Florida Senate - 2000

By Senator King

8-576A-00 A bill to be entitled 1 2 An act relating to motorsports; creating s. 549.10, F.S.; defining the terms "motorsport 3 4 entertainment complex," "motorsports event," "owner" and "sanctioning body"; authorizing 5 contracts for promotional activities; providing 6 7 an effective date. 8 9 Be It Enacted by the Legislature of the State of Florida: 10 11 Section 1. Section 549.10, Florida Statutes, is 12 created to read: 13 549.10 Motorsports entertainment complex; contracts.--14 (1) As used in this section, the term: (a) "Motorsports entertainment complex" means a 15 16 closed-course motorsports facility and its ancillary grounds 17 and facilities which: 1. Has at least 70,000 permanent seats for race 18 19 patrons; 20 2. Has at least 7 scheduled days of motorsports events 21 each calendar year; 22 3. Has at least four motorsports events each calendar 23 year; 24 4. Serves food at the facility during sanctioned 25 motorsports events; 26 5. Engages in tourism promotion; and 27 6. Has on the property permanent exhibitions of 28 motorsports history, events, or vehicles. 29 (b) "Motorsports event" means a motorsports race and 30 its ancillary activities that have been sanctioned by a 31 sanctioning body.

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1	(c) "Owner" means a person who owns and operates a
2	motorsports complex; a person who leases a motorsports
3	entertainment complex or the land on which a motorsports
4	entertainment complex is located from the Federal Government,
5	the state, or a county, municipality, or special district and
6	operates the motorsports entertainment complex; or a person
7	who operates and maintains a motorsports entertainment complex
8	under an operation and management agreement entered into with
9	the Federal Government, the state, or a county, municipality,
10	or special district.
11	(d) "Sanctioning body" means the American Motorcycle
12	Association (AMA); Auto Racing Club of America (ARCA);
13	Championship Auto Racing Teams (CART); Grand American Road
14	Racing Association (GRAND AM); Indy Racing League (IRL);
15	National Association for Stock Car Auto Racing (NASCAR);
16	National Hot Rod Association (NHRA); Professional Sportscar
17	Racing (PSR); Sports Car Club of America (SCCA); United States
18	Auto Club (USAC); or any successor organization or any other
19	nationally recognized governing body of motorsports that
20	establishes an annual schedule of motorsports events and
21	grants rights to conduct the events, that has established and
22	administers rules and regulations governing all participants
23	involved in the events and all persons conducting the events,
24	and that requires certain liability assurances, including
25	insurance.
26	(2)(a) Notwithstanding any other law to the contrary,
27	the owner of a motorsports entertainment complex may enter
28	into a promotional contract, including a contract with any
29	other person which may require the payment of fees, except:
30	1. A person licensed under s. 563.02(3), unless that
31	person is also licensed as a manufacturer;
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1	2. A person licensed under s. 564.02(3)(a) unless that
2	person is also licensed as a manufacturer; or
3	3. A person licensed under s. 565.03. However, this
4	exception does not apply to any contract or to the renewal or
5	extension of any contract in effect before October 1, 2000.
6	(b) The owner of a motorsports entertainment complex
7	is not considered a vendor under s. 561.14 merely because it
8	is affiliated with, a shareholder of, or sharing in percentage
9	payments with any vendor licensed under that section at the
10	complex unless:
11	1. The owner of the motorsports entertainment complex
12	obligates or requires the licensed vendors operating at the
13	motorsports entertainment complex to purchase or sell any
14	particular brands of beverages defined in s. 561.01 in areas
15	that are accessible to the public. Areas accessible to the
16	public do not include any restricted access areas that are
17	under lease, license, or occupancy contracts with the owner.
18	2. A person licensed under s. 563.02(3), with the
19	knowledge of the owner, is directly or indirectly
20	participating in or contributing to any advertising or
21	promotional funds being used to pay fees to the owner of the
22	motorsports entertainment complex.
23	Section 2. This act shall take effect October 1, 2000.
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26	SENATE SUMMARY
27	Defines the terms "motorsport entertainment complex,"
28	"motorsports events," "owner," and "sanctioning body." Authorizes the owner of a motorsports entertainment
29	complex to contract for promotional activities.
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