

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.)

Prepared By: The Professional Staff of the Committee on Environment and Natural Resources

BILL: SB 1262

INTRODUCER: Senator Harrell

SUBJECT: State Park Fee Discounts

DATE: March 19, 2021

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------------|-----------------|-----------|------------------|
| 1. | <u>Brown</u> | <u>Caldwell</u> | <u>MS</u> | Favorable |
| 2. | <u>Rogers</u> | <u>Rogers</u> | <u>EN</u> | Favorable |
| 3. | _____ | _____ | <u>AP</u> | _____ |

I. Summary:

SB 1262 increases the current benefit on state park fees provided to active duty members and honorably discharged veterans of the United States Armed Forces (U.S.A.F.), National Guard, or reserve components of the U.S.A.F. or National Guard. State park fees generated are deposited into the State Park Trust Fund, to support the administration, improvement, and maintenance of state parks. Current law provides a qualifying servicemember or veteran with a 25 percent discount on an annual entrance pass. This bill increases the benefit to that of a lifetime family annual entrance pass at no charge.

A reduction in annual revenue generated for the State Park Trust Fund is estimated to be between \$500,000 to \$600,000.

The bill takes effect July 1, 2021.

II. Present Situation:

Fees at Florida's State Parks

Florida's award-winning state park system contains 175 state parks, including nearly 800,000 acres of state lands and 100 miles of sandy beaches.¹ Florida's state parks include all real property in the state of Florida under the jurisdiction of the Department of Environmental Protection's (DEP) Division of Recreation and Parks (Division), or real property which may come under the Division's jurisdiction regardless of its designation.² The Division manages and controls the operation of all of Florida's state parks.³ There are numerous designations in

¹ DEP, *Division of Recreation and Parks*, <https://floridadep.gov/parks> (last visited Jan. 16, 2020).

² Fla. Admin. Code R. 62D-2.013(1).

³ Section 258.004(1), F.S.

Florida's state park system; and examples include: state park, state preserve, historic site, archaeological site, botanical site, museum, and culture center.⁴ In Fiscal Year 2017-2018, over 28 million people visited Florida's State Parks, generating over \$66 million in revenue.⁵

The Division is authorized to charge reasonable fees for the use of state parks.⁶ Money from such fees is deposited in the State Park Trust Fund, which the Division uses for the administration, improvement, and maintenance of state parks, and for the acquisition and development of lands acquired for state park purposes.⁷ The Division's regulations prohibit any person from entering and using a state park property without paying any appropriate fees.⁸ A full stop must be made at the Ranger Station when entering a park, and no one may enter or leave any state park except through designated entrance points.⁹ No person may remain in any park after the posted closing time unless properly registered as an overnight visitor or in possession of a valid after hours permit.¹⁰

Admission fees at Florida's state parks currently range between \$1 and \$10.¹¹ Individual annual entrance passes are currently \$60 and family annual passes are \$120.¹² Annual entrance passes generally allow admission to all of Florida's state parks in lieu of paying the general admission fee, but other special use fees may be charged at some parks, such as tours or boat launches.¹³ Standard admission fees and other park fees are recommended by the Division Director and approved by the Secretary of the DEP.¹⁴

The Division's regulations state that admission fees shall be waived by authorized Division personnel for government representatives and for individuals who will benefit the state park system.¹⁵ The regulations also state that admission fees shall be waived for: children under six years old; patients and clients of government-funded mental institutions and certain organizations for minors; Florida school groups; and Division employees and their families.¹⁶

⁴ *Id.*

⁵ DEP, *Long Range Program Plan*, 52 (Oct. 2018), available at <http://floridafiscalportal.state.fl.us/Document.aspx?ID=18067&DocType=PDF> (last visited Mar. 18, 2021).

⁶ Section 258.014(1), F.S.

⁷ *Id.*

⁸ Fla. Admin. Code. R. 62D-2.014(2)(a); see Fla. Admin. Code. R. 62D-2.015(2). Violating the rules for admission to state park property constitutes a noncriminal infraction.

⁹ *Id.*

¹⁰ Fla. Admin. Code. R. 62D-2.014(16)(a).

¹¹ DEP, *Florida State Parks Fee Schedule*, 1 (Oct. 2013), available at <https://www.floridastateparks.org/sites/default/files/media/file/FPSFeeSchedule.pdf> (last visited Mar. 18 2020).

¹² *Id.* The price is \$45 for active-duty U.S. military members and veterans.

¹³ *Id.*

¹⁴ Fla. Admin. Code. R. 62D-2.014(2)(c), (d). The Division Director takes into consideration the following factors when recommending the fees: user demand, location of the park, cost of managing and operating the park, types of facilities available, season, and natural and historic resource values of the park.

