

By the Committee on Appropriations; and Senators Braynon and
Abruzzo

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1 A bill to be entitled
2 An act relating to economic development; amending s.
3 125.0104, F.S.; providing that tourist development tax
4 revenues may also be used to pay the debt service on
5 bonds that finance the renovation of a professional
6 sports facility that is publicly owned, or that is on
7 publicly owned land, which is publicly operated or
8 operated by the owner of a professional sports
9 franchise or other lessee; requiring that the
10 renovation costs exceed a specified amount; allowing
11 certain fees and costs to be included in the cost for
12 renovation; requiring private contributions to the
13 professional sports facility as a condition for the
14 use of tourist development taxes; authorizing the use
15 of certain tax revenues to pay for operation and
16 maintenance costs of the renovated facility; requiring
17 a majority-plus-one vote of the membership of the
18 board of county commissioners to levy a tax for
19 renovation of a sports franchise facility after
20 approval by a majority of the electors voting in a
21 referendum to approve the proposal; authorizing the
22 referendum to be held before or after the effective
23 date of this act; providing requirements for the
24 referendum ballot; providing for nonapplication of the
25 prohibition against levying such tax in certain cities
26 and towns under certain conditions; restricting
27 certain counties from levying the tax; providing for
28 controlling application notwithstanding conflicting
29 provisions; authorizing the use of tourist development

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30 tax revenues for financing the renovation of a
31 professional sports franchise facility; amending s.
32 212.20, F.S.; authorizing a tax rebate for a renovated
33 professional sports facility; conforming a cross-
34 reference; amending s. 218.64, F.S.; conforming a
35 cross-reference; amending s. 220.153, F.S.; conforming
36 a cross-reference; repealing s. 220.62(3) and (5),
37 F.S., relating to the definition of the terms
38 "international banking facility" and "foreign person"
39 in the income tax code; repealing s. 220.63(5), F.S.,
40 relating to an income tax deduction for international
41 banking facilities; providing retroactive
42 applicability and effect of certain provisions of the
43 act; amending s. 288.1162, F.S.; authorizing a
44 professional sports franchise renovation facility to
45 apply for certain state funds; defining the term
46 "professional sports franchise renovation facility";
47 authorizing a professional sports franchise renovation
48 facility to receive additional funding; requiring the
49 Department of Economic Opportunity to make a
50 determination that certain criteria are met before
51 certifying a professional sports franchise renovation
52 facility; limiting the use of certain funds by a
53 professional sports franchise renovation facility;
54 prohibiting the department from certifying more than
55 one professional sports franchise renovation facility;
56 clarifying that the limitations for certification
57 apply to new or retained professional sports franchise
58 facilities; amending s. 288.11621, F.S.; conforming a

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59 cross-reference; providing an effective date.

60
61 Be It Enacted by the Legislature of the State of Florida:

62
63 Section 1. Paragraph (n) of subsection (3) and paragraph
64 (a) of subsection (5) of section 125.0104, Florida Statutes, are
65 amended to read:

66 125.0104 Tourist development tax; procedure for levying;
67 authorized uses; referendum; enforcement.—

68 (3) TAXABLE PRIVILEGES; EXEMPTIONS; LEVY; RATE.—

69 (n) In addition to any other tax that is imposed under this
70 section, a county that has imposed the tax under paragraph (1)
71 may impose an additional tax that is no greater than 1 percent
72 on the exercise of the privilege described in paragraph (a) by a
73 majority plus one vote of the membership of the board of county
74 commissioners, or as otherwise provided in this paragraph, in
75 order to:

76 1. Pay the debt service on bonds issued to finance:

77 a. The construction, reconstruction, or renovation of a
78 facility that is either publicly owned and operated, ~~7~~ or is
79 publicly owned and operated by the owner of a professional
80 sports franchise or other lessee with sufficient expertise or
81 financial capability to operate such facility, and to pay the
82 planning and design costs incurred before ~~prior to~~ the issuance
83 of such bonds for a new professional sports franchise as defined
84 in s. 288.1162.

85 b. The acquisition, construction, reconstruction, or
86 renovation of a facility ~~either~~ publicly owned and operated, or
87 publicly owned and operated by the owner of a professional

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88 sports franchise or other lessee with sufficient expertise or
89 financial capability to operate such facility, and to pay the
90 planning and design costs incurred before ~~prior to~~ the issuance
91 of such bonds for a retained spring training franchise.

