

By Senator Kirkpatrick

5-1607-00

1                                   A bill to be entitled  
2           An act relating to the Office of Tourism,  
3           Trade, and Economic Development; amending s.  
4           14.2015, F.S.; revising provisions relating to  
5           the duty of the office to serve as contract  
6           administrator for the state in contracts with  
7           Enterprise Florida, Inc., the Florida  
8           Commission on Tourism, and the direct-support  
9           organization created to promote the sports  
10          industry; providing for assets held in trust by  
11          the contracted party upon dissolution of the  
12          contracted party or termination of the contract  
13          to be reverted to the state for use by the  
14          office; amending s. 288.1224, F.S.; revising  
15          provisions relating to the Florida Commission  
16          on Tourism's contract with the Florida Tourism  
17          Industry Marketing Corporation; providing for  
18          assets held in trust by the corporation upon  
19          dissolution of the corporation or termination  
20          of the contract to be reverted to the state for  
21          use by the office; providing an effective date.

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

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25           Section 1. Paragraph (g) of subsection (2) of section  
26 14.2015, Florida Statutes, is amended to read:

27           14.2015 Office of Tourism, Trade, and Economic  
28 Development; creation; powers and duties.--

29           (2) The purpose of the Office of Tourism, Trade, and  
30 Economic Development is to assist the Governor in working with  
31 the Legislature, state agencies, business leaders, and

1 economic development professionals to formulate and implement  
2 coherent and consistent policies and strategies designed to  
3 provide economic opportunities for all Floridians. To  
4 accomplish such purposes, the Office of Tourism, Trade, and  
5 Economic Development shall:

6 (g) Serve as contract administrator for the state with  
7 respect to contracts with Enterprise Florida, Inc., the  
8 Florida Commission on Tourism, and the direct-support  
9 organization created under s. 288.1229 ~~all direct-support~~  
10 ~~organizations under this act, excluding those relating to~~  
11 ~~tourism.~~ To accomplish the provisions of this act and  
12 applicable provisions of chapter 288, and notwithstanding the  
13 provisions of part I of chapter 287, the office shall enter  
14 into specific contracts with Enterprise Florida, Inc., the  
15 Florida Commission on Tourism, and the direct-support  
16 organization created under s. 288.1229 ~~other appropriate~~  
17 ~~direct-support organizations.~~ Such contracts may be multiyear,  
18 ~~and shall include specific performance measures for each year,~~  
19 ~~and shall provide for recovery of state assets in a manner~~  
20 ~~consistent with the provisions of this paragraph in the event~~  
21 ~~of termination. Upon dissolution of the party contracting with~~  
22 ~~the office, the contracted party shall cease incurring debt,~~  
23 ~~and all assets of the contracted party held in trust shall be~~  
24 ~~reverted to the state for use by the office for satisfaction~~  
25 ~~of outstanding debt. After such satisfaction, all assets~~  
26 ~~remaining shall be used by the office for carrying out its~~  
27 ~~duties under this section and chapter 288. Assets of the~~  
28 ~~contracted party held in trust include money, whether from~~  
29 ~~public, private, or third-party sources; real property; and~~  
30 ~~tangible and intangible personal property. The provisions for~~

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1 dissolution contained in this paragraph shall be deemed to be  
2 part of the contract with each party.

3 Section 2. Subsection (1) of section 288.1224, Florida  
4 Statutes, is amended to read:

5 288.1224 Powers and duties.--The commission:

6 (1) Notwithstanding the provisions of part I of  
7 chapter 287, upon the approval of the Office of Tourism,  
8 Trade, and Economic Development, shall contract, ~~no later than~~  
9 ~~December 31, 1996,~~ with the Florida Tourism Industry Marketing  
10 Corporation, a direct-support organization of the commission  
11 created under s. 288.1226 ~~a direct-support organization~~  
12 ~~incorporated as a private, not-for-profit corporation, as~~  
13 ~~defined in s. 501(c)(6) of the Internal Revenue Code of 1986,~~  
14 ~~as amended,~~ to execute the tourism marketing and promotion  
15 services, functions, and programs for this state including,  
16 but not limited to, the activities prescribed by the 4-year  
17 marketing plan. The contract shall provide for recovery of  
18 state assets in a manner consistent with the provisions of  
19 this subsection in the event of termination. The Office of  
20 Tourism, Trade, and Economic Development shall review such  
21 contract in an expedient manner and shall timely make any  
22 recommendations so as to allow for the date of the contract to  
23 be met. The commission shall serve as contract administrator.  
24 Upon dissolution of the corporation, the corporation shall  
25 cease incurring debt, and all assets of the corporation held  
26 in trust shall be reverted to the state for use by the Office  
27 of Tourism, Trade, and Economic Development for satisfaction  
28 of outstanding debt. After such satisfaction, all assets  
29 remaining shall be used to carry out the duties of the office  
30 under s. 14.2015 and this chapter. Assets of the corporation  
31 held in trust include money, whether from public, private, or

1 third-party sources; real property; and tangible and  
2 intangible personal property. The provisions for dissolution  
3 contained in this subsection shall be deemed to be part of the  
4 contract.

5 Section 3. This act shall take effect July 1, 2000.

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8 SENATE SUMMARY

9 Provides that, on dissolution of the contracted party in  
10 a contract between the Office of Tourism, Trade, and  
11 Economic Development and Enterprise Florida, Inc., the  
12 Florida Commission on Tourism, and the direct-support  
13 organization created to promote the sports industry, or  
14 the dissolution of the Florida Tourism Industry Marketing  
15 Corporation, the assets of the contracted party or the  
16 corporation revert to the state for use by the  
17 department.  
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