

1                                   A bill to be entitled  
2           An act relating to the Florida Sports Foundation;  
3           amending s. 20.60, F.S.; requiring the Department of  
4           Economic Opportunity to contract with the Florida  
5           Sports Foundation to promote the sports industry and  
6           the participation of residents in certain athletic  
7           competitions in this state and to promote the state as  
8           a host for certain athletic competitions; reviving,  
9           reenacting, and amending s. 288.1229, F.S., relating  
10          to the promotion and development of sports-related  
11          industries and amateur athletics; requiring the  
12          department to establish a direct-support organization  
13          to be known as the "Florida Sports Foundation," rather  
14          than authorizing the Office of Tourism, Trade, and  
15          Economic Development to authorize a direct-support  
16          organization, to assist the department in certain  
17          promotion and development activities; specifying  
18          requirements of the foundation, including appointment  
19          of its board of directors; specifying composition of  
20          the board; requiring the Governor, rather than the  
21          board, to consider certain information when appointing  
22          at-large members to the board; requiring the  
23          foundation to operate under written contract with the  
24          department; specifying provisions that must be  
25          included in the contract; authorizing the department

26 | to allow the foundation to use certain property,  
27 | facilities, personnel, and services if it complies  
28 | with specified provisions; requiring an annual  
29 | financial audit of the foundation; providing that the  
30 | foundation is not granted any taxing power; deleting  
31 | certain provisions related to the Office of Tourism,  
32 | Trade, and Economic Development and a specified  
33 | direct-support organization; specifying the duties of  
34 | the foundation; requiring the development of a  
35 | statewide amateur athletic competition to be known as  
36 | the "Florida Senior Games"; removing residency and  
37 | other requirements for participants in certain  
38 | athletic competitions; authorizing the department,  
39 | rather than the Executive Office of the Governor, to  
40 | allow the use of certain property, facilities, and  
41 | personal services under certain circumstances;  
42 | conforming provisions to changes made by the act;  
43 | amending s. 320.08058, F.S.; conforming provisions to  
44 | changes made by the act; requiring the foundation,  
45 | rather than Enterprise Florida, Inc., to administer  
46 | certain license plate programs; revising the uses of  
47 | certain license plate proceeds; providing an effective  
48 | date.

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

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Section 1. Paragraph (g) is added to subsection (4) of section 20.60, Florida Statutes, to read:

20.60 Department of Economic Opportunity; creation; powers and duties.—

(4) The purpose of the department is to assist the Governor in working with the Legislature, state agencies, business leaders, and economic development professionals to formulate and implement coherent and consistent policies and strategies designed to promote economic opportunities for all Floridians. To accomplish such purposes, the department shall:

(g) Notwithstanding part I of chapter 287, contract with the Florida Sports Foundation established under s. 288.1229 to guide, stimulate, and promote the sports industry in this state; to promote the participation of residents of this state in amateur athletic competitions; and to promote this state as a host for national and international amateur athletic competitions.

Section 2. Notwithstanding the repeal of section 288.1229, Florida Statutes, in section 485 of chapter 2011-142, Laws of Florida, section 288.1229, Florida Statutes, is revived, reenacted, and amended to read:

288.1229 Promotion and development of sports-related industries and amateur athletics; Florida Sports Foundation ~~direct-support organization~~; powers and duties.—

76 (1) The Department of Economic Opportunity shall establish  
 77 a direct-support organization to be known as the "Florida Sports  
 78 Foundation." ~~The foundation shall The Office of Tourism, Trade,~~  
 79 ~~and Economic Development may authorize a direct-support~~  
 80 ~~organization to~~ assist the department ~~office~~ in:

81 (a) The promotion and development of the sports industry  
 82 and related industries for the purpose of improving the economic  
 83 presence of these industries in Florida.

84 (b) The promotion of amateur athletic participation for  
 85 the citizens of Florida and the promotion of Florida as a host  
 86 for national and international amateur athletic competitions for  
 87 the purpose of encouraging and increasing the direct and  
 88 ancillary economic benefits of amateur athletic events and  
 89 competitions.

