

By Senator Lee

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1 A bill to be entitled
2 An act relating to sports development; repealing s.
3 288.11625, F.S., relating to state funding for sports
4 facility development by a unit of local government, or
5 by a certified beneficiary or other applicant, on
6 property owned by the local government; amending ss.
7 212.20, 218.64, and 288.0001, F.S.; conforming
8 provisions to changes made by the act; amending s.
9 212.205, F.S.; conforming a cross-reference; providing
10 an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Section 288.11625, Florida Statutes, is
15 repealed.

16 Section 2. Paragraph (d) of subsection (6) of section
17 212.20, Florida Statutes, is amended to read:

18 212.20 Funds collected, disposition; additional powers of
19 department; operational expense; refund of taxes adjudicated
20 unconstitutionally collected.—

21 (6) Distribution of all proceeds under this chapter and ss.
22 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

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

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

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

32 2. After the distribution under subparagraph 1., 8.9744
33 percent of the amount remitted by a sales tax dealer located
34 within a participating county pursuant to s. 218.61 must ~~shall~~
35 be transferred into the Local Government Half-cent Sales Tax
36 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
37 transferred must ~~shall~~ be reduced by 0.1 percent, and the
38 department shall distribute this amount to the Public Employees
39 Relations Commission Trust Fund less \$5,000 each month, which
40 must ~~shall~~ be added to the amount calculated in subparagraph 3.
41 and distributed accordingly.

42 3. After the distribution under subparagraphs 1. and 2.,
43 0.0966 percent must ~~shall~~ be transferred to the Local Government
44 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
45 to s. 218.65.

46 4. After the distributions under subparagraphs 1., 2., and
47 3., 2.0810 percent of the available proceeds must ~~shall~~ be
48 transferred monthly to the Revenue Sharing Trust Fund for
49 Counties pursuant to s. 218.215.

50 5. After the distributions under subparagraphs 1., 2., and
51 3., 1.3653 percent of the available proceeds must ~~shall~~ be
52 transferred monthly to the Revenue Sharing Trust Fund for
53 Municipalities pursuant to s. 218.215. If the total revenue to
54 be distributed pursuant to this subparagraph is at least as
55 great as the amount due from the Revenue Sharing Trust Fund for
56 Municipalities and the former Municipal Financial Assistance
57 Trust Fund in state fiscal year 1999-2000, no municipality may
58 ~~shall~~ receive less than the amount due from the Revenue Sharing

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59 Trust Fund for Municipalities and the former Municipal Financial
60 Assistance Trust Fund in state fiscal year 1999-2000. If the
61 total proceeds to be distributed are less than the amount
62 received in combination from the Revenue Sharing Trust Fund for
63 Municipalities and the former Municipal Financial Assistance
64 Trust Fund in state fiscal year 1999-2000, each municipality
65 must ~~shall~~ receive an amount proportionate to the amount it was
66 due in state fiscal year 1999-2000.

67 6. Of the remaining proceeds:

68 a. In each fiscal year, the sum of \$29,915,500 must ~~shall~~
69 be divided into as many equal parts as there are counties in the
70 state, and one part must ~~shall~~ be distributed to each county.
71 The distribution among the several counties must begin each
72 fiscal year on or before January 5th and continue monthly for a
73 total of 4 months. If a local or special law required that any
74 moneys accruing to a county in fiscal year 1999-2000 under the
75 then-existing provisions of s. 550.135 be paid directly to the
76 district school board, special district, or a municipal
77 government, such payment must continue until the local or
78 special law is amended or repealed. The state covenants with
79 holders of bonds or other instruments of indebtedness issued by
80 local governments, special districts, or district school boards
81 before July 1, 2000, that it is not the intent of this
82 subparagraph to adversely affect the rights of those holders or
83 relieve local governments, special districts, or district school
84 boards of the duty to meet their obligations as a result of
85 previous pledges or assignments or trusts entered into which
86 obligated funds received from the distribution to county
87 governments under then-existing s. 550.135. This distribution

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

90 b. The department shall distribute \$166,667 monthly to each
91 applicant certified as a facility for a new or retained
92 professional sports franchise pursuant to s. 288.1162. Up to
93 \$41,667 must ~~shall~~ be distributed monthly by the department to
94 each certified applicant as defined in s. 288.11621 for a
95 facility for a spring training franchise. However, not more than
96 \$416,670 may be distributed monthly in the aggregate to all
97 certified applicants for facilities for spring training
98 franchises. Distributions begin 60 days after such certification
99 and continue for not more than 30 years, except as otherwise
100 provided in s. 288.11621. A certified applicant identified in
101 this sub-subparagraph may not receive more in distributions than
102 expended by the applicant for the public purposes provided in s.
103 288.1162(5) or s. 288.11621(3).

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

110 d. Beginning 30 days after notice by the Department of
111 Economic Opportunity to the Department of Revenue that the
112 applicant has been certified as the International Game Fish
113 Association World Center facility pursuant to s. 288.1169, and
114 the facility is open to the public, \$83,333 must ~~shall~~ be
115 distributed monthly, for up to 168 months, to the applicant.
116 This distribution is subject to reduction pursuant to s.

