

1                                   A bill to be entitled  
2           An act relating to sports industry economic  
3           development projects; amending s. 212.20, F.S.;  
4           providing for the Department of Revenue to  
5           distribute sales tax reimbursements to  
6           certified sports industry economic development  
7           projects under certain circumstances; amending  
8           s. 213.053, F.S.; extending the current  
9           information sharing with the Office of Tourism,  
10          Trade, and Economic Development to include the  
11          sales tax reimbursement program for certified  
12          sports industry economic development projects;  
13          creating s. 288.113, F.S.; creating a tax  
14          reimbursement program for certified sports  
15          industry economic development projects;  
16          providing legislative findings and  
17          declarations; providing definitions; providing  
18          eligibility criteria for amateur sports  
19          businesses; prescribing the terms and amounts  
20          of tax reimbursements; providing a  
21          certification procedure, to be established and  
22          administered by the Office of Tourism, Trade,  
23          and Economic Development; providing for  
24          periodic recertification; abating or reducing  
25          funding in specified circumstances; providing a  
26          maximum number of years for which an amateur  
27          sports business may be certified; providing for  
28          decertification; providing a penalty for  
29          falsifying an application; providing for a tax  
30          reimbursement agreement and prescribing terms  
31          of the agreement; providing for annual claims

1 for reimbursement; providing duties of the  
2 Department of Revenue; providing for  
3 administration of the program; providing for  
4 recordkeeping and submission of an annual  
5 report to the Legislature; amending s.  
6 288.1229, F.S.; providing an additional purpose  
7 for which the Office of Tourism, Trade, and  
8 Economic Development may authorize a  
9 direct-support organization to assist the  
10 office; providing for the creation of new jobs  
11 in this state; providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. If section 35 of chapter 2000-260, Laws of  
16 Florida, is repealed by section 58 of said chapter, paragraph  
17 (e) of subsection (6) of section 212.20, Florida Statutes, is  
18 amended to read:

19 212.20 Funds collected, disposition; additional powers  
20 of department; operational expense; refund of taxes  
21 adjudicated unconstitutionally collected.--

22 (6) Distribution of all proceeds under this chapter  
23 shall be as follows:

24 (e) The proceeds of all other taxes and fees imposed  
25 pursuant to this chapter shall be distributed as follows:

26 1. In any fiscal year, the greater of \$500 million,  
27 minus an amount equal to 4.6 percent of the proceeds of the  
28 taxes collected pursuant to chapter 201, or 5 percent of all  
29 other taxes and fees imposed pursuant to this chapter shall be  
30 deposited in monthly installments into the General Revenue  
31 Fund.

1           2. Two-tenths of one percent shall be transferred to  
2 the Solid Waste Management Trust Fund.

3           3. After the distribution under subparagraphs 1. and  
4 2., 9.653 percent of the amount remitted by a sales tax dealer  
5 located within a participating county pursuant to s. 218.61  
6 shall be transferred into the Local Government Half-cent Sales  
7 Tax Clearing Trust Fund.

8           4. After the distribution under subparagraphs 1., 2.,  
9 and 3., 0.065 percent shall be transferred to the Local  
10 Government Half-cent Sales Tax Clearing Trust Fund and  
11 distributed pursuant to s. 218.65.

12           5. For proceeds received after July 1, 2000, and after  
13 the distributions under subparagraphs 1., 2., 3., and 4., 2.25  
14 percent of the available proceeds pursuant to this paragraph  
15 shall be transferred monthly to the Revenue Sharing Trust Fund  
16 for Counties pursuant to s. 218.215.

