



**The Insider  
powered by:**



**March 30, 2023**

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## **THE INSIDER - SPECIAL EDITION**

### **2023 LEGISLATIVE SESSION UPDATE - WEEK 4**

In this week's edition, the Florida House and Senate have taken action on a wide range of bills related to education, tort reform, vacation rentals and other issues.

On **Monday, March 27th**, **HB 1**, was signed into law by Governor DeSantis. This legislation expanded the state's school voucher program and creates education savings accounts that would allow any student to attend their school of choice (including private schools).

Additionally, the Florida House approved **HB 477**, which limits county school board members to two (2) four-year terms. This bill has now been sent over to the Senate for consideration. Furthermore, **HB 733**, will require middle and high schools to start classes no earlier than 8:00 a.m. and 8:30 a.m., has now passed its last committee stop and will now be considered on the House floor.

Moreover, **SB 154**, which proposes a revision to the structural inspection requirements for condominium and cooperative associations, will now be considered on the floor by the Florida Senate.

In addition, on **Friday, March 24th** the Governor took the final steps and signed both **HB 837** and **SB 102**, into law. **HB 837** was a tort reform legislation that was aimed at limiting frivolous lawsuits protecting businesses, as well as citizens. The passage of this legislation will drastically change Florida's legal system and is effective immediately. Additionally, the **SB 102** is the largest investment in workforce housing efforts in our state's history. **This was a CFHLA priority and this legislation will now invest \$711 million in multiple programs that expand the availability of housing and down-payment assistance and incentives to encourage additional workforce housing opportunities.** Specifically, this bill appropriates **\$259 million for the SAIL program** with \$150 million recurring, **\$252 million for the SHIP program**, **\$100 million for the Hometown Heroes program** and **\$100 million for FHFC** (Florida Housing Finance Corporation).

Lastly, we continue to monitor the progression of several bills that are important to our industry including: proposals that expand the use of the Tourist Development Tax (TDT), the statewide regulation of vacation homes and advertising platforms, data privacy, the clarification and modernization of the Florida Timeshare Act, Human Trafficking and many others.

**[CLICK HERE](#)** to download the complete 2023 CFHLA Legislative Agenda.



## 2023 Florida Legislative Session Priorities



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### LEGISLATIVE ALERT

After what we thought was a positive week at the capitol for Florida Tourism Days, last Friday the **Florida House filed a bill that would be the biggest attack on the tourism industry ever proposed.**

This bill would **severely harm Florida's tourism industry by stripping**

**away Visit Florida's ability (and our local communities) from effectively promoting our tourist destination and hampers our ability to seek new opportunities to remain competitive as a region.**

In response, CFHLA along with our partners at [Visit Orlando](#), [Experience Kissimmee](#), [Do Orlando North](#), [The Orlando Ballet](#), [United Arts](#), [Greater Orlando Sports Commission](#) and the [Orange County Convention Center](#), traveled to Tallahassee on **Tuesday, March 28th**, to advocate against the Proposed Committee Bill (PCB) RRS 23-02 at the House Regulatory Reform & Economic Development Subcommittee.

Despite the overwhelming opposition to this bill from CFHLA, our partners and many groups throughout the state, the House subcommittee ultimately **passed this bill**. Since PCB RRS 23-02 passed the subcommittee, it is now **HB 7053**.

**CFHLA will continue to oppose this bill and if you'd like to watch the video of the subcommittee meeting, you can [VIEW IT HERE](#).**

**In summary, [HB 7053](#) would:**

1. Rural counties are required to pay 2% of Tourist Development Tax (TDT) collections and **non-rural counties (this means all three counties – Orange, Osceola and Seminole) would be required to pay 5% of TDT to fund Visit Florida**, approximately \$70 million for 2023-26, then becomes voluntary via vote of governing body. **This would equate to more than \$21 Million (or more) in lost TDT for our tri-county area combined (30% of total collected from all counties and completely disproportionate).**
2. Requires all Tourist Development Tax levied to be reauthorized by referendum every 6-years exempting TDT collected to cover county bond obligations.
3. Eliminates proceeds from rental car surcharge to Visit Florida.

