

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Community Affairs

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BILL: SB 1202

INTRODUCER: Senator Abruzzo

SUBJECT: Discounts on Public Park Entrance Fees and Transportation Fares

DATE: January 25, 2016

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sanders</u>	<u>Ryon</u>	<u>MS</u>	<u>Favorable</u>
2.	<u>Cochran</u>	<u>Yeatman</u>	<u>CA</u>	<u>Pre-meeting</u>
3.	_____	_____	<u>FP</u>	_____

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## I. Summary:

SB 1202 requires county and municipal departments of parks and recreation to provide a full or partial discount on park entrance fees to the following individuals:

- Current military service members;
- Honorably discharged veterans;
- Honorably discharged veterans with a service-connected disability;
- The surviving spouse or parents of a military service member who died in combat; and
- The surviving spouse or parent of a law enforcement officer, firefighter, emergency medical technician, or paramedic who died in the line of duty.

The bill also requires regional transportation authorities to provide disabled veterans with discounts on fares for use of fixed-route transportation systems.

## II. Present Situation:

### Veteran and Military Presence in Florida

The composition of military personnel who reside in Florida consists of the following:

- More than 1.6 million veterans;<sup>1</sup>
- More than 249,000 veterans with a service-connected disability;<sup>2</sup>
- More than 84,000 active duty and federal reserve personnel;<sup>3</sup> and

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<sup>1</sup> Florida Department of Veterans' Affairs, *Fast Facts*, available at [http://floridavets.org/?page\\_id=50](http://floridavets.org/?page_id=50) (last visited January 21, 2016).

<sup>2</sup> *Id.*

<sup>3</sup> Data provided by Career Source Florida staff on January 13, 2016 (on file with Senate Military and Veterans Affairs, Space, and Domestic Security Committee).

- More than 12,000 Florida National Guard members.<sup>4</sup>

After their military service, veterans and their families may qualify for a variety of benefits administered by the U.S. Department of Veterans Affairs and by the State of Florida.<sup>5</sup>

**State Park Entrance Fee Discounts**

The Division of Recreation and Parks (division) within the Department of Environmental Protection oversees Florida’s 174 state parks. The division offers two types of annual entrance passes: the individual annual entrance pass for \$60 and the family annual entrance pass for \$120.<sup>6</sup> The division currently provides the following park entrance fee discounts:

- Active duty members and honorably discharged veterans of the U.S. Armed Forces, National Guard, or reserve components receive a 25 percent discount on an annual entrance pass;
- Veterans with service-connected disabilities receive lifetime family annual entrance passes at no charge;
- Surviving spouses and parents of deceased members of the U.S. Armed Forces, National Guard, or reserve components who have fallen in combat receive lifetime family annual entrance passes at no charge; and
- Surviving spouses and parents of a law enforcement officer or firefighter who died in the line of duty receive lifetime family annual entrance passes at no charge.<sup>7</sup>

The table below reflects the park entrance fee discounts provided for Fiscal Year 2013-14 and 2014-15:<sup>8</sup>

<b>State Park Entrance Fee Discounts, s. 258.0145, F.S.</b>	<b>FY 2013-14</b>	<b>FY 2014-15</b>
<b>Individual Entrance Pass</b> (25% discount: active duty service members and veterans)	1,295	1,466
<u>Value of Discount</u>	\$19,425	\$21,990
<b>Family Annual Entrance Pass</b> (25% discount: active duty service members and veterans)	4,103	4,688
<u>Value of Discount</u>	\$123,090	\$140,640
<b>Lifetime Family Annual Entrance Pass</b> (Full discount: disabled veterans; the spouse and parents of a fallen military service member, law enforcement officer, or firefighter)	9,804	10,977

<sup>4</sup> Florida Department of Military Affairs, *About Us*, available at <http://www.floridaguard.army.mil/about-us> (last visited January 21, 2016).

<sup>5</sup> See Florida Department of Veteran’s Affairs, *Florida Veterans’ Benefits Guide* (2015); U.S. Department of Veterans Affairs, Office of Public Affairs, *Federal Benefits for Veterans, Dependents and Survivors* (2014), available at [http://floridavets.org/?page\\_id=110](http://floridavets.org/?page_id=110) (last visited January 21, 2016).

<sup>6</sup> Florida State Parks, *Annual Pass Information*, <https://www.floridastateparks.org/content/annual-pass-information> (last visited January 21, 2016).

<sup>7</sup> Section 258.0145, F.S.

<sup>8</sup> E-mail correspondence with the Florida Department of Environmental Protection on Jan. 13, 2016 (on file with the Senate Military and Veterans Affairs, Space, and Domestic Security Committee).