92 2. Pay the debt service on bonds issued to finance the
93 renovation of a professional sports franchise facility that is
94 publicly owned or located on land that is publicly owned and
95 that is publicly operated or operated by the owner of a
96 professional sports franchise or other lessee who has sufficient
97 expertise or financial capability to operate the facility, and
98 to pay the planning and design costs incurred before the
99 issuance of such bonds for the renovated professional sports
100 facility. The cost to renovate the facility must be more than
101 \$300 million, including permitting, architectural, and
102 engineering fees, and at least a majority of the total
103 construction cost, exclusive of in-kind contributions, must be
104 paid for by the ownership group of the professional sports
105 franchise or other private sources. Tax revenues available to
106 pay debt service on bonds may be used to pay for operation and
107 maintenance costs of the facility. A county levying the tax for
108 the purposes specified in this subparagraph may do so only by a
109 majority-plus-one vote of the membership of the board of county
110 commissioners and after approval of the proposal by a majority
111 vote of the electors voting in a referendum. Referendum approval
112 of the proposal may be in an election held before or after the
113 effective date of this act. The referendum ballot must include a
114 brief description of the proposal and the following question:

115 FOR the Proposal

116 AGAINST the Proposal

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117 ~~3.2.~~ Promote and advertise tourism in this ~~the~~ state ~~of~~
118 ~~Florida~~ and nationally and internationally; however, if tax
119 revenues are expended for an activity, service, venue, or event,
120 the activity, service, venue, or event must ~~shall~~ have as one of
121 its main purposes the attraction of tourists as evidenced by the
122 promotion of the activity, service, venue, or event to tourists.
123

124 A county that imposes the tax authorized in this paragraph may
125 not expend any ad valorem tax revenues for the acquisition,
126 expansion, construction, reconstruction, or renovation of a
127 facility for which tax revenues are used pursuant to
128 subparagraph 1. The provision of paragraph (b) which prohibits
129 any county authorized to levy a convention development tax
130 pursuant to s. 212.0305 from levying more than the 2 percent ~~2-~~
131 ~~percent~~ tax authorized by this section does ~~shall~~ not apply to
132 the additional tax authorized by this paragraph in counties that
133 ~~which~~ levy convention development taxes pursuant to s.
134 212.0305(4) (a) or (b). Subsection (4) does not apply to the
135 adoption of the additional tax authorized in this paragraph. The
136 effective date of the levy and imposition of the tax authorized
137 under this paragraph is the first day of the second month
138 following approval of the ordinance by the board of county
139 commissioners or the first day of any subsequent month specified
140 in the ordinance. A certified copy of such ordinance must ~~shall~~
141 be furnished by the county to the Department of Revenue within
142 10 days after approval of the ordinance.

143 (5) AUTHORIZED USES OF REVENUE.—

144 (a) All tax revenues received pursuant to this section by a
145 county imposing the tourist development tax must ~~shall~~ be used

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146 by that county for the following purposes only:

147 1. To acquire, construct, extend, enlarge, remodel, repair,
148 improve, maintain, operate, or promote one or more publicly
149 owned and operated convention centers, sports stadiums, sports
150 arenas, coliseums, auditoriums, aquariums, or museums that are
151 publicly owned and operated or owned and operated by not-for-
152 profit organizations and open to the public, within the
153 boundaries of the county or subcounty special taxing district in
154 which the tax is levied. Tax revenues received pursuant to this
155 section may also be used for promotion of zoological parks that
156 are publicly owned and operated or owned and operated by not-
157 for-profit organizations and open to the public. However, these
158 purposes may be implemented through service contracts and leases
159 with lessees with sufficient expertise or financial capability
160 to operate such facilities;

161 2. To promote and advertise tourism in this ~~the~~ state ~~of~~
162 ~~Florida~~ and nationally and internationally; however, if tax
163 revenues are expended for an activity, service, venue, or event,
164 the activity, service, venue, or event must ~~shall~~ have as one of
165 its main purposes the attraction of tourists as evidenced by the
166 promotion of the activity, service, venue, or event to tourists;

167 3. To fund convention bureaus, tourist bureaus, tourist
168 information centers, and news bureaus as county agencies or by
169 contract with the chambers of commerce or similar associations
170 in the county, which may include any indirect administrative
171 costs for services performed by the county on behalf of the
172 promotion agency; ~~or~~

