

By the Committee on Commerce and Economic Opportunities; and  
Senator King

310-1659-00

1                                   A bill to be entitled  
2           An act relating to motorsports; creating s.  
3           549.10, F.S.; defining the terms "motorsport  
4           entertainment complex," "motorsports event,"  
5           "owner" and "sanctioning body"; authorizing  
6           contracts for promotional activities; providing  
7           an effective date.

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

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11           Section 1. Section 549.10, Florida Statutes, is  
12 created to read:

13           549.10 Motorsports entertainment complex; contracts.--

14           (1) As used in this section, the term:

15           (a) "Motorsports entertainment complex" means a  
16 closed-course motorsports facility and its ancillary grounds  
17 and facilities which:

18           1. Has at least 70,000 permanent seats for race  
19 patrons;

20           2. Has at least 7 scheduled days of motorsports events  
21 each calendar year;

22           3. Has at least four motorsports events each calendar  
23 year;

24           4. Serves food at the facility during sanctioned  
25 motorsports events;

26           5. Engages in tourism promotion; and

27           6. Has on the property permanent exhibitions of  
28 motorsports history, events, or vehicles.

29           (b) "Motorsports event" means a motorsports race and  
30 its ancillary activities that have been sanctioned by a  
31 sanctioning body.

1           (c) "Owner" means a person who owns and operates a  
2 motorsports entertainment complex; a person who leases a  
3 motorsports entertainment complex or the land on which a  
4 motorsports entertainment complex is located from the Federal  
5 Government, the state, or a county, municipality, or special  
6 district and operates the motorsports entertainment complex;  
7 or a person who operates and maintains a motorsports  
8 entertainment complex under an operation and management  
9 agreement entered into with the Federal Government, the state,  
10 or a county, municipality, or special district.

11           (d) "Sanctioning body" means the American Motorcycle  
12 Association (AMA); Auto Racing Club of America (ARCA);  
13 Championship Auto Racing Teams (CART); Grand American Road  
14 Racing Association (GRAND AM); Indy Racing League (IRL);  
15 National Association for Stock Car Auto Racing (NASCAR);  
16 National Hot Rod Association (NHRA); Professional Sportscar  
17 Racing (PSR); Sports Car Club of America (SCCA); United States  
18 Auto Club (USAC); or any successor organization or any other  
19 nationally recognized governing body of motorsports that  
20 establishes an annual schedule of motorsports events and  
21 grants rights to conduct the events, that has established and  
22 administers rules and regulations governing all participants  
23 involved in the events and all persons conducting the events,  
24 and that requires certain liability assurances, including  
25 insurance.

26           (2)(a) Notwithstanding any other law to the contrary,  
27 the owner of a motorsports entertainment complex who is not  
28 licensed as a vendor under chapter 561 may enter into a  
29 promotional contract, including a contract with any other  
30 person which may require the payment of fees, except:  
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1           1. A person licensed under s. 563.02(3), unless that  
2 person is also licensed as a manufacturer;

3           2. A person licensed under s. 564.02(3)(a) unless that  
4 person is also licensed as a manufacturer; or

5           3. A person licensed under s. 565.03. However, this  
6 exception does not apply to any contract or to the renewal or  
7 extension of any contract in effect before October 1, 2000.

8           (b) The owner of a motorsports entertainment complex  
9 is not considered a vendor under s. 561.14 merely because it  
10 is affiliated with, a shareholder of, or sharing in percentage  
11 payments with any vendor licensed under that section at the  
12 complex and meets the qualifications specified in s. 561.15  
13 unless:

14           1. The owner of the motorsports entertainment complex  
15 obligates or requires the licensed vendors operating at the  
16 motorsports entertainment complex to purchase or sell any  
17 particular brands of beverages defined in s. 561.01 in areas  
18 that are accessible to the public. Areas accessible to the  
19 public do not include any restricted access areas that are  
20 under lease, license, or occupancy contracts with the owner.

21           2. A person licensed under s. 563.02(3), with the  
22 knowledge of the owner, is directly or indirectly  
23 participating in or contributing to any advertising or  
24 promotional funds being used to pay fees to the owner of the  
25 motorsports entertainment complex.

26           Section 2. This act shall take effect October 1, 2000.  
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
Senate Bill 1074

This committee substitute specifys that the bill's authority to enter into promotional contracts applies only to owners of motorsports entertainment complexes who are not licensed as a vendor of alcoholic beverages.