

Governor's Budget Recommendation Conforming Bill
Fee Cuts

A bill to be entitled

An act relating to fee cuts.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (1) of section
319.28, Florida Statutes, is amended to read:

319.28 Transfer of ownership by operation of law.—

(1) (a) In the event of the transfer of ownership of a motor
vehicle or mobile home by operation of law as upon inheritance,
devise or bequest, order in bankruptcy, insolvency, replevin,
attachment, execution, or other judicial sale or whenever the
engine of a motor vehicle is replaced by another engine or
whenever a motor vehicle is sold to satisfy storage or repair
charges or repossession is had upon default in performance of
the terms of a security agreement, chattel mortgage, conditional
sales contract, trust receipt, or other like agreement, and upon
the surrender of the prior certificate of title or, when that is
not possible, presentation of satisfactory proof to the
department of ownership and right of possession to such motor
vehicle or mobile home, and upon payment of the fee prescribed
by law , except for surviving spouses retitling a vehicle in

Governor's Budget Recommendation Conforming Bill
Fee Cuts

23 their name who are exempt from the fee prescribed in s.
24 319.32(1), and presentation of an application for certificate of
25 title, the department may issue to the applicant a certificate
26 of title thereto.

27 Section 2. Paragraph (b) of subsection (8) of section
28 322.051, Florida Statutes, is amended to read:

29 322.051 Identification cards.—

30 (8)(b) The word "Veteran" shall be exhibited on ~~the~~ an
31 identification card of a veteran upon ~~the payment of an~~
32 ~~additional \$1 fee for the identification card and the~~
33 presentation of a copy of the person's DD Form 214, issued by
34 the United States Department of Defense, or another acceptable
35 form specified by the Department of Veterans' Affairs. ~~Until a~~
36 ~~veteran's identification card is next renewed, the veteran may~~
37 ~~have the word "Veteran" added to his or her identification card~~
38 ~~upon surrender of his or her current identification card,~~
39 ~~payment of a \$2 fee to be deposited into the Highway Safety~~
40 ~~Operating Trust Fund, and presentation of a copy of his or her~~
41 ~~DD Form 214 or another acceptable form specified by the~~
42 ~~Department of Veterans' Affairs.~~ If the applicant is not
43 conducting any other transaction affecting the identification
44 card, a replacement identification card shall be issued with the

Governor's Budget Recommendation Conforming Bill
Fee Cuts

word "Veteran" without payment of the fee required in s.
322.21(1)(f)3.

Section 3. Paragraph (d) of subsection (1) of section
322.14, Florida Statutes, is amended to read:

322.14 Licenses issued to drivers.—

(1)(d) The word "Veteran" shall be exhibited on the a
driver license of a veteran upon ~~the payment of an additional \$1~~
~~fee for the license and~~ the presentation of a copy of the
person's DD Form 214, issued by the United States Department of
Defense, or another acceptable form specified by the Department
of Veterans' Affairs. ~~Until a veteran's license is next renewed,~~
~~the veteran may have the word "Veteran" added to his or her~~
~~license upon surrender of his or her current license, payment of~~
~~a \$2 fee to be deposited into the Highway Safety Operating Trust~~
~~Fund, and presentation of a copy of his or her DD Form 214 or~~
~~another acceptable form specified by the Department of Veterans'~~
~~Affairs.~~ If the applicant is not conducting any other
transaction affecting the driver license, a replacement license
shall be issued with the word "Veteran" without payment of the
fee required in s. 322.21(1)(e).

Section 4. Paragraph (a) of subsection (1) of section
322.21, Florida Statutes, is amended to read:

Governor's Budget Recommendation Conforming Bill
Fee Cuts

322.21 License fees; procedure for handling and collecting
fees. —

(1)(a) An original or renewal commercial driver license is
\$75, except for an original commercial driver license for
veterans upon the presentation of a copy of the person's DD Form
214, issued by the United States Department of Defense, or
another acceptable form specified by the Department of Veterans'
Affairs, which shall include the fee for driver education
provided by s. 1003.48. However, if an applicant has completed
training and is applying for employment or is currently employed
in a public or nonpublic school system that requires the
commercial license, the fee is the same as for a Class E driver
license. A delinquent fee of \$15 shall be added for a renewal
within 12 months after the license expiration date.

