

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 915 Florida Shared-use Nonmotorized Trail Network

SPONSOR(S): Infrastructure Strategies Committee, Botana

TIED BILLS: **IDEN./SIM. BILLS:** CS/SB 106

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Infrastructure Strategies Committee	24 Y, 0 N, As CS	Gawin	Harrington
2) Appropriations Committee			

SUMMARY ANALYSIS

The Florida Greenways and Trails System (FGTS) is made up of existing planned and conceptual nonmotorized trails and ecological greenways that form an integrated statewide system. The system includes paddling, hiking, biking, multi-use, and equestrian trails. In 2015, the Legislature formally created the Florida Shared-Use Nonmotorized Trail Network (SUN Trail Network) as a component of the FGTS. The SUN Trail Network consists of paved multiuse trails or shared-use paths physically separated from motor vehicle traffic that provide pedestrians and bicyclists opportunities to travel between communities, conservation areas, state parks, and other natural or cultural attractions for a variety of trip purposes. The Florida Department of Transportation (DOT) estimates that the full network will encompass approximately 4,000 miles of trails, with one-third currently open for use.

The bill expands the existing SUN Trail Network and enhances coordination of the state's trail system with the Florida Wildlife Corridor (Corridor). Specifically, the bill:

- Prioritizes the development of "regionally significant trails," which are defined as trails that cross multiple counties; attract national and international visitors; serve economic and ecotourism development; showcase the state's wildlife areas, ecology, and natural resources; and serve as main corridors for trail connectedness across the state.
- Enhances the planning, coordination, and marketing of the state's bicycle and pedestrian trail system and the Corridor.
- Requires trails developed within the Corridor to maximize the use of previously disturbed lands and be compatible with applicable land use provisions.
- Requires DOT to erect uniform signage identifying trails that are part of the SUN Trail Network and to submit a periodic report on the status of the SUN Trail Network.
- Authorizes DOT and local governments to enter into sponsorship agreements for trails and to use associated revenues for maintenance, signage, and related amenities.
- Recognizes "trail town" communities and directs specified entities to promote the use of trails as economic assets, including the promotion of trail-based tourism.
- Increases recurring funding for the SUN Trail Network from \$25 million to \$50 million and provides a non-recurring appropriation of \$200 million to plan, design, and construct the SUN Trail Network.

The bill may have an indeterminate fiscal impact on the state and local governments.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Florida Greenways and Trails System

The Florida Greenways and Trails System (FGTS) is made up of existing planned and conceptual nonmotorized trails and ecological greenways that form an integrated statewide system. The system includes paddling, hiking, biking, multi-use, and equestrian trails. In 1995, the Legislature created the Florida Greenways Coordinating Council (FGCC), tasking the FGCC with promoting the creation of a statewide greenways and trails system and designating the Department of Environmental Protection (DEP) as the lead agency of the system.¹ In 1998, the FGCC published a five-year implementation plan (1998 Plan) for the FGTS.² The plan contained a Multiuse Recreational Opportunity Trail Map for connecting Florida's greenways and trails, providing a review of existing greenways and trails and making recommendations to complete the system.

In 1999, the Legislature created the Florida Greenways and Trails Council (Council) as recommended by the 1998 Plan. The Council is composed of 20 members, five of which are appointed by the Governor.³ Of the five appointed by the Governor, there must be two members representing the trail user community, two members representing the greenway user community, and one representing private land owners.⁴ The Council facilitates the establishment and expansion of a statewide system of greenways and trails for recreational and conservation purposes, including:

- Recommending priorities for critical links in the FGTS;
- Reviewing recommendations for acquisition funding;
- Reviewing proposals for lands to be designated as part of the FGTS; and
- Recommending updates to the implementation plan for the FGTS.⁵

In 2013, DEP published the *2013-2017 Florida Greenways and Trails System Plan*, the first update to the FGTS since the 1998 Plan was published.⁶ The Office of Greenways and Trails (OGT)⁷ within DEP, using the 1998 Land Trails Opportunity Map, established criteria to help identify priority land trail corridors within the FGTS, as opposed to priority segments, allowing for identification of potential long-distance trail corridors. A multi-county approach was used to assist in identifying gaps in connectivity across jurisdictional boundaries and in encouraging regional planning to close those gaps.⁸ The FGTS plan and maps are currently undergoing a third update for the 2024-2028 Fiscal Years.⁹

DEP is authorized to acquire lands, both public and private, to establish and expand a statewide system of greenways and trails for recreational and conservation purposes,¹⁰ using funds from the Florida Forever Trust Fund distributed to DEP for acquisition of lands under the Florida Greenways and

¹ Chapter 95-260, L.O.F.

