

**STORAGE NAME:** h0509.tu

**DATE:** February 14, 2000

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
TOURISM  
ANALYSIS**

**BILL #:** HB 0509

**RELATING TO:** Local Option Tourist Taxes

**SPONSOR(S):** Representative Ogles

**TIED BILL(S):**

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) TOURISM
- (2) COMMUNITY AFFAIRS
- (3) FINANCE & TAXATION
- (4)
- (5)

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**I. SUMMARY:**

House Bill 509 amends ss. 125.0104(10) and 212.0305(5), F.S., to authorize counties which elect to self-administer the local option tourist development tax or the local option convention development tax to use independent contractors to perform the functions associated with self-administration.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                              |                             |   |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Subsection (10) of s. 125.0104, F.S., authorizes counties to elect to self-administer the local option tourist development tax (TDT), instead of having the Department of Revenue administer the tax on their behalf. The county is required to adopt a local ordinance specifying the responsibility for performance of tax administration duties. The ordinance must indicate if the county elects to perform all of the duties or if the authority for those duties are delegated to the department.

Section 212.0305, F.S., authorizes counties to elect to self-administer the local option convention development tax, instead of having the Department of Revenue administer the tax on the county's behalf. Just like with the TDT under s. 125.0104, F.S., the county is required to adopt a local ordinance specifying the responsibility for performance of tax administration duties. The ordinance must indicate if the county elects to perform all of the duties or if the authority for those duties are delegated to the department.

C. EFFECT OF PROPOSED CHANGES:

House Bill 509 amends ss. 125.0104(10)(c) and 212.0305(5)(c), F.S., to authorize counties which elect to self-administer the local option tourist development tax or the local option convention development tax to use independent contractors to perform the functions associated with self-administration.

According to the Department of Revenue analysis, these changes do not apply to the tourist impact tax in s. 125.0108, F.S., which does not have a self-administration provision nor to the local option food and beverage tax imposed by s. 212.0306, F.S., or to the Dade County tax imposed by Chapter 67-930, Laws of Florida.

D. SECTION-BY-SECTION ANALYSIS:

Section 1. Amends paragraph (c) subsection (10) of s. 125.0104, F.S., to authorize counties which elect to self-administer the local option tourist development tax or the local option convention development tax to use independent contractors to perform the functions associated with self-administration.

Section 2. Amends paragraph (c) of subsection (5) of s. 212.0305, F.S., to authorize counties which elect to self-administer the local option tourist development tax or the local option convention development tax to use independent contractors to perform the functions associated with self-administration.

Section 3. Provides an effective date of becoming a law.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

Not known.

2. Expenditures:

Not known. Possible savings through contracting out responsibilities rather than having county employees perform duties.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Private sector entities may be contracted with by counties to perform tax administration functions that were previously performed by the counties.

D. FISCAL COMMENTS:

None

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or take an action requiring the expenditure of funds.

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B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

None

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON TOURISM:

Prepared by:

Staff Director:

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Judy C. McDonald

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