

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED
Committee on Agriculture

CS/CS/HB 449 — Public Fairs and Expositions

by Community and Military Affairs Subcommittee; Agriculture and Natural Resources Subcommittee; Rep. Steube and others (CS/CS/CS/SB 502 by Finance and Tax Appropriations Committee; Community Affairs Committee; Agriculture Committee and Senators Hays, Dean, and Storms)

This bill revises statutes relating to fair associations and public fairs and expositions held on fairground facilities. The bill creates a definition for "annual public fair" to distinguish it from other public fairs and expositions held on fairground facilities. It also creates a definition for "concessions" to clarify uses of fairground facilities by third parties. It revises existing definitions to conform to the new definition of "annual public fair" and to expand on entries that are included in the definition of "exhibit."

The bill revises statutory provisions pertaining to the formation, charter amendments, and dissolution of a fair association. It acknowledges that the objective of a fair association, in addition to public service, is holding, conducting and promoting public fairs and expositions; it declares that a fair association is serving an essential government purpose if it is pursuing its legitimate purposes and that it is a noncommercial activity provider. It expands a fair association's exemption from taxation on its money and property to include projects, activities, events, programs and uses authorized by its governing statutes but specifically clarifying that this does not provide an exemption from any tax imposed under ch. 212, F.S. It expands the activities for which fair facilities may be used to conform to actual practices. The bill prohibits a fair association from conducting more than one annual public fair and it requires that a fair permit be issued within 10 days of the permit requirements being fulfilled. It removes restrictive language so that fair buildings can be used for any public fair or exhibition purpose. It removes duplicative language concerning admission fees. The bill reduces the time in which a fair association may apply for a waiver from the minimum number of exhibits from 60 days to 30 days before the annual public fair.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 39-0; House 112-0