

By Representative Rojas

1 A bill to be entitled
2 An act relating to the Florida Sports
3 Authority; creating the "Florida Sports
4 Authority Law"; providing a declaration of
5 policy; providing definitions; creating the
6 Florida Sports Authority; providing for
7 appointment of members; providing for powers
8 and duties; providing for the submission of an
9 annual budget to the state; providing for the
10 recordation of the budget in minutes; providing
11 for an audit contract; providing for authority
12 projects; providing for revenue application;
13 providing for authority to operate a Florida
14 Sports Hall of Fame; providing for consultation
15 with local officials; authorizing the authority
16 to apply for and obtain a pari-mutuel wagering
17 permit; providing for the distribution of
18 revenues; providing for employees; providing
19 conditions for the relocation of public
20 highways, entry on lands, waters, or premises,
21 and the regulation of public facilities by the
22 authority under certain circumstances;
23 providing for eminent domain; providing for the
24 issuance and terms of bonds or notes; providing
25 for covenants to secure payment; providing for
26 the pledge of revenues, funds, or other
27 property; providing for certain liens;
28 providing limitations on personal liability;
29 providing for the establishment of reserves,
30 funds, or accounts; providing for debt service
31 reserve funds; providing a limitation on the

1 issuance of bonds; providing for the
2 accumulation of certain moneys; providing for
3 the nonliability of the state or its political
4 subdivisions; providing for the right of the
5 state to require redemption prior to maturity;
6 providing for the Sports Authority Fund;
7 providing for other bonds and notes; providing
8 for luxury tax revenues; providing for
9 guarantee by the state not to limit or alter
10 rights or powers vested in the authority;
11 providing for authorization as legal investment
12 or security for public deposits; providing for
13 the lease or conveyance of land by the state or
14 governmental subdivision; providing for tax
15 exemptions for certain projects and property of
16 the authority; providing for an annual report
17 and audit; providing for services by state
18 officers, departments, boards, agencies,
19 divisions, and commissions; providing for
20 public bids on certain contracts; providing for
21 set-aside contract goals; providing for
22 exemptions; providing for the award of certain
23 contracts without public advertisement;
24 providing for work by employees of the
25 authority; providing for the effect of certain
26 inconsistent rules; providing for severability;
27 providing for the construction of the act;
28 providing for legislative findings and
29 declarations; providing for the acquisition,
30 operation, maintenance, repair, reconstruction,
31 and improvement of a pari-mutuel wagering

1 facility by the authority; providing for a
2 feasibility study; providing for approval by
3 the Legislature; providing for the conduct of
4 pari-mutuel wagering events and pari-mutuel
5 wagering; providing an effective date.
6

7 Be It Enacted by the Legislature of the State of Florida:
8

9 Section 1. Short title.--This act shall be known and
10 may be cited as the "Florida Sports Authority Law."

11 Section 2. Declaration of policy.--

12 (1) The Legislature finds and declares that the
13 general welfare, health, and prosperity of the people of
14 Florida will be promoted by the holding of athletic contests,
15 pari-mutuel wagering events, and other spectator sporting
16 events, and trade shows and other expositions; that it is
17 necessary to provide stadiums and related facilities for
18 pari-mutuel wagering and such spectator sporting events and
19 other events described herein; and that such events would
20 provide needed recreation, forums, and expositions for the
21 public.

22 (2) The Legislature further finds and declares that
23 additional facilities are needed in the state to accommodate
24 trade shows and other expositions in order to promote industry
25 and development in the state and to provide a forum for public
26 events.

27 (3) The Legislature has determined that to provide for
28 the events, including the establishment and operation of
29 necessary facilities for such purposes, a corporate agency of
30 the state shall be created with the necessary powers to
31 accomplish these purposes.

1 (4) The Legislature further finds that the authority
2 and powers conferred under this act and the expenditure of
3 public moneys pursuant thereto constitutes a valid public
4 purpose and that the enactment of the provisions of this act
5 is in the public interest and is declared to be such a matter
6 of express legislative determination.

7 Section 3. Definitions.--As used in this act:

8 (1) "Act" means the Florida Sports Authority Law.

9 (2) "Authority" means the Florida Sports Authority
10 created by the act.

11 (3) "Bonds" means bonds issued by the authority
12 pursuant to the act.

13 (4) "Complex" means the sports and exposition project
14 authorized by the act.

15 (5) "Notes" means notes issued by the authority.

16 (6) "Projects" means any project which the authority
17 is authorized to undertake.

18 (7) "State" means the State of Florida.

19 (8) "Credit agreement" means loan agreement, revolving
20 credit agreement, agreement establishing a line of credit,
21 letter of credit, reimbursement agreement, interest exchange
22 agreement, insurance contract, surety bond, commitment to
23 purchase bond, purchase or sale agreement, or commitments or
24 other contracts or agreements authorized and approved by the
25 authority in connection with the authorization, issuance,
26 security, or payment of bonds.

27 (9) "Luxury tax" means the tax levied and collected by
28 the City of Miami, County of Miami-Dade.

29 (10) "Tourism related tax" means the tax levied and
30 collected pursuant to any tourism improvement and development
31 district.

1 Section 4. Florida Sports Authority created.--
2 (1) There is established in the office of the
3 Secretary of State a public body corporate and politic, with
4 corporate succession, to be known as the Florida Sports
5 Authority. The authority is constituted as an instrumentality
6 of the state, and the exercise by the authority of the powers
7 conferred by this act is deemed to be an essential
8 governmental function of the state, and the application of
9 revenue derived from the projects of the authority to the
10 purposes provided in this act is deemed to be in support of
11 government.
12 (2) The authority shall consist of the State
13 Treasurer, the Secretary of State, the President of the
14 Florida Sports Authority, three members appointed by the
15 Governor with the advice and consent of the Senate, three
16 members appointed by the President of the Senate, and three
17 members appointed by the Speaker of the House of
18 Representatives, for terms of 4 years, provided that the
19 members first appointed by the Governor shall serve for terms
20 of 1 year, 2 years, and 3 years, respectively. Each member
21 shall hold office for the term of his or her appointment and
22 until his or her successor has been appointed and qualified. A
23 member shall be eligible for reappointment. Any vacancy in the
24 membership occurring other than by expiration of term shall be
25 filled for the remainder of the unexpired term in the same
26 manner as the original appointment.
27 (3) Each appointed member may be removed from office
28 by the Governor, for cause, after a public hearing, and may be
29 suspended by the Governor pending the completion of such
30 hearing. Each member before entering upon his or her duties
31 shall take and subscribe an oath to perform the duties of

1 office faithfully, impartially, and justly to the best of his
2 or her ability. A record of such oaths shall be filed in the
3 office of the Secretary of State.

4 (4) The chair shall be appointed by the Governor from
5 the members of the authority and the members shall elect one
6 of their number as vice chair. The authority shall elect a
7 secretary and a treasurer, who need not be members, and the
8 same person may be elected to serve both as secretary and
9 treasurer. The powers of the authority shall be vested in its
10 members, and seven members shall constitute a quorum at any
11 meeting thereof. Action may be taken and motions and
12 resolutions adopted at any meeting by the affirmative vote of
13 at least seven members. No vacancy in the membership shall
14 impair the right of a quorum of the members to exercise all of
15 the powers and perform all of the duties of the authority.

16 (5) Each member and the treasurer shall execute a bond
17 to be conditioned upon the faithful performance of the duties
18 of such member or treasurer, in such form and amount as may be
19 prescribed by the Secretary of State. Such bonds shall be
20 filed in the Office of the Secretary of State. At all times
21 thereafter, the members and the treasurer shall maintain such
22 bonds in full force and effect. All costs of such bonds shall
23 be borne by the authority.

24 (6) The members of the authority shall serve without
25 compensation, but the authority shall reimburse its members
26 for actual expenses necessarily incurred in the discharge of
27 their duties pursuant to s. 112.061, Florida Statutes.
28 Notwithstanding the provisions of any other law, no officer or
29 employee of the state shall forfeit his or her office or
30 employment, or any benefits or emoluments thereof, by reason
31 of his or her serving as a member of the authority.

1 (7) Each member of the authority may designate an
2 officer or employee of his or her department or agency to
3 represent the member at meetings of the authority, and each
4 such designee may lawfully vote and otherwise act on behalf of
5 the member by whom he or she has been designated. Any such
6 designation shall be in writing delivered to the authority and
7 shall continue in effect until revoked or amended by writing
8 delivered to the authority.

9 (8) The authority may be dissolved by act of the
10 Legislature on condition that the authority has no debts or
11 obligations outstanding or that provision has been made for
12 the payment or retirement of such debts or obligations. Upon
13 such dissolution, all property, funds, and assets of the
14 authority shall be vested in the state.

15 (9) A true copy of the minutes of each meeting shall
16 be delivered to the Governor by and under the certification of
17 the secretary of the authority. No action taken at any meeting
18 shall have force or effect until 15 days after the copy of the
19 minutes has been so delivered unless, during the 15-day
20 period, the Governor approves the action, which shall become
21 effective at that time. If, during the 15-day period, the
22 Governor returns the minutes with veto of any action taken,
23 the action shall be null and void. The powers conferred upon
24 the Governor by this subsection shall be exercised with due
25 regard for the rights of the holders of bonds and notes of the
26 authority at any time outstanding, and nothing in, or done
27 pursuant to, this subsection shall in any way limit, restrict,
28 or alter the obligation or powers of the authority or any
29 representative or officer of the authority to carry out and
30 perform in every detail each covenant, agreement, or contract
31 at any time made or entered into by or on behalf of the

1 authority with respect to its bonds or notes or for the
2 benefit, protection, or security of the holders thereof.
3 Section 5. Powers of the authority.--Except as
4 otherwise limited by the act, the authority shall have power:
5 (1) To sue and be sued.
6 (2) To have an official seal and alter the same at
7 pleasure.
8 (3) To make and alter bylaws for its organization and
9 internal management and for the conduct of its affairs and
10 business.
11 (4) To maintain an office at such place or places
12 within the state as it may determine.
13 (5) To acquire, hold, use, and dispose of its income,
14 revenues, funds, and moneys.
15 (6) To acquire, lease as lessee or lessor, rent, hold,
16 use, and dispose of real or personal property for its
17 purposes.
18 (7) To borrow money and to issue its negotiable bonds
19 or notes and to secure the same by a mortgage on its property
20 or any part thereof, and to enter into any credit agreement,
21 and otherwise to provide for and secure the payment of its
22 bonds and notes and to provide for the rights of the holders
23 thereof.
24 (8) To make and enter into all contracts, leases, and
25 agreements for the use of occupancy and its projects or any
26 part thereof or which are necessary or incidental to the
27 performance of its duties and the exercise of its powers under
28 the act.
29 (9) To make surveys, maps, plans for, and estimates of
30 the cost of its projects.
31

1 (10) To establish, acquire, construct, lease the right
2 to construct, rehabilitate, repair, improve, own, operate, and
3 maintain its projects, and let, award, and enter into
4 construction contracts, purchase orders, and other contracts
5 with respect thereto in such manner as the authority shall
6 determine.

