

1 A bill to be entitled
 2 An act relating to professional sports franchise
 3 facilities; amending ss. 288.1162 and 212.20, F.S.;
 4 authorizing an applicant previously certified as a
 5 facility for a new or retained professional sports
 6 franchise to receive an additional certification under
 7 certain circumstances, and to receive a monthly
 8 distribution of a specified amount of sales tax
 9 revenues, to acquire, construct, reconstruct, or
 10 renovate a facility; providing an effective date.

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

13
 14 Section 1. Subsections (1) and (5) of section 288.1162,
 15 Florida Statutes are amended, and subsection (9) is added to
 16 that section, to read:

17 288.1162 Professional sports franchises; duties.—

18 (1) The department shall serve as the state agency for
 19 screening applicants for state funding under s. 212.20, ~~and~~ for
 20 certifying an applicant as a facility for a new or retained
 21 professional sports franchise, and for certifying a facility
 22 under subsection (9).

23 (5) An applicant certified as a facility for a new or
 24 retained professional sports franchise or an applicant certified
 25 under subsection (9) may use funds provided under s. 212.20 only
 26 for the public purpose of paying for the acquisition,
 27 construction, reconstruction, or renovation of a facility for a
 28 new or retained professional sports franchise to pay or pledge

29 | for the payment of debt service on, or to fund debt service
30 | reserve funds, arbitrage rebate obligations, or other amounts
31 | payable with respect to, bonds issued for the acquisition,
32 | construction, reconstruction, or renovation of such facility or
33 | for the reimbursement of such costs or the refinancing of bonds
34 | issued for such purposes.

35 | (9) (a) Notwithstanding subsections (4), (6), and (8), an
36 | applicant previously certified under this section as a facility
37 | for a new or retained professional sports franchise is eligible
38 | for an additional certification for the public purposes
39 | described in subsection (5), if:

40 | 1. The cost of the planned improvements to the facility is
41 | at least \$80 million.

42 | 2. The professional sports franchise has been in existence
43 | for at least 15 years.

44 | 3. The signed agreement for use of the facility described
45 | in paragraph (4) (b) has at least 15 years remaining on the
46 | agreement's term.

47 | 4. The applicant has an independent analysis or study,
48 | verified by the department, which demonstrates that the amount
49 | of the revenues generated by the taxes imposed under chapter 212
50 | with respect to the use and operation of the professional sports
51 | franchise facility will equal or exceed \$4 million annually.

52 | 5. The applicant has an independent study produced by an
53 | engineering firm that lists recommended renovations and the
54 | estimated cost of such renovations.

55 | 6. The facility is located in a county that operates under
56 | a government consolidated with that of one or more

57 | municipalities in the county.

58 | (b) The department may certify no more than one applicant
59 | under this subsection.

60 | (c) The department shall notify the Department of Revenue
61 | of a facility certified under this subsection.

62 | Section 2. Paragraph (d) of subsection (6) of section
63 | 212.20, Florida Statutes, is amended to read:

64 | 212.20 Funds collected, disposition; additional powers of
65 | department; operational expense; refund of taxes adjudicated
66 | unconstitutionally collected.—

67 | (6) Distribution of all proceeds under this chapter and s.
68 | 202.18(1)(b) and (2)(b) shall be as follows:

69 | (d) The proceeds of all other taxes and fees imposed
70 | pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
71 | and (2)(b) shall be distributed as follows:

72 | 1. In any fiscal year, the greater of \$500 million, minus
73 | an amount equal to 4.6 percent of the proceeds of the taxes
74 | collected pursuant to chapter 201, or 5.2 percent of all other
75 | taxes and fees imposed pursuant to this chapter or remitted
76 | pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
77 | monthly installments into the General Revenue Fund.

78 | 2. After the distribution under subparagraph 1., 8.814
79 | percent of the amount remitted by a sales tax dealer located
80 | within a participating county pursuant to s. 218.61 shall be
81 | transferred into the Local Government Half-cent Sales Tax
82 | Clearing Trust Fund. Beginning July 1, 2003, the amount to be
83 | transferred shall be reduced by 0.1 percent, and the department
84 | shall distribute this amount to the Public Employees Relations

85 Commission Trust Fund less \$5,000 each month, which shall be
86 added to the amount calculated in subparagraph 3. and
87 distributed accordingly.

