

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 853 State Park Fee Waivers and Discounts

SPONSOR(S): Buchanan

TIED BILLS: **IDEN./SIM. BILLS:** SB 1104

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Agriculture & Natural Resources Subcommittee	11 Y, 0 N	Melkun	Moore
2) Agriculture & Natural Resources Appropriations Subcommittee	10 Y, 0 N	White	Pigott
3) State Affairs Committee	18 Y, 0 N	Melkun	Williamson

SUMMARY ANALYSIS

The Division of Recreation and Parks (DRP) within the Department of Environmental Protection (DEP) manages 175 parks, trails, and historic sites covering approximately 800,000 acres, including 100 miles of beaches. The state established these areas for the protection and preservation of their natural features or historic significance and for public use and enjoyment. DRP may charge reasonable fees, rentals, or charges for the use or operation of facilities and concessions in state parks. These fees must be deposited in the State Park Trust Fund, and the funds must be used to administer, improve, maintain, acquire, and develop lands for state park purposes. Entrance fees and camping fees vary among the parks.

Members of the public may, in lieu of paying entrance fees, purchase an annual pass that allows entrance into the state parks for one year from the month of purchase. Individual annual passes, which provide entry for a single person, are sold at all park ranger stations and museums for \$60, while family passes, which provide entry for up to eight people, are sold for \$120.

The bill provides free annual passes and a 50 percent discount on base campsite fees for state parks to persons, corporations, or agencies operating a group home licensed by the Department of Children and Families as a residential child-caring agency and relatives and nonrelatives who provide children with out-of-home care.

The bill may have an indeterminate negative fiscal impact on revenues into the DEP State Park Trust Fund that would reduce the funds available for state park purposes, including repairs to state park facilities. There is also an indeterminate negative fiscal impact to the state from reduced sales tax collections.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Florida State Parks

The Division of Recreation and Parks (DRP) within the Department of Environmental Protection (DEP) manages 175 parks, trails, and historic sites covering approximately 800,000 acres, including 100 miles of beaches.¹ The state established these areas for the protection and preservation of their natural features or historic significance and for public use and enjoyment.²

DRP may charge reasonable fees, rentals, or charges for the use or operation of facilities and concessions in state parks.³ These fees must be deposited in the State Park Trust Fund, and the funds must be used to administer, improve, maintain, acquire, and develop lands for state park purposes.⁴

Entrance fees and camping fees vary among the parks. The Director of DRP must recommend all park-related fees, taking into consideration user demand, location of the park, the cost of managing and operating the park, the types of facilities available, the season, and natural and resource values of the park.⁵ User fees must be published in a statewide news release and, if requested, must be reviewed in a public hearing and approved in writing by the Secretary of DEP.⁶

DRP waives entrance fees for:

- Children under six years of age;
- Patients of mental institutions within the state, clients of the Department of Juvenile Justice and the Department of Children and Families (DCF), and patients or clients of other similar institutions that are fully government-funded 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.⁷

Annual Passes

Members of the public may, in lieu of paying entrance fees, purchase an annual pass that allows entrance into the state parks for one year from the month of purchase.⁸ Individual annual passes, which provide entry for a single person, are sold at all park ranger stations and museums for \$60, while family passes, which provide entry for up to eight people, are sold for \$120.⁹

Certain current and former military members and the spouses and parents of certain first responders and military members who die in the line of duty are entitled to receive discounts on state park fees if

¹ DEP, *Division of Recreation and Parks*, available at <https://floridadep.gov/parks> (last visited Jan. 8, 2020).

² Rule 62D-2.013(1), F.A.C.

³ Section 258.014(1), F.S.

⁴ *Id.*

⁵ Rule 62D-2.014(2)(c), F.A.C.

⁶ Rule 62D-2.014(2)(d), F.A.C.

⁷ Rule 62D-2.014(2)(b)1. – 4., F.A.C.

⁸ Florida State Parks, *Florida State Parks Annual Pass*, available at <https://www.floridastateparks.org/index.php/learn/florida-state-parks-annual-pass> (last visited Jan. 9, 2020).

