

Bill No. SB 1886

Barcode 101496

CHAMBER ACTION

Senate

House

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The Committee on Commerce and Consumer Services (Aronberg)  
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. Up to \$41,667 shall be  
 12 distributed monthly by the department to each applicant that  
 13 has been certified as a "facility for a retained spring  
 14 training franchise" pursuant to s. 288.1162; however, not more  
 15 than \$416,670 ~~\$208,335~~ may be distributed monthly in the  
 16 aggregate to all certified facilities for a retained spring  
 17 training franchise. Distributions shall begin 60 days  
 18 following such certification and shall continue for not more  
 19 than 30 years. Nothing contained in this paragraph shall be  
 20 construed to allow an applicant certified pursuant to s.  
 21 288.1162 to receive more in distributions than actually  
 22 expended by the applicant for the public purposes provided for  
 23 in s. 288.1162(6). ~~However, a certified applicant is entitled~~  
 24 ~~to receive distributions up to the maximum amount allowable~~  
 25 ~~and undistributed under this section for additional~~  
 26 ~~renovations and improvements to the facility for the franchise~~  
 27 ~~without additional certification.~~

28           c. Beginning 30 days after notice by the Office of  
 29 Tourism, Trade, and Economic Development to the Department of  
 30 Revenue that an applicant has been certified as the  
 31 professional golf hall of fame pursuant to s. 288.1168 and is

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1 open to the public, \$166,667 shall be distributed monthly, for  
2 up to 300 months, to the applicant.

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

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

15 Section 2. Paragraph (c) of subsection (5) and  
16 subsection (7) of section 288.1162, Florida Statutes, are  
17 amended to read:

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

20 (5)

21 (c)1. The Office of Tourism, Trade, and Economic  
22 Development shall competitively evaluate applications for  
23 funding of a facility for a retained spring training  
24 franchise. Applications must be submitted by October 1, 2000,  
25 with certifications to be made by January 1, 2001. If the  
26 number of applicants exceeds five and the aggregate funding  
27 request of all applications exceeds \$208,335 per month, the  
28 office shall rank the applications according to a selection  
29 criteria, certifying the highest ranked proposals. The  
30 evaluation criteria shall include, with priority given in  
31 descending order to the following items:

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1           ~~a.1.~~ The intended use of the funds by the applicant,  
2 with priority given to the construction of a new facility.

3           ~~b.2.~~ The length of time that the existing franchise  
4 has been located in the state, with priority given to  
5 retaining franchises that have been in the same location the  
6 longest.

7           ~~c.3.~~ The length of time that a facility to be used by  
8 a retained spring training franchise has been used by one or  
9 more spring training franchises, with priority given to the  
10 facility that has been in continuous use as a facility for  
11 spring training the longest.

12           ~~d.4.~~ For those teams leasing a spring training  
13 facility from a unit of local government, the remaining time  
14 on the lease for facilities used by the spring training  
15 franchise, with priority given to the shortest time period  
16 remaining on the lease.

17           ~~e.5.~~ The duration of the future-use agreement with the  
18 retained spring training franchise, with priority given to the  
19 future-use agreement having the longest duration.

20           ~~f.6.~~ The amount of the local match, with priority  
21 given to the largest percentage of local match proposed.

22           ~~g.7.~~ The net increase of total active recreation space  
23 owned by the applying unit of local government following the  
24 acquisition of land for the spring training facility, with  
25 priority given to the largest percentage increase of total  
26 active recreation space.

27           ~~h.8.~~ The location of the facility in a brownfield, an  
28 enterprise zone, a community redevelopment area, or other area  
29 of targeted development or revitalization included in an Urban  
30 Infill Redevelopment Plan, with priority given to facilities  
31 located in these areas.

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1           ~~i.9.~~ The projections on paid attendance attracted by  
 2 the facility and the proposed effect on the economy of the  
 3 local community, with priority given to the highest projected  
 4 paid attendance.

