

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 677 County and Municipal Parks
SPONSOR(S): Veteran & Military Affairs Subcommittee; Rangel
TIED BILLS: **IDEN./SIM. BILLS:** CS/CS/SB 378

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Veteran & Military Affairs Subcommittee	13 Y, 0 N, As CS	Dugan	Kiner
2) Local & Federal Affairs Committee			
3) Economic Affairs Committee			

SUMMARY ANALYSIS

CS/HB 677 requires county and municipal parks to provide a full or partial discount on park entrance fees to current military servicemembers and honorably discharged veterans. Certain family members of servicemembers who have died during combat are included, as are the surviving spouse or parent of a law enforcement officer or firefighter who has died while in the line of duty. Florida residency is not required.

While current state law requires state parks to offer a full or partial discount on annual entrance passes to these same individuals, there is no requirement at the county or municipal level.

Under the bill, a county or municipal park will have the authority to determine the amount of the discount in accordance with its financial circumstances. Additionally, the bill narrowly defines a 'park entrance fee' to exclude fees for the use of campgrounds, aquatic facilities, stadiums or arenas, special events, and other expanded amenity fees, for the purpose of minimizing any potential fiscal impact on county or municipal revenue.

Article VII, section 18(b) of the Florida Constitution requires any general law that reduces a local government's authority to raise revenues in the aggregate to be passed by a two-thirds vote of the membership of each house of the Legislature. However, Article VII, section 18(d) of the Florida Constitution provides an exemption from the two-thirds requirement for any general law that has an insignificant fiscal impact.

On Friday, March 14, 2014, the Revenue Estimating Impact Conference estimated that the provisions of this bill would have an indeterminate, but likely insignificant fiscal impact on county and municipal government revenue.

The bill has an effective date of July 1, 2014.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Military and Veteran Presence in Florida

Florida is home to over 61,000 active-duty military servicemembers, over 35,000 Reservists, and over 1.5 million veterans.¹ Approximately 272,000 of Florida's 1.5 million plus veterans are service-disabled.²

The Florida National Guard (Guard) has nearly 12,000 members, with 9,900 National Guard personnel and 2,000 Air National Guard personnel.³

Florida State Park System

The Department of Environmental Protection (DEP), through its Division of Recreation and Parks (DRP), oversees Florida's 161 state parks, 10 state trails, nearly 800,000 acres, and 100 miles of beaches.⁴ Florida state parks and trails welcomed more than 25 million visitors during the 2012-2013 fiscal year.⁵ During this same time period, Florida state parks and trails generated over \$55 million in revenue and had a direct economic impact of over \$1 billion on local economies throughout the state.⁶

To administer, improve, and maintain Florida state parks and trails, the DRP charges reasonable fees for the use or operation of park and trail facilities.⁷ Typically, these fees are categorized as entrance fees and activity fees, although other fees may be charged in some cases.⁸ Daily entrance fees are typically charged per vehicle and range from \$4.00-\$6.00 for a single-occupant vehicle (or motorcycle admission) to \$5.00-\$10.00 for vehicles with two to eight occupants.⁹

Annual entrance passes are also available.¹⁰ The regular price for an annual entrance pass is \$60 for an individual and \$120 for a family.¹¹ An active-duty military servicemember or honorably discharged veteran is eligible for a 25-percent discount on an annual entrance pass, and as a result, would only pay \$45 for an individual entrance pass or \$90 for a family entrance pass.

¹ FDVA, Annual Report Fiscal Year 2012-13, Facts and Figures.

² U.S. Department of Veterans Affairs, Veterans Benefits Administration, Annual Benefits Report, Fiscal Year 2012, Appendix E11, available at: <http://www.vba.va.gov/REPORTS/abr/> (Last viewed March 20, 2014).

³ Florida National Guard website, available at: http://www.floridaguard.army.mil/?page_id=7 (Last viewed March 20, 2014).

⁴ Florida State Parks website, available at: <http://www.floridastateparks.org/resources/aboutus.cfm> (Last viewed March 20, 2014).

⁵ Id.

⁶ Id. 'Direct economic impact' is defined as "the amount of new dollars spend in the local economy by non-local park visitors and by park operations funds spent in the local economy.

⁷ s. 258.0145, F.S.

⁸ A county surcharge is an example of an "other fee." Florida State Parks website, "Fees," available at: <http://www.floridastateparks.org/thingstoknow/fees.cfm#activity> (Last viewed March 20, 2014).

⁹ Id. Entrance fees include all state and local taxes.

