

By Senator Bronson

18-1328-99

See HB

1                                   A bill to be entitled  
 2           An act relating to the World Bowling Village  
 3           facility; amending s. 212.20, F.S.; providing  
 4           for distribution of a portion of revenues from  
 5           the tax on sales, use, and other transactions  
 6           to such facility; creating s. 288.1171, F.S.;  
 7           providing for certification of such facility by  
 8           the Office of Tourism, Trade, and Economic  
 9           Development of the Executive Office of the  
 10          Governor; providing requirements for  
 11          certification; providing for use of the funds  
 12          distributed to the facility; requiring  
 13          specified notice; providing a time limit for  
 14          opening the facility; specifying when  
 15          distribution of funds begins; providing for  
 16          audits by the Department of Revenue; providing  
 17          for periodic recertification; abating or  
 18          reducing funding under certain circumstances;  
 19          providing an effective date.

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 21           WHEREAS, the World Bowling Village would contain the  
 22   world headquarters of Bowling, Inc., a not-for-profit  
 23   consortium of major bowling organizations, which would create  
 24   new jobs for the State of Florida, and

25           WHEREAS, the World Bowling Village would receive  
 26   national and international media promotion and attention to  
 27   the extent of promoting the quality of life in Florida so as  
 28   to attract national and international tourists and  
 29   sports-related industry, and

30           WHEREAS, additional generated tourism has a positive  
 31   impact on both the taxes and economy of the state and

1 additional economic development enhances employment  
2 opportunities for Florida citizens as well as expanding the  
3 tax base, and  
4           WHEREAS, the Florida Legislature has directed the  
5 Office of Tourism, Trade, and Economic Development to guide,  
6 stimulate, and promote the sports industry in the state, and  
7           WHEREAS, the establishment of a World Bowling Village  
8 facility would, in addition to educational and job opportunity  
9 enhancement, accomplish the goals established for sports  
10 promotion in the state, NOW, THEREFORE,  
11  
12 Be It Enacted by the Legislature of the State of Florida:  
13  
14           Section 1. Paragraph (f) of subsection (6) of section  
15 212.20, Florida Statutes, 1998 Supplement, is amended to read:  
16           212.20 Funds collected, disposition; additional powers  
17 of department; operational expense; refund of taxes  
18 adjudicated unconstitutionally collected.--  
19           (6) Distribution of all proceeds under this chapter  
20 shall be as follows:  
21           (f) The proceeds of all other taxes and fees imposed  
22 pursuant to this chapter shall be distributed as follows:  
23           1. In any fiscal year, the greater of \$500 million,  
24 minus an amount equal to 4.6 percent of the proceeds of the  
25 taxes collected pursuant to chapter 201, or 5 percent of all  
26 other taxes and fees imposed pursuant to this chapter shall be  
27 deposited in monthly installments into the General Revenue  
28 Fund.  
29           2. Two-tenths of one percent shall be transferred to  
30 the Solid Waste Management Trust Fund.  
31

1           3. After the distribution under subparagraphs 1. and  
2   2., 9.653 percent of the amount remitted by a sales tax dealer  
3   located within a participating county pursuant to s. 218.61  
4   shall be transferred into the Local Government Half-cent Sales  
5   Tax Clearing Trust Fund.

6           4. After the distribution under subparagraphs 1., 2.,  
7   and 3., 0.054 percent shall be transferred to the Local  
8   Government Half-cent Sales Tax Clearing Trust Fund and  
9   distributed pursuant to s. 218.65.

10          5. Of the remaining proceeds:

11          a. Beginning July 1, 1992, \$166,667 shall be  
12   distributed monthly by the department to each applicant that  
13   has been certified as a "facility for a new professional  
14   sports franchise" or a "facility for a retained professional  
15   sports franchise" pursuant to s. 288.1162 and \$41,667 shall be  
16   distributed monthly by the department to each applicant that  
17   has been certified as a "new spring training franchise  
18   facility" pursuant to s. 288.1162. Distributions shall begin  
19   60 days following such certification and shall continue for 30  
20   years. Nothing contained herein shall be construed to allow an  
21   applicant certified pursuant to s. 288.1162 to receive more in  
22   distributions than actually expended by the applicant for the  
23   public purposes provided for in s. 288.1162(7). However, a  
24   certified applicant shall receive distributions up to the  
25   maximum amount allowable and undistributed under this section  
26   for additional renovations and improvements to the facility  
27   for the franchise without additional certification.

28          b. Beginning 30 days after notice by the Office of  
29   Tourism, Trade, and Economic Development to the Department of  
30   Revenue that an applicant has been certified as the  
31   professional golf hall of fame pursuant to s. 288.1168 and is

1 open to the public, \$166,667 shall be distributed monthly, for  
2 up to 300 months, to the applicant.

3 c. Beginning 30 days after notice by the Department of  
4 Commerce to the Department of Revenue that the applicant has  
5 been certified as the International Game Fish Association  
6 World Center facility pursuant to s. 288.1169, and the  
7 facility is open to the public, \$83,333 shall be distributed  
8 monthly, for up to 180 months, to the applicant. This  
9 distribution is subject to reduction pursuant to s. 288.1169.