**4. Prohibits any state appropriations to Visit Florida.**

**5. Requires Visit Florida to ensure that 75 percent of all expenditures go towards activities, services, functions and programs that directly assist state parks, state forests and rural counties.**

6. Require VF to match monies from each county on a one-to-one basis while prohibiting any proceeds from TDT to be counted towards the match. Any co-op marketing or local DMO program participation cannot count.

**7. Expands the ability for counties to use TDT for tourism infrastructure for transportation, sanitary sewer, solid waste, drainage, potable water, and pedestrian facilities by removing the requirements to use at least 40% of TDT for marketing as well as removing the independent professional analysis demonstrating the positive impact to tourist-related businesses in the county. This effectively allows TDT to be spent on anything locally, which we adamantly oppose.**

8. Based on our calculations, the definition of rural counties within this bill includes: Baker, Bradford, Calhoun, Columbia, DeSoto, Dixie, Franklin, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hardee, Hendry, Holmes, Jackson, Jefferson, Lafayette, Levy, Liberty, Madison, Okeechobee, Putnam, Suwannee, Taylor, Union, Wakulla, Walton and Washington.

**CFHLA STRONGLY OPPOSES THIS BILL**



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## TOURIST DEVELOPMENT TAX (TDT)

A bill in each chamber that proposes changes to the Tourist Development Tax (TDT) statute and authorizes certain fiscally constrained counties to use a designated percentage of tourist development tax revenues received to reimburse expenses incurred for certain purposes.

**HB 309** by Representative Shoaf – **No action was taken in the House last week.**

**SB 640** by Senator Simon – **No action was taken in the Senate last week.**

**HB 7053** by Representative Yeager (prior PCB RRS 23-02) - **This bill was passed by the House Regulatory Reform & Economic Development Subcommittee by a vote of 11-3. Currently, there is no Senate companion bill.**

**CFHLA OPPOSES**

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## VISIT FLORIDA FUNDING

CFHLA **supports increased funding for VISIT FLORIDA in the amount of \$100 million.** Following Hurricane Ian and Tropical Storm Nicole, funding will be especially important to ensure Florida continues to be top of mind as a leading vacation destination.

Last week, the House Infrastructure & Tourism Appropriations Subcommittee proposed that Visit Florida would receive \$0 funding for the FY 2023 - 2024. However, the Senate Appropriations Committee on Transportation, Tourism, and Economic Development proposed \$80 million in funding for Visit Florida, with \$30 million recurring.

We will continue to support the full funding of Visit Florida, throughout the FY 2023-2024 legislative budget process.

## CFHLA SUPPORTS

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### VACATION HOME RENTALS AND ADVERTISING PLATFORMS

A bill in each chamber that would require advertising platforms to collect and remit specified taxes for certain vacation rental transactions. It also defines the term “advertising platform,” revises the regulated activities of public lodging establishments and public food service establishments preempted to the state to include licensing, requires advertising platforms to require that persons placing advertisements for vacation rentals include certain information in the advertisements and attest to certain information and authorizes DBPR to revoke, refuse to issue or renew, or suspend vacation rental licenses under certain circumstances.

This week, **CFHLA spoke in favor of HB 833 in the House Regulatory Reform & Economic Development Subcommittee on Tuesday, March 28th.** Additionally, our lobby team met with Senator DeCeglie’s staff

regarding an amendment to SB 714, with the specific focus on adding new safety regulations for vacation home rentals.

**HB 833** by Representative Duggan – **Passed in the House Regulatory Reform & Economic Development Subcommittee by a vote of 12-3.** The bill is now awaiting a hearing in the Ways and Means Committee.

**SB 714** by Senator DiCeglie – **No action was taken this week.** The bill is now awaiting a hearing in the Appropriations Committee on Agriculture, Environment and General Government.

## CFHLA SUPPORTS

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### WORKFORCE HOUSING

On March 29, 2023, the Governor signed SB 102, also known as the "Live Local Act," which is a comprehensive affordable housing package sponsored by Senator Calatayud.

