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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
02/07/2012	.	
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The Committee on Commerce and Tourism (Lynn) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Section 288.11685, Florida Statutes, is created to read:

288.11685 Promotion of golf tourism and economic development; statewide golf trail.-

(1) Enterprise Florida, Inc., may establish within the state, develop, and promote a comprehensive statewide golf trail to support the expansion of international and domestic golf tourism in the state, the creation of jobs, and the economic



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13 development of the golf industry and its related hospitality,
14 travel, sales, retail, real estate, equipment manufacturing, and
15 distribution services in the state.

16 (2) Enterprise Florida, Inc., to the maximum extent
17 practicable, shall cooperate with existing professional and
18 amateur golf associations, golf courses, golf industry
19 businesses, statewide and regional golf marketing efforts, and
20 the PGA Golf Professional Hall of Fame to effectively implement
21 the statewide golf trail and promote the state's regional and
22 local golf courses and golf industry businesses.

23 (3) Enterprise Florida, Inc., shall designate and may
24 license a proprietary name used for promotion of the statewide
25 golf trail and shall develop criteria for the most effective use
26 of the brand. Enterprise Florida, Inc., shall maintain and
27 protect the name, brand, proprietary marks, and other
28 intellectual property of the statewide golf trail in a manner
29 consistent with state and federal law which ensures that
30 Enterprise Florida, Inc., and its licensees have exclusive use
31 of such name, brand, proprietary marks, and other intellectual
32 property.

33 (4) Enterprise Florida, Inc., is encouraged to enter into
34 licensing arrangements or contracts with golf courses, tourism
35 promotion agencies, and other golf industry businesses which
36 facilitate the efficient, cost-effective, and successful
37 financing, development, and promotion of the statewide golf
38 trail. However, Enterprise Florida, Inc., may not accept any
39 financial responsibility or liability for the creation of the
40 statewide golf trail or its related activities but may receive
41 compensation for licensing under subsection (3).



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42 (5) The Department of Economic Opportunity, the Florida
43 Tourism Industry Marketing Corporation, and other economic
44 development and tourism promotion agencies at the state and
45 local levels shall support the development, branding, and
46 promotion of the statewide golf trail.

47 (6) By February 1 of each year, beginning in 2012,
48 Enterprise Florida, Inc., shall submit an annual report to the
49 President of the Senate and the Speaker of the House of
50 Representatives on the progress and success of the statewide
51 golf trail.

52 Section 2. Section 196.2003, Florida Statutes, is created
53 to read:

54 196.2003 Donation of golf course property for public
55 purposes; exemption from ad valorem taxation.-

56 (1) As used in this section, the term:

57 (a) "Local government" means a county, municipality, school
58 district, or other political subdivision of the state.

59 (b) "Nonprofit organization" means an organization that,
60 according to the criteria in s. 196.195, is a nonprofit venture.

61 (2) The owner of a public or private golf course is
62 encouraged to donate all or any portion of the golf course
63 property and any vested or permitted rights to the state, a
64 local government, or a nonprofit organization for use by the
65 public for recreational, agricultural, environmental, or
66 educational and training purposes. Such purposes may include,
67 but are not limited to:

68 (a) Parks or greenway trails.

69 (b) Walking, hiking, canoeing, bicycling, or equestrian
70 activities.



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- 71 (c) Wildlife viewing, youth recreation, or sports.
- 72 (d) Agriculture, urban gardening, fishing, hunting, or
- 73 other outdoor uses.
- 74 (3) The owner may donate or retain any vested or permitted
- 75 rights in golf course property that is donated under this
- 76 section.
- 77 (4) Any portion of golf course property that is donated to
- 78 the state, a local government, or a nonprofit organization for
- 79 use by the public for any purpose described in subsection (2) is
- 80 eligible for exemption from ad valorem taxation under ss.
- 81 196.192 and 196.199.

82 Section 3. This act shall take effect July 1, 2012.

83
84 ===== T I T L E A M E N D M E N T =====

85 And the title is amended as follows:

86 Delete everything before the enacting clause
87 and insert:

88 A bill to be entitled
89 An act relating to economic development; creating s.
90 288.11685, F.S.; authorizing Enterprise Florida, Inc.,
91 to establish a statewide golf trail; requiring
92 Enterprise Florida, Inc., to cooperate with various
93 entities; requiring Enterprise Florida, Inc., to
94 designate a proprietary name for the statewide golf
95 trail; authorizing Enterprise Florida, Inc., to
96 license the name and receive compensation for such
97 licensing; requiring Enterprise Florida, Inc., to
98 maintain and protect the name, brand, proprietary
99 marks, and intellectual property of the statewide golf



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100 trail in a specified manner; encouraging Enterprise
101 Florida, Inc., to enter into certain licensing
102 arrangements or contracts; prohibiting Enterprise
103 Florida, Inc., from accepting certain financial
104 responsibility or liability for the statewide golf
105 trail; directing various economic development and
106 tourism promotion agencies to support the statewide
107 golf trail; requiring Enterprise Florida, Inc., to
108 submit an annual report to the Legislature on the
109 statewide golf trail; creating s. 196.2003, F.S.;
110 defining the terms "local government" and "nonprofit
111 organization" for purposes of the act; encouraging the
112 donation of public or private golf course property to
113 the state, a local government, or a nonprofit
114 organization for certain purposes; authorizing the
115 owners of golf course property to donate or retain any
116 vested or permitted rights in the property; providing
117 that any portion of golf course property that is
118 donated is eligible for exemption from ad valorem
119 taxation; providing an effective date.