

1                   A bill to be entitled  
2           An act relating to fee and surcharge reductions;  
3           amending s. 113.01, F.S.; deleting the fee for a  
4           commission of an elected officer by the Governor;  
5           amending s. 206.41, F.S.; deleting the fee for a claim  
6           for refund of the tax on motor fuel; amending s.  
7           212.18, F.S.; deleting a registration fee for certain  
8           dealers or businesses; amending s. 319.32, F.S.;  
9           exempting a surviving spouse from the fee to transfer  
10          a motor vehicle title; amending ss. 322.051 and  
11          322.14, F.S.; deleting fees for adding the word  
12          "Veteran" to an identification card or driver license;  
13          amending s. 322.21, F.S.; exempting veterans from the  
14          fee for an original commercial driver license;  
15          exempting certain persons from the fee for an  
16          identification card; amending s. 455.271, F.S.;  
17          revising provisions relating to imposition and amount  
18          of a delinquency fee for licensees regulated by the  
19          Department of Business and Professional Regulation;  
20          amending s. 488.03, F.S.; reducing fees for  
21          application, licensure, and renewal of licensure to  
22          operate a driver school; amending s. 553.721, F.S.;  
23          reducing the amount of the surcharge assessed by the  
24          department on Florida Building Code permit fees;  
25          amending ss. 15.09, 212.0596, and 319.28, F.S.;

26 | conforming provisions to changes made by the act;  
 27 | providing effective dates.

28 |  
 29 | Be It Enacted by the Legislature of the State of Florida:

30 |  
 31 | Section 1. Subsection (3) of section 15.09, Florida  
 32 | Statutes, is amended to read:

33 | 15.09 Fees.—

34 | (3) All fees arising from certificates of election or  
 35 | appointment to office ~~and from commissions to officers~~ shall be  
 36 | paid to the Chief Financial Officer for deposit in the General  
 37 | Revenue Fund.

38 | Section 2. Section 113.01, Florida Statutes, is amended to  
 39 | read:

40 | 113.01 Fee for commissions issued by Governor.—A fee of  
 41 | \$10 is prescribed for the issuance of each commission issued by  
 42 | the Governor of the state and attested by the Secretary of State  
 43 | for ~~an elected officer or~~ a notary public.

44 | Section 3. Effective January 1, 2018, paragraph (c) of  
 45 | subsection (5) of section 206.41, Florida Statutes, is amended  
 46 | to read:

47 | 206.41 State taxes imposed on motor fuel.—

48 | (5)

49 | (c)1. No refund may be authorized unless a sworn  
 50 | application therefor containing such information as the

51 department may determine is filed with the department not later  
52 than the last day of the month following the quarter for which  
53 the refund is claimed. However, when a justified excuse for late  
54 filing is presented to the department and the last preceding  
55 claim was filed on time, the deadline for filing may be extended  
56 an additional month. No refund will be authorized unless the  
57 amount due is for \$5 or more for any refund period and unless  
58 application is made upon forms prescribed by the department.

59 2. Claims made for refunds provided pursuant to subsection  
60 (4) shall be paid quarterly. ~~The department shall deduct a fee~~  
61 ~~of \$2 for each claim, which fee shall be deposited in the~~  
62 ~~General Revenue Fund.~~

63 Section 4. Effective January 1, 2018, subsection (7) of  
64 section 212.0596, Florida Statutes, is amended to read:

65 212.0596 Taxation of mail order sales.—

66 (7) The department may establish by rule procedures for  
67 collecting the use tax from unregistered persons who but for  
68 their mail order purchases would not be required to remit sales  
69 or use tax directly to the department. The procedures may  
70 provide for waiver of registration ~~and registration fees,~~  
71 provisions for irregular remittance of tax, elimination of the  
72 collection allowance, and nonapplication of local option  
73 surtaxes.

74 Section 5. Effective January 1, 2018, paragraphs (a) and  
75 (c) of subsection (3) of section 212.18, Florida Statutes, are

76 amended to read:

77 212.18 Administration of law; registration of dealers;  
78 rules.—

79 (3) (a) A person desiring to engage in or conduct business  
80 in this state as a dealer, or to lease, rent, or let or grant  
81 licenses in living quarters or sleeping or housekeeping  
82 accommodations in hotels, apartment houses, roominghouses, or  
83 tourist or trailer camps that are subject to tax under s.  
84 212.03, or to lease, rent, or let or grant licenses in real  
85 property, and a person who sells or receives anything of value  
86 by way of admissions, must file with the department an  
87 application for a certificate of registration for each place of  
88 business. The application must include the names of the persons  
89 who have interests in such business and their residences, the  
90 address of the business, and other data reasonably required by  
91 the department. However, owners and operators of vending  
92 machines or newspaper rack machines are required to obtain only  
93 one certificate of registration for each county in which such  
94 machines are located. The department, by rule, may authorize a  
95 dealer that uses independent sellers to sell its merchandise to  
96 remit tax on the retail sales price charged to the ultimate  
97 consumer in lieu of having the independent seller register as a  
98 dealer and remit the tax. The department may appoint the county  
99 tax collector as the department's agent to accept applications  
100 for registrations. The application must be submitted to the

