

By Senator Bronson

18-1188-99

1 A bill to be entitled
 2 An act relating to commercial development and
 3 capital improvements; creating s. 288.1175,
 4 F.S.; providing for funding an Opryland
 5 facility; providing qualification requirements
 6 and application procedures; providing for
 7 audits and recertification; amending s. 212.20,
 8 F.S.; providing for the distribution of funds
 9 to an Opryland facility applicant; providing an
 10 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. Section 288.1175, Florida Statutes, is
 15 created to read:

16 288.1175 Opryland facility; duties.--

17 (1) The Office for Tourism, Trade, and Economic
 18 Development shall screen applicants for state funding pursuant
 19 to s. 212.20 and for certifying the applicant as the Opryland
 20 facility.

21 (2) Before certifying the Opryland facility, the
 22 office must determine that:

23 (a) The Opryland facility is the only facility of its
 24 kind in this state having 200,000 square feet of exhibition
 25 space, 150,000 square feet of ballroom and meeting space, and
 26 a 20,000-square-foot 1,000-seat entertainment venue
 27 surrounding a large indoor atrium having 36,000 square feet of
 28 food and beverage space.

29 (b) The applicant is a unit of local government, as
 30 defined in s. 218.369, and has certified by resolution after a
 31 public hearing that the application serves a public purpose.

1 (c) There are existing projections that the Opryland
2 facility will attract over 200,000 convention attendees and
3 visitors annually.

4 (d) There is an independent analysis or study, using
5 methodology approved by the office, which demonstrates that
6 the amount of revenues generated by the taxes imposed under
7 chapter 212 with respect to the use and operation of the
8 Opryland facility will equal or exceed \$2 million annually.

9 (e) Documentation exists that demonstrates that the
10 applicant has a financial commitment to the project, through a
11 public-improvement partnership agreement, of up to \$35
12 million.

13 (3) The applicant that is certified may use funds
14 provided under s. 212.20 for the public purpose of paying for
15 construction, reconstruction, renovation, debt service and
16 debt service reserve funds, and for operations, maintenance or
17 repair, and replacement costs associated with any toll road on
18 which the facility relies for access.

19 (4) Upon determining that an applicant is or is not
20 certifiable, the office shall notify the applicant of its
21 status by means of an official letter. If certifiable, the
22 office shall notify the executive director of the Department
23 of Revenue and the applicant of such certification by an
24 official letter granting certification. From the date of such
25 certification, the applicant shall have 5 years within which
26 to notify the office that the Opryland facility has opened to
27 the public. The Department of Revenue may not begin
28 distributing funds until 30 days after notice has been
29 received by the office that the facility is open to the
30 public.

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1 (5) The Department of Revenue may audit, as provided
2 in s. 213.34, to verify that the distributions have been
3 expended as required by this section.

4 (6) The office must recertify every 10 years that the
5 facility is open and is meeting the minimum projections for
6 attendance or sales tax revenue as required at the time of
7 original certification. If the facility is not certified as
8 meeting the minimum projections, the distribution of revenues
9 pursuant to s. 212.20(6)(f)5.d. must be reduced by 50 percent.
10 Such reduction shall remain in effect until revenues generated
11 by the facility in a 12-month period equal or exceed \$2
12 million.

13 Section 2. Paragraph (f) of subsection (6) of section
14 212.20, Florida Statutes, 1998 Supplement, is amended to read:

15 212.20 Funds collected, disposition; additional powers
16 of department; operational expense; refund of taxes
17 adjudicated unconstitutionally collected.--

18 (6) Distribution of all proceeds under this chapter
19 shall be as follows:

20 (f) The proceeds of all other taxes and fees imposed
21 pursuant to this chapter shall be distributed as follows:

22 1. In any fiscal year, the greater of \$500 million,
23 minus an amount equal to 4.6 percent of the proceeds of the
24 taxes collected pursuant to chapter 201, or 5 percent of all
25 other taxes and fees imposed pursuant to this chapter shall be
26 deposited in monthly installments into the General Revenue
27 Fund.

28 2. Two-tenths of one percent shall be transferred to
29 the Solid Waste Management Trust Fund.

30 3. After the distribution under subparagraphs 1. and
31 2., 9.653 percent of the amount remitted by a sales tax dealer

1 located within a participating county pursuant to s. 218.61
2 shall be transferred into the Local Government Half-cent Sales
3 Tax Clearing Trust Fund.

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

8 5. Of the remaining proceeds:

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

26 b. Beginning 30 days after notice by the Office of
27 Tourism, Trade, and Economic Development to the Department of
28 Revenue that an applicant has been certified as the
29 professional golf hall of fame pursuant to s. 288.1168 and is
30 open to the public, \$166,667 shall be distributed monthly, for
31 up to 300 months, to the applicant.

1 c. Beginning 30 days after notice by the Office of
2 Tourism, Trade, and Economic Development ~~Department of~~
3 ~~Commerce~~ to the Department of Revenue that the applicant has
4 been certified as an Opryland facility pursuant to s. 288.1175
5 ~~the International Game Fish Association World Center facility~~
6 ~~pursuant to s. 288.1169,~~ and that the facility is open to the
7 public, \$~~166,667~~\$83,333 shall be distributed monthly, for up
8 to 300 ~~180~~ months, to the applicant. ~~This distribution is~~
9 ~~subject to reduction pursuant to s. 288.1169.~~

10 6. All other proceeds shall remain with the General
11 Revenue Fund.

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

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14 SENATE SUMMARY

15 Provides qualification requirements and application
16 procedures for funding an Opryland facility. Provides for
17 the distribution of funds to an applicant. (See bill for
18 details.)
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