17           6. For proceeds received after July 1, 2000, and after  
18 the distributions under subparagraphs 1., 2., 3., and 4.,  
19 1.0715 percent of the available proceeds pursuant to this  
20 paragraph shall be transferred monthly to the Revenue Sharing  
21 Trust Fund for Municipalities pursuant to s. 218.215. If the  
22 total revenue to be distributed pursuant to this subparagraph  
23 is at least as great as the amount due from the Revenue  
24 Sharing Trust Fund for Municipalities and the Municipal  
25 Financial Assistance Trust Fund in state fiscal year  
26 1999-2000, no municipality shall receive less than the amount  
27 due from the Revenue Sharing Trust Fund for Municipalities and  
28 the Municipal Financial Assistance Trust Fund in state fiscal  
29 year 1999-2000. If the total proceeds to be distributed are  
30 less than the amount received in combination from the Revenue  
31 Sharing Trust Fund for Municipalities and the Municipal

1 Financial Assistance Trust Fund in state fiscal year  
2 1999-2000, each municipality shall receive an amount  
3 proportionate to the amount it was due in state fiscal year  
4 1999-2000.

5 7. Of the remaining proceeds:

6 a. Beginning July 1, 2000, and in each fiscal year  
7 thereafter, the sum of \$29,915,500 shall be divided into as  
8 many equal parts as there are counties in the state, and one  
9 part shall be distributed to each county. The distribution  
10 among the several counties shall begin each fiscal year on or  
11 before January 5th and shall continue monthly for a total of 4  
12 months. If a local or special law required that any moneys  
13 accruing to a county in fiscal year 1999-2000 under the  
14 then-existing provisions of s. 550.135 be paid directly to the  
15 district school board, special district, or a municipal  
16 government, such payment shall continue until such time that  
17 the local or special law is amended or repealed. The state  
18 covenants with holders of bonds or other instruments of  
19 indebtedness issued by local governments, special districts,  
20 or district school boards prior to July 1, 2000, that it is  
21 not the intent of this subparagraph to adversely affect the  
22 rights of those holders or relieve local governments, special  
23 districts, or district school boards of the duty to meet their  
24 obligations as a result of previous pledges or assignments or  
25 trusts entered into which obligated funds received from the  
26 distribution to county governments under then-existing s.  
27 550.135. This distribution specifically is in lieu of funds  
28 distributed under s. 550.135 prior to July 1, 2000.

29 b. The department shall distribute \$166,667 monthly  
30 pursuant to s. 288.1162 to each applicant that has been  
31 certified as a "facility for a new professional sports

1 franchise" or a "facility for a retained professional sports  
2 franchise" pursuant to s. 288.1162. Up to \$41,667 shall be  
3 distributed monthly by the department to each applicant that  
4 has been certified as a "facility for a retained spring  
5 training franchise" pursuant to s. 288.1162; however, not more  
6 than \$208,335 may be distributed monthly in the aggregate to  
7 all certified facilities for a retained spring training  
8 franchise. Distributions shall begin 60 days following such  
9 certification and shall continue for not more than 30 years.  
10 Nothing contained in this paragraph shall be construed to  
11 allow an applicant certified pursuant to s. 288.1162 to  
12 receive more in distributions than actually expended by the  
13 applicant for the public purposes provided for in s.  
14 288.1162(6). However, a certified applicant is entitled to  
15 receive distributions up to the maximum amount allowable and  
16 undistributed under this section for additional renovations  
17 and improvements to the facility for the franchise without  
18 additional certification.

19 c. Beginning 30 days after notice by the Office of  
20 Tourism, Trade, and Economic Development to the Department of  
21 Revenue that an applicant has been certified as the  
22 professional golf hall of fame pursuant to s. 288.1168 and is  
23 open to the public, \$166,667 shall be distributed monthly, for  
24 up to 300 months, to the applicant.

25 d. Beginning 30 days after notice by the Office of  
26 Tourism, Trade, and Economic Development to the Department of  
27 Revenue that the applicant has been certified as the  
28 International Game Fish Association World Center facility  
29 pursuant to s. 288.1169, and the facility is open to the  
30 public, \$83,333 shall be distributed monthly, for up to 168  
31 months, to the applicant. This distribution is subject to

1 reduction pursuant to s. 288.1169. A lump sum payment of  
2 \$999,996 shall be made, after certification and before July 1,  
3 2000.

