

1 A bill to be entitled
 2 An act relating to facilities for retained spring training
 3 franchises; amending s. 212.20, F.S.; revising a
 4 limitation on certain distributions to certified
 5 facilities for a retained spring training franchise;
 6 deleting a provision entitling an applicant to receive
 7 certain distributions without additional certification;
 8 amending s. 288.1162, F.S.; requiring the Office of
 9 Tourism, Trade, and Economic Development to competitively
 10 evaluate applications for funding of certain additional
 11 facilities; providing application and certification
 12 requirements; specifying evaluation criteria; revising the
 13 number of certifications of such facilities; providing an
 14 effective 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.--

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:

HB 7089

2006

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
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.

HB 7089

2006

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
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

HB 7089

2006

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. Up to \$41,667 shall be
102 distributed monthly by the department to each applicant that has
103 been certified as a "facility for a retained spring training
104 franchise" pursuant to s. 288.1162; however, not more than
105 \$416,670 ~~\$208,335~~ may be distributed monthly in the aggregate to
106 all certified facilities for a retained spring training
107 franchise. Distributions shall begin 60 days following such
108 certification and shall continue for not more than 30 years.
109 Nothing contained in this paragraph shall be construed to allow
110 an applicant certified pursuant to s. 288.1162 to receive more
111 in distributions than actually expended by the applicant for the

112 public purposes provided for in s. 288.1162(6). ~~However, a~~
 113 ~~certified applicant is entitled to receive distributions up to~~
 114 ~~the maximum amount allowable and undistributed under this~~
 115 ~~section for additional renovations and improvements to the~~
 116 ~~facility for the franchise without additional certification.~~

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

123 d. Beginning 30 days after notice by the Office of
 124 Tourism, Trade, and Economic Development to the Department of
 125 Revenue that the applicant has been certified as the
 126 International Game Fish Association World Center facility
 127 pursuant to s. 288.1169, and the facility is open to the public,
 128 \$83,333 shall be distributed monthly, for up to 168 months, to
 129 the applicant. This distribution is subject to reduction
 130 pursuant to s. 288.1169. A lump sum payment of \$999,996 shall be
 131 made, after certification and before July 1, 2000.

132 8. All other proceeds shall remain with the General
 133 Revenue Fund.

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

136 288.1162 Professional sports franchises; spring training
 137 franchises; duties.--

138 (5)

139 (c)1. The Office of Tourism, Trade, and Economic
140 Development shall competitively evaluate applications for
141 funding of a facility for a retained spring training franchise.
142 Applications must be submitted by October 1, 2000, with
143 certifications to be made by January 1, 2001. If the number of
144 applicants exceeds five and the aggregate funding request of all
145 applications exceeds \$208,335 per month, the office shall rank
146 the applications according to a selection criteria, certifying
147 the highest ranked proposals. The evaluation criteria shall
148 include, with priority given in descending order to the
149 following items:

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

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

155 ~~c.3.~~ The length of time that a facility to be used by a
156 retained spring training franchise has been used by one or more
157 spring training franchises, with priority given to a facility
158 that has been in continuous use as a facility for spring
159 training the longest.

160 ~~d.4.~~ For those teams leasing a spring training facility
161 from a unit of local government, the remaining time on the lease
162 for facilities used by the spring training franchise, with
163 priority given to the shortest time period remaining on the
164 lease.

HB 7089

2006

165 ~~e.5.~~ The duration of the future-use agreement with the
166 retained spring training franchise, with priority given to the
167 future-use agreement having the longest duration.

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

170 ~~g.7.~~ The net increase of total active recreation space
171 owned by the applying unit of local government following the
172 acquisition of land for the spring training facility, with
173 priority given to the largest percentage increase of total
174 active recreation space.

175 ~~h.8.~~ The location of the facility in a brownfield, an
176 enterprise zone, a community redevelopment area, or other area
177 of targeted development or revitalization included in an Urban
178 Infill Redevelopment Plan, with priority given to facilities
179 located in these areas.

180 ~~i.9.~~ The projections on paid attendance attracted by the
181 facility and the proposed effect on the economy of the local
182 community, with priority given to the highest projected paid
183 attendance.

184 2. Beginning July 1, 2006, the Office of Tourism, Trade,
185 and Economic Development shall competitively evaluate
186 applications for funding of facilities for retained spring
187 training franchises in addition to those certified and funded
188 under subparagraph 1. Applications must be submitted by October
189 1, 2006, with certifications to be made by January 1, 2007. The
190 office shall rank the applications according to selection
191 criteria, certifying no more than five proposals. The aggregate
192 funding request of all applicants certified shall not exceed an

193 aggregate funding request of \$208,335 per month. The evaluation
194 criteria shall include the following, with priority given in
195 descending order:

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

198 b. The intended use of the funds by the applicant to
199 renovate a facility.

200 c. The length of time that a facility to be used by a
201 retained spring training franchise has been used by one or more
202 spring training franchises, with priority given to a facility
203 that has been in continuous use as a facility for spring
204 training the longest.

205 d. For those teams leasing a spring training facility from
206 a unit of local government, the remaining time on the lease for
207 facilities used by the spring training franchise, with priority
208 given to the shortest time period remaining on the lease. For
209 consideration under this subparagraph, the remaining time on the
210 lease shall not exceed 5 years.

211 e. The duration of the future-use agreement with the
212 retained spring training franchise, with priority given to the
213 future-use agreement having the longest duration.

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

216 g. The net increase of total active recreation space owned
217 by the applying unit of local government following the
218 acquisition of land for the spring training facility, with
219 priority given to the largest percentage increase of total
220 active recreation space.

HB 7089

2006

221 h. The location of the facility in a brownfield area, an
222 enterprise zone, a community redevelopment area, or another area
223 of targeted development or revitalization included in an urban
224 infill redevelopment plan, with priority given to facilities
225 located in those areas.

226 i. The projections on paid attendance attracted by the
227 facility and the proposed effect on the economy of the local
228 community, with priority given to the highest projected paid
229 attendance.

230 (7) The Office of Tourism, Trade, and Economic Development
231 shall notify the Department of Revenue of any facility certified
232 as a facility for a new professional sports franchise or a
233 facility for a retained professional sports franchise or as a
234 facility for a retained spring training franchise. The Office of
235 Tourism, Trade, and Economic Development shall certify no more
236 than eight facilities as facilities for a new professional
237 sports franchise or as facilities for a retained professional
238 sports franchise ~~and shall certify at least five as facilities~~
239 ~~for retained spring training franchises~~, including in such total
240 any facilities certified by the Department of Commerce before
241 July 1, 1996. The number of facilities certified as a retained
242 spring training franchise shall be as provided by subsection
243 (5). The office may make no more than one certification for any
244 facility. The office may not certify funding for less than the
245 requested amount to any applicant certified as a facility for a
246 retained spring training franchise.

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