

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/CS/HB 677 State Park Fee Discounts for Senior Citizens

**SPONSOR(S):** Agriculture & Natural Resources Appropriations Subcommittee; Agriculture and Natural Resources Subcommittee and Stafford

**TIED BILLS:** **IDEN./SIM. BILLS:** SB 1000

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Agriculture & Natural Resources Subcommittee	12 Y, 0 N, As CS	Gregory	Harrington
2) Agriculture & Natural Resources Appropriations Subcommittee	12 Y, 0 N, As CS	Helpling	Massengale
3) State Affairs Committee	18 Y, 0 N	Gregory	Camechis

### SUMMARY ANALYSIS

The Division of Recreation and Parks within the Department of Environmental Protection (DEP) manages 161 parks and 10 state trails covering 800,000 acres, 100 miles of beaches, and more than 1,500 miles of multi-use trails. The state established these areas for the protection and preservation of their natural features or historic significance and for public use and enjoyment. Entrance fees to the parks vary among the parks. Individuals may purchase an annual pass that allows entrance into Florida state parks in lieu of paying daily entrance fees for one year from the month of purchase. Active duty members and honorably discharged veterans of the United States Armed Forces, National Guard, or reserve components may receive a 25 percent discount on annual passes. Honorably discharged veterans who have service-connected disabilities; surviving spouses and parents of deceased members of the United States Armed Forces, National Guard, or reserve components who have fallen in combat; and surviving spouses and parents of a law enforcement officer or a firefighter who has died in the line of duty may receive lifetime family annual passes at no charge. In Fiscal Year 2014-2015, DEP collected \$3,500,801 for annual passes.

The bill provides a 25 percent discount on annual state park passes purchased from July 1, 2016, through June 30, 2017, by individuals 65 years of age or older. The bill requires DEP to report the total number of passes purchased by such individuals by June 30, 2017.

The bill provides \$200,000 in nonrecurring funds from the General Revenue Fund to offset the loss of revenue to the State Park Trust Fund. The bill will have a positive fiscal impact on the private sector and no fiscal impact on local government.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Present Situation

The Division of Recreation and Parks (DRP), within the Department of Environmental Protection (DEP), manages 161 parks and 10 state trails covering 800,000 acres, 100 miles of beaches, and more than 1,500 miles of multi-use trails.<sup>1</sup> The state established these areas for the protection and preservation of their natural features or historic significance and for public use and enjoyment.<sup>2</sup>

DRP may charge reasonable fees, rental, or charges for the use or operation of facilities and concessions in state parks.<sup>3</sup> These fees must be deposited in the State Park Trust Fund.<sup>4</sup> DRP may use these funds to administer, improve, maintain, and acquire state parks.<sup>5</sup> The appropriation to the State Park Trust Fund must be continuing and may not revert to the General Revenue Fund and must be continually available to DRP for the uses described above.<sup>6</sup>

Entrance fees vary among the parks. The Director of DRP must recommend standard admission and other fees taking into consideration user demand, location of the park, cost of managing and operating the park, the types of facilities available, season, and natural and resource values of the park.<sup>7</sup> User fees may not become effective until they are published in a statewide news release and, if requested, reviewed at a public hearing.<sup>8</sup>

DRP waives entrance fees for:

- Children under six;
- Patients of Florida State Mental Institutions and clients of the Department of Juvenile Justice and the Department of Children and Family Services, and other similar institutions when such patients or clients are part of an organized group or program under the sponsorship and supervision of their respective institutions or parent agencies;
- Florida school groups, accompanied by one or more teachers, and bearing a letter from the school principal, professor, or other appropriate official, certifying that the park visit is related to a specific school curriculum and is for educational purposes rather than a purely recreational outing; and
- DRP employees and families.<sup>9</sup>

Individuals may also purchase an annual pass. Annual passes allow entrance into state parks in lieu of entrance fees for one year from the month of purchase.<sup>10</sup> DRP honors annual passes at all state parks, except for the Skyway Fishing Pier State Park, where they are valid for a 33 percent discount.<sup>11</sup> Individual annual passes cost \$60 while family passes cost \$120.<sup>12</sup>

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<sup>1</sup> DEP, *Division of Recreation and Parks*, available at: <http://www.dep.state.fl.us/mainpage/programs/parks.htm> (last visited January 15, 2016).

<sup>2</sup> Rule 62D-2.013(1), F.A.C.

<sup>3</sup> Section 258.014(1), F.S.

<sup>4</sup> Id.

<sup>5</sup> Id.

<sup>6</sup> Id.

<sup>7</sup> Rule 62D-2.014(2)(c), F.A.C.

<sup>8</sup> Rule 62D-2.014(2)(d), F.A.C.

<sup>9</sup> Rules 62D-2.014(2)(b)1. – 4., F.A.C.

