

**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 Infrastructure and Security

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BILL: CS/SB 486

INTRODUCER: Infrastructure and Security Committee and Senator Rader

SUBJECT: Fees/Florida State Beekeepers Association License Plate

DATE: April 2, 2019

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Proctor	Miller	IS	Fav/CS
2.			ATD	
3.			AP	

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 486 provides for an annual use fee of \$25 for the Florida State Beekeepers Association specialty license plate.

CS/SB 484 (2019), which this bill is linked to, creates the Florida State Beekeepers Association specialty license plate and provides for the design of the plate and the use of the annual fees associated with the specialty license plate.

According to the Department of Highway Safety and Motor Vehicles (DHSMV), the bill will have a negative, but insignificant fiscal impact associated with programming costs. These costs can be absorbed within existing resources.

The bill has an effective date on the same date that CS/SB 484 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

## II. Present Situation:

### **Specialty License Plates**

Presently, there are over 120 specialty license plates available for purchase in Florida.<sup>1</sup> Specialty license plates are available to an owner or lessee of a motor vehicle who is willing to pay an annual use fee, ranging from \$15 to \$25, paid in addition to required license taxes and service fees.<sup>2</sup> The annual use fees are distributed to an organization or organizations in support of a particular cause or charity signified on the plate's design and designated in statute.<sup>3</sup>

The annual use fees collected by an organization and any interest earned from the fees may be expended only for use in this state unless the annual use fee is derived from the sale of specified United States Armed Forces and veterans-related specialty plates.<sup>4</sup> Additionally, organizations must adhere to certain accountability requirements, including an annual audit or attestation document affirming that funds received have been spent in accordance with applicable statutes.<sup>5</sup>

### ***DHSMV Costs Defrayed***

The DHSMV is authorized to retain a sufficient portion of annual use fees collected from the sale of specialty plates to defray its costs for inventory, distribution, and other direct costs associated with the specialty license plate program. The remainder of the proceeds collected are distributed as provided by law.<sup>6</sup>

### ***Florida State Beekeepers Association***

The Florida State Beekeepers Association is dedicated to providing resources for the improvement of Beekeeping using proven techniques and procedures in the management of Honeybees and to share this knowledge with everyone interested in the Art of Beekeeping.<sup>7</sup> Its purpose and function is to:

- The development and promotion of practical beekeeping methods in the state of Florida.
- To act in the interest of the beekeepers of Florida in protecting and carrying on statewide beekeeping affairs.
- To act as a medium for, and an aid in cooperative and mutual beekeeping methods.

To act as the representative of the Florida beekeepers in State and National beekeeping and legislative matters.<sup>8</sup>

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<sup>1</sup> A list of Florida's specialty license plates is available on the DHSMV website at <http://www.flhsmv.gov/dmv/specialtytags/> (last visited February 4, 2019).

<sup>2</sup> Section 320.08056, F.S.

<sup>3</sup> Section 320.08058, F.S.

<sup>4</sup> Section 320.08056(10)(a), F.S.

<sup>5</sup> Section 320.08062, F.S.

<sup>6</sup> Section 320.08056(7), F.S.

<sup>7</sup> Florida State Beekeepers Association, Mission Statement, <http://apisenterprises.com/fsba/fsbamission.htm> (last visited on March 29, 2019).

<sup>8</sup> Florida State Beekeepers Association, By-Laws/Constitution, <http://apisenterprises.com/fsba/fsbabylaws.htm> (last visited on March 29, 2019).

**III. Effect of Proposed Changes:**

The bill provides for an annual use fee of \$25 for the Florida State Beekeepers Association specialty license plate.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

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

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

Under the 2018 amendment to the Florida Constitution, Article VII, Section 19 requires “a supermajority vote” of two-thirds of the membership of each house to pass legislation which will impose or authorize a new state tax or fee.<sup>9</sup> A “fee” is defined as “any charge or payment required by law, including any fee for service, fee or cost for licenses, and charge for service.”<sup>10</sup>

The \$25 annual use fee for the Florida State Beekeepers Association specialty license plate may be a new state fee for purposes of requiring a supermajority vote and a separate bill.

**E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

Individuals who choose to purchase a Florida State Beekeepers Association specialty license plate will pay an additional use fee of \$25 in addition to required vehicle license taxes and fees.

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<sup>9</sup> FLA. CONST. art. VII, s. 19(a).

<sup>10</sup> FLA. CONST. art. VII, s. 19(d)(1).

**B. Private Sector Impact:**

Revenue from the sale of the Florida State Beekeepers Association specialty license plate will benefit the Florida State Beekeepers Association, as well as any honeybee research, education, outreach, and husbandry activities they undertake.

**C. Government Sector Impact:**

The DHSMV is authorized to retain revenues from the first proceeds of specialty license plate sales to defray departmental expenditures related to the specialty license plate program.<sup>11</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 320.08058 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Infrastructure and Security on April 2, 2019:**

- The CS incorporates the linked bill number of SB 484.

**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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<sup>11</sup> Section 320.08056(7), F.S.