

Bill No. SB 2642

Barcode 711346

CHAMBER ACTION

Senate

House

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The Committee on Commerce and Consumer Services (Saunders)
recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Paragraph (d) 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
and s. 202.18(1)(b) and (2)(b) shall be as follows:

(d) The proceeds of all other taxes and fees imposed
pursuant to this chapter or remitted pursuant to s.
202.18(1)(b) and (2)(b) 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 or

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1 remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be
2 deposited in monthly installments into the General Revenue
3 Fund.

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

7 3. After the distribution under subparagraphs 1. and
8 2., 8.814 percent of the amount remitted by a sales tax dealer
9 located within a participating county pursuant to s. 218.61
10 shall be transferred into the Local Government Half-cent Sales
11 Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to
12 be transferred pursuant to this subparagraph to the Local
13 Government Half-cent Sales Tax Clearing Trust Fund shall be
14 reduced by 0.1 percent, and the department shall distribute
15 this amount to the Public Employees Relations Commission Trust
16 Fund less \$5,000 each month, which shall be added to the
17 amount calculated in subparagraph 4. and distributed
18 accordingly.

19 4. After the distribution under subparagraphs 1., 2.,
20 and 3., 0.095 percent shall be transferred to the Local
21 Government Half-cent Sales Tax Clearing Trust Fund and
22 distributed pursuant to s. 218.65.

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

27 6. After the distributions under subparagraphs 1., 2.,
28 3., and 4., 1.3409 percent of the available proceeds pursuant
29 to this paragraph shall be transferred monthly to the Revenue
30 Sharing Trust Fund for Municipalities pursuant to s. 218.215.

31 If the total revenue to be distributed pursuant to this

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1 subparagraph is at least as great as the amount due from the
2 Revenue Sharing Trust Fund for Municipalities and the former
3 Municipal Financial Assistance Trust Fund in state fiscal year
4 1999-2000, no municipality shall receive less than the amount
5 due from the Revenue Sharing Trust Fund for Municipalities and
6 the former Municipal Financial Assistance Trust Fund in state
7 fiscal year 1999-2000. If the total proceeds to be distributed
8 are less than the amount received in combination from the
9 Revenue Sharing Trust Fund for Municipalities and the former
10 Municipal Financial Assistance Trust Fund in state fiscal year
11 1999-2000, each municipality shall receive an amount
12 proportionate to the amount it was due in state fiscal year
13 1999-2000.

14 7. Of the remaining proceeds:

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

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1 the duty to meet their obligations as a result of previous
2 pledges or assignments or trusts entered into which obligated
3 funds received from the distribution to county governments
4 under then-existing s. 550.135. This distribution specifically
5 is in lieu of funds distributed under s. 550.135 prior to July
6 1, 2000.

7 b. The department shall distribute \$166,667 monthly
8 pursuant to s. 288.1162 to each applicant that has been
9 certified as a "facility for a new professional sports
10 franchise" or a "facility for a retained professional sports
11 franchise" pursuant to s. 288.1162; however, for each
12 applicant that has been certified as a "facility for a new
13 professional sports franchise" or a "facility for a retained
14 professional sports franchise" on or after January 1, 2005,
15 such distribution shall be \$275,000 monthly. Up to \$41,667
16 shall be distributed monthly by the department to each
17 applicant that has been certified as a "facility for a
18 retained spring training franchise" pursuant to s. 288.1162;
19 however, not more than \$208,335 may be distributed monthly in
20 the aggregate to all certified facilities for a retained
21 spring training franchise. Distributions shall begin 60 days
22 following such certification and shall continue for not more
23 than 30 years. Nothing contained in this paragraph shall be
24 construed to allow an applicant certified pursuant to s.
25 288.1162 to receive more in distributions than actually
26 expended by the applicant for the public purposes provided for
27 in s. 288.1162(6). However, a certified applicant is entitled
28 to receive distributions up to the maximum amount allowable
29 and undistributed under this section for additional
30 renovations and improvements to the facility for the franchise
31 without additional certification.

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

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

17 8. All other proceeds shall remain with the General
 18 Revenue Fund.

19 Section 2. Paragraph (e) of subsection (4) of section
 20 288.1162, Florida Statutes, is amended to read:

21 288.1162 Professional sports franchises; spring
 22 training franchises; duties.--

23 (4) Prior to certifying an applicant as a "facility
 24 for a new professional sports franchise" or a "facility for a
 25 retained professional sports franchise," the Office of
 26 Tourism, Trade, and Economic Development must determine that:

27 (e) The applicant has an independent analysis or
 28 study, verified by the Office of Tourism, Trade, and Economic
 29 Development, which demonstrates that the amount of the
 30 revenues generated by the taxes imposed under chapter 212 with
 31 respect to the use and operation of the professional sports

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1 franchise facility will equal or exceed the amount of the
 2 annual distribution for which the applicant is eligible under
 3 s. 212.20\$2 million annually.

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

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

9 And the title is amended as follows:

10 Delete everything before the enacting clause

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12 and insert:

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A bill to be entitled

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An act relating to facilities for professional

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sports franchises; amending s. 212.20, F.S.;

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increasing a monthly distribution of funds to

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applicants certified as facilities for certain

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professional sports franchises; amending s.

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288.1162, F.S.; conforming certification

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requirements to changes in distribution of

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funds to applicants certified as facilities for

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certain professional sports franchises;

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providing an effective date.

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