² DEP, *Connecting Florida Communities with Greenways and Trails Plan: A Summary of the Five Year Implementation Plan for the Florida Greenways and Trails System* (1998), available at https://floridadep.gov/sites/default/files/1998FGTSPlanExecutiveSummary_0.pdf (last visited Feb. 28, 2023).

³ Section 260.0142(1), F.S.

⁴ Section 260.0142(1)(a)1., F.S.

⁵ Section 260.0142(4), F.S.

⁶ DEP, *Florida Greenways & Trails System Plan 2019-2023*, p. 6, available at https://floridadep.gov/sites/default/files/FL-Greenway%2BTrails-System-Plan-2019%2C%202023_0.pdf (last visited Feb. 28, 2023).

⁷ The OGT is tasked with fulfilling Chapter 260, F.S., the Florida Greenways and Trails Act. The Office leads, plans, and facilitates the development of an interconnected FGTS, through coordinated efforts with state and local partners, to compile local trails data from cities, counties, and other land managing entities into one inclusive system. *Id.* at p. 4.

⁸ DEP, *Florida Greenways & Trails System Plan 2019-2023*, p. 6, available at https://floridadep.gov/sites/default/files/FL-Greenway%2BTrails-System-Plan-2019%2C%202023_0.pdf (last visited Feb. 28, 2023).

⁹ See DEP, *Florida Greenways and Trails System Plan and Maps*, <https://floridadep.gov/parks/ogt/content/florida-greenways-and-trails-system-plan-and-maps> (last visited Feb. 28, 2023).

¹⁰ Section 260.012, F.S.

Trails Program, and to designate lands as part of the FGTS.¹¹ Since January 2013, 59 projects totaling over 225,000 acres and 756 trail miles have been designated in the statewide Greenways and Trails System including state trails and parks, national forest lands and trails, locally managed greenways and trails, blueways and many other areas.¹²

Trail Towns

The OGT within DEP also operates the trail town program.¹³ A trail town is a community located along, or in proximity to, one or more long-distance nonmotorized recreational trails where users can venture off the main path to enjoy the services and unique heritage of the nearby community.¹⁴ The Department of Economic Opportunity estimates the combined economic benefit of all Florida state trails is \$95 million to their host communities.¹⁵ Current trail towns include Dunedin, Titusville, Malabar, Vilano Beach, Clermont, Palatka, Inverness, Deltona, Everglades City, Winter Garden, Gainesville, and Debary.¹⁶ Signs, stickers, and publicity are provided free of charge to recognized trail towns.¹⁷

Florida Shared-Use Nonmotorized Trail Network

In 2014, the Legislature authorized the Department of Transportation (DOT) to use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and to pay the costs of planning, land acquisition, design, and construction of trail projects and related facilities.¹⁸ These projects must be included in DOT's work program. However, a funded project must be operated and maintained by an entity other than DOT upon completion of construction, and DOT is not obligated to provide funds for the operation and maintenance of a trails project.¹⁹ DOT may enter into an agreement with a local government or other agency of the state to transfer maintenance responsibilities, or with a not-for-profit entity or private sector business or entity to provide maintenance services, on an individual network component.²⁰

In 2015, the Legislature formally created the Florida Shared-Use Nonmotorized Trail Network (SUN Trail Network) as a component of the FGTS.²¹ The SUN Trail Network consists of paved multiuse trails or shared-use paths physically separated from motor vehicle traffic that provide pedestrians and bicyclists opportunities to travel between communities, conservation areas, state parks, and other natural or cultural attractions for a variety of trip purposes.²² While the SUN Trail Network and FGTS have overlapping trails, not all FGTS trails are within the SUN Trail Network.²³

¹¹ Section 259.105(3)(h), F.S.