101 department before the person, firm, copartnership, or  
102 corporation may engage in such business, ~~and it must be~~  
103 ~~accompanied by a registration fee of \$5. However, a registration~~  
104 ~~fee is not required to accompany an application to engage in or~~  
105 ~~conduct business to make mail order sales. The department may~~  
106 ~~waive the registration fee for applications submitted through~~  
107 ~~the department's Internet registration process.~~

108 (c)1. A person who engages in acts requiring a certificate  
109 of registration under this subsection and who fails or refuses  
110 to register commits a misdemeanor of the first degree,  
111 punishable as provided in s. 775.082 or s. 775.083. Such acts  
112 are subject to injunctive proceedings as provided by law. A  
113 person who engages in acts requiring a certificate of  
114 registration and who fails or refuses to register is also  
115 subject to a \$100 initial registration fee ~~in lieu of the \$5~~  
116 ~~registration fee required by paragraph (a).~~ However, the  
117 department may waive the ~~increase in the~~ registration fee if it  
118 finds that the failure to register was due to reasonable cause  
119 and not to willful negligence, willful neglect, or fraud.

120 2.a. A person who willfully fails to register after the  
121 department provides notice of the duty to register as a dealer  
122 commits a felony of the third degree, punishable as provided in  
123 s. 775.082, s. 775.083, or s. 775.084.

124 b. The department shall provide written notice of the duty  
125 to register to the person by personal service or by sending

126 notice by registered mail to the person's last known address.  
 127 The department may provide written notice by both methods  
 128 described in this sub-subparagraph.

129 Section 6. Paragraph (a) of subsection (1) of section  
 130 319.28, Florida Statutes, is amended to read:

131 319.28 Transfer of ownership by operation of law.—

132 (1) (a) In the event of the transfer of ownership of a  
 133 motor vehicle or mobile home by operation of law as upon  
 134 inheritance, devise or bequest, order in bankruptcy, insolvency,  
 135 replevin, attachment, execution, or other judicial sale or  
 136 whenever the engine of a motor vehicle is replaced by another  
 137 engine or whenever a motor vehicle is sold to satisfy storage or  
 138 repair charges or repossession is had upon default in  
 139 performance of the terms of a security agreement, chattel  
 140 mortgage, conditional sales contract, trust receipt, or other  
 141 like agreement, and upon the surrender of the prior certificate  
 142 of title or, when that is not possible, presentation of  
 143 satisfactory proof to the department of ownership and right of  
 144 possession to such motor vehicle or mobile home, and upon  
 145 payment of the fee prescribed by law, except as provided in s.  
 146 319.32(1)(d), and presentation of an application for certificate  
 147 of title, the department may issue to the applicant a  
 148 certificate of title thereto.

149 Section 7. Subsection (1) of section 319.32, Florida  
 150 Statutes, is amended to read:

151 319.32 Fees; service charges; disposition.—

152 (1) (a) The department shall charge a fee of \$70 for each  
 153 original certificate of title, except for a certificate of title  
 154 for a motor vehicle for hire registered under s. 320.08(6) for  
 155 which the title fee shall be \$49; \$70 for each duplicate copy of  
 156 a certificate of title, except for a certificate of title for a  
 157 motor vehicle for hire registered under s. 320.08(6) for which  
 158 the title fee shall be \$49; \$2 for each salvage certificate of  
 159 title; and \$3 for each assignment by a lienholder. The  
 160 department shall also charge a fee of \$2 for noting a lien on a  
 161 title certificate, which fee includes the services for the  
 162 subsequent issuance of a corrected certificate or cancellation  
 163 of lien when that lien is satisfied.

164 (b) If an application for a certificate of title is for a  
 165 vehicle that is required by s. 319.14(1) (b) to have a physical  
 166 examination, the department shall charge an additional fee of  
 167 \$40 for the initial examination and \$20 for each subsequent  
 168 examination. The initial examination fee shall be deposited into  
 169 the General Revenue Fund, and each subsequent examination fee  
 170 shall be deposited into the Highway Safety Operating Trust Fund.  
 171 The physical examination of the vehicle includes, but is not  
 172 limited to, verification of the vehicle identification number  
 173 and verification of the bill of sale or title for major  
 174 components.

