Florida Senate - 2005

 $\ensuremath{\textbf{By}}$ the Committee on Commerce and Consumer Services; and Senator Garcia

577-2104-05

1	A bill to be entitled
2	An act relating to professional sports
3	<pre>franchises; amending s. 288.1162, F.S.;</pre>
4	increasing the number of facilities certified
5	by the Office of Tourism, Trade, and Economic
6	Development as facilities for a new
7	professional sports franchise or as facilities
8	for a retained professional sports franchise;
9	providing an additional exception to
10	disqualification for certification of an
11	applicant when the franchise formed the basis
12	of a previous certification; providing that
13	payments to a certified applicant may not
14	extend beyond the period for which the original
15	certification was issued; specifying the date
16	on which an applicant certified after the
17	effective date of the act may receive
18	disbursements; providing an effective date.
19	
20	Be It Enacted by the Legislature of the State of Florida:
21	
22	Section 1. Subsections (7) and (9) of section
23	288.1162, Florida Statutes, are amended to read:
24	288.1162 Professional sports franchises; spring
25	training franchises; duties
26	(7) The Office of Tourism, Trade, and Economic
27	Development shall notify the Department of Revenue of any
28	facility certified as a facility for a new professional sports
29	franchise or a facility for a retained professional sports
30	franchise or as a facility for a retained spring training
31	franchise. The Office of Tourism, Trade, and Economic
	1

1

CODING: Words stricken are deletions; words <u>underlined</u> are additions.

1 Development shall certify no more than nine eight facilities as facilities for a new professional sports franchise or as 2 facilities for a retained professional sports franchise and 3 shall certify at least five as facilities for retained spring 4 training franchises, including in such total any facilities 5 б certified by the Department of Commerce before July 1, 1996. 7 The office may make no more than one certification for any 8 facility. The office may not certify funding for less than 9 the requested amount to any applicant certified as a facility for a retained spring training franchise. 10 (9)(a) An applicant is not qualified for certification 11 12 under this section if the franchise formed the basis for a 13 previous certification, unless: 1. The previous certification was withdrawn by the 14 facility or invalidated by the Office of Tourism, Trade, and 15 16 Economic Development or the Department of Commerce before any 17 funds were distributed pursuant to s. 212.20; or-18 2. The previous certification was for an applicant that served as the home facility for two professional sports 19 franchises and the franchise was used as a basis for the 20 21 certification of a new applicant. Notwithstanding any other 22 provision of this section, the franchise continuing to use the 23 original applicant shall be deemed the franchise forming the basis of the previous certification and the previous 2.4 certification shall continue to apply for the time period 25 permitted following the original date of certification. 26 27 (b) This subsection does not disqualify an applicant 2.8 if the previous certification occurred between May 23, 1993, and May 25, 1993; however, any funds to be distributed 29 pursuant to s. 212.20 for the second certification shall be 30 offset by the amount distributed to the previous certified 31

2

CODING: Words stricken are deletions; words underlined are additions.

1 facility. Distribution of funds for the second certification 2 shall not be made until all amounts payable for the first 3 certification have been distributed. 4 (c) Payments to a certified applicant may not extend beyond the period for which the original certification was 5 6 issued. 7 Section 2. Notwithstanding any other provision of law, 8 an applicant that is certified after the effective date of this act pursuant to section 288.1162, Florida Statutes, by 9 the Office of Tourism, Trade, and Economic Development as a 10 facility for a new professional sports franchise or a facility 11 12 for a retained professional sports franchise may not receive 13 disbursements pursuant to section 212.20(6)(d)7.b., Florida Statutes, until July 1, 2006. 14 Section 3. This act shall take effect upon becoming a 15 16 law. 17 18 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR Senate Bill 1306 19 20 21 The committee substitute differs from the bill in that it: 22 Increases from eight to nine, the number of facilities for new or retained professional sports franchises that 23 the Office of Tourism, Trade, and Economic Development can certify. 2.4 Provides that, if previously certified, a professional 25 sports franchise can not be granted an additional facility certification, unless the certified facility was the home of two professional sports franchises. The 2.6 franchise continuing to use the facility will be considered the franchise forming the basis of the previous certification, and the previous certification 27 2.8 will apply for the time period permitted from the original date of certification. 29 Provides that facilities for new or retained professional sports franchises that are certified after the effective 30 date of this committee substitute may not receive sales tax distributions until July 1, 2006. 31

CODING: Words stricken are deletions; words underlined are additions.