173 4. To finance beach park facilities or beach improvement,
174 maintenance, renourishment, restoration, and erosion control,

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175 including shoreline protection, enhancement, cleanup, or
176 restoration of inland lakes and rivers to which there is public
177 access as those uses relate to the physical preservation of the
178 beach, shoreline, or inland lake or river. However, any funds
179 identified by a county as the local matching source for beach
180 renourishment, restoration, or erosion control projects included
181 in the long-range budget plan of the state's Beach Management
182 Plan, pursuant to s. 161.091, or funds contractually obligated
183 by a county in the financial plan for a federally authorized
184 shore protection project may not be used or loaned for any other
185 purpose. In counties of less than 100,000 population, no more
186 than 10 percent of the revenues from the tourist development tax
187 may be used for beach park facilities; or-

188 5. For other uses specifically allowed under subsection
189 (3).

190 Section 2. Paragraph (d) of subsection (6) of section
191 212.20, Florida Statutes, is amended to read:

192 212.20 Funds collected, disposition; additional powers of
193 department; operational expense; refund of taxes adjudicated
194 unconstitutionally collected.-

195 (6) Distribution of all proceeds under this chapter and s.
196 202.18(1)(b) and (2)(b) shall be as follows:

197 (d) The proceeds of all other taxes and fees imposed
198 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
199 and (2)(b) must ~~shall~~ be distributed as follows:

200 1. In any fiscal year, the greater of \$500 million, minus
201 an amount equal to 4.6 percent of the proceeds of the taxes
202 collected pursuant to chapter 201, or 5.2 percent of all other
203 taxes and fees imposed pursuant to this chapter or remitted

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204 pursuant to s. 202.18(1)(b) and (2)(b) must ~~shall~~ be deposited
205 in monthly installments into the General Revenue Fund.

206 2. After the distribution under subparagraph 1., 8.814
207 percent of the amount remitted by a sales tax dealer located
208 within a participating county pursuant to s. 218.61 must ~~shall~~
209 be transferred into the Local Government Half-cent Sales Tax
210 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
211 transferred must ~~shall~~ be reduced by 0.1 percent, and the
212 department shall distribute this amount to the Public Employees
213 Relations Commission Trust Fund less \$5,000 each month, which
214 must ~~shall~~ be added to the amount calculated in subparagraph 3.
215 and distributed accordingly.

216 3. After the distribution under subparagraphs 1. and 2.,
217 0.095 percent must ~~shall~~ be transferred to the Local Government
218 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
219 to s. 218.65.

220 4. After the distributions under subparagraphs 1., 2., and
221 3., 2.0440 percent of the available proceeds must ~~shall~~ be
222 transferred monthly to the Revenue Sharing Trust Fund for
223 Counties pursuant to s. 218.215.

224 5. After the distributions under subparagraphs 1., 2., and
225 3., 1.3409 percent of the available proceeds must ~~shall~~ be
226 transferred monthly to the Revenue Sharing Trust Fund for
227 Municipalities pursuant to s. 218.215. If the total revenue to
228 be distributed pursuant to this subparagraph is at least as
229 great as the amount due from the Revenue Sharing Trust Fund for
230 Municipalities and the former Municipal Financial Assistance
231 Trust Fund in state fiscal year 1999-2000, a ~~no~~ municipality may
232 not ~~shall~~ receive less than the amount due from the Revenue

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233 Sharing Trust Fund for Municipalities and the former Municipal
234 Financial Assistance Trust Fund in state fiscal year 1999-2000.
235 If the total proceeds to be distributed are less than the amount
236 received in combination from the Revenue Sharing Trust Fund for
237 Municipalities and the former Municipal Financial Assistance
238 Trust Fund in state fiscal year 1999-2000, each municipality
239 shall receive an amount proportionate to the amount it was due
240 in state fiscal year 1999-2000.