175 (c) In addition to all other fees charged, a sum of \$1

176 shall be paid for the issuance of an original or duplicate  
177 certificate of title to cover the cost of materials used for  
178 security purposes. A service fee of \$2.50, to be deposited into  
179 the Highway Safety Operating Trust Fund, shall be charged for  
180 shipping and handling for each paper title mailed by the  
181 department.

182 (d) The surviving spouse of a deceased motor vehicle owner  
183 who applies for a transfer of title in his or her own name,  
184 regardless of whether the surviving spouse is named on the  
185 deceased motor vehicle owner's title, is exempt from the fees  
186 imposed under this subsection.

187 Section 8. Paragraph (b) of subsection (8) of section  
188 322.051, Florida Statutes, is amended to read:

189 322.051 Identification cards.—

190 (8)

191 (b) The word "Veteran" shall be exhibited on the  
192 identification card of a veteran upon ~~the payment of an~~  
193 ~~additional \$1 fee for the identification card and the~~  
194 presentation of a copy of the person's DD Form 214, issued by  
195 the United States Department of Defense, or another acceptable  
196 form specified by the Department of Veterans' Affairs. Until a  
197 veteran's identification card is next renewed, the veteran may  
198 have the word "Veteran" added to his or her identification card  
199 upon surrender of his or her current identification card, ~~7~~  
200 ~~payment of a \$2 fee to be deposited into the Highway Safety~~



201 ~~Operating Trust Fund,~~ and presentation of a copy of his or her  
 202 DD Form 214 or another acceptable form specified by the  
 203 Department of Veterans' Affairs. If the applicant is not  
 204 conducting any other transaction affecting the identification  
 205 card, a replacement identification card shall be issued with the  
 206 word "Veteran" without payment of the fee required in s.  
 207 322.21(1)(f)3.

208 Section 9. Paragraph (d) of subsection (1) of section  
 209 322.14, Florida Statutes, is amended to read:

210 322.14 Licenses issued to drivers.—  
 211 (1)

212 (d) The word "Veteran" shall be exhibited on the driver  
 213 license of a veteran upon ~~the payment of an additional \$1 fee~~  
 214 ~~for the license and~~ the presentation of a copy of the person's  
 215 DD Form 214, issued by the United States Department of Defense,  
 216 or another acceptable form specified by the Department of  
 217 Veterans' Affairs. Until a veteran's license is next renewed,  
 218 the veteran may have the word "Veteran" added to his or her  
 219 license upon surrender of his or her current license, ~~payment of~~  
 220 ~~a \$2 fee to be deposited into the Highway Safety Operating Trust~~  
 221 ~~Fund,~~ and presentation of a copy of his or her DD Form 214 or  
 222 another acceptable form specified by the Department of Veterans'  
 223 Affairs. If the applicant is not conducting any other  
 224 transaction affecting the driver license, a replacement license  
 225 shall be issued with the word "Veteran" without payment of the

226 fee required in s. 322.21(1)(e).

227 Section 10. Paragraphs (a) and (f) of subsection (1) of  
228 section 322.21, Florida Statutes, are amended to read:

229 322.21 License fees; procedure for handling and collecting  
230 fees.—

231 (1) Except as otherwise provided herein, the fee for:

232 (a) An original or renewal commercial driver license is  
233 \$75, which shall include the fee for driver education provided  
234 by s. 1003.48. However, if an applicant has completed training  
235 and is applying for employment or is currently employed in a  
236 public or nonpublic school system that requires the commercial  
237 license, the fee is the same as for a Class E driver license. A  
238 delinquent fee of \$15 shall be added for a renewal within 12  
239 months after the license expiration date. A veteran is exempt  
240 from the fee for an original commercial driver license upon  
241 presentation of his or her DD Form 214, issued by the United  
242 States Department of Defense, or another acceptable form  
243 specified by the Department of Veterans' Affairs.

244 (f) An original, renewal, or replacement identification  
245 card issued pursuant to s. 322.051 is \$25, except that an  
246 applicant who presents evidence satisfactory to the department  
247 that he or she is homeless as defined in s. 414.0252(7); his or  
248 her annual income is at or below 100 percent of the federal  
249 poverty level; ~~or~~ he or she is a juvenile offender who is in the  
250 custody or under the supervision of the Department of Juvenile

251 Justice, is receiving services pursuant to s. 985.461, and whose  
252 identification card is issued by the department's mobile issuing  
253 units; or he or she is 80 years of age or older is exempt from  
254 such fee. Funds collected from fees for original, renewal, or  
255 replacement identification cards shall be distributed as  
256 follows:

257 1. For an original identification card issued pursuant to  
258 s. 322.051, the fee shall be deposited into the General Revenue  
259 Fund.

260 2. For a renewal identification card issued pursuant to s.  
261 322.051, \$6 shall be deposited into the Highway Safety Operating  
262 Trust Fund, and \$19 shall be deposited into the General Revenue  
263 Fund.