Section 5. Paragraph (f) of subsection (1) of section
322.21, Florida Statutes, is amended to read:

322.21 License fees; procedure for handling and collecting
fees. —

(1)(f) An original, renewal, or replacement identification
card issued pursuant to s. 322.051 is \$25, except that an
applicant who presents evidence satisfactory to the department
that he or she is homeless as defined in s. 414.0252(7); his or

Governor's Budget Recommendation Conforming Bill
Fee Cuts

her annual income is at or below 100 percent of the federal poverty level; ~~or~~ he or she is a juvenile offender who is in the custody or under the supervision of the Department of Juvenile Justice, is receiving services pursuant to s. 985.461, and whose identification card is issued by the department's mobile issuing units is exempt from such fee; or he or she is 80 years of age or over. Funds collected from fees for original, renewal, or replacement identification cards shall be distributed as follows:

1. For an original identification card issued pursuant to s. 322.051, the fee shall be deposited into the General Revenue Fund.

2. For a renewal identification card issued pursuant to s. 322.051, \$6 shall be deposited into the Highway Safety Operating Trust Fund, and \$19 shall be deposited into the General Revenue Fund.

3. For a replacement identification card issued pursuant to s. 322.051, \$9 shall be deposited into the Highway Safety Operating Trust Fund, and \$16 shall be deposited into the General Revenue Fund. Beginning July 1, 2015, or upon completion of the transition of the driver license issuance services, if the replacement identification card is issued by the tax collector,

Governor's Budget Recommendation Conforming Bill
Fee Cuts

the tax collector shall retain the \$9 that would otherwise be deposited into the Highway Safety Operating Trust Fund and the remaining revenues shall be deposited into the General Revenue Fund.

Section 6. Section 488.03, Florida Statutes, is amended to read:

488.03 License; application; expiration; renewal; fees. —

An application for a license shall be made in the form prescribed by the Department of Highway Safety and Motor Vehicles. Every application for an original license must be accompanied by an application fee of ~~\$50~~25, which fee may not be refunded. If the application is approved, a further fee of ~~\$200~~100 must be paid before the license may be issued. The license shall be valid for a period of 1 year from the date of issuance and is not transferable. In the event of any change in ownership or interest in the business, an application for a new license, together with all instructors' certificates issued thereunder, must be surrendered to the department before a license will be issued to a new owner of the business. The fee for the annual renewal of a license is ~~\$100~~50.

Section 7. Section 113.01, Florida Statutes, is amended to read:

Governor's Budget Recommendation Conforming Bill
Fee Cuts

113.01 Fee for commissions issued by Governor. -

A fee of \$10 is prescribed for the issuance of each commission issued by the Governor of the state and attested by the Secretary of State for ~~an elected officer or~~ a notary public.

Section 8. Section 553.721, Florida Statutes, is amended to read:

553.721 Surcharge. -

In order for the Department of Business and Professional Regulation to administer and carry out the purposes of this part and related activities, there is created a surcharge, to be assessed at the rate of 1.0 ~~1.5~~ percent of the permit fees associated with enforcement of the Florida Building Code as defined by the uniform account criteria and specifically the uniform account code for building permits adopted for local government financial reporting pursuant to s. 218.32. The minimum amount collected on any permit issued shall be \$2. The unit of government responsible for collecting a permit fee pursuant to s. 125.56(4) or s. 166.201 shall collect the surcharge and electronically remit the funds collected to the department on a quarterly calendar basis for the preceding quarter and continuing each third month thereafter. The unit of

Governor's Budget Recommendation Conforming Bill
Fee Cuts

government shall retain 10 percent of the surcharge collected to fund the participation of building departments in the national and state building code adoption processes and to provide education related to enforcement of the Florida Building Code. All funds remitted to the department pursuant to this section shall be deposited in the Professional Regulation Trust Fund. Funds collected from the surcharge shall be allocated to fund the Florida Building Commission and the Florida Building Code Compliance and Mitigation Program under s. 553.841. Funds allocated to the Florida Building Code Compliance and Mitigation Program shall be \$925,000 each fiscal year. The Florida Building Code Compliance and Mitigation Program shall fund the recommendations made by the Building Code System Uniform Implementation Evaluation Workgroup, dated April 8, 2013, from existing resources, not to exceed \$30,000 in the 2016-2017 fiscal year. Funds collected from the surcharge shall also be used to fund Florida Fire Prevention Code informal interpretations managed by the State Fire Marshal and shall be limited to \$15,000 each fiscal year. The State Fire Marshal shall adopt rules to address the implementation and expenditure of the funds allocated to fund the Florida Fire Prevention Code informal interpretations under this section. The funds collected

Governor's Budget Recommendation Conforming Bill
Fee Cuts

from the surcharge may not be used to fund research on techniques for mitigation of radon in existing buildings. Funds used by the department as well as funds to be transferred to the Department of Health and the State Fire Marshal shall be as prescribed in the annual General Appropriations Act. The department shall adopt rules governing the collection and remittance of surcharges pursuant to chapter 120.

