

Bill No. CS for CS for SB 460

Amendment No. Barcode 103596

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Clary moved the following amendment:

Senate Amendment (with title amendment)

On page 5, line 6,

insert:

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 If section 35 of chapter 2000-260, Laws of Florida, is repealed by section 58 of that chapter, paragraph (e) of subsection (6) of section 212.20, Florida Statutes, is amended to read:

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

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

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

1. In any fiscal year, the greater of \$500 million, minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5 percent of all other taxes and fees imposed pursuant to this chapter shall be

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1 deposited in monthly installments into the General Revenue
2 Fund.

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

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

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

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

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

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1 less than the amount received in combination from the Revenue
2 Sharing Trust Fund for Municipalities and the Municipal
3 Financial Assistance Trust Fund in state fiscal year
4 1999-2000, each municipality shall receive an amount
5 proportionate to the amount it was due in state fiscal year
6 1999-2000.

7 7. Of the remaining proceeds:

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

31 b. The department shall distribute \$166,667 monthly

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

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

27 d. Beginning 30 days after notice by the Office of
28 Tourism, Trade, and Economic Development to the Department of
29 Revenue that the applicant has been certified as the
30 International Game Fish Association World Center facility
31 pursuant to s. 288.1169, and the facility is open to the

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1 public, \$83,333 shall be distributed monthly, for up to 168
2 months, to the applicant. This distribution is subject to
3 reduction pursuant to s. 288.1169. A lump sum payment of
4 \$999,996 shall be made, after certification and before July 1,
5 2000.

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

25 8. All other proceeds shall remain with the General
26 Revenue Fund.

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

31 212.20 Funds collected, disposition; additional powers

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1 of department; operational expense; refund of taxes
2 adjudicated unconstitutionally collected.--

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

5 (e) The proceeds of all other taxes and fees imposed
6 pursuant to this chapter or remitted pursuant to s.
7 202.18(1)(b) and (2)(b) shall be distributed as follows:

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

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

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

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

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

31 6. For proceeds received after July 1, 2000, and after

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1 the distributions under subparagraphs 1., 2., 3., and 4.,
2 1.0715 percent of the available proceeds pursuant to this
3 paragraph shall be transferred monthly to the Revenue Sharing
4 Trust Fund for Municipalities pursuant to s. 218.215. If the
5 total revenue to be distributed pursuant to this subparagraph
6 is at least as great as the amount due from the Revenue
7 Sharing Trust Fund for Municipalities and the Municipal
8 Financial Assistance Trust Fund in state fiscal year
9 1999-2000, no municipality shall receive less than the amount
10 due from the Revenue Sharing Trust Fund for Municipalities and
11 the Municipal Financial Assistance Trust Fund in state fiscal
12 year 1999-2000. If the total proceeds to be distributed are
13 less than the amount received in combination from the Revenue
14 Sharing Trust Fund for Municipalities and the Municipal
15 Financial Assistance Trust Fund in state fiscal year
16 1999-2000, each municipality shall receive an amount
17 proportionate to the amount it was due in state fiscal year
18 1999-2000.

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

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1 covenants with holders of bonds or other instruments of
2 indebtedness issued by local governments, special districts,
3 or district school boards prior to July 1, 2000, that it is
4 not the intent of this subparagraph to adversely affect the
5 rights of those holders or relieve local governments, special
6 districts, or district school boards of the duty to meet their
7 obligations as a result of previous pledges or assignments or
8 trusts entered into which obligated funds received from the
9 distribution to county governments under then-existing s.
10 550.135. This distribution specifically is in lieu of funds
11 distributed under s. 550.135 prior to July 1, 2000.

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

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1 additional certification.

