	0	\$ 5,092,122	\$ 736,047,079	5,589		
8	1	1	\$ 327,550	\$ 46,792,866	207		
9							
10	Total Homestead Doc Stamp		\$ 6,001,488				
11	Homestead Doc only Natural Person		\$ 5,419,672				
12	Homestead Doc Natural Person no Trusts		\$ 5,092,122				
13							
14	Doc Stamp Growth Rates - GR 8/17						
15	2017-18	4.30%					
16	2018-19	4.00%					
17	2019-20	3.70%					
18	2020-21	3.60%					
19	2021-22	3.60%					
20	2022-23	3.50%					
21							
22	Homestead Doc Stamp paid grown into forecast period						
23		95%	90%	85%			
24		High	Middle	Low			
25	2017-18	\$ 5,370,082	\$ 5,087,446	\$ 4,804,810			
26	2018-19	\$ 5,584,885	\$ 5,290,944	\$ 4,997,003			
27	2019-20	\$ 5,791,526	\$ 5,486,709	\$ 5,181,892			
28	2020-21	\$ 6,000,021	\$ 5,684,230	\$ 5,368,440			
29	2021-22	\$ 6,216,022	\$ 5,888,863	\$ 5,561,704			
30	2022-23	\$ 6,433,583	\$ 6,094,973	\$ 5,756,363			
31							
32							
33	Doc Stamp Exemption for Homesteads Impact						
34		High	Middle	Low			
35	Year	Cash	Recurring	Cash	Recurring	Cash	Recurring
36	2018-19	\$ (5.6 M)	\$ (5.6 M)	\$ (5.3 M)	\$ (5.3 M)	\$ (5.0 M)	\$ (5.0 M)
37	2019-20	\$ (5.8 M)	\$ (5.8 M)	\$ (5.5 M)	\$ (5.5 M)	\$ (5.2 M)	\$ (5.2 M)
38	2020-21	\$ (6.0 M)	\$ (6.0 M)	\$ (5.7 M)	\$ (5.7 M)	\$ (5.4 M)	\$ (5.4 M)
39	2021-22	\$ (6.2 M)	\$ (6.2 M)	\$ (5.9 M)	\$ (5.9 M)	\$ (5.6 M)	\$ (5.6 M)
40	2022-23	\$ (6.4 M)	\$ (6.4 M)	\$ (6.1 M)	\$ (6.1 M)	\$ (5.8 M)	\$ (5.8 M)

Non-Homestead Transfers

	A	B	C	D	E	F	G
1	All Homestead Sales Between Related Parties (Sale Qualification Code = 30) above De Minimus Transfer Value						
2	Non-Homestead as of January 1 2017. Sales data and Doc Stamps Paid from 2016 sales.						
3							
4	Natural Person	Trust (1=Trust in name)	Sum of Doc Stamps Paid	Sum of Sales Price	Count		
5	0	0	\$ 18,138,526	\$ 2,644,713,857	4,255		
6	0	1	\$ 680,926	\$ 97,385,642	303		
7	1	0	\$ 5,382,261	\$ 780,600,941	5,132		
8	1	1	\$ 840,420	\$ 120,060,064	466		
9							
10	Total Non-Homestead Doc Stamp		\$ 25,042,134				
11	Non-Homestead Doc only Natural Person		\$ 6,222,681				
12	Non-Homestead Doc Natural Person no Trusts		\$ 5,382,261				
13							
14	Doc Stamp Growth Rates - GR 8/17						
15	2017-18	4.30%					
16	2018-19	4.00%					
17	2019-20	3.70%					
18	2020-21	3.60%					
19	2021-22	3.60%					
20	2022-23	3.50%					
21							
22	Non-Homestead Doc Stamp paid grown into forecast period						
23		60%	50%	20%			
24		High	Middle	Low			
25	2017-18	\$ 3,894,154	\$ 3,245,128	\$ 1,298,051			
26	2018-19	\$ 4,049,920	\$ 3,374,934	\$ 1,349,973			
27	2019-20	\$ 4,199,767	\$ 3,499,806	\$ 1,399,922			
28	2020-21	\$ 4,350,959	\$ 3,625,799	\$ 1,450,320			
29	2021-22	\$ 4,507,593	\$ 3,756,328	\$ 1,502,531			
30	2022-23	\$ 4,665,359	\$ 3,887,799	\$ 1,555,120			
31							
32							
33	Doc Stamp Exemption for Non-Homestead Impact						
34		High	Middle	Low			
35	Year	Cash	Recurring	Cash	Recurring	Cash	Recurring
36	2018-19	\$ (4.0 M)	\$ (4.0 M)	\$ (3.4 M)	\$ (3.4 M)	\$ (1.3 M)	\$ (1.3 M)
37	2019-20	\$ (4.2 M)	\$ (4.2 M)	\$ (3.5 M)	\$ (3.5 M)	\$ (1.4 M)	\$ (1.4 M)
38	2020-21	\$ (4.4 M)	\$ (4.4 M)	\$ (3.6 M)	\$ (3.6 M)	\$ (1.5 M)	\$ (1.5 M)
39	2021-22	\$ (4.5 M)	\$ (4.5 M)	\$ (3.8 M)	\$ (3.8 M)	\$ (1.5 M)	\$ (1.5 M)
40	2022-23	\$ (4.7 M)	\$ (4.7 M)	\$ (3.9 M)	\$ (3.9 M)	\$ (1.6 M)	\$ (1.6 M)

