

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: April 8, 1998 Revised: _____

Subject: Barefoot Bay Recreation District

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	Rodriguez	Guthrie	RI	Favorable/CS
2.	_____	_____	RC	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This local bill authorizes the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue a special alcoholic beverage vendor license to the Barefoot Bay Recreation District, a mobile home park recreational district operating in Brevard County.

II. Present Situation:

Barefoot Bay Recreation District is a mobile home park recreation district created pursuant to ss. 418.30-418.309, F.S. Section 418.30, F.S., provides that these mobile home park recreation districts are limited to the boundaries of a mobile home park and are established by the electors residing in the proposed district either by ordinance or by petition. Section 418.302, F.S., provides that the governing body of these districts is a 9 member board of trustees elected by the electors of the district. Section 418.304, F.S., provides that an ordinance creating the charter of a district may grant the district the authority to levy and assess a special “recreation district tax.” Section 418.306, F.S., allows the trustees to construct, acquire, or improve real or personal property of the district and may issue bonds or other obligations for such purposes.

Section 561.20, F.S., provides the limitation on the number of licenses that may be issued to a county (commonly referred to as “quota licenses”). This section also provides for special licenses to be issued to various entities including hotels, restaurants, bowling establishments, airports, government-owned facilities, clubs and other non-profit organizations. There is no special license provision for mobile home park recreation districts.

III. Effect of Proposed Changes:

Section 1 authorizes the Division of Alcoholic Beverages and Tobacco to issue a special alcoholic beverage license for the consumption of alcoholic beverages on the premises only to the Barefoot Bay Recreation District, a mobile home park recreation district operating in Brevard County. It clarifies that only one license will be granted for use in a designated facility within the mobile home park complex. The bill provides the legal description of the district's boundaries.

Section 2 defines the term "mobile home park recreation district" as an entity created in accordance with ss. 418.30-418.309, F.S., that operates a recreational facility complex. The mobile home park recreation district is required to have no fewer than 3,000 residential lots subject to its recreation district assessments. The complex must provide meeting facilities for at least 200 persons and must contain a restaurant or lounge and a kitchen or eating facility equipped to serve 200 persons full course meals at one time.

Section 3 provides that the licensee must not maintain or construct any structure which is prohibited by the ordinances and regulations of Brevard County. It provides that the licensee must comply with all state alcoholic beverage laws which are not specifically exempted in this bill. It also requires any license issued pursuant to this bill to be surrendered if the mobile home recreation district is dissolved or ceases to exist.

Section 4 provides that the effective date of this bill is upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The bill provides adequate and appropriate standards and guidelines to direct the agency's implementation of the proposed legislation.

VIII. Amendments:

None.