

Fiscal Estimate Narratives

PSC 3/13/2017

LRB Number	17-0762/2	Introduction Number	AB-0140	Estimate Type	Original
Description Tax administration changes, the police and fire protection fee, defining restaurant for purposes of alcohol beverage regulation, lottery ticket couriers, background investigations of persons associated with the lottery, and providing a criminal penalty					

Assumptions Used in Arriving at Fiscal Estimate

In 2009, the two agencies, DOR and PSC, together decided to use a common collection method to collect Police & Fire Protection Fee due from monthly subscription and pre-paid wireless customers. The agencies agreed that DOR would collect both categories of the Police & Fire Protection Fee. The arrangement was efficient in that the PSC did not have to create a separate collection procedure and assign agency staff to collect the Fee. While this arrangement created the appearance of a fee collection process somewhat similar to a sales tax, the statute did not authorize either agency to use the common collection techniques that would normally apply: the statute merely required telecommunications providers to use their best efforts to collect the fee, and did not include penalties for late payment. The current statute did authorize the PSC to investigate instances of delinquency. However, the current authorized collection action is cumbersome to use in practice, and in almost all cases requires an expenditure of staff time that is disproportionate to the amount of delinquency at issue.

SB 89 changes the responsibility of a telecommunications provider or vendor with respect to the Police & Fire Protection Fee. Under SB 89, the providers and vendors will have a duty to collect the fee. SB 89 expressly authorizes the agencies to continue the existing consolidated collection procedure, and authorizes DOR to employ standard collection methods found in ss. 77.59 and 77.62 to collect minor delinquencies. SB 89 further provides an appeal process for significant disputes that would ultimately result in a referral to the PSC for resolution.

Long-Range Fiscal Implications

SB 89 does not create additional workload for the Commission. From the perspective of the Commission, SB 89 merely codifies a collection arrangement between PSC and DOR that is already in place. The Commission would be able to accommodate the changes proposed in SB 89 using existing staff resources.