

By the Committees on Governmental Oversight and Productivity;  
Health, Aging, and Long-Term Care; and Senator Clary

302-2572-04

1                                   A bill to be entitled  
2           An act relating to physical fitness and health;  
3           requiring the Department of Health to undertake  
4           certain actions to promote healthy lifestyles  
5           and body weight; authorizing the department to  
6           adopt rules; providing that the act is  
7           contingent on an appropriation; amending s.  
8           320.08058, F.S.; requiring the Florida Sports  
9           Foundation to allocate certain proceeds from  
10          the sale of license plates for additional  
11          purposes; providing an effective date.

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

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15           Section 1. (1) The Department of Health shall promote  
16 healthy lifestyles to reduce the prevalence of overweight and  
17 obesity in Florida by implementing appropriate physical  
18 activity and nutrition programs that target all Floridians by:

19           (a) Using all appropriate media to promote maximum  
20 public awareness of the latest research on healthy lifestyles  
21 and chronic diseases and disseminating relevant information  
22 through a statewide clearinghouse relating to wellness,  
23 physical activity, and nutrition and their impact on chronic  
24 diseases and disabling conditions.

25           (b) Providing technical assistance, training, and  
26 resources on healthy lifestyles and chronic diseases to the  
27 public, county health departments, health care providers,  
28 school districts, and other persons or entities, including  
29 faith-based organizations, that request such assistance to  
30 promote physical activity, nutrition, and healthy lifestyle  
31 programming.

1           (c) Developing, implementing, and using all available  
2 research methods to collect data, including, but not limited  
3 to, population-specific data, and track the incidence and  
4 effects of weight-gain, obesity, and related chronic diseases.  
5 The department shall include an evaluation and data collection  
6 component in all programs as appropriate.

7           (d) Partnering with the Department of Education, local  
8 communities, school districts, and other entities to encourage  
9 Florida schools to adopt minimum recommended nutrition  
10 standards based on the latest research and to promote  
11 activities during and after school to help students meet a  
12 minimum goal of 60 minutes of activity per day.

13           (e) Partnering with the Department of Education,  
14 school districts, and the Florida Sports Foundation to develop  
15 a program that recognizes schools whose students demonstrate  
16 excellent physical fitness or fitness improvement.

17           (f) Maximizing all local, state, and federal funding  
18 sources, including grants, public-private partnerships, and  
19 other mechanisms, to strengthen the department's current  
20 physical activity and nutrition programs and to enhance  
21 similar county health department programs.

22           (2) The department may adopt rules pursuant to  
23 sections 120.536(1) and 120.54, Florida Statutes, to  
24 administer this section.

25           (3) This section shall be implemented contingent on an  
26 appropriation in the General Appropriations Act.

27           Section 2. Paragraph (b) of subsection (9) of section  
28 320.08058, Florida Statutes, is amended to read:

29           320.08058 Specialty license plates.--

30           (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.--

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1 (b) The license plate annual use fees are to be  
2 annually distributed as follows:

3 1. Fifty-five percent of the proceeds from the Florida  
4 Professional Sports Team plate must be deposited into the  
5 Professional Sports Development Trust Fund within the Office  
6 of Tourism, Trade, and Economic Development. These funds must  
7 be used solely to attract and support major sports events in  
8 this state. As used in this subparagraph, the term "major  
9 sports events" means, but is not limited to, championship or  
10 all-star contests of Major League Baseball, the National  
11 Basketball Association, the National Football League, the  
12 National Hockey League, the men's and women's National  
13 Collegiate Athletic Association Final Four basketball  
14 championship, or a horseracing or dogracing Breeders' Cup. All  
15 funds must be used to support and promote major sporting  
16 events, and the uses must be approved by the Florida Sports  
17 Foundation.

18 2. The remaining proceeds of the Florida Professional  
19 Sports Team license plate must be allocated to the Florida  
20 Sports Foundation, a direct-support organization of the Office  
21 of Tourism, Trade, and Economic Development. These funds must  
22 be deposited into the Professional Sports Development Trust  
23 Fund within the Office of Tourism, Trade, and Economic  
24 Development. These funds must be used by the Florida Sports  
25 Foundation to promote the economic development of the sports  
26 industry; to distribute licensing and royalty fees to  
27 participating professional sports teams; to promote education  
28 programs in Florida schools that provide an awareness of the  
29 benefits of physical activity and nutrition standards; to  
30 partner with the Department of Education and the Department of  
31 Health to develop a program that recognizes schools whose

1 students demonstrate excellent physical fitness or fitness  
2 improvement;to institute a grant program for communities  
3 bidding on minor sporting events that create an economic  
4 impact for the state; to distribute funds to Florida-based  
5 charities designated by the Florida Sports Foundation and the  
6 participating professional sports teams; and to fulfill the  
7 sports promotion responsibilities of the Office of Tourism,  
8 Trade, and Economic Development.

9           3. The Florida Sports Foundation shall provide an  
10 annual financial audit in accordance with s. 215.981 of its  
11 financial accounts and records by an independent certified  
12 public accountant pursuant to the contract established by the  
13 Office of Tourism, Trade, and Economic Development as  
14 specified in s. 288.1229(5). The auditor shall submit the  
15 audit report to the Office of Tourism, Trade, and Economic  
16 Development for review and approval. If the audit report is  
17 approved, the office shall certify the audit report to the  
18 Auditor General for review.

19           4. For the 2003-2004 fiscal year only and  
20 notwithstanding the provisions of subparagraphs 1. and 2.,  
21 proceeds from the Professional Sports Development Trust Fund  
22 may also be used for operational expenses of the Florida  
23 Sports Foundation and financial support of the Sunshine State  
24 Games. This subparagraph expires July 1, 2004.

25           Section 3. This act shall take effect July 1, 2004.  
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1                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
2                                   COMMITTEE SUBSTITUTE FOR  
3   CS/SB 2372  
4 Removes the Council for a Fit Florida.  
5 Assigns responsibilities to the Department of Health regarding  
6 the promotion of physical fitness and active lifestyles.  
7 Requires the department to partner with the Department of  
8 Education, local communities, school districts, and other  
9 entities to encourage Florida schools to adopt minimum  
10 recommended nutrition standards, to develop a program that  
11 recognizes schools whose students demonstrate excellent  
12 physical fitness or fitness improvement.  
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