

MCLdepartmentOctober2017

Dear Commandant LaMont

September 25, 2017

The Legislature was scheduled to hold its first series of interim committee meetings the week of September 11<sup>th</sup>. The House had scheduled a meeting of the Local, Federal & Veterans Affairs Subcommittee on the 13<sup>th</sup>. However, due to Hurricane Irma coming right up the middle of the state, all September meetings were cancelled. October will hold two series of interim committees, one the Week of the 9<sup>th</sup> and a second one the week of the 23<sup>rd</sup>.

#### Pre-Filed Bills

While the hurricane has delayed a lot of Legislative activity, there are a number of bills of interest to us that have already been filed. They include:

- HB 69 by Rep. McGhee—would enact a two-month sales tax holiday for veterans of the U. S. Armed Forces. It would run from 12:01 a.m. on November 1 through 11:59 p.m. on December 31, annually and applies on the retail sales as defined in s. 212.02 (14), of the following:
  - Clothing with a sales price of \$100 or less per item. It further defines it to mean any article of wearing apparel , excluding watches, watchbands, jewelry, umbrellas, and handkerchiefs; and
  - All footwear, excluding skis, swim fins, roller blades, and skates.
  - Personal computers with a sales price of \$1,500 or less per item, but excluding cell phones, video game consoles, digital media receivers, or devices that are not primarily designed to process data.
  - Books with a sales price of \$50 or less, including textbooks or other instructional materials, in printed or digital format, used for educational purposes.
  - Sports, fitness, and recreational equipment with a sales price of \$100 or less per item.
  - Televisions with a sales price of \$1,000 or less per item.
  - Game tables and billiard tables, and accessories thereof, with a sales price of \$500 or less per item.

It defines veterans very broadly and requires proof of service. It applies the exemption to items placed on layaway during the holiday period, even if final payment is made outside that window. The same is true of mail order items received outside of the period as long as the item is purchased for immediate shipment within the holiday period. It also applies to “exchanges” outside of the period as long it is for the same type of item (like for a different size or color). It is effective July 1, 2018. Note, however, that in the past attempts for all of the various sales tax “holidays”, the duration of the final holiday is often reduced to meet budget projections. In other words, if the holiday is deemed to have the potential of taking too much revenue out of the state coffers, it is often cut back on the number of days it would apply.

- HB 107 by Rep. Combee—is a 20-page bill creating a veteran identification card to be used as proof of veteran status for the purpose of obtaining discounts or waivers offered to veterans for the exchange of goods and services and for other purposes authorized by law. Note, however, it can't be used for the determination of any federal benefits, and does not replace motor vehicle ID cards under s. 322.051, or certain educational benefits for dependent children of deceased or 100% disabled veterans under s. 295.17. It provides for a \$10 fee and sets forth elements of proof for obtaining the card. The remainder of the bill is devoted to cross references to the various benefits available to veterans under current Florida law. See the bill for details. It is effective January 1, 2019.

A number of other bills have been filed that, while not aimed directly at veterans, might be of interest to those readers that have friends or families on active duty. They include:

- HB 75 by Rep. Ponder—provides that a Florida College System Institution may waive any portion of the student activity and service fee, the financial aid fee, the technology fee, the capital improvement fee, and any other fees authorized in s. 1009.23 for a person who is an active duty member of the armed forces of the U.S. using military tuition assistance provided by the Department of Defense. It provides for reports to the State Board of Education on the number and amount of such waivers. Section 1009.23 appears to include out-of-state tuition fees, but it is unclear if that can also be waived. It is effective July 1, 2018.
- HJR 91 by Rep. Avila—is a Joint Resolution for a proposed amendment to the Florida Constitution that would waive the waiting period for the sale of handguns if the purchaser is an active duty military service member. If passed by the Legislature, it would become effective if passed by 60 percent of those voting in the next general election.
- HB 93 by Rep. Avila—is the “implementing bill” necessary should the above HJR 91 pass. It would amend s. 790.0655 to provide for the exception to the 3-day waiting period. It would be effective on the date that the Joint Resolution passes.