¹² DEP, *Florida Greenways & Trails System Plan 2019-2023*, p. 6, available at https://floridadep.gov/sites/default/files/FL-Greenway%2BTrails-System-Plan-2019%2C%202023_0.pdf (last visited Feb. 28, 2023).

¹³ DEP, *Trail Town Program*, <https://floridadep.gov/parks/ogt/content/trail-town-program> (last visited Feb. 28, 2023).

¹⁴ DEP, *Trail Towns Guidelines and Self-Assessment*, p. 3, available at <https://floridadep.gov/sites/default/files/Trail%20Town%20Assessment%20Final.pdf> (last visited Feb. 28, 2023).

¹⁵ FDEO, *The Economic Benefits of Ecotourism*, [https://floridajobs.org/community-planning-and-development/community-planning/community-planning-table-of-contents/ecotourism/the-economic-benefit-of-ecotourism#:~:text=The%20combined%20benefit%20of%20all%20Florida%20state%20trails,Trail%20in%20Dunedin%2C%20Florida%20is%20another%20success%20story](https://floridajobs.org/community-planning-and-development/community-planning/community-planning-table-of-contents/ecotourism/the-economic-benefit-of-ecotourism#:~:text=The%20combined%20benefit%20of%20all%20Florida%20state%20trails,Trail%20in%20Dunedin%2C%20Florida%20is%20another%20success%20story.). (last visited Feb. 28, 2023). For example, the Paradise Coast Trail Corridor in Naples, connecting Collier County with Florida's Paradise Coast, is estimated to create 425 jobs directly. Rails.to.Trails Conservancy, *SUN Trail – Paradise Coast Trail Corridor*, [https://www.railstotrails.org/policy/trailsreform/projects/naples/#:~:text=The%20Paradise%20Coast%20Trail%20%28PCT%29%20extension%20is%2094%20component%20of,and%20other%20areas%20within%20and%20beyond%20Collier%20County](https://www.railstotrails.org/policy/trailsreform/projects/naples/#:~:text=The%20Paradise%20Coast%20Trail%20%28PCT%29%20extension%20is%2094%20component%20of,and%20other%20areas%20within%20and%20beyond%20Collier%20County.). (last visited Feb 28, 2023).

¹⁶ DEP, *Trail Town Program*, <https://floridadep.gov/parks/ogt/content/trail-town-program> (last visited Feb. 28, 2023).

¹⁷ *Id.*

¹⁸ Chapters 2014-50 and 2014-53, L.O.F.

¹⁹ Section 335.065(4)(b), F.S.

²⁰ Section 339.81(6), F.S.

²¹ Chapter 2015-228, L.O.F.

²² Section 339.81(2), F.S.

²³ DOT, *Shared-Use Nonmotorized (SUN) Trail Program*, <https://www.fdot.gov/planning/systems/suntrail.shtm> (last visited Feb. 28, 2023).

DOT is required to allocate a minimum of \$25 million annually for purposes of funding and maintaining projects within the network and must include network projects in its work program.²⁴ Priority funding must be given to projects that are identified by the Council as a priority within the FGTS; support the transportation needs of bicyclists and pedestrians; have national, statewide, or regional importance; or facilitate an interconnected system of trails by completing gaps between existing trails.²⁵ This funding comes from, in part, motor vehicle registration transactions. A fee of \$225 is imposed upon the initial application for registration of certain motor vehicles.²⁶ After authorized refunds,²⁷ 85.7 percent of such funds must be deposited into the State Transportation Trust Fund, and DOT must use \$25 million of those funds for the SUN Trail Network.²⁸

DOT estimates that the full network will encompass approximately 4,000 miles of trails, with one-third currently open for use. Since 2015, 25 projects have been completed, 38 are funded in the current work program, and 45 are planned for future development. From 2017 to 2027, over \$303 million in project phases have been funded by the SUN Trail Program.²⁹

