

By Senator Saunders

37-1339A-05

1 A bill to be entitled
 2 An act relating to distributions of sales and
 3 use tax proceeds; amending s. 212.20, F.S.;
 4 increasing a monthly distribution of funds to
 5 certain professional sports franchises;
 6 providing an effective date.

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 8 Be It Enacted by the Legislature of the State of Florida:
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10 Section 1. Paragraph (d) of subsection (6) of section
 11 212.20, Florida Statutes, is amended to read:

12 212.20 Funds collected, disposition; additional powers
 13 of department; operational expense; refund of taxes
 14 adjudicated unconstitutionally collected.--

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

17 (d) The proceeds of all other taxes and fees imposed
 18 pursuant to this chapter or remitted pursuant to s.
 19 202.18(1)(b) and (2)(b) shall be distributed as follows:

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

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

30 3. After the distribution under subparagraphs 1. and
 31 2., 8.814 percent of the amount remitted by a sales tax dealer

1 | located within a participating county pursuant to s. 218.61
2 | shall be transferred into the Local Government Half-cent Sales
3 | Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to
4 | be transferred pursuant to this subparagraph to the Local
5 | Government Half-cent Sales Tax Clearing Trust Fund shall be
6 | reduced by 0.1 percent, and the department shall distribute
7 | this amount to the Public Employees Relations Commission Trust
8 | Fund less \$5,000 each month, which shall be added to the
9 | amount calculated in subparagraph 4. and distributed
10 | accordingly.

11 | 4. After the distribution under subparagraphs 1., 2.,
12 | and 3., 0.095 percent shall be transferred to the Local
13 | Government Half-cent Sales Tax Clearing Trust Fund and
14 | distributed pursuant to s. 218.65.

15 | 5. After the distributions under subparagraphs 1., 2.,
16 | 3., and 4., 2.0440 percent of the available proceeds pursuant
17 | to this paragraph shall be transferred monthly to the Revenue
18 | Sharing Trust Fund for Counties pursuant to s. 218.215.

19 | 6. After the distributions under subparagraphs 1., 2.,
20 | 3., and 4., 1.3409 percent of the available proceeds pursuant
21 | to this paragraph shall be transferred monthly to the Revenue
22 | Sharing Trust Fund for Municipalities pursuant to s. 218.215.
23 | If the total revenue to be distributed pursuant to this
24 | subparagraph is at least as great as the amount due from the
25 | Revenue Sharing Trust Fund for Municipalities and the former
26 | Municipal Financial Assistance Trust Fund in state fiscal year
27 | 1999-2000, no municipality shall receive less than the amount
28 | due from the Revenue Sharing Trust Fund for Municipalities and
29 | the former Municipal Financial Assistance Trust Fund in state
30 | fiscal year 1999-2000. If the total proceeds to be distributed
31 | are less than the amount received in combination from the

1 Revenue Sharing Trust Fund for Municipalities and the former
2 Municipal Financial Assistance Trust Fund in state fiscal year
3 1999-2000, each municipality shall receive an amount
4 proportionate to the amount it was due in state fiscal year
5 1999-2000.

6 7. Of the remaining proceeds:

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

30 b. The department shall distribute \$166,667 monthly
31 pursuant to s. 288.1162 to each applicant that has been

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

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

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

11 8. All other proceeds shall remain with the General
12 Revenue Fund.

13 Section 2. This act shall take effect upon becoming a
14 law.

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