241 6. Of the remaining proceeds:

242 a. In each fiscal year, the sum of \$29,915,500 must ~~shall~~
243 be divided into as many equal parts as there are counties in the
244 state, and one part must ~~shall~~ be distributed to each county.
245 The distribution among the several counties must begin each
246 fiscal year on or before January 5th and continue monthly for a
247 total of 4 months. If a local or special law required that any
248 moneys accruing to a county in fiscal year 1999-2000 under the
249 then-existing provisions of s. 550.135 be paid directly to the
250 district school board, special district, or a municipal
251 government, such payment must continue until the local or
252 special law is amended or repealed. The state covenants with
253 holders of bonds or other instruments of indebtedness issued by
254 local governments, special districts, or district school boards
255 before July 1, 2000, that it is not the intent of this
256 subparagraph to adversely affect the rights of those holders or
257 relieve local governments, special districts, or district school
258 boards of the duty to meet their obligations as a result of
259 previous pledges or assignments or trusts entered into which
260 obligated funds received from the distribution to county
261 governments under then-existing s. 550.135. This distribution

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262 specifically is in lieu of funds distributed under s. 550.135
263 before July 1, 2000.

264 b. The department shall, pursuant to s. 288.1162,
265 distribute \$166,667 monthly ~~pursuant to s. 288.1162~~ to each
266 applicant certified as a facility for a new or retained
267 professional sports franchise and distribute \$250,000 monthly to
268 an applicant certified as a professional sports franchise
269 renovation facility pursuant to s. 288.1162. Up to \$41,667 must
270 ~~shall~~ be distributed monthly by the department to each certified
271 applicant as defined in s. 288.11621 for a facility for a spring
272 training franchise. However, not more than \$416,670 may be
273 distributed monthly in the aggregate to all certified applicants
274 for facilities for spring training franchises. Distributions
275 begin 60 days after such certification and continue for not more
276 than 30 years, except as otherwise provided in s. 288.11621. A
277 certified applicant identified in this sub-subparagraph may not
278 receive more in distributions than expended by the applicant for
279 the public purposes provided for in s. 288.1162 ~~288.1162(5)~~ or
280 s. 288.11621(3).

281 c. Beginning 30 days after notice by the Department of
282 Economic Opportunity to the Department of Revenue that an
283 applicant has been certified as the professional golf hall of
284 fame pursuant to s. 288.1168 and is open to the public, \$166,667
285 must ~~shall~~ be distributed monthly, for up to 300 months, to the
286 applicant.

287 d. Beginning 30 days after notice by the Department of
288 Economic Opportunity to the Department of Revenue that the
289 applicant has been certified as the International Game Fish
290 Association World Center facility pursuant to s. 288.1169, and

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291 the facility is open to the public, \$83,333 must ~~shall~~ be
292 distributed monthly, for up to 168 months, to the applicant.
293 This distribution is subject to reduction pursuant to s.
294 288.1169. A lump sum payment of \$999,996 must ~~shall~~ be made,
295 after certification and before July 1, 2000.

296 7. All other proceeds must remain in the General Revenue
297 Fund.

298 Section 3. Paragraph (a) of subsection (3) of section
299 218.64, Florida Statutes, is amended to read:

300 218.64 Local government half-cent sales tax; uses;
301 limitations.-

302 (3) Subject to ordinances enacted by the majority of the
303 members of the county governing authority and by the majority of
304 the members of the governing authorities of municipalities
305 representing at least 50 percent of the municipal population of
306 such county, counties may use up to \$2 million annually of the
307 local government half-cent sales tax allocated to that county
308 for funding for any of the following applicants:

309 (a) A certified applicant as a facility for a new or
310 retained professional sports franchise under s. 288.1162 or a
311 certified applicant as defined in s. 288.11621 for a facility
312 for a spring training franchise. It is the Legislature's intent
313 that the provisions of s. 288.1162, including, but not limited
314 to, the evaluation process by the Department of Economic
315 Opportunity except for the limitation on the number of certified
316 applicants or facilities as provided in that section and the
317 restrictions set forth in s. 288.1162(9) ~~288.1162(8)~~, ~~shall~~
318 apply to an applicant's facility to be funded by local
319 government as provided in this subsection.