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117 288.1169. A lump sum payment of \$999,996 must ~~shall~~ be made
118 after certification and before July 1, 2000.

119 e. The department shall distribute up to \$83,333 monthly to
120 each certified applicant as defined in s. 288.11631 for a
121 facility used by a single spring training franchise, or up to
122 \$166,667 monthly to each certified applicant as defined in s.
123 288.11631 for a facility used by more than one spring training
124 franchise. Monthly distributions begin 60 days after such
125 certification or July 1, 2016, whichever is later, and continue
126 for not more than 20 years to each certified applicant as
127 defined in s. 288.11631 for a facility used by a single spring
128 training franchise or not more than 25 years to each certified
129 applicant as defined in s. 288.11631 for a facility used by more
130 than one spring training franchise. A certified applicant
131 identified in this sub-subparagraph may not receive more in
132 distributions than expended by the applicant for the public
133 purposes provided in s. 288.11631(3).

134 ~~f. Beginning 45 days after notice by the Department of~~
135 ~~Economic Opportunity to the Department of Revenue that an~~
136 ~~applicant has been approved by the Legislature and certified by~~
137 ~~the Department of Economic Opportunity under s. 288.11625 or~~
138 ~~upon a date specified by the Department of Economic Opportunity~~
139 ~~as provided under s. 288.11625(6)(d), the department shall~~
140 ~~distribute each month an amount equal to one twelfth of the~~
141 ~~annual distribution amount certified by the Department of~~
142 ~~Economic Opportunity for the applicant. The department may not~~
143 ~~distribute more than \$7 million in the 2014-2015 fiscal year or~~
144 ~~more than \$13 million annually thereafter under this sub-~~
145 ~~subparagraph.~~

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146 ~~f.g.~~ Beginning December 1, 2015, and ending June 30, 2016,
147 the department shall distribute \$26,286 monthly to the State
148 Transportation Trust Fund. Beginning July 1, 2016, the
149 department shall distribute \$15,333 monthly to the State
150 Transportation Trust Fund.

151 7. All other proceeds must remain in the General Revenue
152 Fund.

153 Section 3. Subsection (2) and paragraph (c) of subsection
154 (3) of section 218.64, Florida Statutes, are amended to read:

155 218.64 Local government half-cent sales tax; uses;
156 limitations.-

157 (2) Municipalities shall expend their portions of the local
158 government half-cent sales tax only for municipality-wide
159 programs, ~~for reimbursing the state as required pursuant to s.~~
160 ~~288.11625,~~ or for municipality-wide property tax or municipal
161 utility tax relief. All utility tax rate reductions afforded by
162 participation in the local government half-cent sales tax must
163 ~~shall~~ be applied uniformly across all types of taxed utility
164 services.

165 (3) Subject to ordinances enacted by the majority of the
166 members of the county governing authority and by the majority of
167 the members of the governing authorities of municipalities
168 representing at least 50 percent of the municipal population of
169 such county, counties may use up to \$3 million annually of the
170 local government half-cent sales tax allocated to that county
171 for any of the following purposes:

172 ~~(c) Reimbursing the state as required under s. 288.11625.~~

173 Section 4. Paragraph (e) of subsection (2) of section
174 288.0001, Florida Statutes, is amended to read:

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175 288.0001 Economic Development Programs Evaluation.—The
176 Office of Economic and Demographic Research and the Office of
177 Program Policy Analysis and Government Accountability (OPPAGA)
178 shall develop and present to the Governor, the President of the
179 Senate, the Speaker of the House of Representatives, and the
180 chairs of the legislative appropriations committees the Economic
181 Development Programs Evaluation.

182 (2) The Office of Economic and Demographic Research and
183 OPPAGA shall provide a detailed analysis of economic development
184 programs as provided in the following schedule:

185 ~~(e) Beginning January 1, 2018, and every 3 years~~
186 ~~thereafter, an analysis of the Sports Development Program~~
187 ~~established under s. 288.11625.~~

188 Section 5. Section 212.205, Florida Statutes, is amended to
189 read:

190 212.205 Sales tax distribution reporting.—By March 15 of
191 each year, each person who received a distribution pursuant to
192 s. 212.20(6)(d)6.b.-e. ~~s. 212.20(6)(d)6.b.-f.~~ in the preceding
193 calendar year shall report to the Office of Economic and
194 Demographic Research the following information:

195 (1) An itemized accounting of all expenditures of the funds
196 distributed in the preceding calendar year, including amounts
197 spent on debt service.

198 (2) A statement indicating what portion of the distributed
199 funds have been pledged for debt service.

200 (3) The original principal amount and current debt service
201 schedule of any bonds or other borrowing for which the
202 distributed funds have been pledged for debt service.

203 Section 6. This act shall take effect July 1, 2019.