7 (11) To fix and revise from time to time and charge
8 and collect rents, tolls, fees, and charges for the use,
9 occupancy, or services of its projects or any part thereof or
10 for admission thereto, and for the grant of concessions
11 therein and for things furnished or services rendered by the
12 authority.

13 (12) To establish and enforce rules for the use or
14 operation of its projects or the conduct of its activities,
15 and provide for the policing and the security of its projects.

16 (13) To acquire in the name of the authority by
17 purchase or otherwise, on such terms and conditions and in
18 such manner as it may deem proper, or, except with respect to
19 the state, by the exercise of the power of eminent domain, any
20 land and other property which it may determine is reasonably
21 necessary for any of its projects or for the relocation or
22 reconstruction of any highway, and any and all rights, title,
23 and interest in such land and other property, including public
24 lands, reservations, and highways owned by the state or any
25 county, city, town, township, village, public corporation, or
26 other political subdivision of the state, or in which any such
27 entity has any right, title, or interest, or parts thereof or
28 rights therein, and any fee simple absolute or any lessor
29 interest in private property, and any fee simple absolute in
30 easements upon, or the benefit of restrictions upon, abutting
31 property, to preserve and protect any project, except that the

1 authority shall not have the right to exercise the power of
2 eminent domain in connection with projects that are authorized
3 by an act of the Legislature or a local government or
4 municipality.

5 (14) To provide through its employees, or by the grant
6 of one or more concessions, or in part through its employees
7 and in part by grant of one or more concessions, for the
8 furnishing of services and things for the accommodation of
9 persons admitted to or using its projects or any part thereof.

10 (15) To hold and conduct pari-mutuel wagering events
11 for stake, purse, or reward and to provide and operate a
12 pari-mutuel system of wagering at such meetings.

13 (16) To acquire, construct, operate, maintain,
14 improve, and make capital contributions to others and for
15 transportation and other facilities, services, and
16 accommodations for the public's use of its projects, and to
17 lease or otherwise contract for the operation thereof.

18 (17) Subject to any agreement with bondholders or
19 noteholders, to invest moneys of the authority not required
20 for immediate use, including proceeds from the sale of any
21 bonds or notes, in such obligations, securities, and other
22 investments as the authority deems prudent.

23 (18) To contract for and accept any gifts or grants or
24 loans of funds or property or financial or other aid in any
25 form from the Federal Government or any agency or
26 instrumentality thereof, or from the state or any agency,
27 instrumentality, or political subdivision thereof, or from any
28 other source, and to comply, subject to the provisions of this
29 act, with the terms and conditions thereof.

30 (19) Subject to any agreements with bondholders, to
31 purchase bonds or notes of the authority out of any funds or

1 moneys of the authority available therefor, and to hold,
2 cancel, or resell such bonds or notes.

3 (20) To appoint and employ a president, who shall be
4 the chief executive officer, and such additional officers, who
5 need not be members of the authority, and accountants,
6 attorneys, financial advisors or experts, and all such other
7 or different officers, agents, and employees as it may
8 require, and to determine their qualifications, terms of
9 office, duties, and compensation.

10 (21) To perform any acts authorized by this act,
11 under, through, or by means of its officers, agents, or
12 employees or by contract with any person, firm, or
13 corporation.

14 (22) To procure insurance against any losses in
15 connection with its property, operations, or assets, in such
16 amounts and from such insurers as it deems desirable.

17 (23) To do anything, including, but not limited to,
18 the creation or formation of profit or not-for-profit
19 corporations, necessary or convenient to carry out its
20 purposes and exercise the powers granted by this act.

21 (24) To determine the location, type, and character of
22 a project or any part thereof and all other matters in
23 connection with all or any part of a project, notwithstanding
24 any land-use plan, zoning regulation, building code, or
25 similar regulation heretofore or hereafter adopted by the
26 state, any municipality, county, public body politic and
27 corporate, or any other political subdivision of the state.

28 Section 6. Annual operating budget submission to
29 state; recordation in minutes.--

30 (1) In accordance with procedures to be established by
31 the State Treasurer and the authority, the proposed annual

1 operating budget of the authority and the capital budgets for
2 all projects of the authority, and any amendments thereto,
3 shall be submitted to the State Treasurer and the Legislature
4 prior to submission to the members of the authority so as to
5 provide the State Treasurer, the Budget Committee of the
6 Senate, and the Fiscal Responsibility Council of the House of
7 Representatives adequate time to provide comments with respect
8 thereto.

9 (2) The annual operating budget of the authority and
10 the capital budgets for all projects of the authority and any
11 amendments thereto shall be adopted as part of, and recorded
12 in the full text of, the minutes of the authority.

13 Section 7. Audit contract.--The State Treasurer, in
14 consultation with the Florida Sports Authority, shall enter
15 into a contract with a person qualified to conduct an
16 independent operations and financial audit of the authority
17 and may prescribe any supporting documentation to be provided
18 under the terms of the contract. The contract shall require
19 that recommendations be made regarding a reasonable operations
20 and maintenance budget. Copies of the audit shall be submitted
21 to the authority, the State Treasurer, the Budget Committee of
22 the Senate, and the Fiscal Responsibility Council of the House
23 of Representatives.

24 Section 8. Authority projects.--

25 (1) The authority is authorized, either alone or in
26 conjunction with others, to perform the following functions,
27 provided that, with respect to any function performed in
28 conjunction with others, the authority shall have sufficient
29 right and power to carry out the following public purposes:

30 (a) To establish, develop, construct, operate,
31 acquire, own, manage, promote, maintain, repair, reconstruct,

1 restore, improve, and otherwise effectuate, either directly or
2 indirectly through lessees, licensees, or agents, a project
3 upon a site to be determined consisting of one or more
4 stadiums, coliseums, arenas, pavilions, stands, field houses,
5 playing fields, recreation centers, courts, gymnasiums,
6 clubhouses, a facility for the conduct of pari-mutuel
7 wagering, and other buildings, structures, facilities,
8 properties, and appurtenances related to, incidental to,
9 necessary for, or complementary to a complex suitable for the
10 holding of athletic contests or other sporting events, or
11 trade shows, exhibitions, spectacles, public meetings,
12 entertainment events, or other expositions, including, but not
13 limited to, driveways, roads, approaches, parking areas,
14 parks, recreation areas, lodging facilities, vending
15 facilities, restaurants, transportation structures, systems,
16 and facilities, and equipment, furnishings, and all other
17 structures and appurtenant facilities, related to, incidental
18 to, necessary for, or complementary to the purposes of that
19 project or any facility thereof.

20 (b) To establish, develop, construct, acquire, lease
21 or own, operate, manage, promote, maintain, repair,
22 reconstruct, restore, improve, and otherwise effectuate,
23 either directly or indirectly through lessees, licensees, or
24 agents, a project, at a site within the state, consisting of
25 baseball stadiums for the conduct of major league or minor
26 league baseball and other buildings, structures, facilities,
27 properties, and appurtenances related thereto, or incidental
28 to, necessary for, or complementary to a complex suitable for
29 the holding of professional baseball games and other athletic
30 contests or sporting events, or trade shows, exhibitions,
31 spectacles, public meetings, entertainment events, or other

1 expositions, such projects to include driveways, roads,
2 approaches, parking areas, parks, recreation areas, vending
3 facilities, restaurants, transportation structures, systems,
4 and facilities, and equipment, furnishings, and all other
5 structures and appurtenant facilities related to, incidental
6 to, necessary for, or complementary to the purposes of the
7 project or any facility thereof.

8 (c) To establish, develop, construct, acquire, own,
9 operate, manage, promote, maintain, repair, reconstruct,
10 restore, improve, and otherwise effectuate, either directly or
11 indirectly through lessees, licensees, or agents, a project
12 consisting of an exposition or entertainment center or hotel
13 or office complex, including any buildings, structures,
14 properties, and appurtenances related thereto, incidental
15 thereto, necessary therefor, or complementary thereto, such
16 project to include driveways, roads, approaches, parking
17 areas, parks, recreation areas, vending facilities,
18 restaurants, transportation structures, systems, and
19 equipment, furnishings, and all other structures and
20 appurtenances related to, incidental to, necessary for, or
21 complementary to the purposes of the project. A project
22 authorized under this subsection may be located within,
23 immediately contiguous to, or immediately across any public
24 road which borders the site of any other project of the
25 authority.

26 (d) To establish, develop, construct, acquire, own,
27 operate, manage, promote, maintain, repair, reconstruct,
28 restore, improve, and otherwise effectuate, either directly or
29 indirectly through lessees, licensees, or agents, projects
30 consisting of pari-mutuel wagering facilities located within
31 the state, their contiguous properties, and their auxiliary

1 facilities, including, without limitation, pavilions, stands,
2 field houses, clubhouses, training tracks, meeting,
3 fairgrounds, and other exposition facilities, and other
4 buildings, structures, facilities, properties, and
5 appurtenances related to, incidental to, necessary for, or
6 complementary to a complex suitable for the holding of such
7 event, other sporting events, or trade shows, exhibitions,
8 spectacles, public meetings, entertainment events, or other
9 expositions, including, but not limited to, driveways, roads,
10 approaches, parking areas, parks, recreation areas, lodging
11 facilities, vending facilities, restaurants, transportation
12 structures, systems, and facilities, equipment, furnishings,
13 and all other structures and appurtenant facilities related
14 to, incidental to, necessary for, or complementary to the
15 purposes of any of those projects or any facility thereof.

16 (e) Notwithstanding any law to the contrary, to
17 acquire any existing pari-mutuel wagering facility in and
18 licensed by the state on the condition that payments
19 equivalent to all city-county taxes due to each entity shall
20 be paid by the authority to the extent and in accordance with
21 the same payment schedule as taxes would have been paid each
22 year, as though the facility remained in private ownership. In
23 the event the authority conveys lands or other parts of any
24 facility to others, the authority shall receive a reduction of
25 such payments commensurate with the amount required to be paid
26 by the subsequent owner of the lands and improvements disposed
27 of by the authority. In addition, the authority shall be
28 responsible for paying all existing local franchise fees,
29 license fees, and parking tax fees in effect at the time of
30 the acquisition.

31

1 (f) To establish, develop, acquire, own, operate,
2 manage, promote, and otherwise effectuate, in whole or in
3 part, either directly or indirectly through lessees,
4 licensees, or agents, projects consisting of events,
5 expositions, teams, team franchises, or membership in
6 professional sports leagues.