4 e. Beginning 30 days after notice by the Office of  
5 Tourism, Trade, and Economic Development to the Department of  
6 Revenue that an applicant has been certified as a certified  
7 sports industry economic development project pursuant to s.  
8 288.113, and has generated new sales tax revenues that have  
9 been remitted to the state during the prior twelve months, a  
10 monthly sales tax reimbursement payment in the amount set  
11 forth in the notice by the Office of Tourism, Trade and  
12 Economic Development, based on actual sales tax generated over  
13 a 12-month period, shall be distributed to the applicant until  
14 the certification expires or notice is received by the  
15 department from the Office of Tourism, Trade, and Economic  
16 Development of a change in the applicant's certification  
17 status or in the certified monthly payment amount. The amount  
18 of the monthly sales tax reimbursement distribution shall be  
19 adjusted beginning 30 days after notice by the Office of  
20 Tourism, Trade, and Economic Development that the applicant is  
21 to receive a reduced or increased sales tax reimbursement  
22 payment.

23 8. All other proceeds shall remain with the General  
24 Revenue Fund.

25 Section 2. If section 35 of chapter 2000-260, Laws of  
26 Florida, is not repealed by section 58 of said chapter,  
27 paragraph (e) of subsection (6) of section 212.20, Florida  
28 Statutes, is amended to read:

29 212.20 Funds collected, disposition; additional powers  
30 of department; operational expense; refund of taxes  
31 adjudicated unconstitutionally collected.--

1 (6) Distribution of all proceeds under this chapter  
2 and s. 202.18(1)(b) and (2)(b) shall be as follows:

3 (e) The proceeds of all other taxes and fees imposed  
4 pursuant to this chapter or remitted pursuant to s.  
5 202.18(1)(b) and (2)(b) shall be distributed as follows:

6 1. In any fiscal year, the greater of \$500 million,  
7 minus an amount equal to 4.6 percent of the proceeds of the  
8 taxes collected pursuant to chapter 201, or 5 percent of all  
9 other taxes and fees imposed pursuant to this chapter or  
10 remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be  
11 deposited in monthly installments into the General Revenue  
12 Fund.

13 2. Two-tenths of one percent shall be transferred to  
14 the Solid Waste Management Trust Fund.

15 3. After the distribution under subparagraphs 1. and  
16 2., 9.653 percent of the amount remitted by a sales tax dealer  
17 located within a participating county pursuant to s. 218.61  
18 shall be transferred into the Local Government Half-cent Sales  
19 Tax Clearing Trust Fund.

20 4. After the distribution under subparagraphs 1., 2.,  
21 and 3., 0.065 percent shall be transferred to the Local  
22 Government Half-cent Sales Tax Clearing Trust Fund and  
23 distributed pursuant to s. 218.65.

24 5. For proceeds received after July 1, 2000, and after  
25 the distributions under subparagraphs 1., 2., 3., and 4., 2.25  
26 percent of the available proceeds pursuant to this paragraph  
27 shall be transferred monthly to the Revenue Sharing Trust Fund  
28 for Counties pursuant to s. 218.215.

29 6. For proceeds received after July 1, 2000, and after  
30 the distributions under subparagraphs 1., 2., 3., and 4.,  
31 1.0715 percent of the available proceeds pursuant to this

1 paragraph shall be transferred monthly to the Revenue Sharing  
 2 Trust Fund for Municipalities pursuant to s. 218.215. If the  
 3 total revenue to be distributed pursuant to this subparagraph  
 4 is at least as great as the amount due from the Revenue  
 5 Sharing Trust Fund for Municipalities and the Municipal  
 6 Financial Assistance Trust Fund in state fiscal year  
 7 1999-2000, no municipality shall receive less than the amount  
 8 due from the Revenue Sharing Trust Fund for Municipalities and  
 9 the Municipal Financial Assistance Trust Fund in state fiscal  
 10 year 1999-2000. If the total proceeds to be distributed are  
 11 less than the amount received in combination from the Revenue  
 12 Sharing Trust Fund for Municipalities and the Municipal  
 13 Financial Assistance Trust Fund in state fiscal year  
 14 1999-2000, each municipality shall receive an amount  
 15 proportionate to the amount it was due in state fiscal year  
 16 1999-2000.

