

1 A bill to be entitled
 2 An act relating to professional sports facilities;
 3 repealing s. 288.11625, F.S., relating to state
 4 funding for sports facility development by a unit of
 5 local government, or by a certified beneficiary or
 6 other applicant, on property owned by the local
 7 government; amending ss. 212.20, 218.64, and 288.0001,
 8 F.S.; conforming provisions to changes made by the
 9 act; amending s. 212.205, F.S.; conforming a cross-
 10 reference; providing 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 15 repealed.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
 22 ss. 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) 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
30 | pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
31 | 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 shall be
35 | transferred into the Local Government Half-cent Sales Tax
36 | Clearing Trust Fund. Beginning July 1, 2003, the amount to be
37 | transferred shall be reduced by 0.1 percent, and the department
38 | shall distribute this amount to the Public Employees Relations
39 | Commission Trust Fund less \$5,000 each month, which shall be
40 | added to the amount calculated in subparagraph 3. and
41 | distributed accordingly.

42 | 3. After the distribution under subparagraphs 1. and 2.,
43 | 0.0966 percent 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 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 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 shall
58 receive less than the amount due from the Revenue Sharing Trust
59 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 shall receive an amount proportionate to the amount it was due
66 in state fiscal year 1999-2000.

67 6. Of the remaining proceeds:

68 a. In each fiscal year, the sum of \$29,915,500 shall be
69 divided into as many equal parts as there are counties in the
70 state, and one part shall be distributed to each county. The
71 distribution among the several counties must begin each fiscal
72 year on or before January 5th and continue monthly for a total
73 of 4 months. If a local or special law required that any moneys
74 accruing to a county in fiscal year 1999-2000 under the then-
75 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
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
91 | each applicant certified as a facility for a new or retained
92 | professional sports franchise pursuant to s. 288.1162. Up to
93 | \$41,667 shall be distributed monthly by the department to each
94 | certified applicant as defined in s. 288.11621 for a facility
95 | for a spring training franchise. However, not more than \$416,670
96 | may be distributed monthly in the aggregate to all certified
97 | applicants for facilities for spring training franchises.
98 | Distributions begin 60 days after such certification and
99 | 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 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 shall be distributed
115 monthly, for up to 168 months, to the applicant. This
116 distribution is subject to reduction pursuant to s. 288.1169.

117 e. The department shall distribute up to \$83,333 monthly
118 to each certified applicant as defined in s. 288.11631 for a
119 facility used by a single spring training franchise, or up to
120 \$166,667 monthly to each certified applicant as defined in s.
121 288.11631 for a facility used by more than one spring training
122 franchise. Monthly distributions begin 60 days after such
123 certification or July 1, 2016, whichever is later, and continue
124 for not more than 20 years to each certified applicant as
125 defined in s. 288.11631 for a facility used by a single spring

HB 6011

2021

126 training franchise or not more than 25 years to each certified
127 applicant as defined in s. 288.11631 for a facility used by more
128 than one spring training franchise. A certified applicant
129 identified in this sub-subparagraph may not receive more in
130 distributions than expended by the applicant for the public
131 purposes provided in s. 288.11631(3).

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

143 f.g. The department shall distribute \$15,333 monthly to
144 the State Transportation Trust Fund.

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

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

149 218.64 Local government half-cent sales tax; uses;
150 limitations.-

151 (2) Municipalities shall expend their portions of the
 152 local government half-cent sales tax only for municipality-wide
 153 programs, ~~for reimbursing the state as required pursuant to s.~~
 154 ~~288.11625,~~ or for municipality-wide property tax or municipal
 155 utility tax relief. All utility tax rate reductions afforded by
 156 participation in the local government half-cent sales tax shall
 157 be applied uniformly across all types of taxed utility services.

158 (3) Subject to ordinances enacted by the majority of the
 159 members of the county governing authority and by the majority of
 160 the members of the governing authorities of municipalities
 161 representing at least 50 percent of the municipal population of
 162 such county, counties may use up to \$3 million annually of the
 163 local government half-cent sales tax allocated to that county
 164 for any of the following purposes:

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

166 Section 4. Paragraph (e) of subsection (2) of section
 167 288.0001, Florida Statutes, is amended to read:

168 288.0001 Economic Development Programs Evaluation.—The
 169 Office of Economic and Demographic Research and the Office of
 170 Program Policy Analysis and Government Accountability (OPPAGA)
 171 shall develop and present to the Governor, the President of the
 172 Senate, the Speaker of the House of Representatives, and the
 173 chairs of the legislative appropriations committees the Economic
 174 Development Programs Evaluation.

175 (2) The Office of Economic and Demographic Research and

176 OPPAGA shall provide a detailed analysis of economic development
 177 programs as provided in the following schedule:

178 ~~(c) Beginning January 1, 2018, and every 3 years~~
 179 ~~thereafter, an analysis of the Sports Development Program~~
 180 ~~established under s. 288.11625.~~

181 Section 5. Section 212.205, Florida Statutes, is amended
 182 to read:

183 212.205 Sales tax distribution reporting.—By March 15 of
 184 each year, each person who received a distribution pursuant to
 185 s. 212.20(6)(d)6.b.-e. ~~s. 212.20(6)(d)6.b.-f.~~ in the preceding
 186 calendar year shall report to the Office of Economic and
 187 Demographic Research the following information:

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

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

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

196 Section 6. This act shall take effect July 1, 2021.