

By Senator Wise

5-00060-12

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1                   A bill to be entitled  
2           An act relating to the sale of advertising; creating  
3           the "John Anthony Wilson Bicycle Safety Act"; creating  
4           s. 260.0144, F.S.; providing for the Department of  
5           Environmental Protection to enter into concession  
6           agreements for naming rights of state greenway and  
7           trail facilities or property or commercial advertising  
8           to be displayed on state greenway and trail facilities  
9           or property; providing for distribution of proceeds  
10          from such concession agreements; providing an  
11          effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

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15           Section 1. This act may be cited as the "John Anthony  
16 Wilson Bicycle Safety Act."

17           Section 2. Section 260.0144, Florida Statutes, is created  
18 to read:

19           260.0144 Naming rights or space for advertising.—The  
20 department may enter into a concession agreement with a not-for-  
21 profit entity or private sector business or entity for naming  
22 rights of state greenway and trail facilities or property or for  
23 commercial advertising to be displayed on state greenway and  
24 trail facilities or property.

25           (1) A concession agreement under this section shall be  
26 administered by the department and must include the requirements  
27 of subsections (3) and (4).

28           (2) (a) Naming rights or space for a commercial advertising  
29 display may be provided through a concession agreement on

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30 certain state-owned greenway or trail facilities or property.

31 (b) Signage or displays erected under this section shall be  
32 limited to trailheads, trail intersections, directional or  
33 distance markers, interpretive exhibits, and parking areas.

34 (c) The size of any sign or display shall be limited as  
35 follows:

36 1. A sign or display located at a trailhead or parking area  
37 may not exceed 16 square feet.

38 2. All other signs or displays may not exceed 4 square  
39 feet.

40 (d) Naming rights of a facility or commercial advertising  
41 pursuant to a concession agreement under this section are for  
42 public relations or advertising purposes of a not-for-profit  
43 entity or private sector business or entity, and shall not be  
44 construed by that not-for-profit entity or business or entity as  
45 having a relationship to any other actions of the department.

46 (3) A concession agreement under this section shall be for  
47 a minimum of 1 year but may be for a longer period under a  
48 multiyear agreement, and may be terminated at any time by the  
49 department.

50 (4) (a) Before installation, each name or advertising  
51 display must be approved by the department, as appropriate.

52 (b) The department shall set materials and construction  
53 standards for all signage displayed.

54 (c) All costs of a display, including its development,  
55 construction, installation, operation, maintenance, and removal,  
56 shall be paid by the concessionaire.

57 (5) Proceeds from concession agreements under this section  
58 shall be distributed as follows:

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59       (a) Ninety percent shall be deposited into the appropriate  
60 department trust fund that is the source of funding for  
61 management and operation of state greenway or trail facilities  
62 and properties.

63       (b) Ten percent shall be distributed, prorated by  
64 population, to district school boards and must be used to  
65 enhance funds for the school district's bicycle education  
66 program or Safe Route to Schools Program. The prorated share of  
67 such funds for a district that does not provide one of these  
68 education programs may not be distributed to that district and  
69 shall be deposited into the appropriate department trust fund.

70       (6) The department may adopt rules to administer this  
71 section.

72       Section 3. This act shall take effect July 1, 2012.