

By the Committee on Appropriations; and Senator Galvano

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1 A bill to be entitled
2 An act relating to gaming; amending and reordering s.
3 24.103, F.S.; defining the term "point-of-sale
4 terminal"; amending s. 24.105, F.S.; authorizing the
5 Department of the Lottery to create a program that
6 authorizes certain persons to purchase a ticket at a
7 point-of-sale terminal; authorizing the department to
8 adopt rules; providing requirements for the rules;
9 amending s. 24.112, F.S.; authorizing the department,
10 a retailer operating from one or more locations, or a
11 vendor approved by the department to use a point-of-
12 sale terminal to sell a lottery ticket; requiring a
13 point-of-sale terminal to perform certain functions;
14 specifying that the point-of-sale terminal may not
15 reveal winning numbers; prohibiting a point-of-sale
16 terminal from including or making use of video reels
17 or mechanical reels or other video depictions of slot
18 machine or casino game themes or titles for game play;
19 prohibiting a point-of-sale terminal from being used
20 to redeem a winning ticket; amending s. 285.710, F.S.;
21 redefining the term "compact"; ratifying and approving
22 a specified compact executed by the Governor and the
23 Seminole Tribe of Florida contingent upon the adoption
24 of specified amendments to the compact; superseding
25 the compact approved by the Legislature in 2010,
26 subject to certain requirements; directing the
27 Governor to cooperate with the Tribe in seeking
28 approval of the amended compact from the United States
29 Secretary of the Interior; directing the Secretary of

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30 the Department of Business and Professional Regulation
31 to provide written notice of the effective date of the
32 compact to specified persons under certain
33 circumstances; specifying the amendments that must be
34 made to the compact by agreement between the Governor
35 and the Tribe for the compact to be deemed ratified
36 and approved; prohibiting the incorporation of
37 specified amendments into the compact from impacting
38 or changing the payments required to the state by the
39 Tribe during specified payment periods; prohibiting
40 the compact from being amended to prorate or reduce
41 required payments to the state; requiring specified
42 provisions of the compact relating to required
43 payments to the state during the initial payment
44 period be deleted; expanding the games authorized to
45 be conducted and the counties in which such games may
46 be offered; amending s. 285.712, F.S.; correcting a
47 citation; creating s. 546.11, F.S.; providing a short
48 title; creating s. 546.12, F.S.; providing legislative
49 findings and intent; creating s. 546.13, F.S.;
50 defining terms; creating s. 546.14, F.S.; creating the
51 Office of Contest Amusements within the Department of
52 Business and Professional Regulation; requiring that
53 the office be under the supervision of a senior
54 manager who is exempt from the Career Service System
55 and is appointed by the secretary of the department;
56 providing duties of the office; providing for
57 rulemaking; creating s. 546.15, F.S.; providing
58 licensing requirements for contest operators offering

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59 fantasy contests; providing licensing application and
60 renewal fees; requiring the office to grant or deny a
61 license within a specified timeframe; providing that a
62 completed application is deemed approved 120 days
63 after receipt by the office under certain
64 circumstances; exempting applications for a contest
65 operator's license from certain licensure timeframe
66 requirements; providing requirements for the license
67 application; providing that specified persons or
68 entities are not eligible for licensure under certain
69 circumstances; defining the term "convicted";
70 authorizing the office to suspend, revoke, or deny a
71 license under certain circumstances; creating s.
72 546.16, F.S.; requiring a contest operator to
73 implement specified consumer protection procedures
74 under certain circumstances; requiring a contest
75 operator to annually contract with a third party to
76 perform an independent audit under certain
77 circumstances; requiring a contest operator to submit
78 the audit results to the office by a certain date;
79 creating s. 546.17, F.S.; requiring contest operators
80 to keep and maintain certain records for a specified
81 period; providing a requirement for such records;
82 requiring that such records be available for audit and
83 inspection; requiring the department to adopt rules;
84 creating s. 546.18, F.S.; providing a civil penalty;
85 providing applicability; exempting fantasy contests
86 from certain provisions in ch. 849, F.S.; providing a
87 directive to the Division of Law Revision and