90 (c) The retention of professional sports franchises,  
 91 including the spring training operations of Major League  
 92 Baseball.

93 (2) The Florida Sports Foundation ~~To be authorized as a~~  
 94 ~~direct-support organization, an organization~~ must:

95 (a) Be incorporated as a corporation not for profit  
 96 pursuant to chapter 617.

97 (b) 1. Be governed by a board of directors, which must  
 98 consist of 20 ~~up to 15~~ members appointed by the Governor as  
 99 follows:

100 a. Ten members representing Florida professional sports

101 franchises of Major League Baseball, the National Basketball  
102 Association, the National Football League, the Arena Football  
103 League, the National Hockey League, and the Major League Soccer  
104 teams domiciled in this state.

105 b. Two member representing Florida sports commissions.

106 c. One member representing the boating and fishing  
107 industries in Florida.

108 d. One member representing the golf industry in Florida.

109 e. One member representing Major League Baseball spring  
110 training.

111 f. One member representing the automobile racing industry  
112 in Florida.

113 g. Four members-at-large and up to 15 members appointed by  
114 the existing board of directors. In making at-large  
115 appointments, the Governor board must consider a potential  
116 member's background in community service and sports activism in,  
117 and financial support of, the sports industry, professional  
118 sports, or organized amateur athletics. Members must be  
119 residents of the state and highly knowledgeable about or active  
120 in professional or organized amateur sports. The board must

121 2. In the membership of its board of directors, contain  
122 representatives of all geographical regions of the state and  
123 must represent ethnic and gender diversity. The terms of office  
124 of the members shall be 4 years. No member may serve more than  
125 two consecutive terms. The Governor may remove any member for

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126 | cause and shall fill all vacancies that occur.

127 |       (c) Have as its purpose, as stated in its articles of  
128 | incorporation, to receive, hold, invest, and administer  
129 | property; to raise funds and receive gifts; and to promote and  
130 | develop the sports industry and related industries for the  
131 | purpose of increasing the economic presence of these industries  
132 | in Florida.

133 |       (d) Have a prior determination by the department ~~Office of~~  
134 | ~~Tourism, Trade, and Economic Development~~ that it the  
135 | ~~organization~~ will benefit the department ~~office~~ and act in the  
136 | best interests of the state as a direct-support organization to  
137 | the department ~~office~~.

138 |       (3) The Florida Sports Foundation shall operate under  
139 | written contract with the department. The department shall enter  
140 | into a contract with the foundation by July 1, 2017. The  
141 | contract must provide ~~Office of Tourism, Trade, and Economic~~  
142 | ~~Development shall contract with the organization and shall~~  
143 | ~~include in the contract that:~~

144 |       (a) The department ~~office~~ may review the foundation's  
145 | ~~organization's~~ articles of incorporation.

146 |       (b) The foundation ~~organization~~ shall submit an annual  
147 | budget proposal to the department ~~office~~, on a form provided by  
148 | the department ~~office~~, in accordance with department ~~office~~  
149 | procedures for filing budget proposals based upon the  
150 | recommendation of the department ~~office~~.

151 (c) Any funds that the foundation ~~organization~~ holds in  
152 trust will revert to the state upon the expiration or  
153 cancellation of the contract.

154 (d) The foundation ~~organization~~ is subject to an annual  
155 financial and performance review by the department ~~office~~ to  
156 determine whether the foundation ~~organization~~ is complying with  
157 the terms of the contract and whether it is acting in a manner  
158 consistent with the goals of the department ~~office~~ and in the  
159 best interests of the state.

160 (e) The fiscal year of the foundation ~~organization~~ ~~begins~~  
161 ~~will begin~~ July 1 of each year and ends ~~end~~ June 30 of the next  
162 ~~ensuing~~ year.

163 (4) The department ~~Office of Tourism, Trade, and Economic~~  
164 ~~Development~~ may allow the foundation ~~organization~~ to use the  
165 property, facilities, personnel, and services of the department  
166 ~~office~~ if the foundation ~~organization~~ provides equal employment  
167 opportunities to all persons regardless of race, color,  
168 religion, sex, age, or national origin, subject to the approval  
169 of the executive director of the department ~~office~~.