¹⁵ Fla. Admin. Code. R. 62D-2.014(2)(b).

¹⁶ Fla. Admin. Code. R. 62D-2.014(2)(b)(1)-(4). Florida citizens who are at least 65 years of age are offered a fifty percent discount on base camping fees.

Recreation Benefits for Servicemembers and Veterans, Overall

The following discounts on state park fees apply with written documentation to:

- Active duty members and honorably discharged veterans of the United States Armed Forces (U.S.A.F.), National Guard, or reserve components, 25-percent discount on annual entrance passes.
- Honorably discharged veterans who have service-connected disabilities, lifetime family annual entrance passes at no charge.
- Surviving spouses and parents of deceased members of the U.S.A.F., National Guard, or reserve components who died in combat, lifetime family annual entrance passes at no charge.¹⁷

A partial or full discount on county park fees applies to:

- Current members of the U.S.A.F., their reserve components, or the National Guard.
- Honorably discharged veterans of the U.S.A.F., a reserve component, or the National Guard, and those veterans with a service-connected disability.
- Surviving spouses and parents of a deceased member of the U.S.A.F, a reserve component, or the National Guard, who died in combat.¹⁸

A member of the U.S.A.F. stationed in the state, or a residing family member, is considered a resident for purposes of applying for a hunting, fishing, or other recreational license.¹⁹ A resident pays reduced fees on licenses, such as paying \$15.50 for an annual freshwater or saltwater fishing license, rather than \$45.50; \$15.50 for an annual hunting license to take game, rather than \$150; and \$46.50 for the option of an annual combination of a hunting, freshwater fishing, and saltwater fishing license (no option is available for a combination license for a nonresident).²⁰

Additionally, a licensure exemption is provided for an outdoor hunting, freshwater fishing, or saltwater fishing recreational event designed to foster rehabilitation or enjoyment among disabled veterans or active duty or reserve duty servicemembers, a participating servicemember or veteran, immediate family, and an assistant to the member. This benefit applies to a disabled veteran or an active duty or reserve duty servicemember of the U.S.A.F., the Coast Guard, military reserves, or the Florida National Guard.²¹

An Annual Military Gold Sportsmen's License is available to a resident active or retired member of the U.S.A.F., U.S.A.F. Reserve, the National Guard, the U.S. Coast Guard, or the U.S. Coast Guard Reserve. An annual military gold sportsman's license costs \$18.50, rather than the \$98.50 charged for the annual gold sportsman's license. The annual military gold sportsman's license authorizes the same activities as the annual gold sportsman's license.²² Authorized activities are the taking of freshwater fish, saltwater fish, and game, subject to state and federal law, rules, and

¹⁷ Section 258.0145, F.S.

¹⁸ Section 125.029, F.S.

¹⁹ Section 379.101(30)(b)1., F.S.

²⁰ Section 379.354(4) and (5), F.S.

²¹ Section 379.353(2)(q), F.S.

²² Section 379.354(4)(i) and (j), F.S.

regulations. Other eligible activities include those authorized by a management area permit, a muzzle-loading gun season permit, a crossbow season permit, a turkey permit, a Florida waterfowl permit, a deer permit, an archery season permit, a snook permit, and a spiny lobster permit.²³

III. Effect of Proposed Changes:

SB 1262 increases the current benefit on state park fees provided to active duty members and honorably discharged veterans of the United States Armed Forces (U.S.A.F.), National Guard, or reserve components of the U.S.A.F. or National Guard. Current law provides a qualifying servicemember or veteran with a 25-percent discount on an annual entrance pass. This bill increases the benefit to that of a lifetime family annual entrance pass at no charge.

The bill takes effect July 1, 2021.

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:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Active duty servicemembers and veterans and their families will pay no annual fee, rather than a 25-percent discounted fee, for entrance to state parks.

²³ Section 379.354(4)(i), F.S.

C. Government Sector Impact:

In Fiscal Year 2019-2020, Florida State Parks received over \$500,000 in revenue associated with entrance passes for active duty servicemembers and honorably discharged veterans who receive the current 25 percent discount. For the past five years, the average annual revenue collected was \$560,347. Based on this amount, the Department of Environmental Protection (department) estimates an annual reduction of revenue into the State Parks Trust Fund to be between \$500,000 to \$600,000.²⁴ The department also anticipates an increased workload due to park staff having to issue additional annual passes to this user group.²⁵

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 258.0145 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.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

²⁴ Department of Environmental Protection, *2021 Legislative Session, HB 399 (SB 1262)* (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

²⁵ *Id.*