



Broward SLI

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Gaming - Destination Resorts

Destination Resort gaming bills, HB 487 and SB 710, were introduced on Wednesday, November 1 by Rep. Fresen and Sen. Bogdanoff, respectively. The identical bills create a state gaming commission and authorize it to award three destination resort licenses for limited gaming. Licenses may only be issued in counties where voters have already approved slot machine gaming operations (i.e., Broward and Miami-Dade Counties) or in a county where voters have approved limited gaming in a countywide referendum.

The state gaming commission is required to utilize an invitation to negotiate process and the bills set forth criteria with which an applicant must comply to obtain a destination resort license. An applicant must submit a \$1 million nonrefundable fee to defray the costs of the gaming commission’s review and investigation of the application, along with a one-time license fee of \$50 million. The latter fee is refundable if the commission denies the applicant a resort license; but only 80 percent of the fee is refundable if the applicant withdraws its application after the deadline established by the commission.

In addition, an applicant must demonstrate that it will expend at least \$2 billion in new development and construction for the proposed destination resort, excluding the purchase price and costs associated with the acquisition of real property for the development. This required investment must be completed within 5 years after the resort license is awarded. The gaming floor of the proposed resort may not exceed 10 percent of the development’s entire square footage, which includes all the space of the limited gaming facility, any hotel, convention space, retail facilities, nongaming entertainment facilities, service centers, and any office space or administrative areas.

The Florida Chamber of Commerce, Walt Disney World, and several other statewide anti-gambling organizations, including religious and family-oriented groups, expressed their strong opposition to the bills this week. The Senate Regulated Industries Committee may begin taking public testimony on Sen. Bogdanoff’s bill at its scheduled mid-November meeting.

Repeal of Local Business Tax Act

Reps. O’Toole and Gaetz introduced HB 4205, which would repeal the Local Business Tax Act, Chapter 205, F.S. The County Local Business Tax Receipt is required for the privilege of engaging in or managing any business, profession, or occupation in Broward County.

The Local Business Tax Receipt (LBTR) is used in Broward County's budget process as a contributing component to the General Fund and is the primary source of funding for the Broward Alliance. Eliminating Business Tax Receipts would negatively impact Broward County's budget, as well as the budgets of the municipalities within Broward County. If the bill passes, the estimated fiscal impact to Broward County may exceed \$1.3 million. At the state level, the measure would have a \$156.4 million impact in FY 2012-13, increasing to over \$160 million by FY 2015-16.

HB 4025 has been referred to the Finance & Tax and Economic Affairs committees. The Senate companion, SB 760 by Sen. Hays, has not yet received committee assignments.

Department of Juvenile Justice

Detention Cost Share Proviso Workgroup Recommendations

On November 1, the joint Department of Juvenile Justice (DJJ) and Florida Association of Counties (FAC) Detention Cost Share Proviso Workgroup submitted final recommendations to Governor Scott, Senate President Haridopolos, and House Speaker Cannon. The Workgroup, which included Commissioner Wexler, met formally four times over the past few months and produced the following recommendations:

1. Align the DJJ detention budget with detention utilization as provided by existing Florida Statutes.
2. Proceed with detention reform, including the implementation of a scientifically-validated risk assessment instrument that can accurately predict the risk of reoffending and court appearance.
3. DJJ and counties will collaborate closely to achieve accountable and collaborative governance at the local level.
4. Engage the Legislature in a discussion regarding the functional scope as it relates to juvenile justice detention and whether the funding, operations and oversight of juvenile justice detention should be the responsibility of the state or the counties.

Broward County is actively monitoring all DJJ-related proposed legislation and will continue to advocate for inclusion of the Workgroup's recommendations in any DJJ reform legislation during the upcoming Session.

HB 173 – Relating to Juvenile Justice

The House Criminal Justice Subcommittee unanimously passed HB 173, relating to Juvenile Justice, by Rep. Pilon. HB 173 would authorize the DJJ to place delinquent juvenile mothers or expectant mothers in mother-infant programs, rather than committing them to juvenile detention facilities; such programs would be specifically designed to support expectant mothers and enable juvenile mothers to care for their children. The bill would also allow the DJJ to pay up to \$5,000 towards basic funeral expenses for a youth who dies while in DJJ custody, whose parents or guardians are indigent, and where other funding mechanisms are unavailable. HB 173 is now in the Justice Appropriations Subcommittee. The companion bill, SB 504, has been referred to three committees but is yet to be heard.

SPB 7016 – Relating to Juvenile Justice Education and Workforce Programs

The Senate Education and Pre-K – 12 Committee considered SPB 7016, which would

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establish a three-tier performance rating system for school districts and private providers involved in educating youth in detention centers, residential treatment facilities and prevention programs. The rating system would be based on learning gains, earned industry certifications, and student performance and achievement after release from a DJJ program, such as whether students routinely go on to obtain high school diplomas and/or college credits and employment rates. School districts and private providers who fail to meet the minimum performance outcomes would be prohibited from providing educational services to youth in DJJ facilities. The committee approved a motion to submit the proposed bill as a committee bill. SB 834 was filed Friday; committee references have not yet been assigned.

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