17 7. Of the remaining proceeds:

18 a. Beginning July 1, 2000, and in each fiscal year  
 19 thereafter, the sum of \$29,915,500 shall be divided into as  
 20 many equal parts as there are counties in the state, and one  
 21 part shall be distributed to each county. The distribution  
 22 among the several counties shall begin each fiscal year on or  
 23 before January 5th and shall continue monthly for a total of 4  
 24 months. If a local or special law required that any moneys  
 25 accruing to a county in fiscal year 1999-2000 under the  
 26 then-existing provisions of s. 550.135 be paid directly to the  
 27 district school board, special district, or a municipal  
 28 government, such payment shall continue until such time that  
 29 the local or special law is amended or repealed. The state  
 30 covenants with holders of bonds or other instruments of  
 31 indebtedness issued by local governments, special districts,



1 or district school boards prior to July 1, 2000, that it is  
2 not the intent of this subparagraph to adversely affect the  
3 rights of those holders or relieve local governments, special  
4 districts, or district school boards of the duty to meet their  
5 obligations as a result of previous pledges or assignments or  
6 trusts entered into which obligated funds received from the  
7 distribution to county governments under then-existing s.  
8 550.135. This distribution specifically is in lieu of funds  
9 distributed under s. 550.135 prior to July 1, 2000.

10         b. The department shall distribute \$166,667 monthly  
11 pursuant to s. 288.1162 to each applicant that has been  
12 certified as a "facility for a new professional sports  
13 franchise" or a "facility for a retained professional sports  
14 franchise" pursuant to s. 288.1162. Up to \$41,667 shall be  
15 distributed monthly by the department to each applicant that  
16 has been certified as a "facility for a retained spring  
17 training franchise" pursuant to s. 288.1162; however, not more  
18 than \$208,335 may be distributed monthly in the aggregate to  
19 all certified facilities for a retained spring training  
20 franchise. Distributions shall begin 60 days following such  
21 certification and shall continue for not more than 30 years.  
22 Nothing contained in this paragraph shall be construed to  
23 allow an applicant certified pursuant to s. 288.1162 to  
24 receive more in distributions than actually expended by the  
25 applicant for the public purposes provided for in s.  
26 288.1162(6). However, a certified applicant is entitled to  
27 receive distributions up to the maximum amount allowable and  
28 undistributed under this section for additional renovations  
29 and improvements to the facility for the franchise without  
30 additional certification.

31

1 c. Beginning 30 days after notice by the Office of  
2 Tourism, Trade, and Economic Development to the Department of  
3 Revenue that an applicant has been certified as the  
4 professional golf hall of fame pursuant to s. 288.1168 and is  
5 open to the public, \$166,667 shall be distributed monthly, for  
6 up to 300 months, to the applicant.

7 d. Beginning 30 days after notice by the Office of  
8 Tourism, Trade, and Economic Development to the Department of  
9 Revenue that the applicant has been certified as the  
10 International Game Fish Association World Center facility  
11 pursuant to s. 288.1169, and the facility is open to the  
12 public, \$83,333 shall be distributed monthly, for up to 168  
13 months, to the applicant. This distribution is subject to  
14 reduction pursuant to s. 288.1169. A lump sum payment of  
15 \$999,996 shall be made, after certification and before July 1,  
16 2000.

17 e. Beginning 30 days after notice by the Office of  
18 Tourism, Trade, and Economic Development to the Department of  
19 Revenue that an applicant has been certified as a certified  
20 sports industry economic development project pursuant to s.  
21 288.113, and has generated new sales tax revenues that have  
22 been remitted to the state during the prior twelve months, a  
23 monthly sales tax reimbursement payment in the amount set  
24 forth in the notice by the Office of Tourism, Trade and  
25 Economic Development, based on actual sales tax generated over  
26 a 12-month period, shall be distributed to the applicant until  
27 the certification expires or notice is received by the  
28 department from the Office of Tourism, Trade, and Economic  
29 Development of a change in the applicant's certification  
30 status or in the certified monthly payment amount. The amount  
31 of the monthly sales tax reimbursement distribution shall be

1 adjusted beginning 30 days after notice by the Office of  
2 Tourism, Trade, and Economic Development that the applicant is  
3 to receive a reduced or increased sales tax reimbursement  
4 payment.

