

By Senator Bradley

7-00429-13

2013922

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 improve the conditions of the facility to
10 meet or exceed certain facility standards; defining
11 the term "facility standards"; providing an effective
12 date.

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

15
16 Section 1. Subsection (9) is added to section 288.1162,
17 Florida Statutes, to read:

18 288.1162 Professional sports franchises; duties.—

19 (9) (a) Notwithstanding any provision of this section, an
20 applicant previously certified under this section as a facility
21 for a new or retained professional sports franchise is eligible
22 for an additional certification for the public purpose of making
23 improvements to the facility in order to meet or exceed the
24 league's facility standards, if:

25 1. The cost of the planned improvements to the facility is
26 at least \$80 million.

27 2. The professional sports franchise has been in existence
28 for at least 15 years.

29 3. The signed agreement for use of the facility described

7-00429-13

2013922

30 in paragraph (4) (b) has at least 15 years remaining on the
31 agreement's term.

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

37 (b) As used in this subsection, the term "facility
38 standards" means the stadium equipment standards in place
39 throughout the league as certified in writing by the league's
40 commissioner.

41 Section 2. Paragraph (d) of subsection (6) of section
42 212.20, Florida Statutes, is amended to read:

43 212.20 Funds collected, disposition; additional powers of
44 department; operational expense; refund of taxes adjudicated
45 unconstitutionally collected.—

46 (6) Distribution of all proceeds under this chapter and s.
47 202.18(1) (b) and (2) (b) shall be as follows:

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

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

57 2. After the distribution under subparagraph 1., 8.814
58 percent of the amount remitted by a sales tax dealer located

7-00429-13

2013922

59 within a participating county pursuant to s. 218.61 shall be
60 transferred into the Local Government Half-cent Sales Tax
61 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
62 transferred shall be reduced by 0.1 percent, and the department
63 shall distribute this amount to the Public Employees Relations
64 Commission Trust Fund less \$5,000 each month, which shall be
65 added to the amount calculated in subparagraph 3. and
66 distributed accordingly.

67 3. After the distribution under subparagraphs 1. and 2.,
68 0.095 percent shall be transferred to the Local Government Half-
69 cent Sales Tax Clearing Trust Fund and distributed pursuant to
70 s. 218.65.

71 4. After the distributions under subparagraphs 1., 2., and
72 3., 2.0440 percent of the available proceeds shall be
73 transferred monthly to the Revenue Sharing Trust Fund for
74 Counties pursuant to s. 218.215.

75 5. After the distributions under subparagraphs 1., 2., and
76 3., 1.3409 percent of the available proceeds shall be
77 transferred monthly to the Revenue Sharing Trust Fund for
78 Municipalities pursuant to s. 218.215. If the total revenue to
79 be distributed pursuant to this subparagraph is at least as
80 great as the amount due from the Revenue Sharing Trust Fund for
81 Municipalities and the former Municipal Financial Assistance
82 Trust Fund in state fiscal year 1999-2000, no municipality shall
83 receive less than the amount due from the Revenue Sharing Trust
84 Fund for Municipalities and the former Municipal Financial
85 Assistance Trust Fund in state fiscal year 1999-2000. If the
86 total proceeds to be distributed are less than the amount
87 received in combination from the Revenue Sharing Trust Fund for

7-00429-13

2013922

88 Municipalities and the former Municipal Financial Assistance
89 Trust Fund in state fiscal year 1999-2000, each municipality
90 shall receive an amount proportionate to the amount it was due
91 in state fiscal year 1999-2000.

92 6. Of the remaining proceeds:

93 a. In each fiscal year, the sum of \$29,915,500 shall be
94 divided into as many equal parts as there are counties in the
95 state, and one part shall be distributed to each county. The
96 distribution among the several counties must begin each fiscal
97 year on or before January 5th and continue monthly for a total
98 of 4 months. If a local or special law required that any moneys
99 accruing to a county in fiscal year 1999-2000 under the then-
100 existing provisions of s. 550.135 be paid directly to the
101 district school board, special district, or a municipal
102 government, such payment must continue until the local or
103 special law is amended or repealed. The state covenants with
104 holders of bonds or other instruments of indebtedness issued by
105 local governments, special districts, or district school boards
106 before July 1, 2000, that it is not the intent of this
107 subparagraph to adversely affect the rights of those holders or
108 relieve local governments, special districts, or district school
109 boards of the duty to meet their obligations as a result of
110 previous pledges or assignments or trusts entered into which
111 obligated funds received from the distribution to county
112 governments under then-existing s. 550.135. This distribution
113 specifically is in lieu of funds distributed under s. 550.135
114 before July 1, 2000.

115 b. The department shall distribute \$166,667 monthly
116 pursuant to s. 288.1162 to each applicant certified as a

7-00429-13

2013922

117 facility for a new or retained professional sports franchise
118 pursuant to s. 288.1162, including any applicant that receives
119 an additional certification pursuant to s. 288.1162(9). Up to
120 \$41,667 shall be distributed monthly by the department to each
121 certified applicant as defined in s. 288.11621 for a facility
122 for a spring training franchise. However, not more than \$416,670
123 may be distributed monthly in the aggregate to all certified
124 applicants for facilities for spring training franchises.
125 Distributions begin 60 days after such certification and
126 continue for not more than 30 years, except as otherwise
127 provided in s. 288.11621. A certified applicant identified in
128 this sub-subparagraph may not receive more in distributions than
129 expended by the applicant for the public purposes provided for
130 in s. 288.1162(5) or s. 288.11621(3).

131 c. Beginning 30 days after notice by the Department of
132 Economic Opportunity to the Department of Revenue that an
133 applicant has been certified as the professional golf hall of
134 fame pursuant to s. 288.1168 and is open to the public, \$166,667
135 shall be distributed monthly, for up to 300 months, to the
136 applicant.

137 d. Beginning 30 days after notice by the Department of
138 Economic Opportunity to the Department of Revenue that the
139 applicant has been certified as the International Game Fish
140 Association World Center facility pursuant to s. 288.1169, and
141 the facility is open to the public, \$83,333 shall be distributed
142 monthly, for up to 168 months, to the applicant. This
143 distribution is subject to reduction pursuant to s. 288.1169. A
144 lump sum payment of \$999,996 shall be made, after certification
145 and before July 1, 2000.

7-00429-13

2013922__

146 7. All other proceeds must remain in the General Revenue
147 Fund.

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