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88 Information; amending s. 550.002, F.S.; redefining the
89 term "full schedule of live racing or games"; amending
90 s. 550.01215, F.S.; revising application requirements
91 for pari-mutuel operating licenses; authorizing a
92 greyhound racing permitholder to specify certain
93 intentions on its application; authorizing a greyhound
94 racing permitholder to receive an operating license to
95 conduct pari-mutuel wagering activities at another
96 permitholder's greyhound racing facility; authorizing
97 a thoroughbred horse racing permitholder to elect not
98 to conduct live racing under certain circumstances;
99 authorizing a thoroughbred horse racing permitholder
100 that elects not to conduct live racing to retain its
101 permit and requiring the permitholder to specify its
102 intention not to conduct live racing in future
103 applications and that it is a pari-mutuel facility;
104 authorizing such thoroughbred racing permitholder's
105 facility to remain an eligible facility, to continue
106 to be eligible for a slot machine license, to be
107 exempt from certain provisions of chs. 550 and 551,
108 F.S., to be eligible as a guest track for intertrack
109 wagering and simulcasting, and to remain eligible for
110 a cardroom license; requiring, for a specified period,
111 that such permitholder file with the division an
112 irrevocable consent authorizing the use of certain
113 contributions for specified purses and awards;
114 exempting certain harness horse racing permitholders,
115 quarter horse racing permitholders, and jai alai
116 permitholders from specified live racing or live games

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117 requirements; authorizing such permitholders to
118 specify certain intentions on their applications;
119 authorizing certain permitholders that elect not to
120 conduct live racing to retain their permits; providing
121 that certain facilities of such permitholders that
122 have been issued a slot machine license remain
123 eligible facilities, continue to be eligible for a
124 slot machine license, are exempt from certain
125 provisions of ch. 551, F.S., are eligible to be guest
126 tracks or, in certain cases, host tracks for certain
127 purposes, and remain eligible for a cardroom license;
128 authorizing the Division of Pari-mutuel Wagering of
129 the Department of Business and Professional Regulation
130 to approve changes in racing dates for permitholders
131 under certain circumstances; providing requirements
132 for licensure of certain jai alai permitholders;
133 deleting a provision for conversion of certain
134 converted permits to jai alai permits; authorizing
135 certain limited thoroughbred racing permitholders to
136 apply by a certain date to conduct live performances
137 during a specified timeframe subject to certain
138 conditions; amending s. 550.0251, F.S.; requiring the
139 division to annually report to the Governor and the
140 Legislature; specifying requirements for the content
141 of the report; amending s. 550.054, F.S.; requiring
142 the division to revoke a pari-mutuel wagering
143 operating permit under certain circumstances;
144 prohibiting issuance or approval of new pari-mutuel
145 permits after a specified date; prohibiting certain

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146 revoked permits from being reissued; authorizing a
147 permitholder to apply to the division to place a
148 permit in inactive status; revising provisions that
149 prohibit transfer or assignment of a pari-mutuel
150 permit; deleting provisions authorizing a jai alai
151 permitholder to convert such permit to conduct
152 greyhound racing; deleting a provision requiring the
153 division to convert such permits under certain
154 circumstances; deleting provisions for certain
155 converted permits; amending s. 550.0555, F.S.;
156 authorizing specified permitholders to relocate under
157 certain circumstances, subject to certain
158 restrictions; deleting a provision requiring the
159 relocation to be necessary to ensure the revenue-
160 producing capability of the permittee without
161 deteriorating the revenue-producing capability of any
162 other pari-mutuel permittee within a certain distance;
163 revising how certain distances are measured; repealing
164 s. 550.0745, F.S., relating to the conversion of pari-
165 mutuel permits to summer jai alai permits; amending s.
166 550.0951, F.S.; deleting provisions for certain
167 credits for a greyhound racing permitholder; deleting
168 a provision requiring a specified license fee to be
169 deposited with the Chief Financial Officer to the
170 credit of the Pari-mutuel Wagering Trust Fund;
171 revising the tax on handle for live greyhound racing
172 and intertrack wagering if the host track is a
173 greyhound racing track; amending s. 550.09512, F.S.;
174 providing for the revocation of certain harness horse