Florida Wildlife Corridor

The Florida Wildlife Corridor (Corridor) consists of the conserved lands and opportunity areas defined as priority one, two, and three categories of the Florida Ecological Greenways Network.³⁰ The Corridor encompasses about 18 million acres, including 10 million acres of conservation lands.³¹ In 2021, the Legislature created the Wildlife Corridor Act (Act) to codify the Corridor and recognize that lands and waters that provide the state's green infrastructure and vital habitat for wide-ranging wildlife need to be preserved and protected.³² The purpose of the Act was to create incentives for conservation and sustainable development while preserving the green infrastructure.³³ The Legislature also appropriated \$300 million,³⁴ to DEP to acquire lands within the Corridor to preserve, protect, or enhance wildlife habitats or corridors and linkages or agricultural or rural lands.³⁵

DEP is responsible for encouraging state and local agencies with economic and ecotourism development responsibilities to recognize the importance of the Corridor in encouraging public access to wildlife areas and bringing nature-based tourism to local communities.³⁶

Metropolitan Planning Organizations

Metropolitan Planning Organizations (MPOs), or the boards of county commissioners serving as the MPO in those counties which are not located in an MPO, are required, in cooperation with the state and public transit operators, to develop transportation plans and programs for metropolitan areas.³⁷ As part of the transportation planning process and among other duties, each MPO is required to develop a long-range transportation plan addressing at least a 20-year horizon.³⁸

²⁴ Section 339.81(5), F.S.

²⁵ Section 335.065(4)(a), F.S.

²⁶ Section 320.072, F.S.

²⁷ See s. 320.072(3), F.S.

²⁸ Section 320.072(4)(a), F.S.

²⁹ See Senate Transportation Committee Meeting Packet, January 17, 2023, p. 16, *DOT SUN Trail Program Presentation*, available at https://www.flsenate.gov/Committees/Show/TR/MeetingPacket/5583/10027_MeetingPacket_5583_3.pdf (last visited Feb. 28, 2023).

³⁰ Section 259.1055(4)(d), F.S. For a 2021 layered map reflecting the Wildlife Corridor, Florida Forever Projects and Acquisitions, and FEGN Priority Levels 1-3, see DEP's map available at https://floridadep.gov/sites/default/files/Florida%20Forever%20and%20Florida%20Ecological%20Greenways%20Network%20Map_0.pdf (last visited Mar. 1, 2023).

³¹ DEP, *Florida Wildlife Corridor*, available at https://floridadep.gov/sites/default/files/Florida_Wildlife_Corridor.pdf (last visited Feb. 28, 2023).

³² Chapter 2021-181, L.O.F.

³³ Section 259.1055(3), F.S.

³⁴ Chapter 2021-36, L.O.F., s. 152.

³⁵ Section 259.1055(4)(g), F.S.

³⁶ Section 259.1055(5)(h), F.S.

³⁷ See generally, s. 339.175, F.S.

³⁸ Section 339.175(7), F.S.

Among other minimum requirements, the long-range plan must include, as appropriate, proposed transportation enhancement activities which include, but are not limited to, pedestrian and bicycle facilities, scenic easements, landscaping, historic preservation, mitigation of water pollution due to highway safety runoff, and control of outdoor advertising.

MPOs³⁹ are also required to develop an annual list of transportation project priorities and submit the list to the appropriate DOT district.⁴⁰ District work programs are developed based on these lists and submitted to DOT's Central Office, resulting in the annual adoption of DOT's five-year work program.⁴¹

Florida Tourism Marketing

The Florida Tourism Industry Marketing Corporation, known as VISIT FLORIDA, is a not-for-profit, direct-support organization of Enterprise Florida, Inc., which is organized and operated exclusively to request, receive, hold, invest, and administer property and to manage and make expenditures for the operation of the activities, services, functions, and programs of this state which relate to the statewide, national, and international promotion and marketing of tourism.⁴² VISIT FLORIDA is the state's official source for travel planning and is the sales and marketing organization that promotes tourism to Florida.⁴³