7 (g) To establish, develop, construct, acquire, own,
8 operate, manage, promote, maintain, repair, reconstruct,
9 restore, improve, and otherwise effectuate, either directly or
10 indirectly through lessees, licensees, or agents, projects
11 consisting of facilities, at a site or sites within the state
12 that are related to, incidental to, necessary for, or
13 complementary to the accomplishment or purpose of any project
14 of the authority authorized by this section, including any
15 buildings, structures, properties, and appurtenances related
16 thereto, incidental thereto, necessary therefor, or
17 complementary thereto, such projects to include driveways,
18 roads, approaches, parking areas, parks, recreation areas,
19 vending facilities, restaurants, transportation structures,
20 systems, and equipment, furnishings, and all other structures
21 and appurtenances related to, incidental to, necessary for, or
22 complementary to the purposes of those projects.

23 (h) To establish, develop, acquire, construct,
24 reconstruct, improve, and otherwise effectuate for transfer
25 to, and for use and operation by, the State University System,
26 either directly or indirectly through lessees, licensees, or
27 agents, facilities located or to be located on property owned,
28 leased, or otherwise used by the State University System,
29 consisting of upgraded and expanded football stadiums and new
30 track and field, soccer, and lacrosse facilities and the
31 buildings, structures, properties, and appurtenances related

1 thereto, or incidental to, necessary for, or complementary to
2 the football stadiums and track and field, soccer, and
3 lacrosse facilities, such facilities to include driveways,
4 access roads, approaches, parking areas, parks, recreation
5 areas, vending facilities, restaurants, transportation
6 structures, systems, and equipment, furnishings, and all other
7 structures and appurtenances related or incidental to,
8 necessary for, or complementary to the purposes of those
9 facilities.

10 (i) To acquire by purchase, lease, or otherwise, and
11 to develop, construct, operate, own, lease, manage, repair,
12 reconstruct, restore, improve, enlarge, or otherwise
13 effectuate, either directly or through lessees, licensees, or
14 agents, a convention center project consisting of any existing
15 convention halls and any new convention halls or centers and
16 associated parking areas and railroad terminal facilities and
17 including the leasing of adjacent land for hotel facilities.

18 In connection therewith, the authority is authorized to:

19 1. Assume existing leasehold or other contractual
20 obligations pertaining to any such facilities or properties or
21 to make provision for the payment or retirement of any debts
22 and obligations of the governmental entity operating any such
23 convention hall or center or of any bonds or other obligations
24 payable from and secured by a lien on or pledge of the luxury
25 tax revenues.

26 2. Make loans or payments in aid of construction with
27 respect to infrastructure and site development for properties
28 located in the area between the sites of an existing
29 convention hall and a new convention center or located
30 contiguous to or across any public road which borders the
31 area.

1 (j) To provide funding to public institutions of
2 higher education in the state to establish, develop, acquire,
3 construct, reconstruct, or improve facilities located or to be
4 located on property owned, leased, or otherwise used by an
5 institution, consisting of sports facilities and the
6 buildings, structures, properties, and appurtenances related
7 thereto, or incidental to, necessary for, or complementary to
8 those sports facilities, such facilities to include driveways,
9 access roads, approaches, parking areas, parks, recreation
10 areas, vending facilities, restaurants, transportation
11 structures, systems, and equipment, furnishings, and all other
12 structures and appurtenances related or incidental to,
13 necessary for, or complementary to the purposes of those
14 facilities.

15 (2) The authority is further authorized to:

16 (a) Make, as part of any of the projects, capital
17 contributions to others for transportation and other
18 facilities, and accommodations for the public's use of any of
19 those projects.

20 (b) Lease any part of any of those project sites not
21 occupied or to be occupied by the facilities of any of those
22 projects, for purposes determined by the authority to be
23 consistent with or related to the purposes of those projects,
24 including, but not limited to, hotels and other accommodations
25 for transients and other facilities related to or incidental
26 to any of those projects.

27 (c) Sell or dispose of any real or personal property,
28 including, but not limited to, such portion of the site of any
29 of those projects, not occupied or to be occupied by the
30 facilities of any of those projects, at not less than the fair
31 market value of the property, except in the case of sale or

1 disposition to the state, any political subdivision of the
2 state or any agency or instrumentality of the state.

3 Section 9. Revenue application.--Revenues, moneys, or
4 other funds, if any, derived from the operation or ownership
5 of any facility, including the conduct of pari-mutuel wagering
6 events, shall be applied, in accordance with the resolution or
7 resolutions authorizing or relating to the issuance of bonds
8 or notes of the authority, to the following purposes and in
9 the following order:

10 (1) The costs of operation and maintenance of any
11 complex or facility and reserves therefor.

12 (2) Principal, sinking fund installments, and
13 redemption premiums of and interest on any bonds or notes of
14 the authority payable from such revenues, moneys, or other
15 funds and issued for the purposes of such complex or facility
16 or for the purposes of refunding the same, including reserves
17 and payments with respect to credit agreements therefor.

18 (3) The cost of any major or extraordinary repairs,
19 renewals, or replacements with respect to any complex or
20 incidental improvements thereto, not paid pursuant to
21 subsection (1), including reserves therefor.

22 (4) Except to the extent payments with respect to
23 bonds or notes are provided with priority in accordance with
24 subsection (2), payments made in accordance with the
25 resolution authorizing or relating to the issuance of bonds or
26 notes of the authority, for the purposes of any project
27 authorized by this act.

28 (5) Payments required to repay any obligation incurred
29 by the authority to the state.

30 (6) The balance remaining after application in
31 accordance with subsections (1) through (5) shall be deposited

1 in the General Revenue Fund, provided that there shall be
2 appropriated from the amount so deposited an amount calculated
3 by the State Treasurer to be the debt service savings realized
4 with respect to the refinancing of any project as defined in
5 section 3 by the issuance of bonds of the authority guaranteed
6 by the state.

7 (7) Any revenues, moneys, or other funds derived from
8 the operation or ownership of any project other than a
9 baseball stadium or an office complex located on the site of a
10 baseball stadium shall be applied for such purposes, in such
11 manner, and subject to such conditions as provided by the
12 resolution authorizing or relating to the issuance of bonds or
13 notes of the authority for such project, and any balance
14 remaining after such application may be applied, to the extent
15 not contrary to or inconsistent with the resolution, in the
16 following order:

17 (a) To the purposes agreed upon by the State Treasurer
18 and the authority.

19 (b) To any other project of the authority.

20 (c) Any balance remaining shall be deposited in the
21 General Revenue Fund.

22 (8) Any revenues, moneys, or other funds derived from
23 the operation, ownership, or leasing of a baseball stadium or
24 an office complex located on the site of a baseball stadium
25 shall be applied for the purposes, in the manner, and subject
26 to the conditions as provided in the resolution authorizing or
27 relating to the issuance of bonds or notes of the authority
28 for such baseball stadium or office complex located on the
29 site of the baseball stadium, and the balance remaining after
30 such application shall be applied, to the extent not contrary
31

1 to or inconsistent with the resolution, to the following
2 purposes in the following order:

3 (a) The costs of operation and maintenance of a
4 baseball stadium and an office complex located on the site of
5 the baseball stadium, and reserves therefor.

6 (b) Payments made on the bonded indebtedness incurred
7 by the authority for a baseball stadium or an office complex
8 located on the site of a baseball stadium.

9 (c) Any balance remaining shall be deposited in the
10 General Revenue Fund.

11 Section 10. Florida Sports Hall of Fame.--The Florida
12 Sports Authority is authorized to operate a Florida Sports
13 Hall of Fame, and the authority may exercise all the rights
14 and powers granted to the authority under any other law and
15 made applicable to the Florida Sports Hall of Fame as though
16 the rights and powers were granted under this act.

17 Section 11. Consultation with local
18 officials.--Notwithstanding any provision herein or any law,
19 rule, or regulation to the contrary, any project authorized
20 herein or acquired by the authority shall be developed only
21 after consultation with local officials and after giving
22 consideration to local objections, problems, and suggestions
23 in order to minimize conflict with the master plan, zoning
24 ordinances, and other development regulations of the
25 municipality or municipalities in which the project is to be
26 situated.

27 Section 12. Pari-mutuel wagering permit.--

28 (1) The authority is hereby authorized, licensed, and
29 empowered to apply to the Department of Business and
30 Professional Regulation for a permit or permits to conduct, at
31 any of the projects authorized herein, pari-mutuel wagering

1 events for stake, purse, or reward, and to provide a place or
2 places on the meeting grounds or enclosure for wagering by
3 patrons on the results of such events by the pari-mutuel
4 system, and to receive charges and collect all revenues,
5 receipts, and other moneys from the ownership and operation
6 thereof, provided that only the authority through its
7 employees may conduct such pari-mutuel wagering events and
8 wagering, and the authority is expressly prohibited from
9 placing in the control of any other person, firm, or
10 corporation the conduct of such pari-mutuel wagering events or
11 wagering.

12 (2) Except as otherwise provided in this section, such
13 pari-mutuel wagering events and pari-mutuel wagering shall be
14 conducted by the authority in compliance with the provisions
15 of chapter 550, Florida Statutes, and the rules and conditions
16 prescribed by the Department of Business and Professional
17 Regulation for the conduct of pari-mutuel wagering events and
18 for pari-mutuel wagering.

19 (3) Applications for permits shall be on forms
20 prescribed by the Department of Business and Professional
21 Regulation. The Department of Business and Professional
22 Regulation shall review and act on any application within 30
23 days after its filing and is authorized in its sole discretion
24 to determine whether a permit is granted to the authority. If,
25 after review, the Department of Business and Professional
26 Regulation acts favorably on an application, a permit shall be
27 granted to the authority without further approval and shall
28 remain in force and effect so long as any bonds or notes of
29 the authority remain outstanding, the provisions of any other
30 law to the contrary notwithstanding. In granting a permit to
31 the authority to conduct a pari-mutuel wagering event, the

1 Department of Business and Professional Regulation shall not
2 be limited as to the number of pari-mutuel wagering facilities
3 it may authorize for the conduct of pari-mutuel wagering
4 events, and the permit shall specify the dates allotted to the
5 authority for its initial pari-mutuel wagering events.
6 Thereafter, application by the authority for dates for
7 pari-mutuel wagering events and the allotment thereof by the
8 Department of Business and Professional Regulation, including
9 renewal of dates theretofore allotted, shall be governed by
10 the applicable provisions of law. Notwithstanding the
11 provisions of any other law to the contrary, the Department of
12 Business and Professional Regulation shall allot annually to
13 the authority running racing, not less than 50 thoroughbred or
14 standardbred racing days, 100 greyhound performances, and 100
15 jai alai performances.

16 (4) No hearing, referendum, or other election or
17 proceeding, and no payment, surety, or cash bond or other
18 deposit, shall be required for the authority to conduct the
19 pari-mutuel wagering events with pari-mutuel wagering herein
20 authorized.

21 (5) The authority shall determine the amount of the
22 admission fee for the events and all matters relating to the
23 collection thereof.

24 Section 13. Distribution of revenues.--

25 (1) Distribution of the moneys deposited in
26 pari-mutuel pools to winners thereof shall be in accordance
27 with the provisions of law as provided for in chapter 550,
28 Florida Statutes.