	<u>Value of Discount</u>	\$1,176,480	\$1,317,240
<b>Total Passes</b>		<b>15,202</b>	<b>17,131</b>
	<u>Total Value of Discount</u>	<u>\$1,318,995</u>	<u>\$1,479,870</u>

Current law does not address entrance fee discounts for county and municipal parks for current and former military personnel and their families or the families of deceased first responders. There are approximately 269 county and municipal parks and recreation agencies in Florida, each managing a number of park areas, which offer a variety of amenities.<sup>9</sup>

**Regional Transportation Authorities**

Section 163.567, F.S., states that any two or more contiguous counties, municipalities, other political subdivisions, or combinations thereof are authorized to convene a charter committee for the purpose of developing a regional transportation authority. However, no county, municipality, or other political subdivision may be a member in more than one authority.<sup>10</sup> A regional transportation authority has the authority to, in part, purchase, own, or operate, or provide for the operation of, transportation facilities.<sup>11</sup>

Chapters 163, 343, and 349, F.S., govern the regional transportation authorities. The following authorities are created in statute or special law:

- Northeast Florida Regional Transportation Commission.
- South Florida Regional Transportation Authority.
- Central Florida Regional Transportation Authority.
- Northwest Florida Transportation Corridor Authority.
- Tampa Bay Area Regional Transportation Authority.
- Jacksonville Transportation Authority.
- Pinellas Suncoast Transit Authority.
- Hillsborough Area Regional Transit Authority.

Of these regional transportation authorities, two provide commuter services. Tri-Rail, operated by the South Florida Regional Transportation Authority, currently offers a 50 percent discount on Fare EASY Cards to persons with disabilities.<sup>12</sup> LYNX, operated by the Central Florida Regional Transportation Authority, provides discounted fares to persons with medical disabilities.<sup>13</sup>

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<sup>9</sup> Telephone conversation between Florida Recreation and Parks Association, Inc. staff and Senate Military and Veterans Affairs, Space, and Domestic Security Committee staff (Jan. 12, 2016).

<sup>10</sup> Section 163.567(1), F.S.

<sup>11</sup> Section 163.568, F.S.

<sup>12</sup> Acceptable forms of documentation to present at the ticket kiosk include a Disabled Veterans ID, a letter from a physician, a Driver’s License indicating disability, or Social Security documentation for disability benefits. See Tri-Rail, *Discount Policy*, available at <http://www.tri-rail.com/fares/discount-policy/> (last visited January 21, 2016).

<sup>13</sup> See LYNX, *Reduced Fares Application*, available at <http://www.golynx.com/buy-tickets/reduced-fares-application.stml> (last visited Jan. 21, 2016).

### III. Effect of Proposed Changes:

The bill creates ss. 125.029 and 166.0447, F.S., (Sections 1 and 3) to require counties and municipalities to provide a partial or a full discount on park entrance fees to the following persons:

- A current member of the U.S. Armed Forces, their reserve components, or the National Guard;
- An honorably discharged veteran of the U.S. Armed Forces, their reserve components, or the National Guard;
- An honorably discharged veteran of the U.S. Armed Forces, their reserve components, or the National Guard who has a service-connected disability as determined by the U.S. Department of Veterans Affairs;
- A surviving spouse and parents of a deceased member of the U.S. Armed Forces, their reserve components, or the National Guard who died in the line of duty under combat-related conditions; and
- A surviving spouse and parents of a law enforcement officer, firefighter, emergency medical technician, or paramedic who died in the line of duty.

The bill defines the term “park entrance fee” to mean a fee charged to access lands managed by a county or municipal park or recreation department. The term does not include expanded amenity fees for amenities such as campgrounds, aquatic facilities, stadiums or arenas, facility rentals, special events, boat launching, golf, zoos, museums, gardens, or programs taking place within public lands.

The bill also creates s. 163.58, F.S., (Section 2) to require a regional transportation authority to provide disabled veterans<sup>14</sup> with a partial or a full discount on fares when using a fixed-route transportation system operated by the authority. A county, municipality, or regional transportation authority must provide the discount upon a satisfactory showing to the entity of information evidencing eligibility.

The bill provides an effective date of July 1, 2016.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

Article VII, s. 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. This bill has the effect of reducing municipal and county revenues generated from park entrance fees by requiring discounts for the military members, their families, and the families of deceased first responders. However, laws having insignificant fiscal impact are exempt from the mandates requirements;<sup>15</sup>

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<sup>14</sup> As defined in s. 295.07(1)(a), F.S.

<sup>15</sup> FLA. CONST. art. VII, s. 18(d). An insignificant fiscal impact means an amount not greater than ten cents times the average statewide population for the applicable fiscal year.

The Revenue Estimating Conference estimated in 2015 that a similar bill (CS/HB 721) would have a negative, indeterminate fiscal impact on local government revenue.<sup>16</sup>

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Fiscal Impact Statement:**

**A. Tax/Fee Issues:**

The Revenue Estimating Conference (REC) has not yet adopted an estimate for this bill or its companion. However, the REC did review a similar bill filed during the 2015 Legislative Session (CS/HB 721). At that time the REC estimated that the bill would have a negative, indeterminate fiscal impact on local government revenue.<sup>17</sup>

**B. Private Sector Impact:**

The individuals described above will be eligible for a full or partial discount on entrance fees at county and municipal parks. Disabled military veterans will be eligible for a full or partial discount when using a fixed-route transportation system operated by a regional transportation authority.

**C. Government Sector Impact:**

County and municipal departments of parks and recreation will experience a decrease in revenue generated from park entrance fees because of this bill. To the extent disabled veterans use the discount provided at transportation systems, regional transportation authorities will experience a decrease in revenue from fares.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates the following sections of the Florida Statutes: 125.029, 163.58, and 166.0447.

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<sup>16</sup> Revenue Estimating Conference, *Impact Conference Results for CS/HB 721 (HB 1095 and SB 1430 similar)* (adopted March 13, 2015).

<sup>17</sup> *Id.*

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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