170 (5) The foundation ~~organization~~ shall provide for an  
171 annual financial audit in accordance with s. 215.981.

172 (6) The foundation ~~organization~~ is not granted any taxing  
173 power.

174 ~~(7) In exercising the power provided in this section, the~~  
175 ~~Office of Tourism, Trade, and Economic Development may authorize~~

176 | ~~and contract with the direct-support organization existing on~~  
177 | ~~June 30, 1996, and authorized by the former Florida Department~~  
178 | ~~of Commerce to promote sports-related industries. An appointed~~  
179 | ~~member of the board of directors of such direct-support~~  
180 | ~~organization as of June 30, 1996, may serve the remainder of his~~  
181 | ~~or her unexpired term.~~

182 | (7)~~(8)~~ To promote amateur sports and physical fitness, the  
183 | foundation ~~direct-support organization~~ shall:

184 | (a) Develop, foster, and coordinate services and programs  
185 | for amateur sports for the people of Florida.

186 | (b) Sponsor amateur sports workshops, clinics,  
187 | conferences, and other similar activities.

188 | (c) Give recognition to outstanding developments and  
189 | achievements in, and contributions to, amateur sports.

190 | (d) Encourage, support, and assist local governments and  
191 | communities in the development of or hosting of local amateur  
192 | athletic events and competitions.

193 | (e) Promote Florida as a host for national and  
194 | international amateur athletic competitions.

195 | (f) Develop a statewide programs ~~program~~ of amateur  
196 | athletic competition to be known as the "Florida Senior Games"  
197 | and the "Sunshine State Games."

198 | (g) Continue the successful amateur sports programs  
199 | previously conducted by the Florida Governor's Council on  
200 | Physical Fitness and Amateur Sports created under former s.



201 14.22.

202 (h) Encourage and continue the use of volunteers in its  
203 amateur sports programs to the maximum extent possible.

204 (i) Develop, foster, and coordinate services and programs  
205 designed to encourage the participation of Florida's youth in  
206 Olympic sports activities and competitions.

207 (j) Foster and coordinate services and programs designed  
208 to contribute to the physical fitness of the citizens of  
209 Florida.

210 ~~(8) (a) (9) (a)~~ The Florida Senior Games and the Sunshine  
211 State Games shall both be patterned after the Summer Olympics  
212 with variations as necessitated by availability of facilities,  
213 equipment, and expertise. The games shall be designed to  
214 encourage the participation of athletes representing a broad  
215 range of age groups, skill levels, and Florida communities.  
216 ~~Participants shall be residents of this state. Regional~~  
217 ~~competitions shall be held throughout the state, and the top~~  
218 ~~qualifiers in each sport shall proceed to the final competitions~~  
219 ~~to be held at a site in the state with the necessary facilities~~  
220 ~~and equipment for conducting the competitions.~~

221 (b) The department may authorize ~~Executive Office of the~~  
222 ~~Governor is authorized to permit~~ the use of property,  
223 facilities, and personal services of or at any State University  
224 System facility or institution by the foundation ~~direct-support~~  
225 ~~organization~~ operating the Florida Senior Games and the Sunshine

226 State Games. For the purposes of this paragraph, personal  
227 services includes full-time or part-time personnel as well as  
228 payroll processing.

229 Section 3. Paragraph (a) of subsection (6), paragraph (b)  
230 of subsection (9), paragraph (a) of subsection (35), subsection  
231 (60), and paragraph (b) of subsection (64) of section 320.08058,  
232 Florida Statutes, are amended to read:

