

By Senator Jones

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A bill to be entitled
An act relating to a motorsports complex facility; creating s. 288.1171, F.S.; providing that the Office of Tourism, Trade, and Economic Development shall screen applicants for funding pursuant to s. 212.20, F.S., as a motorsports complex facility, and certify one applicant as such a facility; specifying requirements for the applicant and the facility; providing duties of the office and the Department of Revenue; providing the amount of funds to be distributed to the applicant and providing for use of such funds; requiring annual recertification; amending s. 212.20, F.S.; providing for monthly distribution of a portion of sales tax proceeds under ch. 212, F.S., to such facility; providing an effective date.

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

Section 1. Section 288.1171, Florida Statutes, is created to read:

288.1171 Motorsports complex facility.--

(1) The Office of Tourism, Trade, and Economic Development shall serve as the state agency for screening applicants for state funding pursuant to s. 212.20 and for certifying one applicant as the motorsports complex facility in the state.

(2) Prior to certifying the motorsports complex facility, the office must determine that:

1 (a) The facility is located in a county operating
2 under a charter authorized under the State Constitution.

3 (b) The applicant is a unit of local government, as
4 defined in s. 218.369, which is the owner of the facility and
5 the land on which the facility is located.

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

10 (d) The facility is a state-of-the-art auto racing
11 facility that hosts at least five events annually, including
12 National Association for Stock Car Auto Racing (NASCAR),
13 Championship Auto Racing Teams (CART), and other sports car
14 racing events, team and manufacturer testing, racing schools,
15 club racing, and other automotive-related events, and the
16 annual paid attendance at the facility exceeds 70,000.

17 (e) The application is signed by the head of the
18 governing body of the applicant and an official senior
19 executive of the facility and is notarized according to
20 Florida law providing penalties for falsification.

21 (3) Upon determining that an applicant is or is not
22 certifiable, the office shall notify the applicant of its
23 status by means of an official letter. If certifiable, the
24 office shall also notify the executive director of the
25 Department of Revenue of such certification by means of an
26 official letter granting certification. The Department of
27 Revenue shall begin distributing funds pursuant to this
28 section on July 1 following receipt of the letter of
29 certification.

30 (4) The amount of funds to be distributed each fiscal
31 year to the applicant pursuant to s. 212.20 shall be the

1 amount of revenue generated by the taxes imposed under chapter
2 212 for that year by the facility which is in excess of the
3 amount of such revenue generated by the facility for the
4 1998-1999 fiscal year.

5 (5) The applicant may use funds provided pursuant to
6 s. 212.20 for the purpose of promotion of the facility and for
7 the establishment and operation of an intercity shuttle to
8 connect commercial and activity areas with the facility.

9 (6) The Department of Revenue may audit as provided in
10 s. 213.34 to verify that the amounts distributed pursuant to
11 this section have been expended as required by this section.

12 (7) The Office of Tourism, Trade, and Economic
13 Development must recertify every year that the facility meets
14 the requirements established by this section. No distribution
15 under s. 212.20 pursuant to this section shall be made for any
16 year in which the facility is not certified as meeting these
17 requirements.

18 Section 2. Paragraph (f) of subsection (6) of section
19 212.20, Florida Statutes, 1998 Supplement, is amended to read:

20 212.20 Funds collected, disposition; additional powers
21 of department; operational expense; refund of taxes
22 adjudicated unconstitutionally collected.--

23 (6) Distribution of all proceeds under this chapter
24 shall be as follows:

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

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

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

5 3. After the distribution under subparagraphs 1. and
6 2., 9.653 percent of the amount remitted by a sales tax dealer
7 located within a participating county pursuant to s. 218.61
8 shall be transferred into the Local Government Half-cent Sales
9 Tax Clearing Trust Fund.

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

14 5. Of the remaining proceeds:

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

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

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

14 d. Beginning July 1 following notice by the Office of
15 Tourism, Trade, and Economic Development to the Department of
16 Revenue that an applicant has been certified as the
17 motorsports complex facility pursuant to s. 288.1171, an
18 amount as specified in s. 288.1171(4) shall be distributed
19 monthly to the applicant, if the facility remains certified as
20 required by s. 288.1171(7).

21 6. All other proceeds shall remain with the General
22 Revenue Fund.

23 Section 3. This act shall take effect July 1, 1999.
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LEGISLATIVE SUMMARY

Provides that the Office of Tourism, Trade, and Economic Development shall screen applicants for certification as a motorsports complex facility, and certify one applicant as such a facility. Specifies requirements for the applicant and the facility. Provides duties of the office and the Department of Revenue. Provides that such facility shall be eligible for distribution of a specified portion of sales tax revenues monthly and provides for use of such funds. Requires annual recertification of the facility.