

Committee Substitute for
Committee Substitute for Senate Bill No. 2372

An act relating to physical fitness and health; requiring the Department of Health to undertake certain actions to promote healthy lifestyles and body weight; authorizing the department to adopt rules; providing that the act is contingent on an appropriation; amending s. 320.08058, F.S.; requiring the Florida Sports Foundation to allocate certain proceeds from the sale of license plates for additional purposes; providing an effective date.

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

Section 1. (1) The Department of Health shall promote healthy lifestyles to reduce the prevalence of overweight and obesity in Florida by implementing appropriate physical activity and nutrition programs that target all Floridians by:

(a) Using all appropriate media to promote maximum public awareness of the latest research on healthy lifestyles and chronic diseases and disseminating relevant information through a statewide clearinghouse relating to wellness, physical activity, and nutrition and their impact on chronic diseases and disabling conditions.

(b) Providing technical assistance, training, and resources on healthy lifestyles and chronic diseases to the public, county health departments, health care providers, school districts, and other persons or entities, including faith-based organizations, that request such assistance to promote physical activity, nutrition, and healthy lifestyle programs.

(c) Developing, implementing, and using all available research methods to collect data, including, but not limited to, population-specific data, and track the incidence and effects of weight-gain, obesity, and related chronic diseases. The department shall include an evaluation and data collection component in all programs as appropriate.

(d) Partnering with the Department of Education, local communities, school districts, and other entities to encourage Florida schools to promote activities during and after school to help students meet a minimum goal of 60 minutes of activity per day.

(e) Partnering with the Department of Education, school districts, and the Florida Sports Foundation to develop a program that recognizes schools whose students demonstrate excellent physical fitness or fitness improvement.

(f) Maximizing all local, state, and federal funding sources, including grants, public-private partnerships, and other mechanisms, to strengthen the department's current physical activity and nutrition programs and to enhance similar county health department programs.

(2) The department may adopt rules pursuant to sections 120.536(1) and 120.54, Florida Statutes, to administer this section.

(3) This section shall be implemented contingent on an appropriation in the General Appropriations Act.

Section 2. Paragraph (b) of subsection (9) of section 320.08058, Florida Statutes, is amended to read:

320.08058 Specialty license plates.—

(9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

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

1. Fifty-five percent of the proceeds from the Florida Professional Sports Team plate must be deposited into the Professional Sports Development Trust Fund within the Office of Tourism, Trade, and Economic Development. These funds must be used solely to attract and support major sports events in this state. As used in this subparagraph, the term “major sports events” means, but is not limited to, championship or all-star contests of Major League Baseball, the National Basketball Association, the National Football League, the National Hockey League, the men’s and women’s National Collegiate Athletic Association Final Four basketball championship, or a horseracing or dogracing Breeders’ Cup. All funds must be used to support and promote major sporting events, and the uses must be approved by the Florida Sports Foundation.

2. The remaining proceeds of the Florida Professional Sports Team license plate must be allocated to the Florida Sports Foundation, a direct-support organization of the Office of Tourism, Trade, and Economic Development. These funds must be deposited into the Professional Sports Development Trust Fund within the Office of Tourism, Trade, and Economic Development. These funds must be used by the Florida Sports Foundation to promote the economic development of the sports industry; to distribute licensing and royalty fees to participating professional sports teams; to promote education programs in Florida schools that provide an awareness of the benefits of physical activity and nutrition standards; to partner with the Department of Education and the Department of Health to develop a program that recognizes schools whose students demonstrate excellent physical fitness or fitness improvement; to institute a grant program for communities bidding on minor sporting events that create an economic impact for the state; to distribute funds to Florida-based charities designated by the Florida Sports Foundation and the participating professional sports teams; and to fulfill the sports promotion responsibilities of the Office of Tourism, Trade, and Economic Development.

3. The Florida Sports Foundation shall provide an annual financial audit in accordance with s. 215.981 of its financial accounts and records by an independent certified public accountant pursuant to the contract established by the Office of Tourism, Trade, and Economic Development as specified in s. 288.1229(5). The auditor shall submit the audit report to the Office

of Tourism, Trade, and Economic Development for review and approval. If the audit report is approved, the office shall certify the audit report to the Auditor General for review.

4. For the 2003-2004 fiscal year only and notwithstanding the provisions of subparagraphs 1. and 2., proceeds from the Professional Sports Development Trust Fund may also be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games. This subparagraph expires July 1, 2004.

Section 3. This act shall take effect July 1, 2004.

Approved by the Governor June 18, 2004.

Filed in Office Secretary of State June 18, 2004.