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LEGISLATIVE ACTION

Senate

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House

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Floor: 1b/RE/3R

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05/03/2017 04:40 PM

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Senator Young moved the following:

1 **Senate Amendment to Amendment (162222) (with title**
2 **amendment)**

3
4 Before line 5

5 insert:

6 Section 1. Section 546.13, Florida Statutes, is created to
7 read:

8 546.13 Fantasy contests and fantasy contest operators.-

9 (1) DEFINITIONS.-As used in this section, the term:

10 (a) "Fantasy contest" means any fantasy or simulated game
11 or contest in which:



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12 1. The fantasy contest operator is not a participant in the
13 game or contest;

14 2. The value of all prizes and awards offered to winning
15 participants are established and made known to the participants
16 in advance of the contest;

17 3. All winning outcomes reflect the relative knowledge and
18 skill of the participants and are determined predominantly by
19 accumulated statistical results of the performance of
20 individuals, including athletes in the case of sports events;
21 and

22 4. No winning outcome is based on the score, point spread,
23 or any performance or performances of any single actual team or
24 combination of such teams or solely on any single performance of
25 an individual athlete or player in any single actual event.

26 (b) "Fantasy contest operator" means a person or entity
27 that offers fantasy contests for a cash prize or award. The term
28 does not include an individual who serves as the commissioner of
29 10 or fewer fantasy contests.

30 (2) EXEMPTIONS.—A fantasy contest is not subject to
31 regulation by the Department of Business and Professional
32 Regulation and is not subject to s. 849.01, s. 849.08, s.
33 849.09, s. 849.11, s. 849.14, or s. 849.25.

34 Section 2. Paragraph (c) is added to subsection (2) of
35 section 849.0931, Florida Statutes, and subsection (14) of that
36 section is republished, to read:

37 849.0931 Bingo authorized; conditions for conduct;
38 permitted uses of proceeds; limitations.—

39 (2)

40 (c) Veterans' organizations engaged in charitable, civic,



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41 benevolent, or scholastic works or other similar endeavors,
42 which organizations have been in existence for 3 years or more,
43 may conduct instant bingo in accordance with the requirements of
44 this section using electronic tickets in lieu of or together
45 with instant bingo paper tickets, only on the following
46 premises:

47 1. A property owned by the veterans' organization.
48 2. A property owned by the veterans' organization that will
49 benefit from the proceeds.

50 3. A property leased for at least 1 year by a veterans'
51 organization, provided that the lease or rental agreement does
52 not provide for the payment of a percentage of the proceeds
53 generated at such premises to the lessor or any other party and
54 provided that the rental rate for such premises does not exceed
55 the rental rates charged for similar premises in the same
56 locale.

57
58 Electronic tickets for instant bingo must be nontransparent
59 until the electronic ticket is opened by the player in
60 electronic form and may be sold or distributed in this state by
61 veterans' organizations only after the software for such tickets
62 has been independently analyzed and certified to be compliant
63 with this section by a nationally recognized independent gaming
64 laboratory.

65 (14) Any organization or other person who willfully and
66 knowingly violates any provision of this section commits a
67 misdemeanor of the first degree, punishable as provided in s.
68 775.082 or s. 775.083. For a second or subsequent offense, the
69 organization or other person commits a felony of the third



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70 degree, punishable as provided in s. 775.082, s. 775.083, or s.
71 775.084.

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

74 And the title is amended as follows:

75 Delete lines 849 - 850

76 and insert:

77 An act relating to the Department of Business and
78 Professional Regulation; creating s. 546.13, F.S.;
79 defining terms; exempting fantasy contests from
80 certain regulations; amending s. 849.0931, F.S.;
81 authorizing certain veterans' organizations to conduct
82 instant bingo, subject to certain requirements;
83 amending s. 287.055, F.S.; redefining the