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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/16/2011	.	
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The Committee on Commerce and Tourism (Detert) recommended the following:

Senate Amendment (with title amendment)

Delete lines 176 - 282.

Delete lines 763 - 766

and insert:

Section 16. Subsections (1), (2), and (4) of section 288.1168, Florida Statutes, are amended to read:

288.1168 Professional golf hall of fame facility.-

(1) The Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~ shall serve as the state agency for screening applicants for state funding pursuant to s. 212.20 and for certifying one applicant as the professional golf hall of



490912

13 fame facility in the state.

14 (2) Prior to certifying the professional golf hall of fame
15 facility, the Office of Tourism, Trade, and Economic Development
16 ~~Department of Commerce~~ must determine that:

17 (a) The professional golf hall of fame facility is the only
18 professional golf hall of fame in the United States recognized
19 by the PGA Tour, Inc.

20 (b) The applicant is a unit of local government as defined
21 in s. 218.369 or a private sector group that has contracted to
22 construct or operate the professional golf hall of fame facility
23 on land owned by a unit of local government.

24 (c) The municipality in which the professional golf hall of
25 fame facility is located, or the county if the facility is
26 located in an unincorporated area, has certified by resolution
27 after a public hearing that the application serves a public
28 purpose.

29 (d) There are existing projections that the professional
30 golf hall of fame facility will attract a paid attendance of
31 more than 300,000 annually.

32 (e) There is an independent analysis or study, using
33 methodology approved by the office ~~department~~, which
34 demonstrates that the amount of the revenues generated by the
35 taxes imposed under chapter 212 with respect to the use and
36 operation of the professional golf hall of fame facility will
37 equal or exceed \$2 million annually.

38 (f) The applicant has submitted an agreement to provide \$2
39 million annually in national and international media promotion
40 of the professional golf hall of fame facility, Florida, and
41 Florida tourism, through the PGA Tour, Inc., or its affiliates,



490912

42 at the then-current commercial rate, during the period of time
43 that the facility receives funds pursuant to s. 212.20. The
44 Office of Tourism, Trade, and Economic Development and the PGA
45 Tour, Inc., or its affiliates, must agree annually on a
46 reasonable percentage of advertising specifically allocated for
47 generic Florida advertising. The Office of Tourism, Trade, and
48 Economic Development shall have final approval of all generic
49 advertising. Failure on the part of the PGA Tour, Inc., or its
50 affiliates to annually provide the advertising as provided in
51 this paragraph or subsection (6) shall result in the termination
52 of funding as provided in s. 212.20.

53 (g) Documentation exists that demonstrates that the
54 applicant has provided, is capable of providing, or has
55 financial or other commitments to provide more than one-half of
56 the costs incurred or related to the improvement and development
57 of the facility.

58 (h) The application is signed by an official senior
59 executive of the applicant and is notarized according to Florida
60 law providing for penalties for falsification.

61 (4) Upon determining that an applicant is or is not
62 certifiable, the director of the Office of Tourism, Trade, and
63 Economic Development ~~Secretary of Commerce~~ shall notify the
64 applicant of his or her status by means of an official letter.
65 If certifiable, the director ~~secretary~~ shall notify the
66 executive director of the Department of Revenue and the
67 applicant of such certification by means of an official letter
68 granting certification. From the date of such certification, the
69 applicant shall have 5 years to open the professional golf hall
70 of fame facility to the public and notify the Office of Tourism,



490912

71 Trade, and Economic Development of such opening. The Department
72 of Revenue shall not begin distributing funds until 30 days
73 following notice by the Office of Tourism, Trade, and Economic
74 Development that the professional golf hall of fame facility is
75 open to the public.

76
77 ===== T I T L E A M E N D M E N T =====

78 And the title is amended as follows:

79 Delete lines 13 - 15

80 and insert:

81 of Labor and Employment Security; amending s. 252.85,

82 F.S.; updating a

83 Delete lines 33 - 36

84 and insert:

85 Security with county tax collectors; amending s.

86 288.1168, F.S.; updating obsolete references to the

87 Department of Commerce; amending