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320 Section 4. Subsection (2) of section 220.153, Florida
321 Statutes, is amended to read:

322 220.153 Apportionment by sales factor.—

323 (2) APPORTIONMENT OF TAXES; ELIGIBILITY.—A taxpayer, not
324 including a financial organization as defined in s. 220.15(6) or
325 a bank, savings association, ~~international banking facility~~, or
326 banking organization as defined in s. 220.62, doing business
327 within and without this state, who applies and demonstrates to
328 the Department of Economic Opportunity that, within a 2-year
329 period beginning on or after July 1, 2011, it has made qualified
330 capital expenditures equal to or exceeding \$250 million may
331 apportion its adjusted federal income solely by the sales factor
332 set forth in s. 220.15(5), commencing in the taxable year that
333 the Department of Economic Opportunity approves the application,
334 but not before a taxable year that begins on or after January 1,
335 2013. Once approved, a taxpayer may elect to apportion its
336 adjusted federal income for any taxable year using the method
337 provided under this section or the method provided under s.
338 220.15.

339 Section 5. Subsections (3) and (5) of section 220.62,
340 Florida Statutes, are repealed.

341 Section 6. Subsection (5) of section 220.63, Florida
342 Statutes, is repealed.

343 Section 7. Sections 4, 5, and 6 of this act are effective
344 with respect to taxable years beginning on or after January 1,
345 2013.

346 Section 8. Section 288.1162, Florida Statutes, is amended
347 to read:

348 288.1162 Professional sports franchises; duties.—

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349 (1) The department shall serve as the state agency for
350 screening applicants for state funding under s. 212.20 and for
351 certifying an applicant as a facility for a new or retained
352 professional sports franchise or a professional sports franchise
353 renovation facility.

354 (2) The department shall develop rules for the receipt and
355 processing of applications for funding under s. 212.20.

356 (3) As used in this section, the term:

357 (a) "New professional sports franchise" means a
358 professional sports franchise that was not based in this state
359 before April 1, 1987.

360 (b) "Professional sports franchise renovation facility"
361 means a sports facility that has continuously been a league-
362 authorized location for a professional sports franchise for 20
363 years or more and that otherwise meets the requirements for
364 certification of such a facility pursuant to this section.

365 (c) ~~(b)~~ "Retained professional sports franchise" means a
366 professional sports franchise that has had a league-authorized
367 location in this state on or before December 31, 1976, and has
368 continuously remained at that location, and has never been
369 located at a facility that has been previously certified under
370 any provision of this section.

371 (4) Before certifying an applicant as a facility for a new
372 or retained professional sports franchise, the department must
373 determine that:

374 (a) A "unit of local government" as defined in s. 218.369
375 is responsible for the construction, management, or operation of
376 the professional sports franchise facility or holds title to the
377 property on which the professional sports franchise facility is

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378 located.

379 (b) The applicant has a verified copy of a signed agreement
380 with a new professional sports franchise for the use of the
381 facility for a term of at least 10 years, or in the case of a
382 retained professional sports franchise, an agreement for use of
383 the facility for a term of at least 20 years.

384 (c) The applicant has a verified copy of the approval from
385 the governing authority of the league in which the new
386 professional sports franchise exists authorizing the location of
387 the professional sports franchise in this state after April 1,
388 1987, or in the case of a retained professional sports
389 franchise, verified evidence that it has had a league-authorized
390 location in this state on or before December 31, 1976. As used
391 in this section, the term "league" means the National League or
392 the American League of Major League Baseball, the National
393 Basketball Association, the National Football League, or the
394 National Hockey League.

395 (d) The applicant has projections, verified by the
396 department, which demonstrate that the new or retained
397 professional sports franchise will attract a paid attendance of
398 more than 300,000 annually.

399 (e) The applicant has an independent analysis or study,
400 verified by the department, which demonstrates that the amount
401 of the revenues generated by the taxes imposed under chapter 212
402 with respect to the use and operation of the professional sports
403 franchise facility will equal or exceed \$2 million annually.

404 (f) The municipality in which the facility for a new or
405 retained professional sports franchise is located, or the county
406 if the facility for a new or retained professional sports

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407 franchise is located in an unincorporated area, has certified by
408 resolution after a public hearing that the application serves a
409 public purpose.

410 (g) The applicant has demonstrated that it has provided, is
411 capable of providing, or has financial or other commitments to
412 provide more than one-half of the costs incurred or related to
413 the improvement and development of the facility.

414 (h) An applicant previously certified as a new or retained
415 professional sports facility under ~~any provision of~~ this section
416 who has received funding under such certification is not
417 eligible for an additional certification except as a
418 professional sports franchise renovation facility.

