

By Senator Wise

5-00850-11

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1                   A bill to be entitled  
2           An act relating to the sale of advertising; creating  
3           the "State Revenue Enhancement Act of 2011"; creating  
4           s. 288.082, F.S.; providing for the Office of Tourism,  
5           Trade, and Economic Development to sell naming rights  
6           and lease space for commercial advertising to be  
7           displayed on state transportation property; amending  
8           s. 14.2015, F.S.; revising duties of the office to  
9           include such sales and administration of contracts for  
10          the sales; providing an effective date.

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

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14           Section 1. This act may be cited as the "State Revenue  
15 Enhancement Act of 2011."

16           Section 2. Section 288.082, Florida Statutes, is created to  
17 read:

18           288.082 Sale of advertising.—The Office of Tourism, Trade,  
19 and Economic Development may sell to a private sector business  
20 or entity the naming rights for a state transportation facility  
21 and lease space for commercial advertising to be displayed on  
22 state transportation facilities or property.

23           (1) A contract for sale or lease under this section must  
24 include the requirements of subsections (3) and (4), shall be  
25 administered by the office, and may be a multiyear contract.

26           (2) (a) Naming rights or space for a commercial advertising  
27 display may be sold for exhibition on any state-owned  
28 transportation facility or property, including, but not limited  
29 to, the Florida Turnpike, other roads and highways, highway

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30 lanes, on-ramps and off-ramps, road rights-of-way, toll  
31 facilities, buildings, barriers, parks, rest areas, and  
32 railways.

33 (b) Naming rights of a transportation facility pursuant to  
34 a contract under this section are for public relations or  
35 advertising purposes and may not be construed to require any  
36 action by a local government or private party regarding the  
37 changing of any street signs, mailing address, or 911 emergency  
38 telephone number system listing.

39 (3) Sale or lease under this section shall be for a 1-year  
40 period but may be for a longer period under a multiyear  
41 contract.

42 (4) (a) Before installation, each name or advertising  
43 display must be approved by the Florida Turnpike Enterprise or  
44 the Department of Transportation, as appropriate.

45 (b) The Florida Turnpike Enterprise or the Department of  
46 Transportation, as appropriate, shall set materials and  
47 construction standards for all signage displayed and shall  
48 provide for the installation of all displays on its facilities  
49 or property.

50 (c) All costs of a display, including its development,  
51 construction, installation, operation, maintenance, and removal,  
52 shall be paid by the buyer.

53 (5) Proceeds from contracts under this section shall be  
54 distributed as follows:

55 (a) Eighty percent shall be deposited in the State  
56 Transportation Trust Fund.

57 (b) Ten percent shall be retained by the Office of Tourism,  
58 Trade, and Economic Development.

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59       (c) Ten percent shall be distributed, prorated by  
60 population, to district school boards and must be used to  
61 enhance funds for the school district's driver education  
62 program. The prorated share of such funds for a district that  
63 does not provide a driver education program may not be  
64 distributed to that district and shall be deposited into the  
65 State Transportation Trust Fund.

66       Section 3. Paragraph (f) of subsection (2) of section  
67 14.2015, Florida Statutes, is amended to read:

68       14.2015 Office of Tourism, Trade, and Economic Development;  
69 creation; powers and duties.—

70       (2) The purpose of the Office of Tourism, Trade, and  
71 Economic Development is to assist the Governor in working with  
72 the Legislature, state agencies, business leaders, and economic  
73 development professionals to formulate and implement coherent  
74 and consistent policies and strategies designed to provide  
75 economic opportunities for all Floridians. To accomplish such  
76 purposes, the Office of Tourism, Trade, and Economic Development  
77 shall:

78       (f)1. Administer the Florida Enterprise Zone Act under ss.  
79 290.001-290.016, the community contribution tax credit program  
80 under ss. 220.183 and 624.5105, the tax refund program for  
81 qualified target industry businesses under s. 288.106, the tax-  
82 refund program for qualified defense contractors and space  
83 flight business contractors under s. 288.1045, contracts for  
84 transportation projects under s. 288.063, contracts for the sale  
85 or lease of naming rights and advertising displayed on  
86 transportation facilities under s. 288.082, the sports franchise  
87 facility programs under ss. 288.1162 and 288.11621, the

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88 professional golf hall of fame facility program under s.  
89 288.1168, the expedited permitting process under s. 403.973, the  
90 Rural Community Development Revolving Loan Fund under s.  
91 288.065, the Regional Rural Development Grants Program under s.  
92 288.018, the Certified Capital Company Act under s. 288.99, the  
93 Florida State Rural Development Council, the Rural Economic  
94 Development Initiative, and other programs that are specifically  
95 assigned to the office by law, by the appropriations process, or  
96 by the Governor. Notwithstanding any other provisions of law,  
97 the office may expend interest earned from the investment of  
98 program funds deposited in the Grants and Donations Trust Fund  
99 to contract for the administration of the programs, or portions  
100 of the programs, enumerated in this paragraph or assigned to the  
101 office by law, by the appropriations process, or by the  
102 Governor. Such expenditures shall be subject to review under  
103 chapter 216.

104 2. The office may enter into contracts in connection with  
105 the fulfillment of its duties concerning the Florida First  
106 Business Bond Pool under chapter 159, tax incentives under  
107 chapters 212 and 220, sale or lease of advertising displays  
108 under chapter 288, tax incentives under the Certified Capital  
109 Company Act in chapter 288, foreign offices under chapter 288,  
110 the Enterprise Zone program under chapter 290, the Seaport  
111 Employment Training program under chapter 311, the Florida  
112 Professional Sports Team License Plates under chapter 320,  
113 Spaceport Florida under chapter 331, Expedited Permitting under  
114 chapter 403, and in carrying out other functions that are  
115 specifically assigned to the office by law, by the  
116 appropriations process, or by the Governor.

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Section 4. This act shall take effect July 1, 2011.