The bill, a priority for Senate President Passidomo, allocates \$252 million in non-recurring funds towards the State Housing Initiatives Partnership (SHIP) and \$259 million (recurring and non-recurring) towards the State Apartment Incentive Loan (SAIL) programs. The bill includes various provisions such as eliminating limited statutory authority for local governments to impose rent control measures and authorizing counties to approve "mixed-use residential" development that includes affordable housing within commercial or industrial zones. Additionally, the bill provides ad valorem tax exemptions for land owned by a non-profit entity leased for 99+ years for the purpose of affordable housing and newly constructed or substantially rehabilitated developments with 70+ units dedicated to providing affordable low- to moderate-income housing.

The bill also authorizes local governments to offer an additional local option ad valorem tax exemption to property owners who dedicate units to extremely low-income or very-low-income residents. Furthermore, the bill provides for a new distribution of the lesser of 8 percent of Documentary



Stamp Tax revenues or \$150 million to be deposited into the State Housing Trust Fund, and codifies the Hometown Heroes program, which provides down payment assistance and zero-interest loans to eligible frontline community workforce members.

**SB 102** by Senator Calatayud – **This legislation was signed into law by Governor DeSantis on Wednesday, March 29th.**

**HB 627** by Representative Busatta-Cabrera and Representative Lopez – **No action was taken this week.**

## CFHLA SUPPORTS

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### DATA PRIVACY

CFHLA believes that customers deserve to have control over their personal information. However, any regulations upon individual companies should not be unreasonable, as the cost of compliance could be significant for small and medium-sized businesses. Additionally, businesses must be given an adequate opportunity to correct any errors and respond to complaints without the threat of costly litigation.

**SB 262** by Senator Bradley - **No action** was taken in the Senate this week.

**HB 1547** by Representative McFarland - **This bill was passed unanimously by the House Regulatory Reform & Economic Development Subcommittee on Wednesday, March 29th.**

## CFHLA OPPOSES

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### FLORIDA TIMESHARE ACT

CFHLA supports ARDA's legislative proposal, which seeks the **clarification and modernization of several provisions in the Florida Timeshare Act**. Beneficial revisions for owners' associations include the option for meetings

to be held virtually, an exemption from current requirements to deliver notices to an owner's unit rather than the address of record, clearer authority to act in an emergency, and streamlining the trustee foreclosure process to make it less time-consuming. The proposal would also allow developers to deliver certain documents to purchasers electronically and clarify provisions regarding the delivery and filing of other required documents. These proposed changes would **help bring the statute up to date relative to the current business model and available technology.**

## CFHLA SUPPORTS

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### UPCOMING PAC/PC MEETING

The next CFHLA PAC/PC Boards of Director Meeting will be on **Wednesday, April 5th, from 8:15 am - 9:15am at the CFHLA office.**

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### UPCOMING GOVERNMENTAL AFFAIRS MEETING

The next Governmental Affairs meeting will be held on **Wednesday, May 24th at Lowndes (thank you Jackie Bozzuto) from 12:00 p.m. - 1:30 p.m. Our guest speaker will be State Senator Dennis Baxley.**

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## DONATE

CFHLA MEMBERS - Please **consider making a donation of \$50** via the link below to the CFHLA PAC/PC. All contributions help CFHLA expand its efforts to support and endorse Hospitality-Friendly candidates for local and state offices. **In the 2022 General election, all 16 CFHLA endorsed candidates were successfully elected into office.**

[\*\*DONATE NOW\*\*](#)

**As a reminder, all CFHLA Board Members, PAC/PC Board Members, and ARC Board Members have committed to contributing \$150 to the CFHLA PAC/PC in 2023.** If you are a part of one or more of these groups, please consider fulfilling your commitment today.

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## IN THE NEWS

[Fight over Enterprise Florida, VISIT FLORIDA back as House budget cuts both](#) - Florida Politics

[Gov. DeSantis signs measure to boost affordable housing](#) - Florida Politics

[Florida bill targeting TDT for Visit Florida dead, sources say](#) - Orlando Business Journal

[Disney World union workers approve contract setting 'a new standard for the tourism industry'](#) - Florida Politics

[New Orange County tourist development task force meets for first time](#) - yahoo.com

[Orlando among top spring travel destinations, according to Tripadvisor](#) - Orlando Business Journal

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About CFHLA

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The mission of the Central Florida Hotel and Lodging Association is to represent the Central Florida Hospitality Industry, by setting the standard of excellence through advocacy, collaboration, education, recognition, and service.