

By Senator Bennett

21-03300-08

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1 A bill to be entitled

2 An act relating to the use of public moneys and property;  
3 providing definitions; prohibiting the use of public funds  
4 for certain purposes benefiting a professional sports  
5 team; providing exceptions; amending s. 196.199, F.S.;  
6 providing for the ad valorem taxation of property owned by  
7 a governmental entity if the property is used by a private  
8 entity for a nonexempt purpose; providing effective dates.  
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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. (1) As used in this section, the term:

13 (a) "Governmental entity" means the state, a county, a  
14 municipality, or an entity created by and acting on behalf of the  
15 state, a county, or a municipality.

16 (b) "Professional sports team" means a professional sports  
17 franchise that exists within the National League or the American  
18 League of Major League Baseball, the National Basketball  
19 Association, the National Football League, or the National Hockey  
20 League.

21 (c) "Public funds" means any moneys held by a governmental  
22 entity.

23 (2) Notwithstanding any other law and except as provided in  
24 subsection (3), a governmental entity may not spend public funds  
25 in aid of a professional sports team, to pay for a facility used  
26 or intended to be used for such a team, or for a sporting event  
27 of such a team unless the expenditure has been approved by a  
28 majority vote of the registered electors residing within the  
29 jurisdictional boundaries of the governmental entity.

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30       (3) This section does not prohibit the expenditure of funds  
31 to meet a legally binding obligation of a governmental entity  
32 which was created before July 1, 2008, or to compensate an  
33 employee of a governmental entity for an activity that is within  
34 the scope of his or her employment which assists a professional  
35 sports team in an incidental manner, such as advising a  
36 professional sports team of applicable regulatory requirements.

37       Section 2. Effective January 1, 2009, subsection (11) is  
38 added to section 196.199, Florida Statutes, to read:

39       196.199 Government property exemption.--

40       (11) Property that is owned by a governmental entity and  
41 that is otherwise exempt or immune from taxation is taxable if  
42 the property is used by a private entity in any manner other than  
43 predominantly for a governmental, charitable, literary,  
44 religious, scientific, or educational purpose.

45       Section 3. Except as otherwise expressly provided in this  
46 act, this act shall take effect July 1, 2008.