

By the Committee on Commerce and Consumer Services; and
Senator Saunders

577-2107-05

1 A bill to be entitled
2 An act relating to facilities for professional
3 sports franchises; amending s. 212.20, F.S.;
4 increasing a monthly distribution of funds to
5 applicants certified as facilities for certain
6 professional sports franchises; amending s.
7 288.1162, F.S.; conforming certification
8 requirements to changes in distribution of
9 funds to applicants certified as facilities for
10 certain professional sports franchises;
11 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. Paragraph (d) of subsection (6) of section
16 212.20, Florida Statutes, is amended to read:

17 212.20 Funds collected, disposition; additional powers
18 of department; operational expense; refund of taxes
19 adjudicated unconstitutionally collected.--

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

22 (d) The proceeds of all other taxes and fees imposed
23 pursuant to this chapter or remitted pursuant to s.
24 202.18(1)(b) and (2)(b) shall be distributed as follows:

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

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

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

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

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

24 6. After the distributions under subparagraphs 1., 2.,
25 3., and 4., 1.3409 percent of the available proceeds pursuant
26 to this paragraph shall be transferred monthly to the Revenue
27 Sharing Trust Fund for Municipalities pursuant to s. 218.215.
28 If the total revenue to be distributed pursuant to this
29 subparagraph is at least as great as the amount due from the
30 Revenue Sharing Trust Fund for Municipalities and the former
31 Municipal Financial Assistance Trust Fund in state fiscal year

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

11 7. Of the remaining proceeds:

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

1 | under then-existing s. 550.135. This distribution specifically
2 | is in lieu of funds distributed under s. 550.135 prior to July
3 | 1, 2000.

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

29 | c. Beginning 30 days after notice by the Office of
30 | Tourism, Trade, and Economic Development to the Department of
31 | Revenue that an applicant has been certified as the

1 professional golf hall of fame pursuant to s. 288.1168 and is
2 open to the public, \$166,667 shall be distributed monthly, for
3 up to 300 months, to the applicant.

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

14 8. All other proceeds shall remain with the General
15 Revenue Fund.

16 Section 2. Paragraph (e) of subsection (4) of section
17 288.1162, Florida Statutes, is amended to read:

18 288.1162 Professional sports franchises; spring
19 training franchises; duties.--

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

24 (e) The applicant has an independent analysis or
25 study, verified by the Office of Tourism, Trade, and Economic
26 Development, which demonstrates that the amount of the
27 revenues generated by the taxes imposed under chapter 212 with
28 respect to the use and operation of the professional sports
29 franchise facility will equal or exceed the amount of the
30 annual distribution for which the applicant is eligible under
31 s. 212.20~~\$2 million annually.~~

1 Section 3. This act shall take effect upon becoming a
2 law.

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4 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
5 COMMITTEE SUBSTITUTE FOR
6 Senate Bill 2642

7 The committee substitute differs from the bill in that:

- 8 - Changes references to "certified new or retained
9 professional sports franchises" to "certified facility
10 for a new professional sports franchise" and "certified
11 facility for a retained professional sports franchise" to
12 conform to current law.
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14 - Deletes the provision that allows "previously certified
15 new or retained professional sports franchises" to
16 receive additional sales tax distributions if they
17 undertake additional renovations or improvements.
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