29 (2) No admission or amusement tax, excise tax,
30 license, or pari-mutuel fee of any kind shall be assessed or
31 collected from the authority by the state, or by any county or

1 municipality, or by any other body having power to assess or
2 collect license fees or taxes.

3 (3) Any pari-mutuel wagering event and the pari-mutuel
4 system of wagering upon which the results thereof are based
5 shall not, if conducted as provided in the act and in
6 conformity thereto, be held or construed to be unlawful, any
7 other provision of law to the contrary notwithstanding.

8 Section 14. Employees.--Each employee of the authority
9 engaged in conducting pari-mutuel wagering events shall obtain
10 the appropriate license from the Department of Business and
11 Professional Regulation, subject to the terms and conditions
12 imposed on similar employees of other permit holders. The
13 Department of Business and Professional Regulation, after a
14 hearing, may suspend any member of the authority upon approval
15 of the Governor and may suspend the license of any employee of
16 the authority for any violation of law regulating pari-mutuel
17 wagering or any rule of the Department of Business and
18 Professional Regulation. Such hearing shall be held and
19 conducted in the manner provided by law.

20 Section 15. Relocation of public highways; entry on
21 lands, waters, or premises; regulation of public utility
22 facilities.--

23 (1) If the authority finds it necessary in connection
24 with undertaking any of its projects to change the location of
25 any portion of a public highway or road, it may contract with
26 any governmental agency or public or private corporation which
27 may have jurisdiction over the public highway or road to cause
28 the public highway or road to be constructed at a location the
29 authority deems most favorable. The cost of such
30 reconstruction and any damage incurred in changing the
31 location of any such highway shall be ascertained and paid by

1 the authority as a part of the cost of any project. Any public
2 highway affected by the construction of a project may be
3 vacated or relocated by the authority in the manner now
4 provided by law for the vacation or relocation of public
5 roads, and any damages awarded on account thereof shall be
6 paid by the authority as part of the cost of the project. In
7 all undertakings authorized by this subsection, the authority
8 shall consult and obtain the approval of the Department of
9 Transportation.

10 (2) The authority and its authorized agents and
11 employees may enter upon any lands, waters, and premises for
12 the purpose of making surveys, soundings, drillings, and
13 examinations it deems necessary or convenient for the purposes
14 of this act, all in accordance with due process of law, and
15 such entry shall not be deemed a trespass, nor shall an entry
16 for such purpose be deemed an entry under any condemnation
17 proceedings which may be then pending. The authority shall
18 make reimbursement for any actual damages resulting to such
19 lands, waters, and premises as a result of such activities.

20 (3) The authority is authorized to regulate the
21 installation, construction, maintenance, repair, renewal,
22 relocation, and removal of tracks, pipes, mains, conduits,
23 cables, wires, towers, poles, and other equipment and
24 appliances, hereinafter referred to as "public utility
25 facilities," of any public utility in, on, along, over, or
26 under a project. Should the authority determine it necessary
27 for any public utility facility now or hereafter located in,
28 on, along, over, or under a project to be relocated or
29 removed, the public utility owning or operating such facility
30 shall relocate or remove the facility in accordance with order
31 of the authority; however, the cost and expenses of such

1 relocation or removal, including the cost of installing such
2 facility in a new location, and the cost of any lands, or any
3 rights or interest in lands, and any other rights acquired to
4 accomplish such relocation or removal shall be ascertained and
5 paid by the authority as a part of the cost of any project. In
6 the event of the relocation or removal of a facility, the
7 public utility owning or operating the facility, or its
8 successors or assigns, may maintain and operate such facility,
9 with the necessary appurtenances, in the new location for as
10 long and upon the terms and conditions as it had the right to
11 maintain and operate such facility in its former location. In
12 all undertakings authorized by this subsection, the authority
13 shall consult and obtain the approval of the Public Service
14 Commission.

15 Section 16. Eminent domain.--

16 (1) Upon the exercise of the power of eminent domain,
17 the compensation to be paid thereunder shall be ascertained
18 and paid in the manner provided by law insofar as the
19 provisions thereof are applicable and not inconsistent with
20 the provisions of this act. The authority may join in separate
21 subdivisions in one petition or complaint the descriptions of
22 any number of tracts or parcels of land or property to be
23 condemned and the names of any number of owners and other
24 parties who may have an interest therein, and all such land or
25 property included in said petition or complaint may be
26 condemned in a single proceeding, provided that each of said
27 tracts or parcels of land or property lies wholly in or has a
28 substantial part of its value lying wholly within the same
29 county.

30 (2) Upon filing such a petition or complaint or at any
31 time thereafter, the authority may file with the clerk of the

1 county in which such property is located and with the clerk of
2 the circuit court a declaration of taking, signed by the
3 authority, declaring that possession of one or more of the
4 tracts or parcels of land or property described in the
5 petition or complaint is thereby being taken by and for the
6 use of the authority. The declaration of taking shall be
7 sufficient if it sets forth a description of each tract or
8 parcel of land or property sufficient for the identification
9 thereof, to which there shall be attached a plan or map
10 thereof; a statement of the estate or interest in the land or
11 property being taken; a statement of the amount of moneys
12 estimated by the authority by resolution to be just
13 compensation for the taking of the estate or interest in each
14 tract or parcel of land or property; and that, in compliance
15 with the provisions of the act, the authority has established
16 and is maintaining a trust fund as provided in subsection (3).

17 (3) Upon filing of the declaration, the authority
18 shall deposit with the clerk of the circuit court the amount
19 of the estimated compensation stated in the declaration. In
20 addition to the deposit with the clerk of the circuit court,
21 the authority shall maintain a special trust fund on deposit
22 with a bank or trust company doing business in the state in an
23 account not less than twice the aggregate amount deposited
24 with the clerk of the circuit court as estimated compensation
25 for all property described in declarations of taking with
26 respect to which the compensation has not been finally
27 determined and paid to the persons entitled thereto, or into
28 court. Said trust fund shall consist of cash or securities
29 readily convertible into cash constituting legal investment
30 for trust funds under the laws of the state. Said trust fund
31 shall be held solely for security and may be applied to the

1 payment of just compensation for the land or other property
2 described in the declarations of taking. The authority shall
3 be entitled to withdraw from said trust fund from time to time
4 as much as may then be in excess of twice the aggregate of the
5 amount deposited with the clerk of the circuit court as
6 estimated compensation for all property described in
7 declarations of taking with respect to which the compensation
8 has not been finally determined and paid to the persons
9 entitled thereto, or into court.

10 (4) Upon filing the declaration as prescribed by
11 subsection (2) and depositing with the clerk of the circuit
12 court the amount of the estimated compensation specified in
13 the declaration, the authority without other process or
14 proceedings shall be entitled to the exclusive possession and
15 use of each tract of land or property described in the
16 declaration and may forthwith enter into and take possession
17 of said land or property, it being the intent of this
18 provision that the proceedings for compensation or any other
19 proceedings relating to the taking of said land or interest
20 therein or other property shall not delay the taking of
21 possession thereof and the use thereof by the authority for
22 the purpose or purposes for which the authority is authorized
23 by law to acquire or condemn such land or other property or
24 interest therein.

25 (5) The authority shall cause notice of the filing of
26 the declaration and the making of the deposit to be served
27 upon each party in interest named in the petition residing in
28 the state, either personally or by leaving a copy thereof at
29 his or her residence, if known, and upon each party in
30 interest residing outside of the state by mailing a copy
31 thereof to the party at his or her residence, if known. In the

1 event that the residence of a party or the name of a party is
2 unknown, the notice shall be published at least once in a
3 newspaper published or circulating in the county or counties
4 in which the land is located. Such service, mailing, or
5 publication shall be made within 10 days after filing the
6 declaration. Upon the application of any party in interest and
7 after notice to other parties in interest, including the
8 authority, any judge of the circuit court assigned to sit for
9 said county may order that the moneys deposited with the clerk
10 of the circuit court or any part thereof be paid forthwith to
11 the person or persons entitled thereto for or on account of
12 the just compensation to be awarded in said proceeding,
13 provided that such person has filed with the clerk of the
14 circuit court a consent in writing that, in the event the
15 award in the condemnation proceeding is less than the amount
16 deposited, the court, after notice as herein provided and
17 hearing, may determine the person's liability, if any, for the
18 return of the difference or any part thereof and enter
19 judgment therefor. If the amount of the award as finally
20 determined exceeds the amount deposited, the person or persons
21 to whom the award is payable shall be entitled to recover from
22 the authority the difference between the amount of the deposit
23 and the amount of the award, with interest at the then-legal
24 rate from the date of making the deposit. If the amount of the
25 award is less than the amount so deposited, the clerk of the
26 circuit court shall return the difference between the amount
27 of the award and the amount of the deposit to the authority
28 unless the amount of the deposit or any part thereof has
29 theretofore been distributed, in which event the court, on
30 petition of the authority and notice to all persons interested
31 in the award and affording them an opportunity to be heard,

1 shall enter judgment in favor of the authority for such
2 difference against the party or parties liable for the return
3 thereof. The authority shall cause notice of the date fixed
4 for such hearing to be served upon each party thereto residing
5 in the state either personally or by leaving a copy thereof at
6 his or her residence, if known, and upon each party residing
7 outside of the state by mailing a copy to the party at his or
8 her residence, if known. In the event that the residence of a
9 party or the name of a party is unknown, the notice shall be
10 published at least once in a newspaper published or
11 circulating in the county or counties in which the land is
12 located. Such service, mailing, or publication shall be made
13 at least 10 days before the date fixed for such hearing.

14
15 Whenever any amount of an award is paid into court, payment
16 may be made into the circuit court and may be distributed
17 according to law. The authority shall not abandon any
18 condemnation proceeding subsequent to the date upon which it
19 has taken possession of the land or property as provided in
20 this section.

21 Section 17. Bonds or notes; issuance; terms.--

22 (1) The authority shall have the power and is
23 authorized to issue from time to time its bonds or notes in
24 such principal amounts as in the opinion of the authority are
25 necessary to provide sufficient funds for any of its corporate
26 purposes, including the payment, funding, or refunding of the
27 principal of, or interest or redemption premiums on, any bonds
28 or notes issued by it, whether the bonds, notes, or interest
29 to be funded or refunded have or have not become due; the
30 establishment or increase of such reserves to secure or pay
31 such bonds, notes, or interest thereon; and all other costs or

1 expenses of the agency incident to and necessary to carry out
2 its corporate purposes and powers.

