

By Representative Johnson

1 A bill to be entitled
2 An act relating to motorsports entertainment;
3 creating s. 549.10, F.S.; creating the
4 "Motorsports Entertainment Complex Act of
5 2000"; providing definitions; providing for
6 contracts; providing for requirements with
7 respect to certain contracts; providing an
8 effective date.

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

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

14 549.10 Motorsports entertainment complex; contracts.--

15 (1) This section may be cited as the "Motorsports
16 Entertainment Complex Act of 2000."

17 (2) As used in this section:

18 (a) "Motorsports entertainment complex" means a
19 closed-course racing facility, and ancillary grounds and
20 facilities, which:

21 1. Has not less than 70,000 permanent seats for race
22 patrons.

23 2. Has not less than 7 scheduled days of motorsports
24 events each calendar year.

25 3. Has not fewer than four motorsports races each
26 calendar year.

27 4. Serves food at the facility during sanctioned
28 motorsports races.

29 5. Engages in tourism promotion.

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 the
5 motorsports entertainment complex, a person who leases the
6 motorsports entertainment complex or the land on which the
7 motorsports entertainment complex is located, from the Federal
8 Government, the state, or a county, city, or special district,
9 and operates the motorsports entertainment complex, or a
10 person who operates and maintains the motorsports
11 entertainment complex pursuant to an operation and management
12 agreement entered into with the Federal Government, the state,
13 or a county, city, 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 which
23 establishes an annual schedule of motorsports events and
24 grants rights to conduct such events, has established and
25 administers rules and regulations governing all participants
26 involved in such events and all persons conducting such
27 events, and requires certain liability assurances, including
28 insurance.

29 (3)(a) Notwithstanding any other law to the contrary,
30 the owner of a motorsports entertainment complex may enter
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1 into a promotional contract, including a contract which may
2 require the payment of fees, with any other person, except:

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

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

7 3. A person licensed under s. 565.03.

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9 However, the exception in subparagraph 3. shall not apply to
10 any contract or to the renewal or extension of any contract in
11 effect prior to October 1, 2000.

12 (b) The owner of a motorsports entertainment complex
13 shall not be considered a vendor under s. 561.14 by reason of
14 its affiliation with, or being a shareholder of, or sharing in
15 percentage payments with any vendor at the complex licensed
16 under said section, unless:

17 1. The owner of the motorsports entertainment complex
18 obligates or requires the licensed vendor operating at the
19 motorsports entertainment complex to purchase or sell any
20 particular brand of beverage as defined in s. 561.01 in areas
21 that are accessible to the general public. Areas accessible to
22 the general public shall not include any restricted access
23 areas which are under lease, license, or occupancy contract
24 with the owner.

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

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

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HOUSE SUMMARY

Creates the "Motorsports Entertainment Complex Act of 2000" to regulate contracts with respect to motorsports entertainment complexes. See bill for details.