

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

The Committee on Tourism offered the following:

**Amendment (with title amendment)**

On page 5, line 9 through page 7, line 5  
remove: all of said lines

and insert: e. The department shall distribute monthly to units of local government that have been certified as owning eligible convention centers pursuant to s. 288.1170 an amount equal to one-half of the proceeds, as defined in s. 212.20(5)(a), received and collected in the previous month by the department under the provisions of this chapter which are generated by such eligible convention centers and remitted on their sales and use tax returns. The total distribution to each unit of local government shall not exceed \$3 million per state fiscal year. Distributions shall begin 60 days following notification of certification by the Office of Tourism, Trade, and Economic Development pursuant to s. 288.1170 and shall continue for not more than 30 years. Distributions shall be used solely to encourage and provide economic development for the attraction, recruitment, and

Amendment No. 1 (for drafter's use only)

1 retention of high-technology, manufacturing, research and  
2 development, and tourism industries as designated by the unit  
3 of local government by resolution of its governing body.

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

6           Section 2. Section 288.1170, Florida Statutes, is  
7 created to read:

8           288.1170 Convention centers owned by units of local  
9 government; certification as owning eligible convention  
10 centers; duties.--

11           (1) The Office of Tourism, Trade and Economic  
12 Development shall serve as the state agency for screening  
13 applicants for state funding pursuant to s. 212.20(6)(d)7.e.  
14 and for certifying an applicant as owning an eligible  
15 convention center.

16           (2) The Office of Tourism, Trade and Economic  
17 Development shall adopt rules pursuant to ss. 120.536(1) and  
18 120.54 for the receipt and processing of applications for  
19 funding pursuant to s. 212.20(6)(d)7.e.

20           (3) As used in this section, the term "eligible  
21 convention center" means a publicly owned facility having  
22 exhibition space in excess of 75,000 square feet, the primary  
23 function of which is to host meetings, conventions or trade  
24 shows.

25           (4) Prior to certifying an applicant as owning an  
26 eligible convention center, the Office of Tourism, Trade, and  
27 Economic Development must determine that:

28           (a) The unit of local government, as defined in s.  
29 218.369, owns an eligible convention center.

30           (b) The convention center contains more than 75,000  
31 square feet of exhibit space.

Amendment No. 1 (for drafter's use only)

1           (c) The unit of local government in which the  
2 convention center is located has certified by resolution after  
3 a public hearing that the application serves a public purpose  
4 pursuant to subsection (7).

5           (d) The convention center is located in a county that  
6 is levying a tourist development tax pursuant to s. 125.0104.

7           (5) Upon certification of an applicant, the Office of  
8 Tourism, Trade and Economic Development shall notify the  
9 executive director of the Department of Revenue of such  
10 certification by means of an official letter granting  
11 certification. The Department of Revenue shall not begin  
12 distributing proceeds until 60 days following notice by the  
13 Office of Tourism, Trade and Economic Development that a unit  
14 of local government has been certified as owning an eligible  
15 convention center.

16           (6) No applicant previously certified under any  
17 provision of this section who has received proceeds under such  
18 certification shall be eligible for an additional  
19 certification.

20           (7) A unit of local government certified as owning an  
21 eligible convention center may use proceeds provided pursuant  
22 to s. 212.20(6)(d)7.e. solely to encourage and provide  
23 economic development for the attraction, recruitment, and  
24 retention of high-technology, manufacturing, research and  
25 development, and tourism industries as designated by the unit  
26 of local government by resolution of its governing body.

27           (8) The Department of Revenue may audit as provided in  
28 s. 213.34 to verify that the distributions, pursuant to this  
29 section, have been expended as required in this section. Such  
30 information is subject to the confidentiality requirements of  
31 chapter 213. If the Department of Revenue determines that the

Amendment No. 1 (for drafter's use only)

1 distributions have not been expended as required by this  
2 section, it may pursue recovery of such proceeds pursuant to  
3 the laws and rules governing the assessment of taxes.

4 (9) Failure to use the proceeds as provided in this  
5 section shall be grounds for revoking certification.

6 Section 3. This act shall take effect October 1, 2002.

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9 ===== T I T L E A M E N D M E N T =====

10 And the title is amended as follows:

11 On page 1, lines 6 through 15  
12 remove: all of said lines

13  
14 and insert:

15 transactions to specified units of local  
16 government owning eligible convention centers;  
17 creating s. 288.1170, F.S.; providing for  
18 certification of units of local government  
19 owning eligible convention centers by the  
20 Office of Tourism, Trade and Economic  
21 Development of the Executive Office of the  
22 Governor; providing a definition; providing  
23 requirements for certification; requiring the  
24 office to adopt specified rules; providing for  
25 use of proceeds distributed to units of local  
26 government under the act; providing for audits  
27 by the Department of Revenue; providing for  
28 revoking of certification; providing an