

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.

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

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

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

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

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

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

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

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

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

51 5. The applicant has an independent study produced by an
 52 engineering firm listing recommended renovations and the
 53 estimated cost of such renovations.

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

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

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

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

63 | 212.20 Funds collected, disposition; additional powers of
 64 | department; operational expense; refund of taxes adjudicated
 65 | unconstitutionally collected.—

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

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

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

77 | 2. After the distribution under subparagraph 1., 8.814
 78 | percent of the amount remitted by a sales tax dealer located
 79 | within a participating county pursuant to s. 218.61 shall be
 80 | transferred into the Local Government Half-cent Sales Tax
 81 | Clearing Trust Fund. Beginning July 1, 2003, the amount to be
 82 | transferred shall be reduced by 0.1 percent, and the department
 83 | shall distribute this amount to the Public Employees Relations
 84 | Commission Trust Fund less \$5,000 each month, which shall be

85 | added to the amount calculated in subparagraph 3. and
 86 | distributed accordingly.

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

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

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

112 | 6. Of the remaining proceeds:

PCS for HB 721

2013

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

135 b. The department shall distribute \$166,667 monthly
136 pursuant to s. 288.1162 to each applicant certified as a
137 facility for a new or retained professional sports franchise
138 pursuant to s. 288.1162, and \$166,667 monthly to any applicant
139 that receives an additional certification pursuant to s.
140 288.1162(9). Up to \$41,667 shall be distributed monthly by the

PCS for HB 721

2013

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

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

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

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

PCS for HB 721

2013

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