VISIT FLORIDA's Board of Directors is the organization's private sector governing body made up of Florida tourism industry experts who, along with the members of its committees, provide guidance, input and insight into the evolution of VISIT FLORIDA programs, processes and messaging. The board, which meets three times a year, acts as a steering council for multiple committees and works directly with the VISIT FLORIDA executive staff to guide strategy.⁴⁴

The board is composed of 31 tourism-industry-related members, appointed by Enterprise Florida, Inc., in conjunction with the Florida Department of Economic Opportunity. Of the 31 members, 15 must be from specified industries, associations, and organizations. Of these 15 members, seven must be from tourist-related statewide associations, including those that represent hotels, campgrounds, county destination marketing organizations, museums, restaurants, retail, and attractions.⁴⁵

Enterprise Florida, Inc., is statutorily directed to contract with VISIT FLORIDA to execute tourism promotion and marketing services, functions, and programs for the state, including, but not limited to, the activities prescribed by the four-year marketing plan.⁴⁶ Within Enterprise Florida, Inc., is the Division of Marketing Tourism that must aid in developing the four-year plan.⁴⁷ The four-year marketing plan, in addition to other topics, must discuss the promotion of nature-based tourism.⁴⁸

Effect of the Bill

Florida Greenways and Trails

The bill authorizes DEP, as part of its authority over the FGTS, to establish a program to recognize local communities located along, or in proximity to, one or more long-distance nonmotorized recreational trails as trail towns.

The bill expands the Council from 20 to 21 members and specifies that the additional member must be appointed by the Governor and must be from the board of the Florida Wildlife Corridor Foundation.

³⁹ Or the board of county commissioners serving as the MPO in those counties which are not located in a metropolitan planning organization, per s. 339.135(4)(c)1., F.S.

⁴⁰ Section 339.175(8), F.S.

⁴¹ *Id.*

⁴² Section 288.1226(2), F.S.

⁴³ VisitFlorida, *Who We Are*, <https://www.visitflorida.org/about-us/who-we-are/> (last visited Mar. 1, 2023).

⁴⁴ *Id.*

⁴⁵ Section 288.1226(4), F.S.

⁴⁶ Section 288.93(3), F.S.

⁴⁷ Section 288.93(4)(c), F.S.

⁴⁸ Section 288.93(4)(c)g., F.S.

Additionally, the bill requires the Council to include lands and waters of the Corridor in the statewide system. The Council must also recommend priorities for regionally significant trails within the FGTS for inclusion by DOT in the SUN Trail Network. The bill defines “regionally significant trails” to mean trails that cross multiple counties, attract national and international visitors, and serve as an opportunity for economic and ecotourism development; showcase the natural value of the state’s wildlife areas, ecology, and natural resources; and serve as main corridors for critical links and trail connectedness across the state. The bill further requires the Council to include recommendations for prioritization of regionally significant trails within the SUN Trail Network when updating and revising the implementation plan for the FGTS. The Council must also coordinate and facilitate land acquisition efforts for lands to be used, in whole or in part, for regionally significant trails on the SUN Trail Network with DOT, the Florida Forest Service, and other appropriate entities.

The bill requires DEP to include criteria for prioritization of regionally significant trails within or connected to the Corridor when designating lands and waterways as part of the FGTS.

Tourism Marketing

The bill expands the membership of the board of directors for VISIT FLORIDA by adding one representative from the nature-based tourism industry.

The bill requires the Division of Tourism Marketing four-year marketing plan to promote nature-based tourism, including, but not limited to, promotion of the FGTS and the SUN Trail Network. The four-year marketing plan must also coordinate efforts with the OGT and DEP to promote and assist local communities, including, but not limited to, communities designated as trail towns by the OGT, to maximize the use of nearby trails as economic assets, including specific promotion of trail-based tourism. The four-year plan must also promote heritage tourism.

SUN Trail Network

The bill revises legislative intent related to the SUN Trail Network to specify the importance of providing trails for bicyclist and pedestrian travel and investment in the Corridor.