5 8. All other proceeds shall remain with the General  
6 Revenue Fund.

7 Section 3. Paragraph (k) of subsection (7) of section  
8 213.053, Florida Statutes, is amended to read:

9 213.053 Confidentiality and information sharing.--

10 (7) Notwithstanding any other provision of this  
11 section, the department may provide:

12 (k) Payment information relative to chapters 199, 201,  
13 212, 220, and 221 to the Office of Tourism, Trade, and  
14 Economic Development in its administration of the tax refund  
15 program for qualified defense contractors authorized by s.  
16 288.1045, and the tax refund program for qualified target  
17 industry businesses authorized by s. 288.106, and the sales  
18 tax reimbursement program for certified sports industry  
19 economic development projects authorized by s. 288.113.

20 Section 4. Section 288.113, Florida Statutes, is  
21 created to read:

22 288.113 Tax reimbursement program for certified sports  
23 industry economic development projects.--

24 (1) LEGISLATIVE FINDINGS AND DECLARATIONS.--The  
25 Legislature finds that attracting, retaining, and providing  
26 favorable conditions for the growth of certified sports  
27 industry economic development projects provides high-quality  
28 employment opportunities for residents of the state, increases  
29 tourism, and enhances the economic foundations of the state.  
30 It is the policy of the state to encourage the growth of  
31 high-value-added employment to the economic base by providing

1 a sales tax reimbursement to certified sports industry  
2 economic development projects that create new employment  
3 opportunities and generate new sales tax dollars by expanding  
4 businesses within the state or by bringing new businesses to  
5 the state.

6 (2) DEFINITIONS.--As used in this section:

7 (a) "Certified sports industry economic development  
8 project" or "project" means any amateur sports business that  
9 develops, operates, attracts, and retains multiyear amateur  
10 sporting events that generate new sales taxes for the state,  
11 has submitted a properly completed application to the Office  
12 of Tourism, Trade, and Economic Development, and has  
13 subsequently been certified by that office as a certified  
14 sports industry economic development project.

15 (b) "Sales tax reimbursement" means the monthly amount  
16 to be distributed through a reimbursement to a certified  
17 sports industry economic development project pursuant to s.  
18 212.20. Such amount shall be determined by the Office of  
19 Tourism, Trade, and Economic Development as provided in this  
20 section.

21 (3) AMATEUR SPORTS BUSINESS ELIGIBLE TO APPLY.--

22 (a) Any amateur sports business that develops,  
23 operates, attracts, and retains multiyear amateur sporting  
24 events that generate new sales taxes for the state may submit  
25 to the Office of Tourism, Trade, and Economic Development an  
26 application for approval as a certified sports industry  
27 economic development project for the purpose of receiving a  
28 sales tax reimbursement on new sales taxes generated by  
29 increased new business and tourism activity directly  
30 attributable to the proposed amateur sports industry economic  
31 development project.

1           (b) The number of certified sports industry economic  
2 development projects shall not exceed three until June 30,  
3 2006, and thereafter only one new certified sports industry  
4 economic development project may be certified by the Office of  
5 Tourism, Trade, and Economic Development each year.

6           (4) SALES TAX REIMBURSEMENT AND AUTHORIZED  
7 AMOUNT.--Pursuant to s. 212.20, each certified sports industry  
8 economic development project shall be eligible for a monthly  
9 distribution of its sales tax reimbursement in the amount  
10 determined by its sales tax reimbursement agreement with the  
11 Office of Tourism, Trade, and Economic Development. The  
12 amount shall be based on new sales tax revenues generated  
13 under chapter 212 by increased new business and tourism  
14 activity directly attributable to the project as determined  
15 using the sports economic impact model and, subject to other  
16 restrictions, returns 50 percent of that amount to the  
17 project. The total amount of sales tax reimbursement for all  
18 fiscal years estimated for each project shall not exceed 50  
19 percent of the cost of the project as determined by the Office  
20 of Tourism, Trade, and Economic Development in the  
21 certification process set forth in subsection (6). The  
22 annualized amount of the monthly distribution shall be  
23 calculated by the Office of Tourism, Trade, and Economic  
24 Development and specified in the applicant's sales tax  
25 reimbursement agreement. Annual payment amounts shall be no  
26 less than \$500,000 and no more than \$2 million, unless the  
27 Office of Tourism, Trade, and Economic Development reduces  
28 payments below \$500,000 under its authority to decertify a  
29 project as discussed in subsection (6).

