

By Senator Garcia

40-409-07

1 A bill to be entitled
2 An act relating to professional sports
3 franchises; amending s. 288.1162, F.S.;
4 providing an exception to a provision
5 prohibiting certain persons who have previously
6 received funding from receiving additional
7 funds; increasing the number of facilities that
8 may be certified as facilities for certain new
9 or retained professional sports franchises;
10 authorizing an additional certification of a
11 facility for a specified Major League Baseball
12 franchise; providing that a franchise that
13 continues to occupy a facility that was
14 concurrently occupied by two professional
15 sports franchises shall be deemed the franchise
16 that formed the basis of the previous
17 certification; providing an effective date.

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19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Paragraph (h) of subsection (4) and
22 subsections (7) and (9) of section 288.1162, Florida Statutes,
23 are amended, and subsection (10) is added to that section, to
24 read:

25 288.1162 Professional sports franchises; spring
26 training franchises; duties.--

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

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1 (h) An ~~No~~ applicant previously certified under any
2 provision of this section who has received funding under such
3 certification is not ~~shall be~~ eligible for an additional
4 certification, except as provided in subsections (9) and (10).

5 (7)(a) The Office of Tourism, Trade, and Economic
6 Development shall notify the Department of Revenue of any
7 facility certified as a facility for a new professional sports
8 franchise or a facility for a retained professional sports
9 franchise or as a facility for a retained spring training
10 franchise. The Office of Tourism, Trade, and Economic
11 Development shall certify no more than nine ~~eight~~ facilities
12 as facilities for a new professional sports franchise or as
13 facilities for a retained professional sports franchise,
14 including in such total any facilities certified by the
15 Department of Commerce before July 1, 1996. The number of
16 facilities certified as a retained spring training franchise
17 shall be as provided in subsection (5). The office may make no
18 more than one certification for any facility. The office may
19 not certify funding for less than the requested amount to any
20 applicant certified as a facility for a retained spring
21 training franchise.

22 (b) The eighth certification of an applicant under
23 this section as a facility for a new professional sports
24 franchise or a facility for a retained professional sports
25 franchise shall be for a franchise that is a member of the
26 National Basketball Association, has been located within the
27 state since 1987, and has not been previously certified. This
28 paragraph is repealed July 1, 2010.

29 (c) The ninth certification of an applicant under this
30 section as a facility for a new professional sports franchise
31 or a facility for a retained professional sports franchise

1 shall be for a franchise that is a member of Major League
2 Baseball and has been located within the state since 1993.

3 (9) An applicant is not qualified for certification
4 under this section if the franchise formed the basis for a
5 previous certification, ~~unless:~~

6 (a) The previous certification was withdrawn by the
7 facility or invalidated by the Office of Tourism, Trade, and
8 Economic Development or the Department of Commerce before any
9 funds were distributed pursuant to s. 212.20; ~~or-~~

10 (b) The applicant will be the home facility for a
11 professional sports franchise that served as the basis for
12 certifying a facility that was occupied by two franchises.

13 ~~This subsection does not disqualify an applicant if the~~
14 ~~previous certification occurred between May 23, 1993, and May~~
15 ~~25, 1993; however, any funds to be distributed pursuant to s.~~
16 ~~212.20 for the second certification shall be offset by the~~
17 ~~amount distributed to the previous certified facility.~~
18 ~~Distribution of funds for the second certification shall not~~
19 ~~be made until all amounts payable for the first certification~~
20 ~~have been distributed.~~

21 (10) Notwithstanding any other provision of this
22 section, a franchise continuing to use a facility that was
23 concurrently occupied by two professional sports franchises
24 shall be deemed the franchise forming the basis of the
25 previous certification and the previous certification shall
26 continue to apply for the period permitted from the original
27 date of certification.

28 Section 2. This act shall take effect July 1, 2007.
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SENATE SUMMARY

Revises provisions for professional sports franchises to allow certain persons who have received funding for a facility for a professional sports franchise to receive additional funding. Increases the number of facilities that may be certified as facilities for professional sports franchises and authorizes an additional certification for a Major League Baseball franchise. Provides that certain franchises are deemed the basis for specific prior certifications. (See bill for details.)