5           2. Beginning July 1, 2006, the Office of Tourism,  
 6 Trade, and Economic Development shall competitively evaluate  
 7 applications for funding of facilities for retained spring  
 8 training franchises in addition to those certified and funded  
 9 under subparagraph 1. Applications must be submitted by  
 10 October 1, 2006, with certifications to be made by January 1,  
 11 2007. The office shall rank the applications according to  
 12 selection criteria, certifying no more than five proposals.  
 13 The aggregate funding request of all applicants certified  
 14 shall not exceed an aggregate funding request of \$208,335 per  
 15 month. The evaluation criteria shall include the following,  
 16 with priority given in descending order:

17           a. The intended use of the funds by the applicant for  
 18 acquisition or construction of a new facility.

19           b. The intended use of the funds by the applicant to  
 20 renovate a facility.

21           c. The length of time that a facility to be used by a  
 22 retained spring training franchise has been used by one or  
 23 more spring training franchises, with priority given to the  
 24 facility that has been in continuous use as a facility for  
 25 spring training the longest.

26           d. For those teams leasing a spring training facility  
 27 from a unit of local government, the remaining time on the  
 28 lease for facilities used by the spring training franchise,  
 29 with priority given to the shortest time period remaining on  
 30 the lease. For consideration under this subparagraph, the  
 31 remaining time on the lease shall not exceed 5 years.

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1           e. The duration of the future-use agreement with the  
2 retained spring training franchise, with priority given to the  
3 future-use agreement having the longest duration.

4           f. The amount of the local match, with priority given  
5 to the largest percentage of local match proposed.

6           g. The net increase of total active recreation space  
7 owned by the applying unit of local government following the  
8 acquisition of land for the spring training facility, with  
9 priority given to the largest percentage increase of total  
10 active recreation space.

11           h. The location of the facility in a brownfield area,  
12 an enterprise zone, a community redevelopment area, or another  
13 area of targeted development or revitalization included in an  
14 urban infill redevelopment plan, with priority given to  
15 facilities located in those areas.

16           i. The projections on paid attendance attracted by the  
17 facility and the proposed effect on the economy of the local  
18 community, with priority given to the highest projected paid  
19 attendance.

20           (7) The Office of Tourism, Trade, and Economic  
21 Development shall notify the Department of Revenue of any  
22 facility certified as a facility for a new professional sports  
23 franchise or a facility for a retained professional sports  
24 franchise or as a facility for a retained spring training  
25 franchise. The Office of Tourism, Trade, and Economic  
26 Development shall certify no more than eight facilities as  
27 facilities for a new professional sports franchise or as  
28 facilities for a retained professional sports franchise ~~and~~  
29 ~~shall certify at least five as facilities for retained spring~~  
30 ~~training franchises~~, including in such total any facilities  
31 certified by the Department of Commerce before July 1, 1996.



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1 The number of facilities certified as retained spring training  
 2 franchises shall be as provided by subsection (5). The office  
 3 may make no more than one certification for any facility. The  
 4 office may not certify funding for less than the requested  
 5 amount to any applicant certified as a facility for a retained  
 6 spring training franchise.

7 Section 3. This act shall take effect July 1, 2006.

8  
9  
10 ===== T I T L E A M E N D M E N T =====

11 And the title is amended as follows:

12 Delete everything before the enacting clause

13  
14 and insert:

15 A bill to be entitled

16 An act relating to facilities for retained  
 17 spring training franchises; amending s. 212.20,  
 18 F.S.; revising a limitation on certain  
 19 distributions to certified facilities for a  
 20 retained spring training franchise; deleting a  
 21 provision entitling an applicant to receive  
 22 certain distributions without additional  
 23 certification; amending s. 288.1162, F.S.;  
 24 requiring the Office of Tourism, Trade, and  
 25 Economic Development to competitively evaluate  
 26 applications for funding of certain additional  
 27 facilities; providing application and  
 28 certification requirements; specifying  
 29 evaluation criteria; revising the number of  
 30 certifications of such facilities; providing an  
 31 effective date.