3 (2) Except as otherwise expressly provided in this act
4 or by the authority, every issue of bonds or notes shall be
5 general obligations payable out of any revenues or funds of
6 the authority, subject only to any agreements with the holders
7 of particular bonds or notes pledging any particular revenues
8 or funds. The authority may issue such types of bonds or notes
9 as it may determine, including, without limiting the
10 generality of the foregoing, bonds or notes as to which the
11 principal and interest are payable exclusively from the
12 revenues and receipts of the part of a project financed with
13 the proceeds of such bonds or notes; exclusively from the
14 revenue and receipts of certain designated parts of a project,
15 whether or not the same are financed in whole or in part from
16 the proceeds of such bonds or notes; or from its revenues and
17 receipts generally. Any such bonds or notes may be
18 additionally secured by a pledge of any grant, subsidy, or
19 contribution from the Federal Government or any agency or
20 instrumentality thereof, or the state or any agency,
21 instrumentality, or political subdivision thereof, or any
22 person, firm, or corporation, a pledge of any income or
23 revenues, funds, or moneys of the authority from any source
24 whatsoever or from the proceeds of any credit agreement.

25 (3) Whether or not the bonds and notes are of such
26 form and character as to be negotiable instruments under the
27 terms of state law, the bonds and notes are hereby made
28 negotiable instruments within the meaning of and for all the
29 purposes of such law, subject only to the provisions of the
30 bonds and notes for registration.

31

1 (4) Bonds or notes of the authority shall be
2 authorized by resolution or resolutions of the authority and
3 may be issued in one or more series and shall bear such date,
4 or dates, mature at such time or times, bear interest at such
5 rate or rates of interest per annum which may be fixed or may
6 change at such time and in accordance with a specified formula
7 or method of determination, be in such denomination or
8 denominations, be in such form, either coupon or registered,
9 carry such conversion or registration privileges, have such
10 rank or priority, be executed in such manner, be payable from
11 such sources in such medium of payment of such place or places
12 in or outside of the state, be subject to such terms of
13 redemption, with or without premium, and contain such options
14 or rights to tender bonds or notes for purchase or redemption
15 as such resolution or resolutions may provide.

16 (5) Bonds or notes of the authority may be sold at
17 public or private sale at such price or prices and in such
18 manner as the authority determines. Except for any bonds of
19 the authority, which may hereafter be guaranteed by the state
20 within the limitations of the State Constitution, every bond
21 shall mature and be paid not later than 40 years from the date
22 thereof.

23 (6) Except as otherwise provided by any law
24 authorizing the guaranty of the state, bonds of the authority
25 hereafter submitted to the people and approved by a majority
26 of the legally qualified voters of the state voting thereon,
27 bonds and notes of the authority issued under the provisions
28 of this act shall not be in any way a debt or liability of the
29 state or of any political subdivision thereof other than the
30 authority and shall not create or constitute any indebtedness,
31 liability, or obligation of the state or of any such political

1 subdivision, but all such bonds and notes, unless funded or
2 refunded by bonds or notes of the authority, shall be payable
3 solely from revenues or funds pledged or available for their
4 payment as authorized in this act. Except for bonds of the
5 authority which may hereafter be guaranteed by the state, each
6 bond and note shall contain on its face a statement to the
7 effect that the authority, and not the state or any political
8 subdivision thereof, is obligated to pay such principal or
9 interest and that neither the faith and credit nor the taxing
10 power of the state or any political subdivision thereof is
11 pledged to the payment of the principal of or the interest on
12 such bonds or notes.

13 (7) All expenses incurred in carrying out the
14 provisions of this act shall be payable solely from revenues
15 or funds provided or to be provided under the provisions of
16 the act and nothing in the act shall be construed to authorize
17 the authority to incur any indebtedness or liability on behalf
18 of or payable by the state or any political subdivision
19 thereof except as otherwise provided by any law authorizing
20 the guaranty of the state of any bonds of the authority
21 hereafter submitted to the people and approved by a majority
22 of the legally qualified voters of the state voting thereon.

23 (8) The authority shall have the power to purchase
24 bonds or notes out of any funds available therefor. The
25 authority may hold, cancel, or resell such bonds or notes
26 subject to and in accordance with agreements with holders of
27 its bonds and notes.

28 (9) The authority, in connection with the
29 authorization of bonds or notes to be issued and sold from
30 time to time, may delegate to such officer or agent of the
31 authority as the authority selects the power to determine the

1 time and manner of sale, public or private, the maturities,
2 and the rate of interest which may be fixed or vary at such
3 time and in accordance with a specified formula or method of
4 determination; however, the amounts and maturities of and the
5 interest rate on these bonds shall be within the limits
6 prescribed by the authority in its resolution delegating to
7 that officer or agent the power to authorize the sale and
8 issuance of those bonds or notes.

9 Section 18. Covenants to secure payment.--In any
10 resolution of the authority authorizing or relating to the
11 issuance of any bonds or notes, the authority, in order to
12 secure the payment of such bonds or notes, and in addition to
13 its other powers, shall have power by provisions therein which
14 shall constitute covenants by the authority and contracts with
15 the holders of such bonds or notes:

16 (1) To pledge all or any part of its rents, fees,
17 tolls, revenues, or receipts to which its right then exists or
18 may thereafter come into existence, and the moneys derived
19 therefrom, and the proceeds of any bonds or notes.

20 (2) To pledge any lease or other agreement or the
21 rents or other revenues thereunder and the proceeds thereof.

22 (3) To mortgage all or any part of its property, real
23 or personal, then owned or thereafter to be acquired.

24 (4) To covenant against pledging all or any part of
25 its rents, fees, tolls, revenues, or receipts or its leases or
26 agreements or rent or other revenues thereunder or the
27 proceeds thereof, or against mortgaging all or any part of its
28 real or personal property then owned or thereafter acquired,
29 or against permitting or suffering any lien on any of the
30 foregoing.

31

1 (5) To covenant with respect to limitations on any
2 right to sell, lease, or otherwise dispose of any project or
3 any part thereof or any property of any kind.

4 (6) To covenant as to any bonds and notes to be issued
5 and the limitations thereon and the terms and conditions
6 thereof and as to the custody, application, investment, and
7 disposition of the proceeds thereof.

8 (7) To covenant as to the issuance of additional bonds
9 or notes or as to limitations on the issuance of additional
10 bonds or notes and the incurring of other debts by it.

11 (8) To covenant as to the payment of the principal of
12 or interest on the bonds or notes, or any other obligation, as
13 to the sources and methods of such payment, as to the rank or
14 priority of any such bonds, notes, or obligations with respect
15 to any lien or security, or as to the acceleration of the
16 maturity of any such bonds, notes, or obligations.

17 (9) To provide for the replacement of lost, stolen,
18 destroyed, or mutilated bonds or notes.

19 (10) To covenant against extending the time for the
20 payment of bonds or notes or interest thereon.

21 (11) To covenant as to the redemption or repurchase of
22 bonds or notes and privileges of tender or exchange thereof
23 for other bonds or notes of the authority.

24 (12) To covenant as to the rates of toll and other
25 charges to be established and charged, the amount to be raised
26 each year or other period of time by tolls or other revenues,
27 and the use or disposition to be made thereof.

28 (13) To covenant to create or authorize the creation
29 of special funds or moneys to be held in pledge or otherwise
30 of construction, operating expenses, payment or redemption of
31 bonds or notes, reserves, or other purposes, and as to the

1 use, investment, and disposition of the moneys held in such
2 funds.

3 (14) To establish the procedure, if any, by which the
4 terms of any contract or covenant with or for the benefit of
5 the holders of bonds or notes may be amended or abrogated, the
6 amount of bonds or notes the holder must consent to, and the
7 manner in which such consent may be given.

8 (15) To covenant as to the construction, improvement,
9 operation, or maintenance of its real and personal property,
10 the replacement thereof, the insurance to be carried thereon,
11 and the use and disposition of insurance moneys.

12 (16) To provide for the release of property, leases,
13 or other agreements, or revenues and receipts from any pledge
14 or mortgage, and to reserve rights and powers in, or the right
15 to dispose of, property which is subject to a pledge or
16 mortgage.

17 (17) To provide for the rights and liabilities,
18 powers, and duties arising upon the breach of any covenant,
19 condition, or obligation and to prescribe the events of
20 default and the terms and conditions upon which any or all of
21 the bonds, notes, or other obligations of the authority shall
22 become or may be declared due and payable before maturity and
23 the terms and conditions upon which any such declaration and
24 its consequences may be waived.

25 (18) To vest in a trustee or trustees in or outside of
26 the state such property, rights, powers, and duties in trust
27 as the authority may determine, including the right to
28 foreclose any mortgage, and to limit the rights, duties, and
29 powers of such trustee.

30 (19) To execute all mortgages, bills of sale,
31 conveyances, deeds of trust, and other instruments necessary

1 or convenient in the exercise of its powers or in the
2 performance of its covenants or duties.

3 (20) To pay the costs or expenses incident to the
4 enforcement of such bonds or notes or of the provisions of
5 such resolution or of any covenant or agreement of the
6 authority with the holders of its bonds or notes.

7 (21) To limit the powers of the authority to
8 construct, acquire, or operate any structures, facilities, or
9 properties which may compete or tend to compete with any of
10 the projects.

11 (22) To limit the rights of the holders of any bonds
12 or notes to enforce any pledge or covenant securing bonds or
13 notes.

14 (23) To make covenants other than in addition to the
15 covenants herein expressly authorized, of like or different
16 character, and to make such covenants to do or refrain from
17 doing such acts and things as may be necessary, or convenient
18 and desirable, in order to better secure bonds or notes or
19 which, in the absolute discretion of the authority, will tend
20 to make bonds or notes more marketable, notwithstanding that
21 such covenants, acts, or things may not be enumerated herein.

22 Section 19. Pledge of revenues, funds, or other
23 property; liens.--Any pledge of revenues, moneys, funds, or
24 other property made by the authority shall be valid and
25 binding from the time the pledge is made, and the revenues,
26 moneys, funds, or other property so pledged and thereafter
27 received by the authority shall immediately be subject to the
28 lien of such pledge without any physical delivery thereof or
29 further act, and the lien of any such pledge shall be valid
30 and binding as against all parties having claims of any kind
31 in tort, contract, or otherwise against the authority,

1 irrespective of whether such parties have notice thereof.
2 Neither the resolution nor any other instrument by which a
3 pledge of revenues, moneys, or funds is created need be filed
4 or recorded, except in the records of the authority.

5 Section 20. Personal liability.--Neither the members
6 of the authority nor any person executing bonds or notes
7 issued pursuant to this act shall be liable personally on such
8 bonds or notes by reason of the issuance thereof.

9 Section 21. Reserves, funds, or accounts;
10 establishment.--The authority may establish such reserves,
11 funds, or accounts as may be, in its discretion, necessary or
12 desirable to further the accomplishment of the purposes of the
13 authority or to comply with the provisions of any agreement
14 made by or any resolution of the authority.