30           (5) AUTHORIZED USE OF SALES TAX REIMBURSEMENT  
31 PAYMENTS.--After entering into a sales tax reimbursement

1 agreement under subsection (7), a certified sports industry  
2 economic development project may receive a sales tax  
3 reimbursement for:

4 (a) Developing and implementing any component of the  
5 project's sports events and activities;

6 (b) Constructing, reconstructing, renovating,  
7 furnishing, equipping, or operating the project's facilities  
8 or events;

9 (c) Pledging payments or debt service on or funding  
10 debt service reserve funds, arbitrage rebate obligations, or  
11 other amounts payable with respect to bonds for the project's  
12 activities and facilities; or

13 (d) Paying the cost of relocating the project's  
14 corporate headquarters into the state.

15 (6) CERTIFICATION, RECERTIFICATION, AND  
16 DECERTIFICATION PROCEDURE.--

17 (a) The Office of Tourism, Trade, and Economic  
18 Development shall establish a certification process by which a  
19 proposed amateur sports industry economic development project  
20 may be approved by the office as a certified sports industry  
21 economic development project that is eligible to receive  
22 economic development incentives in the form of a sales tax  
23 reimbursement of a percentage of new sales taxes that have  
24 been generated and remitted to the state as a result of the  
25 certified sports industry economic development project.

26 (b) Before certifying an applicant under this  
27 subsection, the Office of Tourism, Trade, and Economic  
28 Development shall determine that the applicant has:

29 1. Completed an independent analysis or study,  
30 verified by the Office of Tourism, Trade, and Economic  
31 Development, which demonstrates that the proposed amateur

1 sports industry economic development project will generate a  
2 minimum of \$1 million annually in new sales tax revenues over  
3 a multiyear period.

4 2. Received commitments for amateur sports activities  
5 which demonstrate that the proposed amateur sports economic  
6 development project will bring to this state on a multiyear  
7 basis new proposed amateur sports economic development project  
8 activities that will generate a minimum of \$1 million in new  
9 sales tax revenues annually, as verified by the Office of  
10 Tourism, Trade, and Economic Development.

11 3. Demonstrated that the applicant has provided, is  
12 capable of providing, or has financial or other commitments to  
13 provide more than one-half of the costs incurred in or related  
14 to the development of the proposed amateur sports industry  
15 economic development project.

16 (c) An amateur sports business that has previously  
17 been certified under this section and has received a sales tax  
18 reimbursement under that certification is ineligible for  
19 additional certification.

20 (d) Upon determining that a proposed amateur sports  
21 industry economic development project meets the established  
22 criteria for approval as a certified sports industry economic  
23 development project and qualifies for a sales tax  
24 reimbursement, the Office of Tourism, Trade, and Economic  
25 Development shall issue to the applicant a letter of  
26 certification that stipulates the terms of the sales tax  
27 reimbursement agreement and the penalties for failing to  
28 comply with those terms.

29 (e) The Office of Tourism, Trade, and Economic  
30 Development shall deny the application of an amateur sports  
31 business to be a certified sports industry economic

1 development project if the office determines that the proposed  
2 project does not meet the established criteria for approval.

3 (f) The Office of Tourism, Trade, and Economic  
4 Development shall develop a standardized form for an amateur  
5 sports business to complete in applying for certification as a  
6 certified sports industry economic development project. The  
7 application shall include, but shall not be limited to,  
8 relevant information on employment and job creation, proposed  
9 budgets, contracts for multiyear events and projects, project  
10 financing, and other information requested by the office. The  
11 application may be distributed to applicants by the Office of  
12 Tourism, Trade, and Economic Development, and all completed  
13 applications shall be processed by the office.