¹⁰ Id.

¹¹ Id.

State Park Entrance Fee Discounts: FY 2012-2013		
Discount Type	Number Issued	Value
Individual Entrance Pass (25% discount: active-duty servicemembers and veterans)	1,115	\$16,725
Family Annual Entrance Pass (25% discount: active-duty servicemembers and veterans)	3,200	\$96,000
Lifetime Family Annual Entrance Pass (Full discount: disabled veterans; the spouse and parents of a fallen military servicemember, law enforcement officer, or firefighter)	14,381	\$1,725,720
Total for FY 2012-2013	18,696	\$1,838,445

County and Municipal Parks

According to the Florida Recreation & Park Association, there are approximately 250 county and municipal parks and recreation agencies in Florida; most of them do not charge entrance fees.

Effect of Proposed Changes

The bill requires county and municipal parks to provide a full or partial discount on park entrance fees to the following individuals:

- a current military servicemember;
- an honorably discharged veteran of the United States Armed Forces or the United States Reserve Forces – including the National Guard.
- the surviving spouse or parent of a member of the United States Armed Forces or the United States Reserve Forces – including the National Guard, who has fallen in combat; and
- the surviving spouse or parent of a law enforcement officer or firefighter who has died while in the line of duty.

In order to take advantage of the applicable discount, a park visitor must present written documentation which evidences his or her eligibility. Typically, sufficient written documentation for a military servicemember may include a current, valid military identification card; for an honorably discharged veteran, sufficient written documentation may include a copy of the veteran's separation from service documents. Florida residency is not required.

Under the bill, a county or municipal park will have the authority to determine the amount of the discount in accordance with its financial circumstances. Additionally, the bill narrowly defines a 'park entrance fee' to exclude fees for the use of campgrounds, aquatic facilities, stadiums or arenas, special events, and other expanded amenity fees, for the purpose of minimizing any potential fiscal impact on county or municipal revenue.

While county and municipal parks may currently provide a full or partial discount on park entrance fees to these individuals, there may be a benefit from the uniformity that a state law would provide.

The bill has an effective date of July 1, 2014.

B. SECTION DIRECTORY:

Section 1: Creates s. 125.028, F.S., to require a county department of parks and recreation to provide a discount on entrance fees at county parks to military servicemembers, veterans, and certain family members of deceased military servicemembers, law enforcement officers, and firefighters.

Section 2: Creates s. 166.0447, F.S., to require a municipal department of parks and recreation to provide a discount on entrance fees at municipal parks to military servicemembers, veterans, and

certain family members of deceased military servicemembers, law enforcement officers, and firefighters.

Section 3: Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

To the extent that county and municipal parks charge park entrance fees at all, county and municipal parks may experience a decrease in revenue generated from park entrance fees.

However, publicity generated from the implementation of the bill's provisions may lead to an increase in revenue.

On Friday, March 14, 2014, the Revenue Estimating Impact Conference estimated that the provisions of this bill would have an indeterminate, but likely insignificant fiscal impact on city and county government.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Park fee discounts at county and municipal parks will be available to certain active-duty military servicemembers and honorably discharged veterans, as well as certain family members of servicemembers who have died during combat are included. The surviving spouse or parent of a law enforcement officer or firefighter who has died while in the line of duty are also included.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Article VII, section 18(b) of the Florida Constitution requires any general law that reduces a local government's authority to raise revenues in the aggregate to be passed by a two-thirds vote of the membership of each house of the Legislature. However, Article VII, section 18(d) of the Florida Constitution provides an exemption from the two-thirds requirement for any general law that has an insignificant fiscal impact.

On Friday, March 14, 2014, the Revenue Estimating Impact Conference estimated that the provisions of this bill would have an indeterminate, but likely insignificant fiscal impact on city and county government.

2. Other:

Not Applicable.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On Monday, March 24, 2014, the Veteran & Military Affairs Subcommittee adopted a strike-all amendment to HB 677 and subsequently reported the bill favorably. The amendment revised the bill in the following ways:

- The amendment removed the pre-set discount amounts in the bill as filed. Because the amendment removed the pre-set discount amounts, a county or municipal park will have the authority to set the discount amount in accordance with its own financial circumstances.
- The amendment narrowly defined the term 'park entrance fee' so that it excludes fees for the use of campgrounds, aquatic facilities, stadiums or arenas, special events, and other expanded amenity fees, for the purpose of minimizing any potential fiscal impact on county or municipal revenue.

This bill analysis is drafted to CS/HB 677.