The bill specifies that the SUN Trail Network consists of a statewide network of nonmotorized trails that allow bicyclists and pedestrians to access a variety of points of origin and destinations with limited exposure to motor vehicles. The bill also specifies that the SUN Trail Network includes lands of the Corridor. Lastly, while current law excludes trails wholly within a single park or area from the SUN Trail Network, the bill specifies that components that connect to nature trails, loop trails, or other points of public access wholly within a single park or natural area may be included in the network.

For trail projects to be constructed within the Corridor or on conservation lands or other lands subject to conservation easements, land management plans, or agreements, the bill requires DOT, to the greatest extent possible, to ensure projects are constructed using previously disturbed lands, such as abandoned roads and railroads, utility rights-of-way, canal corridors and drainage berms, permanent fire lines, and other lands having appropriate potential to serve the purposes specified by law of both the SUN Trail Network and the Corridor. The bill requires DOT to coordinate with other state agencies to ensure that appropriate recreation or public access is available for such projects.

The bill requires DOT to program projects in the work program to plan for development of the entire trail and to minimize the creation of gaps between trail segments. DOT must, at a minimum, ensure that local support exists for projects and trail segments, including the availability or dedication of local funding sources and of contributions by private landowners who agree to make their land, or property interests in such land, available for public use as a trail.

The bill requires each MPO to include critical linkages or regionally significant trails or facilities for the SUN Trail Network in its long-range transportation plan. Additionally, the bill requires each MPO or board of county commissioners, as appropriate, to include in its list of work program priorities one or more projects that meet the requirements to receive funding priority from DOT.

The bill requires DOT to create uniform signage to identify trails that are part of the SUN Trail Network, and, when feasible and permissible, erect signage on all such trails open to public use, regardless of when the trail was first opened. The bill specifies that DOT is not otherwise obligated to provide funds for the operation and maintenance of any trail on the SUN Trail Network.

The bill authorizes DOT to enter into a sponsorship agreement with a not-for-profit entity or private sector business or entity for commercial sponsorship displays on multiuse trails and related facilities. DOT must deposit any sponsorship agreement revenues into the State Transportation Trust Fund to be used for maintenance, signage, and provision of amenities on the multiuse trails and related facilities. Local governments may also enter into sponsorship agreements and use such revenues for maintenance, signage, and provision of amenities on the multiuse trails and related facilities. Sponsorship agreements must be administered by DOT or the local government, as appropriate, and DOT or the local government must ensure that the sponsorship agreement complies with the signage requirements for bicycle and pedestrian paths. All commercial sponsorship displays are subject to the Beautification Act of 1965 and all federal laws and agreements. The bill specifies that this does not create a proprietary or compensable interest in any sign, display site, or location.

Reporting Requirements

By June 30, 2026, and every third year on June 30 thereafter, the bill requires DOT, in coordination with DEP, to submit a report to the Governor and Legislature summarizing the status of the SUN Trail Network. The report may include recommendations for any legislative revisions deemed appropriate to facilitate connectivity of the network. At a minimum, the report must include:

- The total number of completed miles of nonmotorized trails on the network;
- The total number of completed miles of nonmotorized trails on the network not adjacent to a roadway facility;
- The total number of completed miles of nonmotorized trails on the network adjacent to a roadway facility;
- The total number of completed miles of nonmotorized trails on the network which are within or between areas of the Corridor;
- The total remaining miles of nonmotorized trails on the network which are planned for acquisition and construction;
- The total expenditures, by funding source, associated with implementing the network; and
- The total expenditures, by project phase, including preliminary and environmental planning, design, acquisition of right-of-way, and new construction of trail surfaces and bridges on the network.

Additionally, the bill requires DOT to coordinate with the Florida Tourism Industry Marketing Corporation, local governments, or other entities who have related information to include in the report.

For each existing trail on the Sun Trail Network which is open to public use, DOT's report must provide nonmotorized trail operational and performance measures that include, but are not limited to:

- The total number of trail visits;
- The primary travel modes used on the trail;
- The frequency of trail usage;
- The average duration of trail usage;
- The distance traveled during a trail visit;
- The average amount spent by a user during a typical trail visit; and
- The total amount of user expenditures.