14 (g) Initial certification for a sales tax  
15 reimbursement under this section is valid for 120 months.  
16 Subsequent to the initial certification period, the certified  
17 sports industry economic development project is eligible for  
18 two periods of recertification, each of which is valid for 60  
19 months. A project shall request recertification 12 months  
20 before the expiration of the certificate.

21 (h) A certified sports industry economic development  
22 project may request recertification after the initial  
23 certification period to be requalified for certification as a  
24 certified sports industry economic development project for a  
25 period not to exceed 240 months.

26 (i) The Office of Tourism, Trade, and Economic  
27 Development shall recertify, before the end of the first  
28 10-year period, that the certified sports industry economic  
29 development project is operational and that the project is  
30 meeting the minimum projections for sales tax revenues as  
31 required at the time of original certification. If the project



1 is not recertified during this 10-year review period as  
2 meeting the minimum projections, funding shall be adjusted  
3 until certification criteria are met. If the project fails to  
4 generate annual sales tax revenues pursuant to its sales tax  
5 reimbursement agreement with the Office of Tourism, Trade, and  
6 Economic Development, the amount of revenues distributed to  
7 the project under s. 212.20(6)(e)7.e. shall be reduced to the  
8 amount of the taxes collected times 50 percent. If, for 2  
9 consecutive years, the amount of tax revenues collected falls  
10 below a minimum of \$1 million per year, the project may be  
11 decertified at the discretion of the Office of Tourism, Trade,  
12 and Economic Development. Such a reduction shall remain in  
13 effect until the sales tax revenues generated by the project  
14 in a 12-month period equal or exceed \$1 million.

15 (j) A project may be decertified if the Office of  
16 Tourism, Trade, and Economic Development determines that the  
17 amateur sports business can no longer maintain its economic  
18 development activities in this state. If the project is no  
19 longer in existence, or is no longer viable, as determined by  
20 the project's sales tax reimbursement agreement with the  
21 Office of Tourism, Trade, and Economic Development, or if the  
22 project has the certificate for purposes other than those  
23 authorized by this section and chapter 212, the Office of  
24 Tourism, Trade, and Economic Development shall notify the  
25 Department of Revenue to suspend payment for a period of 6  
26 months until the project is either in compliance with the  
27 sales tax reimbursement agreement or is determined to be in  
28 default. In addition to other penalties imposed by law, any  
29 person who knowingly and willfully falsifies an application  
30 for purposes other than those authorized by this section

31

1 commits a felony of the third degree, punishable as provided  
2 in s. 775.082, s. 775.083, or s. 775.084.

3 (k) The Office of Tourism, Trade, and Economic  
4 Development shall provide written notification to the  
5 Department of Revenue of all certifications, recertifications,  
6 and decertifications of projects and of the sales tax  
7 reimbursement distribution amount each project is entitled to  
8 receive.

9 (l) The Office of Tourism, Trade, and Economic  
10 Development shall develop rules for the receipt and processing  
11 of applications for funding pursuant to s. 212.20.

12 (7) SALES TAX REIMBURSEMENT AGREEMENT TERMS.--

13 (a) In order to qualify for sales tax reimbursement  
14 from the state, each certified sports industry economic  
15 development project shall enter into a written agreement with  
16 the Office of Tourism, Trade, and Economic Development which  
17 specifies, at a minimum:

18 1. The total number of full-time-equivalent jobs  
19 created in or transferred to this state as a direct result of  
20 the project, the average wage paid for those jobs, the  
21 criteria that will apply to measuring the achievement of these  
22 terms during the effective period of the agreement, and a time  
23 schedule or plan for when such jobs will be in place and  
24 operative in the state.

25 2. The maximum amount of new sales taxes estimated to  
26 be generated as a result of the project, the maximum amount of  
27 sales tax reimbursement that the project is eligible to  
28 receive, and the maximum amount of sales tax reimbursement  
29 that the project is requesting.