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175 racing permits; specifying that a revoked permit may
176 not be reissued; amending s. 550.09514, F.S.; deleting
177 certain provisions that prohibit tax on handle until a
178 specified amount of tax savings have resulted;
179 revising purse requirements of a greyhound racing
180 permitholder that conducts live racing; amending s.
181 550.09515, F.S.; providing for the revocation of
182 certain thoroughbred racing permits; specifying that a
183 revoked permit may not be reissued; amending s.
184 550.155, F.S.; specifying that a person who accepts
185 certain wagers commits a felony of the third degree;
186 providing penalties; amending s. 550.1625, F.S.;
187 deleting the requirement that a greyhound racing
188 permitholder pay the breaks tax; repealing s.
189 550.1647, F.S., relating to unclaimed tickets and
190 breaks held by greyhound racing permitholders;
191 amending s. 550.1648, F.S.; revising requirements for
192 a greyhound racing permitholder to provide a greyhound
193 adoption booth at its facility; requiring
194 sterilization of greyhounds before adoption;
195 authorizing the fee for such sterilization to be
196 included in the cost of adoption; defining the term
197 "bona fide organization that promotes or encourages
198 the adoption of greyhounds"; creating s. 550.1752,
199 F.S.; creating the permit reduction program within the
200 division; providing a purpose for the program;
201 providing for funding for the program; requiring the
202 division to purchase pari-mutuel permits from
203 permitholders under certain circumstances; requiring

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204 that permitholders who wish to make an offer to sell
205 meet certain requirements; requiring the division to
206 adopt a certain form by rule; requiring that the
207 division establish the value of a pari-mutuel permit
208 based on the valuation of one or more independent
209 appraisers; authorizing the division to establish a
210 value that is lower than the valuation of the
211 independent appraiser; requiring the division to
212 accept the offers that best utilize available funding;
213 prohibiting the department from accepting an offer to
214 purchase a permit or from executing a contract to
215 purchase a permit under certain conditions; requiring,
216 by a specified date, that the division certify an
217 executed contract to the Chief Financial Officer and
218 request a distribution to be paid to the permitholder;
219 limiting such distributions; providing for expiration
220 of the program; creating s. 550.1753, F.S.; creating
221 the thoroughbred purse and awards supplement program
222 within the division as of a specified date; providing
223 a purpose for the program; providing for funding of
224 the program; requiring the division, within a
225 specified timeframe, to certify to the Chief Financial
226 Officer the amount of the purse and awards supplement
227 funds to be distributed to eligible thoroughbred
228 racing permitholders and request distribution of such
229 funds from the General Revenue Fund to such
230 permitholders; limiting the amount of distributions in
231 any given fiscal year; specifying intended uses of the
232 funds; prohibiting certain thoroughbred horse racing

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233 permitholders from receiving purse and awards
234 supplements unless they provide a copy of a certain
235 agreement; specifying percentages of the funds that
236 must be used for certain purposes; requiring the
237 division to apportion purse and awards supplement
238 funds in a specified manner; providing conditions
239 under which certain limited thoroughbred racing
240 permitholders may make annual application for and
241 receive certain funds; providing that funding must be
242 allocated on a pro rata share basis; providing that
243 certain funding is conditioned on limited thoroughbred
244 racing permitholders applying for a limited number of
245 performances; providing that limited thoroughbred
246 permitholders under the program are treated as other
247 thoroughbred permitholders applying for funding after
248 a certain date; authorizing such funds to be used to
249 supplement purses and subsidize certain costs;
250 requiring the division to distribute a specified
251 percentage of funds to a specified organization for
252 payment of specified racing awards; authorizing
253 certain supplemental funds to be returned to
254 thoroughbred horse racing permitholders to allow them
255 to distribute special racing awards under certain
256 circumstances under terms established in a required
257 written agreement; requiring the division to adopt a
258 form to apply to receive supplement purse funds under
259 the program; authorizing the division to adopt rules;
260 providing for expiration of the program; amending s.
261 550.2415, F.S.; revising the actions that mark the