Section 9. Subsection (7) of section 455.271, Florida Statutes, is amended to read:

455.271 Inactive and delinquent status. —

(7) Notwithstanding the provisions of the professional practice acts administered by the department, each board, or the department when there is no board, shall, ~~by rule,~~ impose an additional delinquency fee of \$25.00 ~~, not to exceed the biennial renewal fee for an active status license,~~ on a delinquent status licensee when such licensee applies for active or inactive status.

Section 10. Effective January 1, 2018, subsection (7) of section 212.0596, Florida Statutes, is amended to read:

212.0596 Taxation of mail order sales.—

(7) The department may establish by rule procedures for collecting the use tax from unregistered persons who but for

Governor's Budget Recommendation Conforming Bill
Fee Cuts

their mail order purchases would not be required to remit sales or use tax directly to the department. The procedures may provide for waiver of registration ~~and registration fees~~, provisions for irregular remittance of tax, elimination of the collection allowance, and nonapplication of local option surtaxes.

Section 11. Effective January 1, 2018, paragraphs (a) and (c) of subsection (3) of section 212.18, Florida Statutes, are amended to read:

212.18 Administration of law; registration of dealers; rules.—

(3) (a) A person desiring to engage in or conduct business in this state as a dealer, or to lease, rent, or let or grant licenses in living quarters or sleeping or housekeeping accommodations in hotels, apartment houses, roominghouses, or tourist or trailer camps that are subject to tax under s. 212.03, or to lease, rent, or let or grant licenses in real property, and a person who sells or receives anything of value by way of admissions, must file with the department an application for a certificate of registration for each place of business. The application must include the names of the persons who have interests in such business and their residences, the address of the business, and other data reasonably required by

Governor's Budget Recommendation Conforming Bill
Fee Cuts

the department. However, owners and operators of vending machines or newspaper rack machines are required to obtain only one certificate of registration for each county in which such machines are located. The department, by rule, may authorize a dealer that uses independent sellers to sell its merchandise to remit tax on the retail sales price charged to the ultimate consumer in lieu of having the independent seller register as a dealer and remit the tax. The department may appoint the county tax collector as the department's agent to accept applications for registrations. The application must be submitted to the department before the person, firm, copartnership, or corporation may engage in such business, ~~and it must be accompanied by a registration fee of \$5. However, a registration fee is not required to accompany an application to engage in or conduct business to make mail order sales. The department may waive the registration fee for applications submitted through the department's Internet registration process.~~

(c)1. A person who engages in acts requiring a certificate of registration under this subsection and who fails or refuses to register commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. Such acts are subject to injunctive proceedings as provided by law. A

Governor's Budget Recommendation Conforming Bill
Fee Cuts

person who engages in acts requiring a certificate of registration and who fails or refuses to register is also subject to a \$100 initial registration fee ~~in lieu of the \$5 registration fee required by paragraph (a)~~. However, the department may waive ~~the increase in the~~ registration fee if it finds that the failure to register was due to reasonable cause and not to willful negligence, willful neglect, or fraud.

2.a. A person who willfully fails to register after the department provides notice of the duty to register as a dealer commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

b. The department shall provide written notice of the duty to register to the person by personal service or by sending notice by registered mail to the person's last known address. The department may provide written notice by both methods described in this sub-subparagraph.

Section 12. Effective January 1, 2018, paragraph (c) of subsection (5) of section 206.41, Florida Statutes, is amended to read:

206.41 State taxes imposed on motor fuel.—

(5)(c) 1. No refund may be authorized unless a sworn application therefor containing such information as the

Governor's Budget Recommendation Conforming Bill
Fee Cuts

department may determine is filed with the department not later than the last day of the month following the quarter for which the refund is claimed. However, when a justified excuse for late filing is presented to the department and the last preceding claim was filed on time, the deadline for filing may be extended an additional month. No refund will be authorized unless the amount due is for \$5 or more for any refund period and unless application is made upon forms prescribed by the department.

2. Claims made for refunds provided pursuant to subsection (4) shall be paid quarterly. ~~The department shall deduct a fee of \$2 for each claim, which fee shall be deposited in the General Revenue Fund.~~

Section 13. Except as otherwise provided, this act shall take effect on July 1, 2017.