233 320.08058 Specialty license plates.—

234 (6) FLORIDA UNITED STATES OLYMPIC COMMITTEE LICENSE  
235 PLATES.—

236 (a) Because the United States Olympic Committee has  
237 selected this state to participate in a combined fundraising  
238 program that provides for one-half of all money raised through  
239 volunteer giving to stay in this state and be administered by  
240 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, to  
241 support amateur sports, ~~and~~ because the United States Olympic  
242 Committee and the Florida Sports Foundation ~~Enterprise Florida,~~  
243 ~~Inc.~~, are nonprofit organizations dedicated to providing  
244 athletes with support and training and preparing athletes of all  
245 ages and skill levels for sports competition, ~~and~~ because the  
246 Florida Sports Foundation ~~Enterprise Florida, Inc.~~, assists in  
247 the bidding for sports competitions that provide significant  
248 impact to the economy of this state, and because the Legislature  
249 supports the efforts of the United States Olympic Committee and  
250 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, the

251 Legislature establishes a Florida United States Olympic  
 252 Committee license plate for the purpose of providing a  
 253 continuous funding source to support this worthwhile effort.  
 254 Florida United States Olympic Committee license plates must  
 255 contain the official United States Olympic Committee logo and  
 256 must bear a design and colors that are approved by the  
 257 department. The word "Florida" must be centered at the top of  
 258 the plate.

259 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

260 (b) The license plate annual use fees are to be annually  
 261 distributed as follows:

262 1. Fifty-five percent of the proceeds from the Florida  
 263 Professional Sports Team plate must be deposited into the  
 264 Professional Sports Development Trust Fund within the Department  
 265 of Economic Opportunity. These funds must be used solely to  
 266 attract and support major sports events in this state. As used  
 267 in this subparagraph, the term "major sports events" means, but  
 268 is not limited to, championship or all-star contests of Major  
 269 League Baseball, the National Basketball Association, the  
 270 National Football League, the National Hockey League, Major  
 271 League Soccer, the men's and women's National Collegiate  
 272 Athletic Association championships ~~Final Four basketball~~  
 273 ~~championship~~, or a horseracing or dogracing Breeders' Cup. All  
 274 funds must be used to support and promote major sporting events,  
 275 and the uses must be approved by the Department of Economic

276 Opportunity.

277         2. The remaining proceeds of the Florida Professional  
278 Sports Team license plate must be allocated to the Florida  
279 Sports Foundation ~~Enterprise Florida, Inc.~~ These funds must be  
280 deposited into the Professional Sports Development Trust Fund  
281 within the Department of Economic Opportunity. These funds must  
282 be used by the Florida Sports Foundation ~~Enterprise Florida,~~  
283 ~~Inc.,~~ to promote the economic development of the sports  
284 industry; to distribute licensing and royalty fees to  
285 participating professional sports teams; ~~to promote education~~  
286 ~~programs in Florida schools that provide an awareness of the~~  
287 ~~benefits of physical activity and nutrition standards; to~~  
288 ~~partner with the Department of Education and the Department of~~  
289 ~~Health to develop a program that recognizes schools whose~~  
290 ~~students demonstrate excellent physical fitness or fitness~~  
291 ~~improvement;~~ to institute a grant program for communities  
292 bidding on minor sporting events that create an economic impact  
293 for the state; to distribute funds to Florida-based charities  
294 designated by the Florida Sports Foundation ~~Enterprise Florida,~~  
295 ~~Inc.,~~ and the participating professional sports teams; and to  
296 fulfill the sports promotion responsibilities of the Department  
297 of Economic Opportunity.

298         3. The Florida Sports Foundation ~~Enterprise Florida, Inc.,~~  
299 shall provide an annual financial audit in accordance with s.  
300 215.981 of its financial accounts and records by an independent

301 certified public accountant pursuant to the contract established  
302 by the Department of Economic Opportunity. The auditor shall  
303 submit the audit report to the Department of Economic  
304 Opportunity for review and approval. If the audit report is  
305 approved, the Department of Economic Opportunity shall certify  
306 the audit report to the Auditor General for review.

307 4. Notwithstanding the provisions of subparagraphs 1. and  
308 2., proceeds from the Professional Sports Development Trust Fund  
309 may also be used for operational expenses of the Florida Sports  
310 Foundation ~~Enterprise Florida, Inc.~~, and financial support of  
311 the Sunshine State Games.

