By Senator Wise

5-00060-12 2012268__

A bill to be entitled

An act relating to the sale of advertising; creating the "John Anthony Wilson Bicycle Safety Act"; creating s. 260.0144, F.S.; providing for the Department of Environmental Protection to enter into concession agreements for naming rights of state greenway and trail facilities or property or commercial advertising to be displayed on state greenway and trail facilities or property; providing for distribution of proceeds from such concession agreements; providing an effective date.

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

Section 1. This act may be cited as the "John Anthony Wilson Bicycle Safety Act."

Section 2. Section 260.0144, Florida Statutes, is created to read:

260.0144 Naming rights or space for advertising.—The department may enter into a concession agreement with a not-for-profit entity or private sector business or entity for naming rights of state greenway and trail facilities or property or for commercial advertising to be displayed on state greenway and trail facilities or property.

(1) A concession agreement under this section shall be administered by the department and must include the requirements of subsections (3) and (4).

(2)(a) Naming rights or space for a commercial advertising display may be provided through a concession agreement on

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

certain state-owned greenway or trail facilities or property.

(b) Signage or displays erected under this section shall be limited to trailheads, trail intersections, directional or distance markers, interpretive exhibits, and parking areas.

(c) The size of any sign or display shall be limited as follows:

1. A sign or display located at a trailhead or parking area may not exceed 16 square feet.

2. All other signs or displays may not exceed 4 square feet.

(d) Naming rights of a facility or commercial advertising pursuant to a concession agreement under this section are for public relations or advertising purposes of a not-for-profit entity or private sector business or entity, and shall not be construed by that not-for-profit entity or business or entity as having a relationship to any other actions of the department.

(3) A concession agreement under this section shall be for a minimum of 1 year but may be for a longer period under a multiyear agreement, and may be terminated at any time by the department.

(4)(a) Before installation, each name or advertising display must be approved by the department, as appropriate.

(b) The department shall set materials and construction standards for all signage displayed.

(c) All costs of a display, including its development, construction, installation, operation, maintenance, and removal, shall be paid by the concessionaire.

(5) Proceeds from concession agreements under this section shall be distributed as follows:

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

(a) Ninety percent shall be deposited into the appropriate department trust fund that is the source of funding for management and operation of state greenway or trail facilities and properties.

(b) Ten percent shall be distributed, prorated by population, to district school boards and must be used to enhance funds for the school district's bicycle education program or Safe Route to Schools Program. The prorated share of such funds for a district that does not provide one of these education programs may not be distributed to that district and shall be deposited into the appropriate department trust fund.

(6) The department may adopt rules to administer this section.

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

CODING: Words ~~stricken~~ are deletions; words underlined are additions.