



# FLORIDA RESTAURANT & LODGING ASSOCIATION

## 2023 Legislative Agenda



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## Workforce Housing

FRLA supports full funding for the Sadowski Fund.

Our industry has a specific and dire need for reliable and affordable rental housing. In addition to existing State Apartment Incentive Loan dollars (usually known as SAIL), FRLA would like to see the legislature increase the percentage of State Housing Incentive Partnership dollars (usually known as SHIP) that can be used for rental housing.

FRLA would also encourage the Legislature to consider creating incentives to encourage innovative approaches to affordable housing development. For example: incentives for development of high-quality rental properties in key areas or incentives and tax credits for hoteliers and restaurateurs to create housing for their own staff.

## Special Food Service/ Liquor License

Currently, restaurants must have 2,500 square feet and 150 seats to qualify for a special restaurant liquor license. We support reducing the number of required seats for an SFS license from 150 to 100 seats.

This allows restaurateurs to respond to changing trends in the industry regarding the size of an establishment. It also allows restaurateurs to adapt their existing layout to allow customers more space and reflect changes in their business model (common after COVID). The change in the seating requirements makes more establishments eligible to participate in alcohol-to-go services, which can make a significant impact on their financial success.

These regulatory reductions reflect existing trends in the hospitality industry, encourage the development of new businesses, and support a potential increase in the financial success of existing businesses.

## Vacation Rentals

While vacation rentals have long been available in Florida, the option to list available units online through advertising platforms has caused this lodging sector to explode. Florida's statutes need to be updated to accommodate the changing lodging industry, creating balanced and rational regulations that serve visitors, residents, and communities.



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## *Vacation Rentals cont.*

FRLA supports the following:

- Requiring advertising platforms to confirm the licensing/registration of vacation rentals with the relevant State agencies prior to listing;
- Requiring advertising platforms to collect and remit all taxes due;
- An option for local registration so that local governments can better understand and respond to what is happening in their jurisdictions;
- Vacation rental license revocation provisions;
- Requiring quarterly reporting to the State by advertising platforms listing the vacation rentals on their platforms, including the physical address, so that tax collection and legal compliance can be confirmed;
- Reasonable and effective penalty provisions for noncompliance, such as higher monetary penalties; and
- Clear and consistent audit provisions to allow for accurate assessment of compliance.

## VISIT FLORIDA

FRLA supports increased funding for VISIT FLORIDA in the amount of \$75 million. Following Hurricane Ian, funding will be especially important to ensure Florida continues to be top of mind as a leading vacation destination.

## Tourist Development Tax

FRLA opposes adding any additional approved uses for Tourist Development Tax (TDT) revenues. Adding additional approved uses will only serve to dilute the effectiveness of these dollars, which are statutorily established for the promotion and marketing of tourism.

Some clarification may be necessary to ensure that TDT revenues are used in a manner consistent with statutory intent.



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## Data Privacy

Customers deserve to have control over their personal information. Any regulations Florida adopts should be reasonable and take into account the changing nature of commerce.

The cost of compliance for businesses must be carefully considered. Businesses must be given an adequate opportunity to correct any errors and respond to complaints without the threat of costly litigation.

## Water Quality

Florida's beaches, rivers, and lakes attract millions to our beautiful state annually. Poor water quality would negatively affect Florida's tourism-based economy, as well as its residents and communities.

FRLA supports sound and sustainable water quality policies that balance the needs of various groups and industries while also seeking to protect health of our water supply long into the future and the beauty of our state.

## Hurricane Recovery

When a disaster of any kind strikes Florida, the reverberations are felt across the state. FRLA will carefully review the many different proposals, incentives, and regulations that are expected to be offered in response to Hurricane Ian. FRLA will advocate for recovery and response approaches that support Florida's hospitality industry.

## Interchange Fees on Sales Tax

Businesses pay interchange fees on every credit and debit card transaction. These fees are applied not only to the cost of goods themselves, but also to any applicable taxes that apply to that purchase. Card usage is increasing, and so are the interchange fees. This means it is increasingly more expensive for businesses to provide the valuable government service of collecting and remitting taxes. This amounts to millions of dollars in fees being paid by Florida businesses – over \$208 million dollars in 2021. Prohibiting the collection of interchange fees on sales taxes will reduce the burden on our businesses and free up these funds for additional investment and positive economic activity in our state.