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262 commencement of certain administrative actions;
263 requiring the division to adopt certain rules;
264 deleting a provision specifying the version of the
265 Controlled Therapeutic Medication Schedule which must
266 be used by the division to adopt certain rules;
267 requiring the division rules to include a penalty
268 system for the use of certain drugs, medications, and
269 other foreign substances; requiring the classification
270 and penalty system included in division rules to
271 incorporate specified documents; creating s. 550.2416,
272 F.S.; requiring injuries to racing greyhounds to be
273 reported within a certain timeframe on a form adopted
274 by the division; requiring such form to be completed
275 and signed under oath or affirmation by certain
276 individuals; providing penalties; specifying
277 information that must be included on the form;
278 requiring the division to maintain the forms as public
279 records for a specified time; specifying disciplinary
280 action that may be taken against a licensee of the
281 Department of Business and Professional Regulation who
282 makes false statements on an injury form or who fails
283 to report an injury; exempting injuries to certain
284 animals from reporting requirements; requiring the
285 division to adopt rules; amending s. 550.26165, F.S.;
286 conforming a cross-reference; amending s. 550.3345,
287 F.S.; deleting obsolete provisions; revising
288 requirements for a permit previously converted from a
289 quarter horse racing permit to a limited thoroughbred
290 racing permit; authorizing certain holders of limited

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291 thoroughbred racing permits to apply for and be issued
292 an operating license for a specified purpose under
293 certain circumstances; amending s. 550.3551, F.S.;
294 deleting a provision that limits the number of out-of-
295 state races on which wagers are accepted by a
296 greyhound racing permitholder; deleting a provision
297 requiring certain permitholders to conduct a full
298 schedule of live racing to receive certain full-card
299 broadcasts and accept certain wagers; conforming a
300 cross-reference; amending s. 550.475, F.S.;
301 prohibiting a permitholder from leasing from certain
302 pari-mutuel permitholders; amending s. 550.5251, F.S.;
303 deleting a provision relating to requirements for
304 thoroughbred permitholders; deleting a provision
305 prohibiting a thoroughbred racing permitholder from
306 beginning a race before a specified time; amending s.
307 550.615, F.S.; revising eligibility requirements for
308 certain pari-mutuel facilities to qualify to receive
309 certain broadcasts; providing that certain greyhound
310 racing permitholders are not required to obtain
311 certain written consent; deleting requirements that
312 intertrack wagering be conducted between certain
313 permitholders; deleting a provision prohibiting
314 certain intertrack wagering in certain counties;
315 specifying conditions under which greyhound racing
316 permitholders may accept wagers; amending s. 550.6308,
317 F.S.; revising the number of days of thoroughbred
318 horse sales required for an applicant to obtain a
319 limited intertrack wagering license; revising

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320 eligibility requirements for such licenses; revising
321 requirements for such wagering; deleting provisions
322 requiring a licensee to make certain payments to the
323 daily pari-mutuel pool; amending s. 551.101, F.S.;
324 revising the facilities that may possess slot machines
325 and conduct slot machine gaming; deleting certain
326 provisions requiring a countywide referendum to
327 approve slot machines at certain facilities; amending
328 s. 551.102, F.S.; revising definitions; amending s.
329 551.104, F.S.; prohibiting the division from issuing a
330 slot machine license to certain pari-mutuel
331 permitholders; revising conditions of licensure and
332 conditions for maintaining authority to conduct slot
333 machine gaming; exempting a summer thoroughbred racing
334 permitholder from certain purse requirements;
335 providing applicability; providing an expiration for a
336 provision requiring certain slot machine licensees to
337 remit a certain amount for the payment of purses on
338 live races; deleting a provision prohibiting the
339 division from issuing or renewing a license for an
340 applicant holding a permit under ch. 550, F.S., under
341 certain circumstances; conforming provisions to
342 changes made by the act; creating s. 551.1042, F.S.;
343 prohibiting the transfer of a slot machine license or
344 relocation of a slot machine facility; providing an
345 exception; creating s. 551.1043, F.S.; providing
346 legislative findings; authorizing two additional slot
347 machine licenses to be awarded and renewed annually to
348 persons located in specified counties; providing that