REVENUE ESTIMATING CONFERENCE

Tax: Highway Safety Fees

Issue: Exemption For Veterans

Bill Number(s): SB 100

☒ **Entire Bill**

☐ **Partial Bill:**

Sponsor(s): Senator Steube

Month/Year Impact Begins: 07/01/2018

Date of Analysis: 09/22/2017

Section 1: Narrative

a. Current Law:

Sections 1 and 2: Sections 322.051, F.S. and 322.14, F.S. allow for the word “veteran” to be displayed upon an identification card or driver license upon payment of an additional \$1 fee during the renewal process and allow for the word “veteran” to be added to an identification card or driver license upon payment of a \$2 fee. These fees are deposited into the Highway Safety Operating Trust Fund.

Section 3: Section 322.135, F.S. allows the local tax collectors to charge a \$6.25 service fee for providing services under Chapter 322, except for a reexamination fee requested by the Medical Advisory Board, voter registration transaction, or if the imposition violates any state or federal law.

b. Proposed Change:

Sections 1 and 2: Revises sections 322.051, F.S. and 322.14, F.S. so that the \$1 and \$2 fees for adding the word veteran to a driver license or identification card are abolished.

Section 3: Revises 322.135, F.S. to prohibit local tax collectors from charging the \$6.25 service fee to any veteran presenting proof of veteran status for any service pursuant to Chapter 322.

Section 2: Description of Data and Sources

07/28/2017 Highway Safety REC

2016 American Community Survey

Email and telephone contact with HSMV staff

Section 3: Methodology (Include Assumptions and Attach Details)

Sections 1 and 2: The FY 2016-17 revenue from the \$1 and \$2 fees was retrieved from the Highway Safety REC History. This fee is included with other items in the Highway Safety REC. The growth rates for the line item which includes the relevant fees was used to grow the FY 2016-17 actual to derive a forecast, which will be the total reduction.

Section 3: HSMV staff provided the FY 2016-17 actual for the \$6.25 tax collector fee retained from Chapter 322 driver license services. Note that the fee exemption does not apply to title and registration services per Chapters 319 and 320. A forecast through FY 2022-23 was derived using the growth rates for all driver license fees per the July 28, 2017 Highway Safety REC. The percentage that veterans represent of the civilian population 18 years of age and older was calculated to be 8.71% using the 2016 American Community Survey. This percentage was applied to the forecast of the \$6.25 tax collector fee to derive the amount of the fee that is paid by veterans. In order to take advantage of the fee exemption, veterans are required to present paperwork in person. Thus, the high, middle, and low scenarios assume participation rates of 20%, 15%, and 10%.