SUN Trail Network Funding

Beginning with fiscal year 2023-2024, the bill increases from \$25 million to \$50 million the amount of funding for the SUN Trail Network, which is funded from motor vehicle registration fees.

The bill revises funding priorities for SUN Trail Network projects by requiring DOT to give priority to projects that:

- Are recommended priorities by the Council as regionally significant trails;

- Have national, statewide, or regional importance;
- Are otherwise identified by the Council as a priority for critical linkage and trail connectedness within the FGTS;
- Facilitate an interconnected system of trails by completing gaps between existing trails;
- Support the transportation needs of bicyclists and pedestrians.

For fiscal year 2023-2024, the bill appropriates \$200 million in nonrecurring funds from the General Revenue Fund to DOT as fixed capital outlay to plan, design, and construct projects on the SUN Trail Network as provided by the bill.

The bill specifies that changes made by the bill to the SUN Trail Network are not intended to delete, defer, delay, or otherwise revise the SUN Trail Network projects programmed in DOT's tentative 5-year work program for fiscal years 2023-2024 through 2027-2028. The bill authorizes DOT to maintain such projects in development of the adopted work program. For the additional funding appropriated by the bill to the SUN Trail Network, DOT must work with MPOs, boards of county commissioners, and districts, where appropriate, to revise any year of the 5-year work program to identify new SUN Trail Network projects to be added or projects or phases thereof that may be moved up from the portion of the tentative work program for the following four fiscal years.

B. SECTION DIRECTORY:

- Section 1. Amends s. 260.014, F.S., related to the FGTS.
- Section 2. Amends s. 260.0142, F.S., related to the Council.
- Section 3. Amends s. 260.016, F.S., related to the powers of DEP regarding the FGTS.
- Section 4. Amends s. 288.1226, F.S., related to the Florida Tourism Industry Marketing Corporation.
- Section 5. Amends s. 288.923, F.S., related to the Division of Tourism Marketing.
- Section 6. Amends s. 320.072, F.S., related to fees imposed on motor vehicle registration transactions.
- Section 7. Amends s. 335.065, F.S., related to bicycle and pedestrian paths along state roads and transportation facilities.
- Section 8. Amends s. 339.175, F.S., related to metropolitan planning organizations.
- Section 9. Amends s. 339.81, F.S., related to the SUN Trail Network.
- Section 10. Creates an unnumbered section of law appropriating \$200 million in nonrecurring funds for the 2023-2024 fiscal year to DOT for the SUN Trail Network.
- Section 11. Creates an unnumbered section of law specifying that the amendments to s. 339.81, F.S., are not intended to impact DOT's SUN Trail Network tentative five-year work program.
- Section 12. Provides an effective date of July 1, 2023.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See Fiscal Comments.

2. Expenditures:

See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

See Fiscal Comments.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill may have an indeterminate positive fiscal impact on private sector business, particularly within designated trail towns, associated with potentially increased visitors resulting from promotion of the FGTS and the SUN Trail Network.

D. FISCAL COMMENTS:

The bill may have an indeterminate positive fiscal impact on DOT and local governments associated with the promotion of trail towns and sponsorship agreements for commercial displays on SUN Trail Network trails and related facilities. The bill may have an indeterminate negative fiscal impact on DOT, DEP, and VISIT FLORIDA associated with the reporting requirements of the bill as well as promoting the FGTS and the SUN Trail Network.

For the 2023-2024 fiscal year, the bill appropriates \$200 million in nonrecurring funds from the General Revenue Fund to DOT as fixed capital outlay to plan, design, and construct projects on the SUN Trail Network. The bill also appropriates \$50 million, rather than \$25 million, recurring, for use by DOT for the SUN Trail Network.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On March 8, 2023, the Infrastructure Strategies Committee adopted an amendment and reported the bill favorably as a committee substitute. The amendment expanded the Board of Directors of VISIT FLORIDA from 31 to 32 members so seven representatives from tourist-related statewide associations are retained on the board.

This analysis is drafted to the committee substitute as approved by the Infrastructure Strategies Committee.