419 (5) Before certifying an applicant as a professional sports
420 franchise renovation facility, the department shall determine
421 that the following requirements are met:

422 (a) A county, municipality, or other public entity is
423 responsible for the construction, management, or operation of
424 the professional sports franchise facility or holds title to the
425 property on which the professional sports franchise facility is
426 located.

427 (b) The applicant has a verified copy of a signed agreement
428 with a professional sports franchise for the use of the facility
429 for a term of at least the next 20 years.

430 (c) The applicant has an independent analysis or study,
431 verified by the department, which demonstrates that the amount
432 of the revenues generated by the taxes imposed under chapter 212
433 with respect to the use and operation of the renovated
434 professional sports franchise facility will equal or exceed \$3
435 million annually.

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436 (d) The county or municipality in which the professional
437 sports franchise renovation facility is located has certified by
438 resolution after a public hearing that the application serves a
439 public purpose.

440 (e) The applicant has demonstrated that the cost to
441 renovate the facility will be more than \$300 million, including
442 permitting, architectural, and engineering fees, and that at
443 least a majority of the total construction cost, exclusive of
444 in-kind contributions, will be paid for by the ownership group
445 of the professional sports franchise or other private sources.

446 (6) ~~(5)~~ An applicant certified as a facility for a new or
447 retained professional sports franchise may use funds provided
448 under s. 212.20 only for the public purpose of paying for the
449 acquisition, construction, reconstruction, or renovation of a
450 facility for a new or retained professional sports franchise to
451 pay or pledge for the payment of debt service on, or to fund
452 debt service reserve funds, arbitrage rebate obligations, or
453 other amounts payable with respect to, bonds issued for the
454 acquisition, construction, reconstruction, or renovation of such
455 facility or for the reimbursement of such costs or the
456 refinancing of bonds issued for such purposes. An applicant
457 certified as a professional sports franchise renovation facility
458 may use funds provided under s. 212.20 only for the public
459 purpose of renovating the facility to pay or pledge for the debt
460 service on, or to fund debt service reserve funds, arbitrage
461 rebate obligations, or other amounts payable with respect to
462 bonds issued for the renovation of the facility or for the
463 reimbursement of the costs or the refinancing of bonds issued
464 for that purpose.

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465 (7)~~(6)~~ The department shall notify the Department of
466 Revenue of any facility certified as a facility qualified
467 pursuant to this section ~~for a new or retained professional~~
468 ~~sports franchise~~. The department shall certify no more than
469 eight facilities as facilities for a new professional sports
470 franchise or as facilities for a retained professional sports
471 franchise, including in the total any facilities certified by
472 the former Department of Commerce before July 1, 1996. The
473 department may not certify more than one facility as a
474 professional sports franchise renovation ~~may make no more than~~
475 ~~one certification for any facility~~.

476 (8)~~(7)~~ The Auditor General may conduct audits as provided
477 in s. 11.45 to verify that the distributions under this section
478 are expended as required in this section. If the Auditor General
479 determines that the distributions under this section are not
480 expended as required by this section, the Auditor General shall
481 notify the Department of Revenue, which may pursue recovery of
482 the funds under the laws and rules governing the assessment of
483 taxes.

484 (9)~~(8)~~ For new or retained professional sport franchise
485 facilities, an applicant is not qualified for certification
486 under this section if the franchise formed the basis for a
487 previous certification, unless the previous certification was
488 withdrawn by the facility or invalidated by the department or
489 the former Department of Commerce before any funds were
490 distributed under s. 212.20. This subsection does not disqualify
491 an applicant if the previous certification occurred between May
492 23, 1993, and May 25, 1993; however, any funds to be distributed
493 under s. 212.20 for the second certification must ~~shall~~ be

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494 offset by the amount distributed to the previous certified
495 facility. Distribution of funds for the second certification may
496 ~~shall~~ not be made until all amounts payable for the first
497 certification are distributed.

498 Section 9. Paragraph (c) of subsection (1) of section
499 288.11621, Florida Statutes, is amended to read:

500 288.11621 Spring training baseball franchises.—

501 (1) DEFINITIONS.—As used in this section, the term:

502 (c) "Certified applicant" means a facility for a spring
503 training franchise that was certified before July 1, 2010, under
504 s. 288.1162 ~~288.1162(5)~~, Florida Statutes 2009, or a unit of
505 local government that is certified under this section.

506 Section 10. This act shall take effect July 1, 2013.