2 c. Beginning 30 days after notice by the Office of
3 Tourism, Trade, and Economic Development to the Department of
4 Revenue that an applicant has been certified as the
5 professional golf hall of fame pursuant to s. 288.1168 and is
6 open to the public, \$166,667 shall be distributed monthly, for
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8 d. Beginning 30 days after notice by the Office of
9 Tourism, Trade, and Economic Development to the Department of
10 Revenue that the applicant has been certified as the
11 International Game Fish Association World Center facility
12 pursuant to s. 288.1169, and the facility is open to the
13 public, \$83,333 shall be distributed monthly, for up to 168
14 months, to the applicant. This distribution is subject to
15 reduction pursuant to s. 288.1169. A lump sum payment of
16 \$999,996 shall be made, after certification and before July 1,
17 2000.

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

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

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

8 Section 3. Paragraph (k) of subsection (7) of section
9 213.053, Florida Statutes, is amended to read:

10 213.053 Confidentiality and information sharing.--

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

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

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

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

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

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

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

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

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

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

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

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1 development project.

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

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

31 (5) AUTHORIZED USE OF SALES TAX REIMBURSEMENT

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1 PAYMENTS.--After entering into a sales tax reimbursement
2 agreement under subsection (7), a certified sports industry
3 economic development project may receive a sales tax
4 reimbursement for:
5 (a) Developing and implementing any component of the
6 project's sports events and activities;
7 (b) Constructing, reconstructing, renovating,
8 furnishing, equipping, or operating the project's facilities
9 or events;
10 (c) Pledging payments or debt service on or funding
11 debt service reserve funds, arbitrage rebate obligations, or
12 other amounts payable with respect to bonds for the project's
13 activities and facilities; or
14 (d) Paying the cost of relocating the project's
15 corporate headquarters into the state.
16 (6) CERTIFICATION, RECERTIFICATION, AND
17 DECERTIFICATION PROCEDURE.--
18 (a) The Office of Tourism, Trade, and Economic
19 Development shall establish a certification process by which a
20 proposed amateur sports industry economic development project
21 may be approved by the office as a certified sports industry
22 economic development project that is eligible to receive
23 economic development incentives in the form of a sales tax
24 reimbursement of a percentage of new sales taxes that have
25 been generated and remitted to the state as a result of the
26 certified sports industry economic development project.
27 (b) Before certifying an applicant under this
28 subsection, the Office of Tourism, Trade, and Economic
29 Development shall determine that the applicant has:
30 1. Completed an independent analysis or study,
31 verified by the Office of Tourism, Trade, and Economic

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1 Development, which demonstrates that the proposed amateur
2 sports industry economic development project will generate a
3 minimum of \$1 million annually in new sales tax revenues over
4 a multiyear period.

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

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

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

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

30 (e) The Office of Tourism, Trade, and Economic
31 Development shall deny the application of an amateur sports

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1 business to be a certified sports industry economic
2 development project if the office determines that the proposed
3 project does not meet the established criteria for approval.

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

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

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

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

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

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

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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.

30 3. The budgets, financing, projections, and cost
 31 estimates for the sports activities and projects for which

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1 reimbursement is sought.

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

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

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

19 (8) ADMINISTRATION.--

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

27 (b) To facilitate the process of monitoring and
28 auditing applications made under this program, the Office of
29 Tourism, Trade, and Economic Development may request
30 information necessary for determining a project's compliance
31 with this section from the Department of Revenue, the Agency

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1 for Workforce Innovation, or any local government or
 2 authority. These governmental entities shall provide
 3 assistance in the areas within their scope of
 4 responsibilities.

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

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

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

27 288.1229 Promotion and development of sports-related
 28 industries and amateur athletics; direct-support organization;
 29 powers and duties.--

30 (1) The Office of Tourism, Trade, and Economic
 31 Development may authorize a direct-support organization to

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1 assist the office in:

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

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

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

19
20 (Redesignate subsequent sections.)

21
22
23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 On page 1, line 2,

26
27 after the semicolon insert:

28 amending s. 212.20, F.S.; providing for the
29 Department of Revenue to distribute sales tax
30 reimbursements to certified sports industry
31 economic development projects under certain

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1 for which the Office of Tourism, Trade, and
2 Economic Development may authorize a
3 direct-support organization to assist the
4 office; providing for the creation of new jobs
5 in this state;
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