15 Section 22. Debt service reserve funds; limitation on
16 issuance of bonds; accumulation of moneys; nonliability of
17 state or its political subdivisions.--

18 (1) The authority may establish a reserve fund in
19 connection with the issuance of bonds to finance the initial
20 project, to be known as the debt service reserve fund, and may
21 pay into such reserve fund any moneys appropriated by the
22 Legislature for the purposes of such fund, any proceeds of
23 sale of such bonds to the extent provided in the resolution of
24 the authority authorizing the issuance thereof, and any other
25 moneys which may be made available to the authority for the
26 purposes of such fund from any other source or sources. The
27 moneys held in or credited to the debt service reserve fund,
28 except as hereinafter provided, shall be used solely for the
29 payment of the principal of such bonds of the authority
30 secured by such reserve fund, as the same mature or become
31 due; the purchase or retirement of such bonds; the payment of

1 interest on such bonds; or the payment of any redemption
2 premium required to be paid when such bonds are redeemed prior
3 to maturity; however, moneys in such fund shall not be
4 withdrawn therefrom at any time in such amount as would reduce
5 the amount of such fund to less than the maximum debt service
6 reserve with respect to such bonds then outstanding and
7 secured by such reserve fund, except for the purpose of paying
8 the principal of, the interest on, the premium, if any, on,
9 and the retirement of such bonds secured by such reserve fund
10 maturing or becoming due and for the payment of which other
11 moneys of the authority are not available. "Maximum debt
12 service reserve," as used in this section, means, as of any
13 date of calculation and with respect to such bonds secured by
14 the debt service reserve fund, the largest amount of money
15 required by the terms of any contracts of the authority with
16 the holders of such bonds to be provided in any succeeding
17 calendar year for the payment of interest on and serial
18 maturities of such bonds then outstanding and payments
19 required by the terms of any such contracts to be made to
20 sinking funds established for the payment or redemption of
21 such bonds, calculated on the assumption that such bonds will
22 cease to be outstanding after the date of such calculation
23 only by reason of the payment of such bonds at their
24 respective maturities and the making of required payments to
25 sinking funds and the application thereof in accordance with
26 the terms of such contracts to the retirement of such bonds.
27 Any income or interest earned by, or increment to, the debt
28 service reserve fund due to the investment thereof may be
29 transferred to any other fund or account of the authority to
30 the extent it does not reduce the amount of such debt service
31 reserve fund below the maximum debt service reserve with

1 respect to such bonds of the authority then outstanding and
2 secured by such reserve fund.

3 (2) The authority shall not issue bonds at any time if
4 the maximum debt service reserve with respect to such bonds
5 outstanding and then to be issued and secured by the debt
6 service reserve fund will exceed the amount of such reserve
7 fund at the time of issuance, unless the authority, at the
8 time of issuance of such bonds, deposits in such reserve fund
9 from the proceeds of such bonds so to be issued, or otherwise,
10 an amount which, together with the amount then in such reserve
11 fund, will be not less than the maximum debt service reserve
12 with respect to such bonds then to be issued and on all other
13 bonds of the authority then outstanding and secured by such
14 reserve fund.

15 (3) The chair of the authority shall annually, on or
16 before March 1, make and deliver to the Governor the chair's
17 certificate stating the amount, if any, required to restore
18 the debt service reserve fund to the amount required by
19 subsection (1), and the amount or amounts so certified, if
20 any, shall be appropriated and paid to the authority for
21 deposit in such debt service reserve fund prior to the end of
22 the first calendar month of the next succeeding fiscal year.
23 Any payments to be made by the state to the authority for
24 deposit in such debt service reserve fund are subject to and
25 dependent upon appropriations being made from time to time by
26 the Legislature for such purpose.

27 (4) In computing the debt service reserve fund for the
28 purposes of this section, securities in which all or a portion
29 of such debt service reserve fund shall be invested shall be
30 valued at par or, if purchased at less than par, at their cost
31 to the authority.

1 (5) Nothing herein shall be deemed to cause the bonds
2 or notes of the authority to be in any way a debt or a
3 liability of the state or any political subdivision thereof
4 other than the authority, and the bonds and notes of the
5 authority, whether or not payable from the debt service
6 reserve fund established pursuant to this section, shall not
7 create or constitute any indebtedness, liability, or
8 obligation of the state or any such political subdivision, or
9 be or constitute a pledge of the faith and credit of the state
10 or of any such political subdivision.

11 (6) For the purposes of this section, "initial
12 project" means the initial development or acquisition of any
13 complex as determined by the authority, and shall consist of a
14 major league baseball stadium to seat approximately 56,517
15 persons, and any smaller minor league stadiums; any facility
16 necessary to conduct pari-mutuel wagering events; and
17 roadways, parking, and other support facilities therefor, and
18 environmental facilities in connection therewith, together
19 with all land and rights in land, structures, and
20 improvements, and other facilities and appurtenances related
21 thereto.

22 Section 23. Right of state to require redemption prior
23 to maturity.--The state, through order of the Governor upon an
24 act of the Legislature, shall have the right, upon furnishing
25 the authority with sufficient funds therefor, to require the
26 authority to redeem, pay, or cause to be paid, at or prior to
27 maturity, in whole or in part, any bonds issued by the
28 authority under this act, provided that such redemption or
29 payment is made in accordance with the provisions of any
30 contract entered into by the authority with the holders of
31 such bonds.

1 Section 24. Sports Authority Fund.--
2 (1) The State Treasurer shall establish a special fund
3 to be designated as the "Sports Authority Fund" and shall pay
4 into the fund amounts from the General Revenue Fund as
5 necessary to pay the principal and interest on bonds or notes
6 of the authority issued pursuant to this act and to pay any
7 amounts due from the authority under any credit agreement
8 entered into by the authority in connection with the bonds or
9 notes, provided that all payments from the General Revenue
10 Fund are subject to and dependent upon appropriations made
11 from time to time for those purposes.
12 (2) The State Treasurer and the authority are
13 authorized to enter into agreements necessary to effectuate
14 the purposes of this section, including, without limitation,
15 provisions for securing the payment of bonds or notes issued
16 by the authority pursuant to this act and the interest thereon
17 and providing for the investment of moneys in the fund,
18 provided that the agreements shall be subject to approval by
19 the presiding officers of both houses of the Legislature, and
20 provided further than when the purposes of this act have been
21 satisfied, and upon the earlier of:
22 (a) The certification by the State Treasurer that the
23 revenues of the authority are sufficient to satisfy the
24 requirements set forth herein for the term of bonds or notes
25 issued pursuant to this act; or
26 (b) The satisfaction of the requirements for the
27 payment of bonds or notes issued pursuant to the authority
28 granted herein,
29
30 the State Treasurer and the authority shall not, except for
31 the refunding of bonds or notes issued pursuant to this act

1 which produces debt service savings, enter into any further
2 agreements regarding payments by the State Treasurer into the
3 Sports Authority Fund for any reason, including, but not
4 limited to, the financing or restructuring of the debt of the
5 authority.

6 (3) The agreements shall indicate the nature and scope
7 of the projects to be financed pursuant to this act.

8 Section 25. Other bonds and notes.--In addition to its
9 other powers to issue bonds and notes, the authority shall
10 have power to issue from time to time bonds and notes payable
11 from amounts in the Sports Authority Fund established pursuant
12 to section 24 as follows:

13 (1) To provide sufficient funds to refund from time to
14 time outstanding bonds or notes of the authority issued for
15 any complex, whether or not the bonds or notes or interest
16 thereon have become due; to provide for the establishment of
17 funds or reserves to secure payment of the bonds or notes or
18 any other bonds or notes issued or to be issued for those
19 purposes or interest thereon; and to provide for the payment
20 of all other costs or expenses of the authority incident to or
21 necessary to carry out the refunding, provided that the
22 refunding bonds issued at any time pursuant to this subsection
23 do not exceed that amount estimated to be necessary so that
24 subsequent to the refunding, the revenues from any complex are
25 sufficient to pay all costs payable from those revenues, as
26 shall be estimated in a determination by the authority made in
27 accordance with the agreement between the authority and the
28 State Treasurer.

29 (2) To finance or refinance a capital program or
30 programs for any complex and project authorized pursuant to
31 this act to provide for major repairs, reconstruction, and

1 improvements which are legally mandated or otherwise needed to
2 meet environmental or safety requirements, to prevent a loss
3 of revenues, to augment revenues, or to continue or enhance
4 the operations of any of the facilities thereof, or to upgrade
5 any of the facilities thereof.

6 (3) To provide for the financing or refinancing of the
7 facilities for the State University System.

8 (4) To finance or refinance feasibility studies for
9 public projects consistent with the purposes of the authority.

10 (5) To provide for the financing or refinancing of any
11 other project of the authority, but only to the extent
12 expressly authorized by law.

13 (6) To provide for the financing of the facilities at
14 institutions of higher education based upon a list of projects
15 recommended by the Commissioner of Education following a
16 competitive application process, provided that the aggregate
17 financing of the projects undertaken pursuant to this
18 subsection does not exceed \$5 million.

19
20 Bonds and notes authorized pursuant to this section shall be
21 special obligations of the authority payable as herein
22 provided. Bonds and notes shall not constitute a debt or
23 liability of the state or a pledge of the faith and credit of
24 the state but are dependent for repayment upon appropriations
25 as provided by law from time to time. These bonds and notes
26 and the interest thereon may also be payable from the proceeds
27 thereof set aside for that purpose and from income accruing
28 thereon.

29 Section 26. Luxury tax revenues.--Notwithstanding any
30 provision of law to the contrary, in the event any convention
31 hall or halls, including the side of a convention hall to be

1 constructed, located in any municipality or county which
2 levies a luxury tax pursuant to such law, is purchased,
3 leased, or otherwise acquired by the Florida Sports Authority
4 and for so long as the authority is the owner or is
5 responsible for supervision of the operation of the convention
6 hall or halls:

7 (1) Subject to and after providing for the payment of
8 the amounts, if any, required to be paid from the luxury tax
9 revenues of the municipality or county under any resolution,
10 indenture, or security agreement authorizing or securing bonds
11 or other obligations of a county improvement authority and to
12 be applied to the payment of the principal of or interest on
13 those bonds or other obligations issued for the convention
14 hall project and to the maintenance of reserves therefor and
15 the allocation of moneys for future debt service payments, all
16 the remaining luxury tax revenues on deposit in the luxury tax
17 fund, including any balance not required for those purposes on
18 deposit in the luxury tax fund on the date of enactment, shall
19 be paid promptly during each year by the State Treasurer from
20 the luxury tax fund to the Florida Sports Authority for
21 application to the purposes of the convention hall project.

22 (2) No further bonds or other obligations, other than
23 refunding bonds, shall be issued and no lease shall be entered
24 into, by any public body other than the Florida Sports
25 Authority, the payment of which is to be made from or secured
26 by the luxury tax revenues of the municipality or county.

27 (3) Luxury tax revenues of the municipality which are
28 in excess of the requirements with respect thereto of the
29 Florida Sports Authority relating to any convention hall
30 project shall be applied to the purposes set forth herein.

31

1 (4) If the luxury tax of the municipality or county,
2 including any increase thereof adopted by the municipality or
3 county, shall be pledged to the payment of bonds or notes of
4 the Florida Sports Authority, the municipality or county shall
5 not repeal the luxury tax, or reduce the rate of the tax, or
6 eliminate from taxation any retail sales that are subject to
7 the tax so long as the bonds or notes remain outstanding.

