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LEGISLATIVE ACTION

Senate

.

House

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Floor: 1/R/2R

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03/09/2012 06:51 PM

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Senator Hays moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (a) of subsection (9) of section
24.105, Florida Statutes, is amended to read:

24.105 Powers and duties of department.—The department
shall:

(9) Adopt rules governing the establishment and operation
of the state lottery, including:

(a) The type of lottery games to be conducted, except that:

1. No name of an elected official shall appear on the
ticket or play slip of any lottery game or on any prize or on



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14 any instrument used for the payment of prizes, unless such prize
15 is in the form of a state warrant.

16 2. No coins or currency shall be dispensed from any
17 electronic computer terminal or device used in any lottery game.

18 3. Other than as specifically provided in s. 24.112
19 ~~subparagraph 4.~~, no terminal or device may be used for any
20 lottery game which may be operated solely by the player without
21 the assistance of the retailer.

22 ~~4. The only player-activated machine which may be utilized~~
23 ~~is a machine which dispenses instant lottery game tickets~~
24 ~~following the insertion of a coin or currency by a ticket~~
25 ~~purchaser. To be authorized a machine must: be under the~~
26 ~~supervision and within the direct line of sight of the lottery~~
27 ~~retailer to ensure that the machine is monitored and only~~
28 ~~operated by persons at least 18 years of age; be capable of~~
29 ~~being electronically deactivated by the retailer to prohibit use~~
30 ~~by persons less than 18 years of age through the use of a~~
31 ~~lockout device that maintains the machine's deactivation for a~~
32 ~~period of no less than 5 minutes; and be designed to prevent its~~
33 ~~use or conversion for use in any manner other than the~~
34 ~~dispensing of instant lottery tickets. Authorized machines may~~
35 ~~dispense change to players purchasing tickets but may not be~~
36 ~~utilized for paying the holders of winning tickets of any kind.~~
37 ~~At least one clerk must be on duty at the lottery retailer while~~
38 ~~the machine is in operation. However, at least two clerks must~~
39 ~~be on duty at any lottery location which has violated s.~~
40 ~~24.1055.~~

41 Section 2. Paragraph (h) of subsection (2) of section
42 24.111, Florida Statutes, is amended to read:



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43 24.111 Vendors; disclosure and contract requirements.-

44 (2) The department shall investigate the financial
45 responsibility, security, and integrity of each vendor with
46 which it intends to negotiate a contract for major procurement.
47 Such investigation may include an investigation of the financial
48 responsibility, security, and integrity of any or all persons
49 whose names and addresses are required to be disclosed pursuant
50 to paragraph (a). Any person who submits a bid, proposal, or
51 offer as part of a major procurement must, at the time of
52 submitting such bid, proposal, or offer, provide the following:

53 (h) The department shall lease all ~~instant ticket~~ vending
54 machines that dispense online lottery tickets, instant lottery
55 tickets, or both online and instant lottery tickets.

56
57 The department shall not contract with any vendor who fails to
58 make the disclosures required by this subsection, and any
59 contract with a vendor who has failed to make the required
60 disclosures shall be unenforceable. Any contract with any vendor
61 who does not comply with such requirements for periodically
62 updating such disclosures during the tenure of such contract as
63 may be specified in such contract may be terminated by the
64 department. This subsection shall be construed broadly and
65 liberally to achieve the ends of full disclosure of all
66 information necessary to allow for a full and complete
67 evaluation by the department of the competence, integrity,
68 background, and character of vendors for major procurements.

69 Section 3. Subsection (15) is added to section 24.112,
70 Florida Statutes, to read:

71 24.112 Retailers of lottery tickets; authorization of



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72 vending machines to dispense lottery tickets.-

73 (15) A vending machine may be used to dispense online
74 lottery tickets, instant lottery tickets, or both online and
75 instant lottery tickets.

76 (a) The vending machine must:

77 1. Dispense a lottery ticket after a purchaser inserts a
78 coin or currency in the machine.

79 2. Be capable of being electronically deactivated for a
80 period of 5 minutes or more.

81 3. Be designed to prevent its use for any purpose other
82 than dispensing a lottery ticket.

83 (b) In order to be authorized to use a vending machine to
84 dispense lottery tickets, a retailer must:

85 1. Locate the vending machine in the retailer's direct line
86 of sight to ensure that purchases are only made by persons at
87 least 18 years of age.

88 2. Ensure that at least one employee is on duty when the
89 vending machine is available for use. However, if the retailer
90 has previously violated s. 24.1055, at least two employees must
91 be on duty when the vending machine is available for use.

92 (c) A vending machine that dispenses a lottery ticket may
93 dispense change to a purchaser but may not be used to redeem any
94 type of winning lottery ticket.

95 (d) The vending machine, or any machine or device linked to
96 the vending machine, may not include or make use of video reels
97 or mechanical reels or other video depictions of slot machine or
98 casino game themes or titles for game play. This does not
99 preclude the use of casino game themes or titles on such tickets
100 or signage or advertising displays on the machines.



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101 Section 4. This act shall take effect July 1, 2012.

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103 ===== T I T L E A M E N D M E N T =====

104 And the title is amended as follows:

105 Delete everything before the enacting clause
106 and insert:

107 A bill to be entitled
108 An act relating to the Department of the Lottery;
109 amending s. 24.105, F.S.; deleting a provision
110 relating to player-activated vending machines;
111 conforming provisions to changes made by the act;
112 amending s. 24.111, F.S.; revising the requirement
113 that the Department of the Lottery lease certain
114 vending machines; amending s. 24.112, F.S.; allowing
115 vending machines to dispense lottery tickets if
116 certain requirements are met; providing an effective
117 date.