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2 An act relating to spring training franchise
3 facilities; amending s. 125.0104, F.S.;
4 defining the term "retained spring training
5 franchise"; providing that the additional local
6 option tourist development taxes presently
7 authorized to finance the construction or
8 renovation of a professional sports franchise
9 facility may also be used to finance the
10 acquisition, construction, or renovation of a
11 retained spring training franchise facility;
12 correcting a reference; providing an
13 appropriation to the Office of Tourism, Trade,
14 and Economic Development for a grant to a local
15 government for the acquisition, construction,
16 reconstruction, or renovation of a retained
17 spring training franchise facility and
18 providing conditions with respect thereto;
19 providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Paragraph (b) of subsection (2), paragraphs
24 (1) and (n) of subsection (3), and paragraph (d) of subsection
25 (5) of section 125.0104, Florida Statutes, 1998 Supplement,
26 are amended to read:

27 125.0104 Tourist development tax; procedure for
28 levying; authorized uses; referendum; enforcement.--

29 (2) APPLICATION; DEFINITIONS.--

30 (b) Definitions.--For purposes of this section:

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1 1. "Promotion" means marketing or advertising designed
2 to increase tourist-related business activities.

3 2. "Tourist" means a person who participates in trade
4 or recreation activities outside the county of his or her
5 permanent residence or who rents or leases transient
6 accommodations as described in paragraph (3)(a).

7 3. "Retained spring training franchise" means a spring
8 training franchise that had a location in this state on or
9 before December 31, 1998, and that has continuously remained
10 at that location for at least the 10 years preceding that
11 date.

12 (3) TAXABLE PRIVILEGES; EXEMPTIONS; LEVY; RATE.--

13 (1) In addition to any other tax which is imposed
14 pursuant to this section, a county may impose up to an
15 additional 1-percent tax on the exercise of the privilege
16 described in paragraph (a) by majority vote of the governing
17 board of the county in order to:

18 1. Pay the debt service on bonds issued to finance the
19 construction, reconstruction, or renovation of a professional
20 sports franchise facility, or the acquisition, construction,
21 reconstruction, or renovation of a retained spring training
22 franchise facility, either publicly owned and operated, or
23 publicly owned and operated by the owner of a professional
24 sports franchise or other lessee with sufficient expertise or
25 financial capability to operate such facility, and to pay the
26 planning and design costs incurred prior to the issuance of
27 such bonds.

28 2. Pay the debt service on bonds issued to finance the
29 construction, reconstruction, or renovation of a convention
30 center, and to pay the planning and design costs incurred
31 prior to the issuance of such bonds.

1 3. Pay the operation and maintenance costs of a
2 convention center for a period of up to 10 years. Only
3 counties that have elected to levy the tax for the purposes
4 authorized in subparagraph 2. may use the tax for the purposes
5 enumerated in this subparagraph.

6
7 The provision of paragraph (b) which prohibits any county
8 authorized to levy a convention development tax pursuant to s.
9 212.0305 from levying more than the 2-percent tax authorized
10 by this section, and the provisions of paragraphs (4)(a)
11 through (d), shall not apply to the additional tax authorized
12 in this paragraph. The effective date of the levy and
13 imposition of the tax authorized under this paragraph shall be
14 the first day of the second month following approval of the
15 ordinance by the governing board or the first day of any
16 subsequent month as may be specified in the ordinance. A
17 certified copy of such ordinance shall be furnished by the
18 county to the Department of Revenue within 10 days after
19 approval of such ordinance.

20 (n) In addition to any other tax that is imposed under
21 this section, a county that has imposed the tax under
22 paragraph (1) may impose an additional tax that is no greater
23 than 1 percent on the exercise of the privilege described in
24 paragraph (a) by a majority plus one vote of the membership of
25 the board of county commissioners in order to pay the debt
26 service on bonds issued to finance:

27 1. The construction, reconstruction, or renovation of
28 a facility either publicly owned and operated, or publicly
29 owned and operated by the owner of a professional sports
30 franchise or other lessee with sufficient expertise or
31 financial capability to operate such facility, and to pay the

1 planning and design costs incurred prior to the issuance of
2 such bonds for a new professional sports franchise as defined
3 in s. 288.1162.

4 2. The acquisition, construction, reconstruction, or
5 renovation of a facility either publicly owned and operated,
6 or publicly owned and operated by the owner of a professional
7 sports franchise or other lessee with sufficient expertise or
8 financial capability to operate such facility, and to pay the
9 planning and design costs incurred prior to the issuance of
10 such bonds for a retained spring training franchise.

11
12 A county that imposes the tax authorized in this paragraph may
13 not expend any ad valorem tax revenues for the acquisition,
14 construction, reconstruction, or renovation of that facility.
15 The provision of paragraph (b) which prohibits any county
16 authorized to levy a convention development tax pursuant to s.
17 212.0305 from levying more than the 2-percent tax authorized
18 by this section shall not apply to the additional tax
19 authorized by this paragraph in counties which levy convention
20 development taxes pursuant to s. 212.0305(4)(a). Subsection
21 (4) does not apply to the adoption of the additional tax
22 authorized in this paragraph. The effective date of the levy
23 and imposition of the tax authorized under this paragraph is
24 the first day of the second month following approval of the
25 ordinance by the board of county commissioners or the first
26 day of any subsequent month specified in the ordinance. A
27 certified copy of such ordinance shall be furnished by the
28 county to the Department of Revenue within 10 days after
29 approval of the ordinance.

30 (5) AUTHORIZED USES OF REVENUE.--

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1 (d) Any use of the local option tourist development
2 tax revenues collected pursuant to this section for a purpose
3 not expressly authorized by paragraph (3)(1) or paragraph
4 (3)(n)~~(o)~~ or paragraph (a), paragraph (b), or paragraph (c) of
5 this subsection is expressly prohibited.

6 Section 2. There is appropriated to the Office of
7 Tourism, Trade, and Economic Development from the General
8 Revenue Fund \$3.75 million in fiscal year 1999-2000 and \$3.75
9 million in fiscal year 2000-2001 to be used as a grant to a
10 unit of local government for the acquisition, construction,
11 reconstruction, or renovation of a privately owned retained
12 spring training franchise facility. No funds shall be released
13 until the Office of Tourism, Trade, and Economic Development
14 determines that a unit of local government, as defined in s.
15 218.369, Florida Statutes, is responsible for the acquisition,
16 construction, management, or operation of the retained spring
17 training franchise facility or holds title to the property on
18 which the retained spring training franchise facility is
19 located; that the unit of local government has a verified copy
20 of a signed agreement with a retained spring training
21 franchise for the use of the facility for a term of at least
22 15 years; that the unit of local government has a financial
23 commitment to provide 50 percent or more of the funds required
24 by an agreement for the use of the facility by the retained
25 spring training franchise; and that the unit of local
26 government has projections, verified by the Office of Tourism,
27 Trade, and Economic Development, which demonstrate that the
28 facility will attract a paid attendance of at least 50,000
29 annually.

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

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