

THE FLORIDA SENATE
2013 SUMMARY OF LEGISLATION PASSED
Committee on Gaming

CS/HB 155 — Prohibition of Electronic Gambling Devices

by Select Committee on Gaming; Reps. Trujillo, Patronis and others (CS/SB 1030 By Gaming Committee, Senator Thrasher and others)

Under current law, gambling is illegal except where specifically authorized.¹ Due in part to perceived loopholes in ch. 849, F.S., “Internet cafés,” “adult arcades,” and similar operations recently have emerged with games that look or play like slot machines.

- The bill updates the definition of slot machine and creates a rebuttable presumption that a device is a prohibited slot machine if it (1) simulates a game of chance and (2) requires “pay to play,” and (3) awards something of value.
- The bill clarifies that the charitable raffles exemption is not for slot machines or other games of chance.
- The bill clarifies that the game promotions exception is only for sweepstakes that truly are incidental to the sale of products or services. It also includes language to facilitate civil prosecutions of illegal sweepstakes promotions under the Florida Deceptive and Unfair Trade Practices Act.
- The amusement games exemption is only for arcades with 50 or more amusement games or truck stops. The bill clarifies that permissible amusement machines operate by insertion of a coin, involve the application of skill, and may award points or coupons that can be redeemed for merchandise. The cost value of points or coupons cannot exceed 75 cents per game played, excluding “free plays.” The bill clarifies that merchandise cannot be gift cards, gift certificates, or other cash equivalents.
- The bill broadens the definition of “racketeering activity” in Florida’s criminal RICO statute to include any violation of Chapter 849, relating to gambling.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 36-4; House 108-7

¹ Among the exceptions authorized in ch. 849, F.S., are: (1) charitable raffles or bingo, such as what is offered by veterans and religious groups; (2) sweepstakes promotions incidental to sales consumer products, like hamburgers or soft drinks; (3) amusement arcades or bowling alleys, where patrons get low value prizes for winning games that involve skill. The bill does not preclude any of these legitimate business models.