1           3. The budgets, financing, projections, and cost  
2 estimates for the sports activities and projects for which  
3 reimbursement is sought.

4           (b) Compliance with the terms and conditions of the  
5 sales tax reimbursement agreement is a condition precedent for  
6 receiving a sales tax reimbursement each year. The terms and  
7 timeframe of the agreement shall be commensurate with the  
8 duration of the certification period. Failure to comply with  
9 the terms and conditions of the sales tax reimbursement  
10 agreement shall result in an immediate review by the Office of  
11 Tourism, Trade, and Economic Development of the activities of  
12 the project.

13           (c) The sales tax reimbursement shall not exceed 50  
14 percent of the total project costs, amortized over a period  
15 not to exceed 20 years.

16           (d) Sales tax reimbursement may be provided through  
17 direct payment or other means of payment to the certified  
18 sports industry economic development project, as determined in  
19 the sales tax reimbursement agreement with the approval of the  
20 Department of Revenue.

21           (8) ADMINISTRATION.--

22           (a) The Office of Tourism, Trade, and Economic  
23 Development may verify information provided in any claim for  
24 sales tax reimbursement under this section, including  
25 information regarding employment and wage levels or the  
26 payment of taxes under chapter 212 to the appropriate agency,  
27 including the Department of Revenue, the Agency for Workforce  
28 Innovation, or the appropriate local government or authority.

29           (b) To facilitate the process of monitoring and  
30 auditing applications made under this program, the Office of  
31 Tourism, Trade, and Economic Development may request

1 information necessary for determining a project's compliance  
2 with this section from the Department of Revenue, the Agency  
3 for Workforce Innovation, or any local government or  
4 authority. These governmental entities shall provide  
5 assistance in the areas within their scope of  
6 responsibilities.

7 (c) The Department of Revenue may audit as provided in  
8 s. 213.34 to verify that the distributions pursuant to this  
9 section have been expended as required in this section.

10 (9) RELATIONSHIP OF SALES TAX REIMBURSEMENTS TO SPORTS  
11 INDUSTRY GROWTH; REPORT TO THE LEGISLATURE.--Beginning January  
12 1, 2003, the Office of Tourism, Trade, and Economic  
13 Development shall maintain records based on information  
14 provided on taxpayer applications for certified sports  
15 industry economic development projects that receive sales tax  
16 reimbursements. These records shall include a statement of the  
17 percentage of the overall new economic impact generated by  
18 certified sports industry economic development projects and  
19 the amount of funds annually reimbursed to such projects. In  
20 addition, the Office of Tourism, Trade, and Economic  
21 Development shall maintain data showing the annual growth in  
22 Florida-based amateur sports industry businesses and the  
23 number of persons employed and wages paid by such businesses.  
24 The Office of Tourism, Trade, and Economic Development shall  
25 report this information to the Legislature annually, no later  
26 than December 1.

27 Section 5. Subsection (1) of section 288.1229, Florida  
28 Statutes, is amended to read:

29 288.1229 Promotion and development of sports-related  
30 industries and amateur athletics; direct-support organization;  
31 powers and duties.--

1           (1) The Office of Tourism, Trade, and Economic  
2 Development may authorize a direct-support organization to  
3 assist the office in:

4           (a) The promotion and development of the sports  
5 industry and related industries for the purpose of improving  
6 the economic presence of these industries in Florida.

7           (b) The promotion of amateur athletic participation  
8 for the citizens of Florida and the promotion of Florida as a  
9 host for national and international amateur athletic  
10 competitions for the purpose of encouraging and increasing the  
11 direct and ancillary economic benefits of amateur athletic  
12 events and competitions.

13           (c) The attraction of amateur sports industry economic  
14 development projects to this state for the purposes set forth  
15 in paragraphs (a) and (b), as well as for the purposes of  
16 increasing national and international media promotions and  
17 attention, promoting the quality of life in the state, and  
18 promoting tourism, which will have a positive effect on  
19 expanding the tax base as well as creating new jobs in the  
20 state.

21           Section 6. This act shall take effect July 1, 2001.  
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