312 (35) FLORIDA GOLF LICENSE PLATES.—

313 (a) The Department of Highway Safety and Motor Vehicles  
314 shall develop a Florida Golf license plate as provided in this  
315 section. The word "Florida" must appear at the bottom of the  
316 plate. The Dade Amateur Golf Association, following consultation  
317 with the PGA TOUR, the Florida Sports Foundation ~~Enterprise~~  
318 ~~Florida, Inc.~~, the LPGA, and the PGA of America, may submit a  
319 revised sample plate for consideration by the department.

320 (60) FLORIDA NASCAR LICENSE PLATES.—

321 (a) The department shall develop a Florida NASCAR license  
322 plate as provided in this section. Florida NASCAR license plates  
323 must bear the colors and design approved by the department. The  
324 word "Florida" must appear at the top of the plate, and the term  
325 "NASCAR" must appear at the bottom of the plate. The National

326 Association for Stock Car Auto Racing, following consultation  
 327 with the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, may  
 328 submit a sample plate for consideration by the department.

329 (b) The license plate annual use fees shall be distributed  
 330 to the Florida Sports Foundation ~~Enterprise Florida, Inc.~~. The  
 331 license plate annual use fees shall be annually allocated as  
 332 follows:

333 1. Up to 5 percent of the proceeds from the annual use  
 334 fees may be used by the Florida Sports Foundation ~~Enterprise~~  
 335 ~~Florida, Inc.~~, for the administration of the NASCAR license  
 336 plate program.

337 2. The National Association for Stock Car Auto Racing  
 338 shall receive up to \$60,000 in proceeds from the annual use fees  
 339 to be used to pay startup costs, including costs incurred in  
 340 developing and issuing the plates. Thereafter, 10 percent of the  
 341 proceeds from the annual use fees shall be provided to the  
 342 association for the royalty rights for the use of its marks.

343 3. The remaining proceeds from the annual use fees shall  
 344 be distributed to the Florida Sports Foundation. The Florida  
 345 Sports Foundation ~~Enterprise Florida, Inc. Enterprise Florida,~~  
 346 ~~Inc.~~, will retain 15 percent to support its regional grant  
 347 program, attracting sporting events to Florida; 20 percent to  
 348 support the marketing of motorsports-related tourism in the  
 349 state; and 50 percent to be paid to the NASCAR Foundation, a s.  
 350 501(c)(3) charitable organization, to support Florida-based

351 charitable organizations.

352 (c) The Florida Sports Foundation ~~Enterprise Florida,~~  
353 ~~Inc.,~~ shall provide an annual financial audit in accordance with  
354 s. 215.981 of its financial accounts and records by an  
355 independent certified public accountant pursuant to the contract  
356 established by the Department of Economic Opportunity. The  
357 auditor shall submit the audit report to the Department of  
358 Economic Opportunity for review and approval. If the audit  
359 report is approved, the Department of Economic Opportunity shall  
360 certify the audit report to the Auditor General for review.

361 (64) FLORIDA TENNIS LICENSE PLATES.—

362 (b) The department shall distribute the annual use fees to  
363 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The  
364 license plate annual use fees shall be annually allocated as  
365 follows:

366 1. Up to 5 percent of the proceeds from the annual use  
367 fees may be used by the Florida Sports Foundation ~~Enterprise~~  
368 ~~Florida, Inc.,~~ to administer the license plate program.

369 2. The United States Tennis Association Florida Section  
370 Foundation shall receive the first \$60,000 in proceeds from the  
371 annual use fees to reimburse it for startup costs,  
372 administrative costs, and other costs it incurs in the  
373 development and approval process.

374 3. Up to 5 percent of the proceeds from the annual use  
375 fees may be used for promoting and marketing the license plates.

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376 | The remaining proceeds shall be available for grants by the  
377 | United States Tennis Association Florida Section Foundation to  
378 | nonprofit organizations to operate youth tennis programs and  
379 | adaptive tennis programs for special populations of all ages,  
380 | and for building, renovating, and maintaining public tennis  
381 | courts.

382 |       Section 4. This act shall take effect upon becoming a law.