⁹ *Id.* Family annual passes cover the entrance of up to eight people in a group, except at Ellie Schiller Homosassa Springs Wildlife State Park, Weeki Wachee Springs State Park, and Skyway Fishing Pier State Park where the family pass is good for admission of up to two people.

such individuals present written documentation evidencing their eligibility for the discount.¹⁰ Active duty members and honorably discharged veterans of the United States Armed Forces, National Guard, or their reserve components are entitled to a 25 percent discount on annual passes.¹¹ Honorably discharged veterans who have service-connected disabilities; surviving spouses and parents of deceased members of the U.S. Armed Forces, National Guard, or reserve components who have fallen in combat; and the surviving spouse and parents of a law enforcement officer or a firefighter who has died in the line of duty are entitled to lifetime family annual passes at no charge.¹²

Families that operate a licensed family foster home are eligible to receive a free family annual pass each year in which they remain licensed.¹³ In addition, families who adopt a special needs child from DCF are eligible to receive a one-time family annual pass at no charge at the time of adoption.¹⁴

Camping Fees

A 50 percent discount on base camping fees is available to Florida citizens who are at least 65 years of age or Florida citizens possessing a current Social Security disability award certificate or a 100 percent disability award certificate from the federal government.¹⁵ A 50 percent discount on base camping fees is also available to families operating a licensed family foster home.¹⁶

Out-of-home Care

Out-of-home care is a court-monitored process that encompasses the placements and services provided to children and families when children are removed from their home due to abuse or neglect. Before a decision is made to remove a child, child welfare staff must make reasonable efforts to safely maintain children with their families through family preservation or in-home services that are provided by child protective services staff, community providers, or both. If reasonable efforts have been made and yet safety concerns still exist, then the court may order that a child be removed from the home and placed into foster care.¹⁷

In Florida, when any child is removed from a home and placed into out-of-home care, a comprehensive placement assessment process is completed to determine the level of care needed by the child and to match the child with the most appropriate placement.¹⁸ A child may be placed with a relative, non-relative, or a residential child-caring agency. DCF is statutorily responsible for the licensing of residential child caring agencies within the state. DCF-licensed residential child caring agencies, also referred to as residential group care or group homes, provide 24-hour staffed supervision and care to children who cannot safely remain in their own home.¹⁹

As of September 2019, there are approximately 23,687 children in the state in out-of-home care, of which 7,545 are placed in licensed family foster homes.²⁰

¹⁰ Section 258.0145, F.S.

¹¹ Section 258.0145(1), F.S.

¹² Sections 258.0145(2) through (4), F.S.

¹³ Section 258.0142(1)(a), F.S.

¹⁴ Section 258.0142(1)(b), F.S.

¹⁵ Section 258.016, F.S.

¹⁶ Section 258.0142(1)(a), F.S.

¹⁷ United States Department of Health and Human Services, *Out-of-Home Care: Overview*, available at <https://www.childwelfare.gov/topics/outofhome/overview/> (last visited Jan. 9, 2020).

¹⁸ Section 39.523(2), F.S.

¹⁹ Section 409.175(2)(l), F.S.; DCF, *Child Welfare*, available at <https://www.myflfamilies.com/service-programs/child-welfare/residential-group-care-licensing/> (last visited Jan. 9, 2020).

²⁰ DCF, *Placement in Out-of-Home Care Data*, available at <https://www.myflfamilies.com/programs/childwelfare/placement.shtml> (last visited Jan. 9, 2020).

Effect of the Bill

The bill grants free annual passes and a 50 percent discount on base campsite fees for state parks to persons, corporations, or agencies operating a group home that is licensed by DCF as a residential child-caring agency and to relatives and nonrelatives who provide children with out-of-home care.

B. SECTION DIRECTORY:

Section 1. Amends s. 258.0142, F.S., to provide free annual passes and discounted campsite fees to state parks.

Section 2. Provides an effective date of July 1, 2020.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill may have an indeterminate negative fiscal impact on DEP revenues due to the free annual passes and discounted base campsite fees made available to certain eligible families. The Revenue Estimating Conference's impact analysis estimates a recurring impact of \$200,000. This will reduce the amount of funds available for state park purposes, including repairs to state park facilities. In addition, there will be less revenues in the State Park Trust Fund subject to the 8 percent service charge to the General Revenue Fund.

According to the Revenue Estimating Conference, there is also an indeterminate negative fiscal impact on state government from reduced sales tax collections.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill may have an indeterminate positive fiscal impact on licensed residential child-caring agencies by granting annual passes at no charge and providing a 50 percent discount on base campsite fees.

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:

DRP, in consultation with DCF, must identify the types of documentation sufficient to establish eligibility for the waivers and discounts for state park fees and establish a procedure for providing the waivers and discounts. As such, the bill may require DRP to update its rules governing such discounts and waivers.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.