

A bill to be entitled

An act relating to professional sports franchises; amending s. 288.1162, F.S.; providing an exception to a provision prohibiting certain persons who have previously received funding from receiving additional funds; increasing the number of facilities that may be certified as facilities for certain new or retained professional sports franchises; authorizing an additional certification of a facility for a specified Major League Baseball franchise; providing that a franchise that continues to occupy a facility that was concurrently occupied by two professional sports franchises shall be deemed the franchise that formed the basis of the previous certification; providing an effective date.

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

Section 1. Paragraph (h) of subsection (4) and subsections (7) and (9) of section 288.1162, Florida Statutes, are amended, and subsection (10) is added to that section, to read:

288.1162 Professional sports franchises; spring training franchises; duties.--

(4) Prior to certifying an applicant as a "facility for a new professional sports franchise" or a "facility for a retained professional sports franchise," the Office of Tourism, Trade, and Economic Development must determine that:

(h) An ~~No~~ applicant previously certified under any provision of this section who has received funding under such

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29 certification is not ~~shall be~~ eligible for an additional  
30 certification, except as provided in subsections (9) and (10).

31 (7) (a) The Office of Tourism, Trade, and Economic  
32 Development shall notify the Department of Revenue of any  
33 facility certified as a facility for a new professional sports  
34 franchise or a facility for a retained professional sports  
35 franchise or as a facility for a retained spring training  
36 franchise. The Office of Tourism, Trade, and Economic  
37 Development shall certify no more than nine ~~eight~~ facilities as  
38 facilities for a new professional sports franchise or as  
39 facilities for a retained professional sports franchise,  
40 including in such total any facilities certified by the  
41 Department of Commerce before July 1, 1996. The number of  
42 facilities certified as a retained spring training franchise  
43 shall be as provided in subsection (5). The office may make no  
44 more than one certification for any facility. The office may not  
45 certify funding for less than the requested amount to any  
46 applicant certified as a facility for a retained spring training  
47 franchise.

48 (b) The eighth certification of an applicant under this  
49 section as a facility for a new professional sports franchise or  
50 a facility for a retained professional sports franchise shall be  
51 for a franchise that is a member of the National Basketball  
52 Association, has been located within the state since 1987, and  
53 has not been previously certified. This paragraph is repealed  
54 July 1, 2010.

55 (c) The ninth certification of an applicant under this  
56 section as a facility for a new professional sports franchise or

57 a facility for a retained professional sports franchise shall be  
 58 for a franchise that is a member of Major League Baseball and  
 59 has been located within the state since 1993.

60 (9) An applicant is not qualified for certification under  
 61 this section if the franchise formed the basis for a previous  
 62 certification, unless:

63 (a) The previous certification was withdrawn by the  
 64 facility or invalidated by the Office of Tourism, Trade, and  
 65 Economic Development or the Department of Commerce before any  
 66 funds were distributed pursuant to s. 212.20; ~~or-~~

67 (b) The applicant will be the home facility for a  
 68 professional sports franchise that served as the basis for  
 69 certifying a facility that was occupied by two franchises. This  
 70 subsection does not disqualify an applicant if the previous  
 71 certification occurred between May 23, 1993, and May 25, 1993;  
 72 however, any funds to be distributed pursuant to s. 212.20 for  
 73 the second certification shall be offset by the amount  
 74 distributed to the previous certified facility. Distribution of  
 75 funds for the second certification shall not be made until all  
 76 amounts payable for the first certification have been  
 77 distributed.

78 (10) Notwithstanding any other provision of this section,  
 79 a franchise continuing to use a facility that was concurrently  
 80 occupied by two professional sports franchises shall be deemed  
 81 the franchise forming the basis of the previous certification  
 82 and the previous certification shall continue to apply for the  
 83 period permitted from the original date of certification.

84 Section 2. This act shall take effect July 1, 2007.