

By the Committee on Commerce and Tourism; and Senator Bennett

577-03056-12

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1 A bill to be entitled
2 An act relating to economic development; creating s.
3 288.11685, F.S.; authorizing Enterprise Florida, Inc.,
4 to establish a statewide golf trail; requiring
5 Enterprise Florida, Inc., to cooperate with various
6 entities; requiring Enterprise Florida, Inc., to
7 designate a proprietary name for the statewide golf
8 trail; authorizing Enterprise Florida, Inc., to
9 license the name and receive compensation for such
10 licensing; requiring Enterprise Florida, Inc., to
11 maintain and protect the name, brand, proprietary
12 marks, and intellectual property of the statewide golf
13 trail in a specified manner; encouraging Enterprise
14 Florida, Inc., to enter into certain licensing
15 arrangements or contracts; prohibiting Enterprise
16 Florida, Inc., from accepting certain financial
17 responsibility or liability for the statewide golf
18 trail; directing various economic development and
19 tourism promotion agencies to support the statewide
20 golf trail; requiring Enterprise Florida, Inc., to
21 submit an annual report to the Legislature on the
22 statewide golf trail; creating s. 196.2003, F.S.;
23 defining the terms "local government" and "nonprofit
24 organization" for purposes of the act; encouraging the
25 donation of public or private golf course property to
26 the state, a local government, or a nonprofit
27 organization for certain purposes; authorizing the
28 owners of golf course property to donate or retain any
29 vested or permitted rights in the property; providing

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30 that any portion of golf course property that is
31 donated is eligible for exemption from ad valorem
32 taxation; providing an effective date.

33
34 Be It Enacted by the Legislature of the State of Florida:

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36 Section 1. Section 288.11685, Florida Statutes, is created
37 to read:

38 288.11685 Promotion of golf tourism and economic
39 development; statewide golf trail.-

40 (1) Enterprise Florida, Inc., may establish within the
41 state, develop, and promote a comprehensive statewide golf trail
42 to support the expansion of international and domestic golf
43 tourism in the state, the creation of jobs, and the economic
44 development of the golf industry and its related hospitality,
45 travel, sales, retail, real estate, equipment manufacturing, and
46 distribution services in the state.

47 (2) Enterprise Florida, Inc., to the maximum extent
48 practicable, shall cooperate with existing professional and
49 amateur golf associations, golf courses, golf industry
50 businesses, statewide and regional golf marketing efforts, and
51 the PGA Golf Professional Hall of Fame to effectively implement
52 the statewide golf trail and promote the state's regional and
53 local golf courses and golf industry businesses.

54 (3) Enterprise Florida, Inc., shall designate and may
55 license a proprietary name used for promotion of the statewide
56 golf trail and shall develop criteria for the most effective use
57 of the brand. Enterprise Florida, Inc., shall maintain and
58 protect the name, brand, proprietary marks, and other

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59 intellectual property of the statewide golf trail in a manner
60 consistent with state and federal law which ensures that
61 Enterprise Florida, Inc., and its licensees have exclusive use
62 of such name, brand, proprietary marks, and other intellectual
63 property.

64 (4) Enterprise Florida, Inc., is encouraged to enter into
65 licensing arrangements or contracts with golf courses, tourism
66 promotion agencies, and other golf industry businesses which
67 facilitate the efficient, cost-effective, and successful
68 financing, development, and promotion of the statewide golf
69 trail. However, Enterprise Florida, Inc., may not accept any
70 financial responsibility or liability for the creation of the
71 statewide golf trail or its related activities but may receive
72 compensation for licensing under subsection (3).

73 (5) The Department of Economic Opportunity, the Florida
74 Tourism Industry Marketing Corporation, and other economic
75 development and tourism promotion agencies at the state and
76 local levels shall support the development, branding, and
77 promotion of the statewide golf trail.

78 (6) By February 1 of each year, beginning in 2012,
79 Enterprise Florida, Inc., shall submit an annual report to the
80 President of the Senate and the Speaker of the House of
81 Representatives on the progress and success of the statewide
82 golf trail.

83 Section 2. Section 196.2003, Florida Statutes, is created
84 to read:

85 196.2003 Donation of golf course property for public
86 purposes; exemption from ad valorem taxation.—

87 (1) As used in this section, the term:

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88 (a) "Local government" means a county, municipality, school
89 district, or other political subdivision of the state.

90 (b) "Nonprofit organization" means an organization that,
91 according to the criteria in s. 196.195, is a nonprofit venture.

92 (2) The owner of a public or private golf course is
93 encouraged to donate all or any portion of the golf course
94 property and any vested or permitted rights to the state, a
95 local government, or a nonprofit organization for use by the
96 public for recreational, agricultural, environmental, or
97 educational and training purposes. Such purposes may include,
98 but are not limited to:

99 (a) Parks or greenway trails.

100 (b) Walking, hiking, canoeing, bicycling, or equestrian
101 activities.

102 (c) Wildlife viewing, youth recreation, or sports.

103 (d) Agriculture, urban gardening, fishing, hunting, or
104 other outdoor uses.

105 (3) The owner may donate or retain any vested or permitted
106 rights in golf course property that is donated under this
107 section.

108 (4) Any portion of golf course property that is donated to
109 the state, a local government, or a nonprofit organization for
110 use by the public for any purpose described in subsection (2) is
111 eligible for exemption from ad valorem taxation under ss.
112 196.192 and 196.199.

113 Section 3. This act shall take effect July 1, 2012.