264 3. For a replacement identification card issued pursuant  
265 to s. 322.051, \$9 shall be deposited into the Highway Safety  
266 Operating Trust Fund, and \$16 shall be deposited into the  
267 General Revenue Fund. Beginning July 1, 2015, or upon completion  
268 of the transition of the driver license issuance services, if  
269 the replacement identification card is issued by the tax  
270 collector, the tax collector shall retain the \$9 that would  
271 otherwise be deposited into the Highway Safety Operating Trust  
272 Fund and the remaining revenues shall be deposited into the  
273 General Revenue Fund.

274 Section 11. Subsection (7) of section 455.271, Florida  
275 Statutes, is amended to read:

276 455.271 Inactive and delinquent status.—

277 (7) Notwithstanding the provisions of the professional  
 278 practice acts administered by the department, each board, or the  
 279 department when there is no board, shall, ~~by rule,~~ impose an  
 280 additional delinquency fee of \$25, ~~not to exceed the biennial~~  
 281 ~~renewal fee for an active status license,~~ on a delinquent status  
 282 licensee when such licensee applies for active or inactive  
 283 status.

284 Section 12. Section 488.03, Florida Statutes, is amended  
 285 to read:

286 488.03 License; application; expiration; renewal; fees.—An  
 287 application for a license shall be made in the form prescribed  
 288 by the Department of Highway Safety and Motor Vehicles. Every  
 289 application for an original license must be accompanied by an  
 290 application fee of \$25 ~~\$50~~, which fee may not be refunded. If  
 291 the application is approved, a further fee of \$100 ~~\$200~~ must be  
 292 paid before the license may be issued. The license shall be  
 293 valid for a period of 1 year from the date of issuance and is  
 294 not transferable. In the event of any change in ownership or  
 295 interest in the business, an application for a new license,  
 296 together with all instructors' certificates issued thereunder,  
 297 must be surrendered to the department before a license will be  
 298 issued to a new owner of the business. The fee for the annual  
 299 renewal of a license is \$50 ~~\$100~~.

300 Section 13. Section 553.721, Florida Statutes, is amended

301 to read:

302           553.721 Surcharge.—In order for the Department of Business  
303 and Professional Regulation to administer and carry out the  
304 purposes of this part and related activities, there is created a  
305 surcharge, to be assessed at the rate of 1 ~~4.5~~ percent of the  
306 permit fees associated with enforcement of the Florida Building  
307 Code as defined by the uniform account criteria and specifically  
308 the uniform account code for building permits adopted for local  
309 government financial reporting pursuant to s. 218.32. The  
310 minimum amount collected on any permit issued shall be \$2. The  
311 unit of government responsible for collecting a permit fee  
312 pursuant to s. 125.56(4) or s. 166.201 shall collect the  
313 surcharge and electronically remit the funds collected to the  
314 department on a quarterly calendar basis for the preceding  
315 quarter and continuing each third month thereafter. The unit of  
316 government shall retain 10 percent of the surcharge collected to  
317 fund the participation of building departments in the national  
318 and state building code adoption processes and to provide  
319 education related to enforcement of the Florida Building Code.  
320 All funds remitted to the department pursuant to this section  
321 shall be deposited in the Professional Regulation Trust Fund.  
322 Funds collected from the surcharge shall be allocated to fund  
323 the Florida Building Commission and the Florida Building Code  
324 Compliance and Mitigation Program under s. 553.841. Funds  
325 allocated to the Florida Building Code Compliance and Mitigation

326 Program shall be \$925,000 each fiscal year. The Florida Building  
327 Code Compliance and Mitigation Program shall fund the  
328 recommendations made by the Building Code System Uniform  
329 Implementation Evaluation Workgroup, dated April 8, 2013, from  
330 existing resources, not to exceed \$30,000 in the 2016-2017  
331 fiscal year. Funds collected from the surcharge shall also be  
332 used to fund Florida Fire Prevention Code informal  
333 interpretations managed by the State Fire Marshal and shall be  
334 limited to \$15,000 each fiscal year. The State Fire Marshal  
335 shall adopt rules to address the implementation and expenditure  
336 of the funds allocated to fund the Florida Fire Prevention Code  
337 informal interpretations under this section. The funds collected  
338 from the surcharge may not be used to fund research on  
339 techniques for mitigation of radon in existing buildings. Funds  
340 used by the department as well as funds to be transferred to the  
341 Department of Health and the State Fire Marshal shall be as  
342 prescribed in the annual General Appropriations Act. The  
343 department shall adopt rules governing the collection and  
344 remittance of surcharges pursuant to chapter 120.

345 Section 14. Except as otherwise expressly provided in this  
346 act, this act shall take effect July 1, 2017.