88 3. After the distribution under subparagraphs 1. and 2.,
89 0.095 percent shall be transferred to the Local Government Half-
90 cent Sales Tax Clearing Trust Fund and distributed pursuant to
91 s. 218.65.

92 4. After the distributions under subparagraphs 1., 2., and
93 3., 2.0440 percent of the available proceeds shall be
94 transferred monthly to the Revenue Sharing Trust Fund for
95 Counties pursuant to s. 218.215.

96 5. After the distributions under subparagraphs 1., 2., and
97 3., 1.3409 percent of the available proceeds shall be
98 transferred monthly to the Revenue Sharing Trust Fund for
99 Municipalities pursuant to s. 218.215. If the total revenue to
100 be distributed pursuant to this subparagraph is at least as
101 great as the amount due from the Revenue Sharing Trust Fund for
102 Municipalities and the former Municipal Financial Assistance
103 Trust Fund in state fiscal year 1999-2000, no municipality shall
104 receive less than the amount due from the Revenue Sharing Trust
105 Fund for Municipalities and the former Municipal Financial
106 Assistance Trust Fund in state fiscal year 1999-2000. If the
107 total proceeds to be distributed are less than the amount
108 received in combination from the Revenue Sharing Trust Fund for
109 Municipalities and the former Municipal Financial Assistance
110 Trust Fund in state fiscal year 1999-2000, each municipality
111 shall receive an amount proportionate to the amount it was due
112 in state fiscal year 1999-2000.

113 6. Of the remaining proceeds:

114 a. In each fiscal year, the sum of \$29,915,500 shall be
115 divided into as many equal parts as there are counties in the
116 state, and one part shall be distributed to each county. The
117 distribution among the several counties must begin each fiscal
118 year on or before January 5th and continue monthly for a total
119 of 4 months. If a local or special law required that any moneys
120 accruing to a county in fiscal year 1999-2000 under the then-
121 existing provisions of s. 550.135 be paid directly to the
122 district school board, special district, or a municipal
123 government, such payment must continue until the local or
124 special law is amended or repealed. The state covenants with
125 holders of bonds or other instruments of indebtedness issued by
126 local governments, special districts, or district school boards
127 before July 1, 2000, that it is not the intent of this
128 subparagraph to adversely affect the rights of those holders or
129 relieve local governments, special districts, or district school
130 boards of the duty to meet their obligations as a result of
131 previous pledges or assignments or trusts entered into which
132 obligated funds received from the distribution to county
133 governments under then-existing s. 550.135. This distribution
134 specifically is in lieu of funds distributed under s. 550.135
135 before July 1, 2000.

136 b. The department shall distribute \$166,667 monthly
137 pursuant to s. 288.1162 to each applicant certified as a
138 facility for a new or retained professional sports franchise
139 pursuant to s. 288.1162 and \$166,667 monthly to an applicant
140 that receives an additional certification pursuant to s.

141 288.1162(9). Up to \$41,667 shall be distributed monthly by the
142 department to each certified applicant as defined in s.
143 288.11621 for a facility for a spring training franchise.
144 However, not more than \$416,670 may be distributed monthly in
145 the aggregate to all certified applicants for facilities for
146 spring training franchises. Distributions begin 60 days after
147 such certification and continue for not more than 30 years,
148 except as otherwise provided in s. 288.11621. A certified
149 applicant identified in this sub-subparagraph may not receive
150 more in distributions than expended by the applicant for the
151 public purposes provided for in s. 288.1162(5) or s.
152 288.11621(3).

153 c. Beginning 30 days after notice by the Department of
154 Economic Opportunity to the Department of Revenue that an
155 applicant has been certified as the professional golf hall of
156 fame pursuant to s. 288.1168 and is open to the public, \$166,667
157 shall be distributed monthly, for up to 300 months, to the
158 applicant.

159 d. Beginning 30 days after notice by the Department of
160 Economic Opportunity to the Department of Revenue that the
161 applicant has been certified as the International Game Fish
162 Association World Center facility pursuant to s. 288.1169, and
163 the facility is open to the public, \$83,333 shall be distributed
164 monthly, for up to 168 months, to the applicant. This
165 distribution is subject to reduction pursuant to s. 288.1169. A
166 lump sum payment of \$999,996 shall be made, after certification
167 and before July 1, 2000.

168 7. All other proceeds must remain in the General Revenue

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169 Fund.

170 Section 3. This act shall take effect upon becoming a law.