Section 4: Proposed Fiscal Impact

Sections 1 and 2

TRUST	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2018-19			(0.07)	(0.07)		
2019-20			(0.07)	(0.07)		
2020-21			(0.07)	(0.07)		
2021-22			(0.08)	(0.08)		
2022-23			(0.08)	(0.08)		

REVENUE ESTIMATING CONFERENCE

Tax: Highway Safety Fees

Issue: Exemption For Veterans

Bill Number(s): SB 100

Section 3

LOCAL	High		Middle		Low	
	Cash	Recurring	Cash	Recurring	Cash	Recurring
2018-19	(0.47)	(0.49)	(0.35)	(0.37)	(0.24)	(0.25)
2019-20	(0.49)	(0.49)	(0.37)	(0.37)	(0.25)	(0.25)
2020-21	(0.49)	(0.49)	(0.36)	(0.36)	(0.24)	(0.24)
2021-22	(0.47)	(0.47)	(0.35)	(0.35)	(0.23)	(0.23)
2022-23	(0.42)	(0.42)	(0.32)	(0.32)	(0.21)	(0.21)

List of affected Trust Funds:

Highway Safety Operating Trust Fund

Local Trust Funds

Section 5: Consensus Estimate (Adopted: 09/22/2017): The Conference adopted the following estimates:

Sections 1 and 2: The Conference adopted the proposed estimate.

	GR		Trust		Local/Other		Total	
	Cash	Recurring	Cash	Recurring	Cash	Recurring	Cash	Recurring
2018-19	(Insignificant)	(Insignificant)	(0.1)	(0.1)	0.0	0.0	(0.1)	(0.1)
2019-20	(Insignificant)	(Insignificant)	(0.1)	(0.1)	0.0	0.0	(0.1)	(0.1)
2020-21	(Insignificant)	(Insignificant)	(0.1)	(0.1)	0.0	0.0	(0.1)	(0.1)
2021-22	(Insignificant)	(Insignificant)	(0.1)	(0.1)	0.0	0.0	(0.1)	(0.1)
2022-23	(Insignificant)	(Insignificant)	(0.1)	(0.1)	0.0	0.0	(0.1)	(0.1)

Section 3: The Conference adopted the middle estimate.

	GR		Trust		Local/Other		Total	
	Cash	Recurring	Cash	Recurring	Cash	Recurring	Cash	Recurring
2018-19	0.0	0.0	0.0	0.0	(0.4)	(0.4)	(0.4)	(0.4)
2019-20	0.0	0.0	0.0	0.0	(0.4)	(0.4)	(0.4)	(0.4)
2020-21	0.0	0.0	0.0	0.0	(0.4)	(0.4)	(0.4)	(0.4)
2021-22	0.0	0.0	0.0	0.0	(0.4)	(0.4)	(0.4)	(0.4)
2022-23	0.0	0.0	0.0	0.0	(0.3)	(0.3)	(0.3)	(0.3)

SB 100 Exemptions for Veterans**2016-17****2017-18****2018-19****2019-20****2020-21****2021-22****2022-23****Sections 1 and 2 - Veteran License and ID Card Discount**

Veteran Status D.L. Fee per HS REC History	\$ 72,431						
Miscellaneous 18B Forecast	\$ 203,472	\$ 197,627	\$ 201,794	\$ 205,918	\$ 209,992	\$ 213,999	\$ 217,930
Miscellaneous 18B Forecast Growth Rate		-2.87%	2.11%	2.04%	1.98%	1.91%	1.84%
Discounted Veteran Status D.L. Fee (HSOTF)		\$ (70,350)	\$ (71,834)	\$ (73,302)	\$ (74,752)	\$ (76,178)	\$ (77,578)

Section 3 - Tax Collector Fee Discount for Veterans

Veterans % of Civ. Population over 18 per ACS	8.71%						
\$6.25 Fee Charged for DL Transactions	\$ 22,175,844	\$ 26,905,558	\$ 28,132,829	\$ 28,255,556	\$ 27,925,137	\$ 26,839,474	\$ 24,262,205
DL Growth Rate per HS REC		21.33%	4.56%	0.44%	-1.17%	-3.89%	-9.60%
\$6.25 Fee for DL Transactions Paid by Veterans			\$ 2,450,369	\$ 2,461,059	\$ 2,432,279	\$ 2,337,718	\$ 2,113,238
High (20% participation)			\$ (490,074)	\$ (492,212)	\$ (486,456)	\$ (467,544)	\$ (422,648)
Middle (15% participation)			\$ (367,555)	\$ (369,159)	\$ (364,842)	\$ (350,658)	\$ (316,986)
Low (10% participation)			\$ (245,037)	\$ (246,106)	\$ (243,228)	\$ (233,772)	\$ (211,324)