



Central Florida
Hotel & Lodging Association

2022 Florida Legislative Session Summary

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2022 LEGISLATIVE PRIORITIES

Tourist Development Tax (TDT) - (DIED)

In 1977, the Florida Legislature passed the "Tourist Development Tax" (F.S.125.0104) at the request of Florida lodging executives. The purpose of the tax was to create dedicated revenue for tourism promotion and investment.

Now more than ever, the Central Florida Hotel & Lodging Association (CFHLA) strongly advocated preserving the integrity of this "bed tax," so it is utilized for tourism-promotion purposes only. CFHLA strongly opposed any efforts to expand the allowable uses beyond tourism promotion including public facility projects such as transportation, sewage, etc.

CFHLA opposed the following bills and they all died during the 2022 Florida Legislative Session.

- HB 6075 - Representative Eskamani
- SB 1898 - Senator Farmer Jr.
- HB 673 - Representative Shoaf
- SB 1542 - Senator Gainer

CFHLA, in addition to opposing the bills above, also monitored and tracked any and all tourism-related bills where a TDT-related amendment could possibly be attempted or added during the legislative session.

VISIT FLORIDA Extension and Funding - (PASSED)

CFHLA supported the public-private business model for VISIT FLORIDA, and will continue to recommend a long-term continuation of its enabling statute.

CFHLA opposed any efforts to replace VISIT FLORIDA funding from the state budget with county-level TDT revenues. Local TDT revenues are committed to vital projects and organizations that generate visitation - providing local economic development and job creation. As a result of the COVID-19 pandemic, Florida's tourism industry must ensure significant recovery of travel in 2022 to realize revenue generation comparable to previous years such as 2018 when the state's Tourism Industry employed more than 1.4 million Floridians.

CFHLA supported the following bills. SB 434 passed and will be soon sent to the Governor for approval. SB 434 extends the statutory sunset date for VISIT FLORIDA until 2028 providing a far more reliable runway for the agency. Additionally, working in partnership with stakeholders from around the state including CFHLA, VISIT FLORIDA secured \$50 million in funding for the FY 2022-2023. CFHLA thanks the lead bill sponsors (Senator Ed Hooper and Representative Linda Chaney) as well as the members of our local delegation who co-sponsored the measures.

- HB 489 - Representative Cheney and co-sponsored by Representatives Arrington, Brown, and Morales
- SB 434 - Senator Hooper and co-sponsored by Senator Stewart and Senator Torres

Vacation Rentals Shared Lodging Platforms - (DIED)

CFHLA believes all vacation rental "shared lodging" operators should register as businesses with the State Department of Revenue, Department of Business and Professional Regulation, and with their county Tax Collector. CFHLA supported initiatives to ensure "shared lodging" businesses also practice the same safety standards as traditional lodging to protect visitors. These standards include, but are not limited to; human trafficking awareness and prevention, regular health inspections, and COVID-19 hygiene and cleaning procedures.

CFHLA opposed any legislative efforts preventing local governments from regulating unregistered and "illegal" vacation rental properties listed on "shared lodging" platforms.

CFHLA supported the following bills and they made significant progress throughout the 2022 Florida Legislative Session. However, both bills ultimately stalled in the House and Senate and died.

- HB 325 - Representative Fischer and co-sponsored by Representative Morales
- SB 512 - Senator Burgess

Consumer Data Privacy - (DIED)

CFHLA believes that individual companies should be able to make decisions on how they use, store, and share consumer data and information. Additionally, CFHLA believes requiring businesses to respond to any consumers request, and delete such information upon request, is unnecessary and the cost of compliance could be significant for small and medium-size businesses.

CFHLA opposed any legislative efforts impacting how companies use, store, and share consumer data.

CFHLA opposed the following bills and they both died during the 2022 Florida Legislative Session.

- HB 9 - Representative McFarland
- SB 1864 - Senator Bradley

Florida Timeshare Act - (DIED)

CFHLA supported the American Resort Development Association's (ARDAs) legislative proposal seeking the clarification and modernization of several provisions in the Florida Timeshare Act. Beneficial revisions for owners' associations include the option for meetings to be held virtually, an exemption from current requirements to deliver notices to an owner's unit rather than address of record, clearer authority to act in an emergency, and streamlining the trustee foreclosure process to make it less time consuming. The proposal would also allow developers to deliver certain documents to purchasers

electronically and clarify provisions regarding the delivery and filing of other required documents. These proposed changes would help bring the statute up to date relative to the current business model and available technology.

CFHLA supported the following bills and they made significant progress throughout the 2022 Florida Legislative Session. However, both bills ultimately stalled in the House and Senate and died.

- HB 575 - Representative McClain
- SB 1216 - Senator Hutson

Workforce/Affordable Housing - (PASSED)

CFHLA believes the Florida Legislature should continue to utilize the Sadowski Fund only for its intended purpose to develop quality workforce housing for the constituents of Florida struggling to find adequate living arrangements. CFHLA supported measures to minimize or remove the ability to diverge funds to the general budget. CFHLA also supported local initiatives to incentivize the development of workforce housing through the use minimized impact fees and tax incentives.

CFHLA supported and advocated for additional funding for affordable housing included in the FY 2022-2023 Budget. HB 5001 has been sent to the Governor for approval.

The FY 2022-2023 Budget included an increase of nearly \$153 million for affordable housing (up from the FY 2021-2022 Budget), with approximately \$209 million for the State Housing Initiatives Partnership (SHIP) Program (up from approximately \$147 million in the FY 2021-2022 Budget) including \$100 million for the newly created "Hometown Heroes" program providing down payment assistance for teachers, health care workers, law enforcement, and others.

Property Tax Extension - (DIED)

The tourism industry recognizes Florida's property tax appraisal and collection schedule has created a situation in which lodging properties facing significant revenue shortages due to COVID-19 will be appraised at a much higher value and owe taxes no longer reflecting their current value.

CFHLA will continue to advocate for local property tax appraisers and collectors to be given the short-term authority to allow for flexible and/or extended repayment options, as Tourism Industry-related businesses continue to recover.

OTHER ISSUES CFHLA MONITORED

Revisions to Florida Statutes 509

Upon completion of the 2022 Legislative Session, the only modifications within Chapter 509, *Florida Statutes*, came within SB 898, *Relating to Lodging Standard*, later titled “Miya’s Law.” This bill was filed in response to the tragic death of a Central Florida female college student who was stalked by one of her apartment’s maintenance workers. If approved by the Governor, the law would enhance safety regulations around employee screening and notices to tenants for landlords of apartment complexes. As well, the bill prohibits public lodging facilities from offering an hourly rate, except for pertaining to late checkout fees.

Revisions to Florida’s Building Codes

The Florida Building Commission is currently in its regularly scheduled triennial code modification process with the timeframe for code recommendations to the commission closing in the middle of the legislative session. As this process progresses, CFHLA will keep its members updated on any significant changes to the code. Ongoing simultaneous to the regular code modification process is the newly created (in the 2021 Session,) errata process for minor/technical changes to the code to remove errors, discrepancies, and conflicting language.