

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 fixed seats for race patrons;

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

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

23 4. Serves food and beverages at the facility during
24 sanctioned events each calendar year through concession
25 outlets, a majority of which are staffed by individuals who
26 represent or are members of one or more nonprofit civic or
27 charitable organizations that directly financially benefit
28 from such concession outlet sales;

29 5. Engages in tourism promotion; and

30 6. Has on the property permanent exhibitions of
31 motorsports history, events, or vehicles.

1 (b) "Motorsports event" means a motorsports race and
2 its ancillary activities that have been sanctioned by a
3 sanctioning body.

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

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

29 (2)(a) Notwithstanding any other law to the contrary,
30 the owner of a motorsports entertainment complex who is not
31 licensed as a vendor under chapter 561 and who meets the

1 qualifications specified in s. 561.15 may enter into a
2 promotional contract, including a contract with any other
3 person which may require the payment of fees, except:

4 1. A person licensed under s. 563.02(3), unless that
5 person is also licensed as a manufacturer;

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

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

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

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

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

29 Section 2. This act shall take effect October 1, 2000.
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