10 d. Beginning 30 days after notice by the Office of  
11 Tourism, Trade, and Economic Development to the Department of  
12 Revenue that the applicant has been certified as the World  
13 Bowling Village facility pursuant to s. 288.1171, and the  
14 facility is open to the public, \$166,667 shall be distributed  
15 monthly, for up to 240 months, to the applicant. This  
16 distribution is subject to reduction pursuant to s. 288.1171.

17 6. All other proceeds shall remain with the General  
18 Revenue Fund.

19 Section 2. Section 288.1171, Florida Statutes, is  
20 created to read:

21 288.1171 World Bowling Village facility; duties.--

22 (1) The Office of Tourism, Trade, and Economic  
23 Development shall serve as the state agency for screening  
24 applicants for state funding pursuant to s. 212.20 and for  
25 certifying one applicant as the World Bowling Village facility  
26 in the state.

27 (2) Prior to certifying the World Bowling Village  
28 facility, the Office of Tourism, Trade, and Economic  
29 Development must determine that:

30 (a) The World Bowling Village facility is a bowling  
31 complex consisting of bowling lanes, stadium seating, offices,

1 a national training center, and a research and development  
2 center.

3 (b) The applicant is a unit of local government as  
4 defined in s. 218.369 or a private sector group that has  
5 contracted to construct or operate the World Bowling Village  
6 facility on land owned by a unit of local government.

7 (c) The municipality in which the World Bowling  
8 Village facility is located, or the county if the facility is  
9 located in an unincorporated area, has certified by resolution  
10 after a public hearing that the application serves a public  
11 purpose.

12 (d) There is an independent analysis or study, using  
13 methodology approved by the Office of Tourism, Trade, and  
14 Economic Development, which demonstrates that the amount of  
15 the revenues generated by the taxes imposed under chapter 212  
16 with respect to the use and operation of the World Bowling  
17 Village facility will equal or exceed \$2 million annually.

18 (e) Documentation exists that demonstrates that the  
19 applicant has provided, is capable of providing, or has  
20 financial or other commitments to provide more than one-half  
21 of the costs incurred or related to the improvement and  
22 development of the facility.

23 (f) The application is signed by an official senior  
24 executive of the applicant and is notarized according to  
25 Florida law providing for penalties for falsification.

26 (3) The applicant may use funds provided pursuant to  
27 s. 212.20 for the public purpose of paying for the  
28 construction, reconstruction, renovation, furnishings,  
29 equipment, or operation of the World Bowling Village facility,  
30 or to pay or pledge for payment of debt service on, or to fund  
31 debt service reserve funds, arbitrage rebate obligations, or

1 other amounts payable with respect to, bonds issued for the  
2 construction, reconstruction, build-out, or renovation of the  
3 facility or for the reimbursement of such costs or the  
4 refinancing of bonds issued for such purpose.

5 (4) Upon determining that an applicant is or is not  
6 certifiable, the Office of Tourism, Trade, and Economic  
7 Development shall notify the applicant of his or her status by  
8 means of an official letter. If certifiable, the Office of  
9 Tourism, Trade, and Economic Development shall notify the  
10 executive director of the Department of Revenue and the  
11 applicant of such certification by means of an official letter  
12 granting certification. From the date of such certification,  
13 the applicant shall have 5 years to open the World Bowling  
14 Village facility to the public and notify the Office of  
15 Tourism, Trade, and Economic Development of such opening. The  
16 Department of Revenue shall not begin distributing funds until  
17 30 days following notice by the Office of Tourism, Trade, and  
18 Economic Development that the World Bowling Village facility  
19 is open to the public.

20 (5) The Department of Revenue may audit as provided in  
21 s. 213.34 to verify that the distributions under this section  
22 have been expended as required by this section.

23 (6) The Office of Tourism, Trade, and Economic  
24 Development must recertify every 10 years that the facility is  
25 open and is meeting the minimum projections for sales tax  
26 revenues as required at the time of original certification.  
27 If the facility is not certified as meeting the minimum  
28 projections, then funding will be abated until certification  
29 criteria are met. If the project fails to generate \$2 million  
30 of annual revenues pursuant to paragraph (2)(d), the  
31 distribution of revenues pursuant to s. 212.20(6)(f)5.d. shall

1 be reduced to an amount equal to \$166,667 multiplied by a  
2 fraction, the numerator of which is the actual revenues  
3 generated and the denominator of which is \$2 million. Such  
4 reduction shall remain in effect until revenues generated by  
5 the project in a 12-month period equal or exceed \$2 million.

6 Section 3. This act shall take effect July 1, 1999.

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9 HOUSE SUMMARY

10 Creates the World Bowling Village facility, which would  
11 contain the world headquarters of Bowling Inc., a  
12 nonprofit consortium of major bowling organizations.  
13 Provides for distribution of a portion of revenues from  
14 the tax on sales, use, and other transactions to such  
15 facility. Provides for certification of the World  
16 Bowling Village facility by the Office of Tourism, Trade,  
17 and Economic Development of the Executive Office of the  
18 Governor. Provides requirements for certification.  
19 Provides for the use of funds distributed to the facility  
20 and specifies when distribution of such funds begins.  
21 Requires specified notice. Provides a time limit for the  
22 opening of the facility. Provides for audits by the  
23 Department of Revenue. Provides for periodic  
24 recertification. Abates or reduces funding under certain  
25 circumstances.  
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