8 Section 27. Guarantee by state not to limit or alter
9 rights or powers vested in authority.--The State of Florida
10 hereby pledges to and covenants and agrees with the holders of
11 any bonds or notes issued pursuant to this act that the state
12 will not limit or alter the rights or powers vesting in the
13 authority to acquire, construct, maintain, improve, repair,
14 and operate a project in any way that would jeopardize the
15 interest of such holders, or to perform and fulfill the terms
16 of any agreement made with the holders of such bonds or notes,
17 or to fix, establish, charge, and collect such rents, fees,
18 rates, or other charges as may be convenient or necessary to
19 produce sufficient revenues to meet all expenses of the
20 authority and fulfill the terms of any agreement made with the
21 holders of such bonds and notes, together with interest
22 thereon, with interest on any unpaid installments of interest,
23 and all costs and expenses in connection with any action or
24 proceeding by or on behalf of such holders, until the bonds,
25 together with interest thereon, are fully met and discharged.

26 Section 28. Authorization as legal investment or
27 security for public deposits.--The state and all public
28 officers, governmental units and agencies thereof, all banks,
29 trust companies, savings banks and institutions, building and
30 loan associations, savings and loan associations, investment
31 companies, and other persons carrying on a banking business,

1 and all executors, administrators, guardians, trustees, and
2 other fiduciaries may legally invest any sinking funds,
3 moneys, or other funds belonging to them or within their
4 control in any bonds or notes issued pursuant to this act, and
5 such bonds or notes shall be authorized security for any and
6 all public deposits.

7 Section 29. Lease or conveyance of land by state or
8 governmental subdivisions.--All counties and municipalities
9 and other governmental subdivisions, all authorities, and all
10 public departments, agencies, and commissions of the state,
11 notwithstanding any contrary provision of law, are hereby
12 authorized and empowered to lease, lend, grant, or convey to
13 the authority at its request upon such terms and conditions as
14 the governing body or other proper authorities of such
15 counties, municipalities, and governmental subdivisions,
16 authorities, and departments, agencies, or commissions of the
17 state may deem reasonable and fair and without the necessity
18 for any advertisement, order of court, or other action or
19 formality, other than the authorizing ordinance of the
20 governing body of the municipality, the authorizing resolution
21 of the governing body of the county, or the regular and formal
22 action of any public body concerned, any real property or
23 interest therein which may be necessary or convenient to the
24 effectuation of the purposes of the authority, including
25 public highways and other real property already devoted to
26 public use.

27 Section 30. Tax exemption; projects and property of
28 authority; bonds or notes; payments in lieu of property
29 taxes.--

30 (1) All projects and other property of the authority
31 are hereby declared to be public property devoted to an

1 essential public and governmental function and purpose and
2 shall be exempt from all taxes and special assessments of the
3 state or any political subdivision thereof, provided, however,
4 that when any part of the project site not occupied or to be
5 occupied by facilities of the project is leased by the
6 authority to another whose property is not exempt and the
7 leasing of which does not make the real estate taxable, the
8 estate created by the lease and the appurtenances thereto
9 shall be listed as the property of the lessee thereof, or the
10 lessee's assignee, and assessed and taxed as real estate. All
11 bonds or notes issued pursuant to this act are hereby declared
12 to be issued by a body corporate and public of the state and
13 for an essential public and governmental purpose, and such
14 bonds and notes, and the interest thereon and the income
15 therefrom, and all funds, revenues, income, and other moneys
16 received or to be received by the authority and pledged or
17 available to pay or secure the payment of such bonds or notes,
18 or interest thereon, shall at all times be exempt from
19 taxation except for transfer, inheritance, and estate taxes.

20 (2) To the end that there does not occur an undue loss
21 of future tax revenues by reason of the acquisition of real
22 property by the authority, the authority annually shall make
23 payments in lieu of taxes to the municipality in which such
24 property is located in an amount to be raised by real property
25 taxation in each such year by a fraction, the numerator of
26 which is the amount of real property taxes assessed against
27 the property acquired by the authority in the tax year in
28 which this act becomes effective and the denominator of which
29 is the total amount to be raised by real property taxation in
30 such municipality in the tax year in which this act becomes
31 effective. Such payments shall be made each year commencing

1 with the first year subsequent to the year in which such real
2 property is converted from a taxable to an excepted status by
3 reason of acquisition thereof by the authority.

4 (3) The authority is further authorized and empowered
5 to enter into any agreement or agreements with any county or
6 municipality whereby the authority shall undertake to pay any
7 additional amounts to compensate for any loss of tax revenues
8 by reason of the acquisition of any real property by the
9 authority. Every such county and municipality is authorized
10 and empowered to enter into such agreements with the authority
11 and to accept payments which the authority makes thereunder.

12 Section 31. Annual report; annual audit.--On or before
13 the last day of February in each year, the authority shall
14 make an annual report of its activities for the preceding
15 calendar year to the Governor and the Legislature. Each such
16 report shall set forth a complete operating and financial
17 statement covering its operations during the year. The
18 authority shall cause an audit of its books and accounts to be
19 made at least once in each year by certified public
20 accountants, and the cost thereof shall be considered an
21 expense of the authority. A copy of the audit shall be filed
22 with the Comptroller.

23 Section 32. Services by state officers, departments,
24 boards, agencies, divisions, and commissions.--All officers,
25 departments, boards, agencies, divisions, and commissions of
26 the state are hereby authorized and empowered to render any
27 and all services to the authority as may be within the area of
28 their respective governmental functions as fixed or
29 established by law, and as may be requested by the authority.
30 The cost and expense of such services shall be met by the
31 authority.

1 Section 33. Contracts; requirement for public
2 bids.--The authority, in the exercise of its authority to make
3 and enter into contracts and agreements necessary or
4 incidental to the performance of its duties and the execution
5 of its powers, shall adopt standing rules and procedures
6 providing that, except as hereinafter provided, no contract on
7 behalf of the authority shall be entered into for the
8 performance of any work, or for the hiring of equipment or
9 vehicles, when the amount to be expended exceeds \$500,000
10 unless the authority first publicly advertises for bids
11 therefor, and awards the contract to the lowest responsible
12 bidder; however, such advertising shall not be required when
13 the contract to be entered into is one for furnishing or
14 performing services of a professional nature or for supplying
15 any project or rendering any service by a public utility
16 subject to the jurisdiction of the Public Service Commission,
17 and tariffs and schedules of the charges made, charged, or
18 exactd by the public utility for any such products to be
19 supplied or services to be rendered are filed with said
20 commission. This section shall not prevent the authority from
21 having any work performed by its own employees, nor shall it
22 apply to repairs, to the furnishing of materials, supplies, or
23 labor, or to the hiring of equipment or vehicles, when the
24 safety or protection of its or other public property or the
25 public convenience requires, or the exigency of the
26 authority's service will not admit of such advertisement. In
27 such case, the authority shall, by resolution passed by the
28 affirmative vote of a majority of its members, declare the
29 exigency or emergency to exist, and set forth in the
30 resolution the nature thereof and the approximate amount to be
31 so expended.

1 Section 34. Purchases, contracts, or agreements; over
2 threshold amount, requirements for public bids; under
3 threshold amount, manner approved by authority.--

4 (1) All purchases, contracts, or agreements in which
5 the cost or contract price exceeds \$500,000 or, after June 30,
6 2000, the amount determined pursuant to this section, shall,
7 except as otherwise provided in this act, be made, negotiated,
8 or awarded only after public advertisement for bids therefor
9 and shall be awarded to that responsible bidder whose bid,
10 conforming to the invitation for bids, is most advantageous to
11 the authority, in its judgment, upon consideration of price
12 and other factors. Any bid may be rejected when the authority
13 determines that it is in the public interest to do so.

14 (2) Any purchase, contract, or agreement in which the
15 cost or contract price is less than or equal to \$500,000 or,
16 after June 30, 2000, the amount determined pursuant to this
17 section, may be made, negotiated, or awarded by the authority
18 without advertising and in any manner which the authority, in
19 its judgment, deems necessary to serve its unique interests
20 and purposes and which promotes, whenever practicable, full
21 and free competition by the acceptance of quotations or
22 proposals or by the use of other suitable methods.

23 (3) Commencing January 1, 2001, the Governor, in
24 consultation with the State Treasurer, shall, no later than
25 March 1 of each odd-numbered year, adjust the threshold amount
26 set forth in this section, or, subsequent to 2001, the
27 threshold amount resulting from any adjustment under this
28 subsection, in direct proportion to the rise or fall of the
29 Consumer Price Index for all urban consumers in the Miami-Dade
30 area as reported by the United States Department of Labor. The
31 Governor shall, no later than June 1 of each odd-numbered

1 year, notify the authority of the adjustment. The adjustment
2 shall become effective on July 1 of each odd-numbered year.

3 Section 35. Set-aside contract goals.--The authority
4 is authorized and directed to establish, prior to initiating
5 any project on or after the effective date of this act, small
6 business, minority business, and women's business set-aside
7 contract goals and procedures in accordance with applicable
8 provisions of law.

9 Section 36. Exemptions.--Any purchase, contract, or
10 agreement in which the cost or contract price exceeds the
11 amount specified in this act, or, after June 30, 2001, the
12 amount calculated by the Governor, may be made, negotiated, or
13 awarded by the authority without advertisement for bids when
14 the subject matter is that described in section 37 or when the
15 purchase, contract, or agreement is made, negotiated, or
16 awarded under the circumstances described in section 38. In
17 any such instance, the authority may make, negotiate, or award
18 the purchase, contract, or agreement in any manner which the
19 authority deems necessary to serve its unique interests and
20 purposes and which promotes, whenever practicable, full and
21 free competition by the acceptance of quotations or proposals
22 or by the use of other suitable methods.

23 Section 37. Exemptions; subject matter.--Any purchase,
24 contract, or agreement may be made, negotiated, or awarded
25 pursuant to this act when the subject matter consists of:

26 (1) Services which are professional or technical in
27 nature or services which are original and creative in
28 character in a recognized field of artistic endeavor;

29 (2) Items which are perishable or subsistence
30 supplies;

31

1 (3) Items which are specialized equipment or
2 specialized machinery necessary to the conduct of authority
3 business;

4 (4) Items or services supplied by a public utility
5 subject to the jurisdiction of the Public Service Commission,
6 and tariffs and schedules of the charges made, charged, or
7 exactd by the public utility for those items or services are
8 filed with the commission;

9 (5) Items which are styled or seasonal wearing
10 apparel;

11 (6) Items or services which, in order to compete
12 successfully with other sports and entertainment facilities,
13 the authority deems necessary to provide quality athletic
14 contests, pari-mutuel wagering events, or other spectator
15 sporting events and trade shows, expositions, concerts, and
16 other public events. These items and services shall include,
17 but not be limited to, food concessions; playing surfaces for
18 football, soccer, tennis, or other athletic contests; indoor
19 foot racing tracks; ice making and resurfacing equipment and
20 services; matrix and scoreboard systems; ticket printing and
21 ticket selling services; materials, supplies, equipment, and
22 services for preparation and maintenance of pari-mutuel
23 wagering events; program printing; pari-mutuel computer or
24 totalisator equipment or services; teletimer equipment or
25 services; photo finish equipment or services; and items or
26 services which are part of or related to promotional or
27 advertising efforts;

28 (7) The lease of such office space, office machinery,
29 specialized equipment, buildings, or real property as may be
30 required for the conduct of authority business; or

31 (8) The sale or licensing of advertising rights.

