

CHAMBER ACTION

1 The Tourism Committee recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to facilities for professional sports  
7 franchises; amending s. 212.20, F.S.; increasing a monthly  
8 distribution of funds to applicants certified as  
9 facilities for certain professional sports franchises;  
10 amending s. 288.1162, F.S.; conforming certification  
11 requirements to changes in distribution of funds to  
12 applicants certified as facilities for certain  
13 professional sports franchises; providing an effective  
14 date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18 Section 1. Paragraph (d) of subsection (6) of section  
19 212.20, Florida Statutes, is amended to read:

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

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23 (6) Distribution of all proceeds under this chapter and s.  
24 202.18(1)(b) and (2)(b) shall be as follows:

25 (d) The proceeds of all other taxes and fees imposed  
26 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)  
27 and (2)(b) shall be distributed as follows:

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

34 2. Two-tenths of one percent shall be transferred to the  
35 Ecosystem Management and Restoration Trust Fund to be used for  
36 water quality improvement and water restoration projects.

37 3. After the distribution under subparagraphs 1. and 2.,  
38 8.814 percent of the amount remitted by a sales tax dealer  
39 located within a participating county pursuant to s. 218.61  
40 shall be transferred into the Local Government Half-cent Sales  
41 Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to  
42 be transferred pursuant to this subparagraph to the Local  
43 Government Half-cent Sales Tax Clearing Trust Fund shall be  
44 reduced by 0.1 percent, and the department shall distribute this  
45 amount to the Public Employees Relations Commission Trust Fund  
46 less \$5,000 each month, which shall be added to the amount  
47 calculated in subparagraph 4. and distributed accordingly.

48 4. After the distribution under subparagraphs 1., 2., and  
49 3., 0.095 percent shall be transferred to the Local Government

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50 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant  
51 to s. 218.65.

52 5. After the distributions under subparagraphs 1., 2., 3.,  
53 and 4., 2.0440 percent of the available proceeds pursuant to  
54 this paragraph shall be transferred monthly to the Revenue  
55 Sharing Trust Fund for Counties pursuant to s. 218.215.

56 6. After the distributions under subparagraphs 1., 2., 3.,  
57 and 4., 1.3409 percent of the available proceeds pursuant to  
58 this paragraph shall be transferred monthly to the Revenue  
59 Sharing Trust Fund for Municipalities pursuant to s. 218.215. If  
60 the total revenue to be distributed pursuant to this  
61 subparagraph is at least as great as the amount due from the  
62 Revenue Sharing Trust Fund for Municipalities and the former  
63 Municipal Financial Assistance Trust Fund in state fiscal year  
64 1999-2000, no municipality shall receive less than the amount  
65 due from the Revenue Sharing Trust Fund for Municipalities and  
66 the former Municipal Financial Assistance Trust Fund in state  
67 fiscal year 1999-2000. If the total proceeds to be distributed  
68 are less than the amount received in combination from the  
69 Revenue Sharing Trust Fund for Municipalities and the former  
70 Municipal Financial Assistance Trust Fund in state fiscal year  
71 1999-2000, each municipality shall receive an amount  
72 proportionate to the amount it was due in state fiscal year  
73 1999-2000.

74 7. Of the remaining proceeds:

75 a. In each fiscal year, the sum of \$29,915,500 shall be  
76 divided into as many equal parts as there are counties in the  
77 state, and one part shall be distributed to each county. The

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78 | distribution among the several counties shall begin each fiscal  
 79 | year on or before January 5th and shall continue monthly for a  
 80 | total of 4 months. If a local or special law required that any  
 81 | moneys accruing to a county in fiscal year 1999-2000 under the  
 82 | then-existing provisions of s. 550.135 be paid directly to the  
 83 | district school board, special district, or a municipal  
 84 | government, such payment shall continue until such time that the  
 85 | local or special law is amended or repealed. The state covenants  
 86 | with holders of bonds or other instruments of indebtedness  
 87 | issued by local governments, special districts, or district  
 88 | school boards prior to July 1, 2000, that it is not the intent  
 89 | of this subparagraph to adversely affect the rights of those  
 90 | holders or relieve local governments, special districts, or  
 91 | district school boards of the duty to meet their obligations as  
 92 | a result of previous pledges or assignments or trusts entered  
 93 | into which obligated funds received from the distribution to  
 94 | county governments under then-existing s. 550.135. This  
 95 | distribution specifically is in lieu of funds distributed under  
 96 | s. 550.135 prior to July 1, 2000.

97 |       b. The department shall distribute \$166,667 monthly  
 98 | pursuant to s. 288.1162 to each applicant that has been  
 99 | certified as a "facility for a new professional sports  
 100 | franchise" or a "facility for a retained professional sports  
 101 | franchise" pursuant to s. 288.1162; however, for each applicant  
 102 | that has been certified as a "facility for a new professional  
 103 | sports franchise" or a "facility for a retained professional  
 104 | sports franchise" on or after January 1, 2005, such distribution  
 105 | shall be \$275,000 monthly. Up to \$41,667 shall be distributed

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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106 | monthly by the department to each applicant that has been  
107 | certified as a "facility for a retained spring training  
108 | franchise" pursuant to s. 288.1162; however, not more than  
109 | \$208,335 may be distributed monthly in the aggregate to all  
110 | certified facilities for a retained spring training franchise.  
111 | Distributions shall begin 60 days following such certification  
112 | and shall continue for not more than 30 years. Nothing contained  
113 | in this paragraph shall be construed to allow an applicant  
114 | certified pursuant to s. 288.1162 to receive more in  
115 | distributions than actually expended by the applicant for the  
116 | public purposes provided for in s. 288.1162(6). However, a  
117 | certified applicant is entitled to receive distributions up to  
118 | the maximum amount allowable and undistributed under this  
119 | section for additional renovations and improvements to the  
120 | facility for the franchise without additional certification.

121 |       c. Beginning 30 days after notice by the Office of  
122 | Tourism, Trade, and Economic Development to the Department of  
123 | Revenue that an applicant has been certified as the professional  
124 | golf hall of fame pursuant to s. 288.1168 and is open to the  
125 | public, \$166,667 shall be distributed monthly, for up to 300  
126 | months, to the applicant.

127 |       d. Beginning 30 days after notice by the Office of  
128 | Tourism, Trade, and Economic Development to the Department of  
129 | Revenue that the applicant has been certified as the  
130 | International Game Fish Association World Center facility  
131 | pursuant to s. 288.1169, and the facility is open to the public,  
132 | \$83,333 shall be distributed monthly, for up to 168 months, to  
133 | the applicant. This distribution is subject to reduction

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

136 |         8. All other proceeds shall remain with the General  
137 | Revenue Fund.

138 |         Section 2. Paragraph (e) of subsection (4) of section  
139 | 288.1162, Florida Statutes, is amended to read:

140 |         288.1162 Professional sports franchises; spring training  
141 | franchises; duties.--

142 |         (4) Prior to certifying an applicant as a "facility for a  
143 | new professional sports franchise" or a "facility for a retained  
144 | professional sports franchise," the Office of Tourism, Trade,  
145 | and Economic Development must determine that:

146 |         (e) The applicant has an independent analysis or study,  
147 | verified by the Office of Tourism, Trade, and Economic  
148 | Development, which demonstrates that the amount of the revenues  
149 | generated by the taxes imposed under chapter 212 with respect to  
150 | the use and operation of the professional sports franchise  
151 | facility will equal or exceed the amount of the annual  
152 | distribution for which the applicant is eligible under s. 212.20  
153 | ~~\$2 million annually.~~

154 |         Section 3. This act shall take effect upon becoming a law.