

By the Committee on Regulated Services and Representatives
Johnson, Patterson, Fuller, Sobel, Jones, Arnall and Lynn

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 fixed 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 and beverages at the facility during
28 sanctioned events each calendar year through concession
29 outlets, a majority of which are staffed by individuals who
30 represent or are members of one or more nonprofit civic or
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1 charitable organization which directly financially benefit
2 from such concession outlet sales.

3 5. Engages in tourism promotion.

4 6. Has on the property permanent exhibitions of
5 motorsports history, events, or vehicles.

6 (b) "Motorsports event" means a motorsports race and
7 its ancillary activities that have been sanctioned by a
8 sanctioning body.

9 (c) "Owner" means a person who owns and operates the
10 motorsports entertainment complex, a person who leases the
11 motorsports entertainment complex or the land on which the
12 motorsports entertainment complex is located, from the Federal
13 Government, the state, or a county, city, or special district,
14 and operates the motorsports entertainment complex, or a
15 person who operates and maintains the motorsports
16 entertainment complex pursuant to an operation and management
17 agreement entered into with the Federal Government, the state,
18 or a county, city, or special district.

19 (d) "Sanctioning body" means the American Motorcycle
20 Association (AMA), Auto Racing Club of America (ARCA),
21 Championship Auto Racing Teams (CART), Grand American Road
22 Racing Association (Grand Am), Indy Racing League (IRL),
23 National Association for Stock Car Auto Racing (NASCAR),
24 National Hot Rod Association (NHRA), Professional Sportscar
25 Racing (PSR), Sports Car Club of America (SCCA), United States
26 Auto Club (USAC), or any successor organization, or any other
27 nationally recognized governing body of motorsports which
28 establishes an annual schedule of motorsports events and
29 grants rights to conduct such events, has established and
30 administers rules and regulations governing all participants
31 involved in such events and all persons conducting such

1 events, and requires certain liability assurances, including
2 insurance.

3 (3)(a) Notwithstanding any other law to the contrary,
4 the owner of a motorsports entertainment complex, who is not
5 licensed as a vendor under chapter 561 and who meets the
6 qualifications specified in s. 561.15, may enter into a
7 promotional contract, including a contract which may require
8 the payment of fees, with any other person, except:

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

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

13 3. A person licensed under s. 565.03.

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15 However, the exception in subparagraph 3. shall not apply to
16 any contract or to the renewal or extension of any contract in
17 effect prior to October 1, 2000.

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

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

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

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