<sup>10</sup> Florida State Parks, *Annual Pass Information*, available at: <https://www.floridastateparks.org/content/annual-pass-information#aboutannualpasses> (last visited January 15, 2016).

<sup>11</sup> Id.

<sup>12</sup> Id. Family annual passes cover the entrance of up to eight people in a group.

Active duty members and honorably discharged veterans of the United States Armed Forces, National Guard, or reserve components may receive a 25 percent discount on annual passes.<sup>13</sup> Honorably discharged veterans who have service-connected disabilities; surviving spouses and parents of deceased members of the United States Armed Forces, National Guard, or reserve components who have fallen in combat; and surviving spouse and parents of a law enforcement officer or a firefighter who has died in the line of duty may receive lifetime family annual passes at no charge.<sup>14</sup>

Florida citizens who are at least 65 years of age and Florida citizens possessing a current social security disability award certificate or a 100 percent disability award certificate from the federal government may receive a camping permit that entitles them to a 50 percent discount on camping fees at Florida state parks.<sup>15</sup>

In fiscal year 2014-2015, DEP collected \$23,741,103 in entrance fees and \$3,500,801 for annual passes.<sup>16</sup>

### **Effect of Proposed Changes**

The bill amends s. 258.0145, F.S., to provide a 25 percent discount on annual state park passes purchased from July 1, 2016, through June 30, 2017, by individuals 65 years of age or older. The bill requires DEP to report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the total number of passes purchased pursuant to this section by June 30, 2017.

The bill provides \$200,000 in nonrecurring funds from the General Revenue Fund to offset the loss of revenue to the State Park Trust Fund as a result of the discount.

#### **B. SECTION DIRECTORY:**

Section 1. Amends s. 258.0145, F.S., relating to state park fee discounts.

Section 2. Provides an appropriation.

Section 3. Provides an effective date of July 1, 2016.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

#### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

##### **1. Revenues:**

The bill will have a significant negative fiscal impact on DEP revenues by providing a 25 percent discount on annual passes purchased from July 1, 2016, through June 30, 2017, by individuals 65 year of age and older. In Fiscal Year 2014-2015, DEP collected \$3,500,801 for annual passes.<sup>17</sup>

During a limited survey conducted in October and November 2013, DEP found that 13 percent of state park visitors were 65 years of age or older.<sup>18</sup> However, DEP estimates that senior citizen visitation is higher during other parts of the year.<sup>19</sup>

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<sup>13</sup> Section 258.0145(1), F.S.

<sup>14</sup> Section 258.0145(2) – (4), F.S.

<sup>15</sup> Section 258.016, F.S.; Rule 62D-2.014(1)(b)5., F.A.C.

<sup>16</sup> DEP, HB 677 estimates 12/3/15, on file with the Agriculture and Natural Resources Subcommittee.

<sup>17</sup> Id.

<sup>18</sup> Id.

<sup>19</sup> Id.

Using Fiscal Year 2014-2015 annual pass revenues, the estimated reductions in revenue would be:

<b>Senior Citizen State Park Discount Fiscal Impact</b>			
<b>Percent of park visitors 65 and older</b>	<b>Estimated annual pass revenues from senior citizens in FY14/15</b>	<b>Estimated loss of revenue to the State Park Trust Fund</b>	<b>Total percent reduction in annual pass revenue</b>
13%	\$455,104	\$113,776	3.2%
20%	\$700,160	\$175,040	5%
30%	\$1,050,240	\$262,560	7.5%

The amount of potential revenue lost will depend on the number of participants. The discount could result in more annual passes being purchased than in previous years, reducing the net amount of lost revenue to the trust fund. The bill provides \$200,000 in nonrecurring funds from the General Revenue Fund to offset the loss of revenue to the State Park Trust Fund.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill will have a positive fiscal impact on individuals 65 years of age or older by providing them with a 25 percent discount on annual passes to state parks purchased from July 1, 2016, through June 30, 2017.

D. FISCAL COMMENTS:

None.

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

DEP possesses sufficient rulemaking authority to amend rules necessary to conform to changes made in the bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

#### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

On January 20, 2016, the Agriculture and Natural Resources Subcommittee adopted an amendment and reported the bill favorably with a committee substitute. The amendment removed the 25 percent discount for entrances fees to state parks for individuals 65 years of age and older.

On February 1, 2016, the Agriculture and Natural Resources Appropriations Subcommittee adopted an amendment and reported the bill favorably with a committee substitute. The amendment provides the discount for individuals 65 years of age or older from July 1, 2016, through June 30, 2017, and provides General Revenue to offset the loss of revenue to the State Park Trust Fund. The amendment also requires DEP to report the number of total passes purchased by June 30, 2017.

This analysis is drawn to the committee substitute for committee substitute as reported favorably by the Agriculture and Natural Resources Appropriations Subcommittee.