

By Senator Constantine

9-1591-02

See HB

1 A bill to be entitled

2 An act relating to the tax on sales, use, and

3 other transactions; amending s. 212.20, F.S.;

4 providing for distribution of a portion of

5 revenues from the tax on sales, use, and other

6 transactions to specified convention centers

7 owned by units of local government; creating s.

8 288.1170, F.S.; providing for certification of

9 eligible convention centers by the Office of

10 Tourism, Trade, and Economic Development of the

11 Executive Office of the Governor; providing

12 requirements for certification; requiring the

13 office to adopt specified rules; providing for

14 use of the funds distributed to units of local

15 government under the act; providing an

16 effective date.

17

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

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20 Section 1. Paragraph (d) of subsection (6) of section

21 212.20, Florida Statutes, is amended to read:

22 212.20 Funds collected, disposition; additional powers

23 of department; operational expense; refund of taxes

24 adjudicated unconstitutionally collected.--

25 (6) Distribution of all proceeds under this chapter

26 and s. 202.18(1)(b) and (2)(b) shall be as follows:

27 (d) The proceeds of all other taxes and fees imposed

28 pursuant to this chapter or remitted pursuant to s.

29 202.18(1)(b) and (2)(b) shall be distributed as follows:

30 1. In any fiscal year, the greater of \$500 million,

31 minus an amount equal to 4.6 percent of the proceeds of the

1 taxes collected pursuant to chapter 201, or 5 percent of all
2 other taxes and fees imposed pursuant to this chapter or
3 remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be
4 deposited in monthly installments into the General Revenue
5 Fund.

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

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

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

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

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

1 due from the Revenue Sharing Trust Fund for Municipalities and
2 the Municipal Financial Assistance Trust Fund in state fiscal
3 year 1999-2000. If the total proceeds to be distributed are
4 less than the amount received in combination from the Revenue
5 Sharing Trust Fund for Municipalities and the Municipal
6 Financial Assistance Trust Fund in state fiscal year
7 1999-2000, each municipality shall receive an amount
8 proportionate to the amount it was due in state fiscal year
9 1999-2000.

10 7. Of the remaining proceeds:

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

1 550.135. This distribution specifically is in lieu of funds
2 distributed under s. 550.135 prior to July 1, 2000.

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

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

30 d. Beginning 30 days after notice by the Office of
31 Tourism, Trade, and Economic Development to the Department of

1 Revenue that the applicant has been certified as the
2 International Game Fish Association World Center facility
3 pursuant to s. 288.1169, and the facility is open to the
4 public, \$83,333 shall be distributed monthly, for up to 168
5 months, to the applicant. This distribution is subject to
6 reduction pursuant to s. 288.1169. A lump sum payment of
7 \$999,996 shall be made, after certification and before July 1,
8 2000.

9 e. The department shall distribute monthly to units of
10 local government which have been certified pursuant to s.
11 288.1170 as owning eligible convention centers an amount equal
12 to one-half of funds received and collected by the department
13 under the provisions of this chapter which are generated by
14 such eligible convention centers pursuant to s. 288.1170. The
15 determination of the amount generated by such convention
16 centers shall be limited to funds collected under the
17 provisions of this chapter which are directly generated by the
18 use and operation of such convention centers. Distributions
19 shall began 60 days following certification by the Office of
20 Tourism, Trade, and Economic Development pursuant to s.
21 288.1170. Distributions shall be used solely to encourage and
22 provide economic development for the attraction and
23 recruiting, and retention of high-technology, manufacturing,
24 and tourism industries as designated by the unit of local
25 government by resolution of its governing body.

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

28 Section 2. Section 288.1170, Florida Statutes, is
29 created to read:

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1 288.1170 Convention centers owned by units of local
2 government; certification as eligible convention centers;
3 duties.--

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

9 (2) The Office of Tourism, Trade, and Economic
10 Development shall adopt rules pursuant to ss. 120.536(1) and
11 120.54 for the receipt and processing of applications for
12 funding pursuant to s. 212.20(6)(d)7.e.

13 (3) Prior to certifying an applicant as an eligible
14 convention center, the Office of Tourism, Trade, and Economic
15 Development must determine that:

16 (a) The convention center is owned, operated, and
17 managed by a unit of local government as defined in s.
18 218.369.

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

21 (c) The unit of local government in which the
22 convention center is located has certified by resolution after
23 a public hearing that the application serves a public purpose.

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

26 (4) No applicant previously certified under any
27 provision of this section who has received funding under such
28 certification shall be eligible for an additional
29 certification.

30 (5) A unit of local government certified as owning an
31 eligible convention center may use funds provided pursuant to

1 s. 212.20(6)(d)7.e. only for the public purposes set forth in
2 a resolution duly adopted by the governing board of such unit
3 of local government.

4 Section 3. This act shall take effect upon becoming a
5 law.

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8 LEGISLATIVE SUMMARY

9
10 Provides for distribution of a portion of revenues from
11 the tax on sales, use, and other transactions to
12 specified convention centers owned by units of local
13 government. Provides for certification of eligible
14 convention centers by the Office of Tourism, Trade, and
15 Economic Development of the Executive Office of the
16 Governor. Provides requirements for certification.
17 Provides for the use of funds distributed to units of
18 local government under the act.
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