1 Section 38. Exemptions; circumstances.--Any purchase,
2 contract, or agreement may be made, negotiated, or awarded
3 pursuant to this act when:

4 (1) Standardization of equipment and
5 interchangeability of parts is in the public interest;

6 (2) Only one source of supply or service is available;

7 (3) The safety or protection of authority property or
8 other public property requires;

9 (4) The exigency of the authority's service will not
10 admit of advertisement;

11 (5) More favorable terms can be obtained from a
12 primary source of supply of an item or service;

13 (6) Bid prices, after advertising, are not reasonable
14 or have not been independently arrived at in open competition;
15 but no negotiated purchase, contract, or agreement may be
16 entered into under this subsection after the rejection of all
17 bids received unless notification of the intention to
18 negotiate and reasonable opportunity to negotiate is given to
19 each responsible bidder; the negotiated price is lower than
20 the lowest rejected bid price of a responsible bidder; and the
21 negotiated price is the lowest negotiated price offered by any
22 responsible contractor;

23 (7) The purchase is to be made from, or the contract
24 is to be made with, the Federal Government or any state
25 government or agency or political subdivision thereof; or

26 (8) Purchases are made through or by the Department of
27 Management Services.

28 Section 39. Award without public advertisement;
29 resolution; specification of subject matter or
30 circumstances.--In any case in which the authority makes,
31 negotiates, or awards a purchase, contract, or agreement

1 without public advertisement pursuant to section 36, the
2 authority shall, by resolution passed by the affirmative vote
3 of a majority of its members, specify the subject matter or
4 circumstances set forth in section 37 or section 38 which
5 permit the authority to take such action.

6 Section 40. Work by employees of authority.--Nothing
7 herein shall prevent the authority from having any work
8 performed by its own employees.

9 Section 41. Effect of inconsistent acts and rules
10 adopted hereunder.--It is the intent of the Legislature that
11 in the event of any conflict or inconsistency in the
12 provisions of this act and any other acts pertaining to
13 matters herein established or provided for or in any rules
14 adopted under this act or said other acts, to the extent of
15 such conflict or inconsistency, the provisions of this act and
16 the rules adopted hereunder shall be enforced, and the
17 provisions of such other acts and rules adopted thereunder
18 shall be of no force and effect.

19 Section 42. Partial invalidity.--If any clause,
20 sentence, paragraph, section, or part of this act is adjudged
21 by any court of competent jurisdiction to be invalid, such
22 judgment shall not affect, impair, or invalidate the remainder
23 thereof, but shall be confined in its operation to the clause,
24 sentence, paragraph, section, or part thereof directly
25 involved in the controversy in which such judgment has been
26 rendered.

27 Section 43. Construction of act.--This act shall be
28 construed liberally to effectuate the legislative intent and
29 the purposes of the act as complete and independent authority
30 for the performance of each act and thing herein authorized,
31 and all powers herein granted shall be broadly interpreted to

1 effectuate such intent and purposes and not as a limitation of
2 powers.

3 Section 44. Legislative findings and declarations.--

4 (1) The Legislature finds and declares that the
5 general welfare of the people of the state will be promoted by
6 the advancement of pari-mutuel wagering facilities in the
7 state; that it is vital to state government that the revenues
8 derived from pari-mutuel wagering in the state be continued;
9 that ownership and operation of pari-mutuel events by a state
10 agency would protect against a loss of revenue to the state
11 and assure the financial stability of such facilities and
12 availability of capital to repair; reconstruct, and restore
13 damaged or destroyed facilities thereof and to provide
14 improvements and additions thereto; that the advancement and
15 retention of such facilities and related activities in the
16 state will not only provide recreational opportunities for the
17 people of the state but will also benefit the people in the
18 form of increased commerce and employment.

19 (2) The Legislature has determined that in order to
20 accomplish such purposes and goals, it is necessary and
21 desirable to authorize the Florida Sports Authority to
22 immediately acquire and operate any pari-mutuel wagering
23 facility and its contiguous properties and auxiliary
24 facilities.

25 (3) The Legislature further finds that the powers
26 conferred by this act and the expenditure of public moneys
27 pursuant thereto will serve a valid public purpose and that
28 the enactment of the provisions of this act is in the public
29 interest and is declared to be such as a matter of express
30 legislative determination.

31

1 Section 45. Pari-mutuel wagering facility;
2 acquisition, operation, maintenance, repair, reconstruction,
3 and improvement; feasibility study; additional projects;
4 approval by Legislature.--The authority is hereby authorized
5 and empowered to acquire, operate, maintain, repair,
6 reconstruct, restore, and improve as additional projects any
7 pari-mutuel wagering facility and any contiguous properties
8 and auxiliary facilities, including, without limitation,
9 pavilions, stands, clubhouses, training tracks, fairgrounds,
10 and other exposition facilities, together with all buildings,
11 structures, roads, parking areas, recreation areas,
12 restaurants, transportation facilities or systems, equipment,
13 furnishings, properties, and appurtenances related thereto or
14 incidental to, necessary for, or complementary to the purposes
15 thereof, provided that, so long as any bonds or notes issued
16 to finance any other complex are outstanding, none of the
17 revenues of any other complex shall be used for any of the
18 foregoing or to pay principal of or interest on any bonds or
19 notes issued to finance an additional project. The authority
20 shall not acquire any of the foregoing facilities until a
21 feasibility study conducted by a private, independent
22 consulting firm satisfactory to the Legislature has been
23 completed demonstrating that the reconstructed facility will
24 generate sufficient revenues to ensure repayment of
25 indebtedness incurred to finance its acquisition and
26 reconstruction and that it will not have a materially adverse
27 effect on the operations and financial condition of any other
28 complex.

29 Section 46. Conduct of pari-mutuel wagering events and
30 pari-mutuel wagering.--
31

1 (1) The authority is hereby authorized, licensed, and
2 empowered to apply to the Department of Business and
3 Professional Regulation for a permit or permits to conduct, as
4 part of the additional projects authorized in section 45 or
5 any one or more thereof, pari-mutual wagering events for
6 stake, purse, or reward, and to provide a place or places on
7 the grounds or enclosure for wagering by patrons on the result
8 of such events by the pari-mutuel system, and to receive
9 charges and collect all revenues, receipts, and other moneys
10 from the ownership and operation thereof, provided that only
11 the authority through its employees may conduct such
12 pari-mutuel wagering events, and the authority is expressly
13 prohibited from placing in the control of any other person,
14 firm, or corporation the conduct of such events, meetings, or
15 wagering.

16 (2) Except as otherwise provided in chapter 550,
17 Florida Statutes, such pari-mutuel wagering events and
18 pari-mutuel wagering shall be conducted by the authority in
19 compliance with the standards set forth and the rules and
20 conditions prescribed by the Department of Business and
21 Professional Regulation for the conduct of such events and for
22 pari-mutuel wagering at such events.

23 (3) Applications for permits shall be on forms
24 prescribed by the Department of Business and Professional
25 Regulation. The Department of Business and Professional
26 Regulation shall review and act on any application within 30
27 days after its filing and is authorized in its sole
28 discretion to determine whether a permit is granted to the
29 authority. If, after review, the Department of Business and
30 Professional Regulation acts favorably on an application, a
31 permit shall be granted to the authority without further

1 approval which permit shall be in substitution for and shall
2 supersede the permit issued any such facility and shall remain
3 in force and effect so long as any bonds or notes of the
4 authority issued for the purposes of any of the additional
5 projects remain outstanding, the provisions of any other law
6 to the contrary notwithstanding. In granting a permit to the
7 authority to conduct such events, the Department of Business
8 and Professional Regulation shall not be limited as to the
9 number of facilities permitted pursuant to any provision of
10 law. Said permit shall specify the dates allotted to the
11 authority for its conduct of such events. Thereafter,
12 application by the authority for dates for pari-mutuel
13 wagering events and the allotment thereof by the Department of
14 Business and Professional Regulation, including renewal of the
15 dates heretofore allotted, shall be governed by the applicable
16 provisions of law. Notwithstanding the provision of any other
17 law to the contrary, the Department of Business and
18 Professional Regulation shall allot annually to the authority
19 not less than 50 thoroughbred or standardbred racing days at
20 such facility, if and to the extent that application is made
21 therefor, or 100 performances at any other facility.

22 (4) No hearing, referendum, or other election or
23 proceeding, and no payment, surety, or cash bond or other
24 deposit, shall be required for the authority to hold or
25 conduct the pari-mutuel wagering events with pari-mutuel
26 wagering herein authorized.

27 (5) The authority shall determine the amount of the
28 admission fee for such events and all matters relating to the
29 collection thereof.

30 (6) All moneys held by the authority for payment of
31 outstanding pari-mutuel tickets not claimed by the person or

1 persons entitled thereto within the time provided by law shall
2 be paid to the authority upon the expiration of such time
3 without further obligation to such ticket holder.

4 (7) Except as herein provided, no admission or
5 amusement tax, excise tax, license, or pari-mutuel wagering
6 fee of any kind shall be assessed or collected from the
7 authority by the state, or by any county or municipality, or
8 by any other body having power to assess or collect license
9 fees or taxes.

10 (8) Any pari-mutuel wagering event and the pari-mutuel
11 system of wagering upon the result of an event held at such
12 facility with respect to any additional project shall not,
13 under any circumstances, if conducted as provided in this act
14 and in conformity thereto, be held or construed to be
15 unlawful, any other law to the contrary notwithstanding.

16 (9) Each employee of the authority engaged in
17 conducting pari-mutuel wagering events shall obtain the
18 appropriate license from the Department of Business and
19 Professional Regulation. The Department of Business and
20 Professional Regulation, after a hearing, may suspend any
21 member of the authority upon approval of the Governor and may
22 suspend the license of any employee of the authority for any
23 violation of the laws governing pari-mutuel wagering or any
24 rule of the Department of Business and Professional
25 Regulation. Such hearing shall be held and conducted in the
26 manner provided by law.

27 Section 47. This act shall take effect December 31,
28 2000.

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HOUSE SUMMARY

Creates the "Florida Sports Authority Law" to create a corporate agency of the state to provide for additional facilities to accommodate trade shows, expositions, sports events, and other public events in the state, including pari-mutuel wagering events. See bill for details.