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349 no more than one license may be awarded in each of
350 those counties; authorizing certain persons to apply
351 for such licenses; providing that certain persons are
352 ineligible to apply for the additional slot machine
353 licenses; providing a license application fee;
354 requiring the deposit of the fee in the Pari-mutuel
355 Wagering Trust Fund; requiring the Division of Pari-
356 mutuel Wagering to award the license to the applicant
357 that best meets the selection criteria; providing
358 selection criteria; requiring the division to complete
359 a certain evaluation by a specified date; specifying
360 grounds for denial of an application; providing that
361 certain protests be forwarded to the Division of
362 Administrative Hearings; providing requirements for
363 appeals; authorizing the Division of Pari-mutuel
364 Wagering to adopt certain emergency rules; authorizing
365 the licensee of the additional slot machine license to
366 operate a cardroom and a specified number of house
367 banked blackjack table games at its facility under
368 certain circumstances; providing that such licensee is
369 subject to specified provisions of ch. 849, F.S., and
370 exempt from specified provisions of chs. 550 and 551,
371 F.S.; creating s. 551.1044, F.S.; authorizing
372 blackjack table games at certain pari-mutuel
373 facilities; specifying limits on wagers; requiring a
374 permitholder that offers banked blackjack to pay a tax
375 to the state; providing that such tax is subject to
376 certain provisions of ch. 849, F.S.; amending s.
377 551.106, F.S.; deleting obsolete provisions; revising

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378 the tax rate on slot machine revenues under certain
379 conditions; revising the taxes to be paid to the
380 division for deposit into the Pari-mutuel Wagering
381 Trust Fund; requiring certain funds to be transferred
382 into the Educational Enhancement Trust Fund and to
383 specified entities; requiring certain permit holders
384 and licensees to pay a slot machine guarantee fee if
385 certain taxes and fees paid to the state during
386 certain periods fall below a specified amount;
387 amending s. 551.108, F.S.; providing applicability;
388 amending s. 551.114, F.S.; revising the areas where a
389 designated slot machine gaming area may be located;
390 amending s. 551.116, F.S.; deleting a restriction on
391 the number of hours per day that slot machine gaming
392 areas may be open; amending s. 551.121, F.S.;

393 authorizing the serving of complimentary or reduced-
394 cost alcoholic beverages to persons playing slot
395 machines; authorizing the location of an automated
396 teller machine or similar device within designated
397 slot machine gaming areas; amending s. 849.086, F.S.;

398 revising legislative intent; revising definitions;
399 authorizing the division to establish a reasonable
400 period to respond to certain requests from a licensed
401 cardroom; providing that the division must approve
402 certain requests within 45 days; requiring the
403 division to review and approve or reject certain
404 revised internal controls or revised rules within 10
405 days after submission; revising certain license
406 renewal requirements; deleting provisions relating to

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407 restrictions on hours of operation; authorizing
408 certain cardroom operators to offer certain designated
409 player games; requiring the designated player and
410 employees of the designated player to be licensed;
411 requiring the designated player to pay certain fees;
412 prohibiting cardroom operators from serving as the
413 designated player in a game and from having a
414 financial interest in a designated player; authorizing
415 a cardroom operator to collect a rake, subject to
416 certain requirements; requiring the dealer button to
417 be rotated under certain circumstances; prohibiting a
418 cardroom operator from allowing a designated player to
419 pay an opposing player under certain circumstances;
420 prohibiting the rules of the game or of the cardroom
421 to require a designated player to cover all wagers of
422 opposing players; prohibiting a cardroom or cardroom
423 licensee from contracting with or receiving certain
424 compensation from a player to allow that player to
425 participate in any game as a designated player;
426 revising requirements for a cardroom license to be
427 issued or renewed; requiring a certain written
428 agreement with a thoroughbred permitholder; providing
429 contract requirements for the agreement; requiring a
430 thoroughbred permitholder to remit a percentage of
431 specified funds to the Florida Thoroughbred Breeders'
432 Association, Inc., subject to certain requirements;
433 revising requirements to transfer or reissue certain
434 cardroom gaming licenses; conforming provisions to
435 changes made by the act; amending s. 849.0931, F.S.;

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436 authorizing certain veterans' organizations engaged in
437 charitable, civic, benevolent, or scholastic works or
438 similar endeavors to conduct bingo using electronic
439 tickets on specified premises; requiring that
440 electronic tickets for instant bingo meet a certain
441 requirement; making the sale of such tickets by
442 veterans' organizations contingent upon certification
443 of software by a nationally recognized independent
444 gaming laboratory; directing the Division of Pari-
445 mutuel Wagering to revoke certain pari-mutuel permits;
446 specifying that the revoked permits may not be
447 reissued; providing a directive to the Division of Law
448 Revision and Information; providing effective dates;
449 providing a contingent effective date.

450

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

452

453 Section 1. Section 24.103, Florida Statutes, is reordered
454 and amended to read:

455 24.103 Definitions.—As used in this act, the term:

456 (1) "Department" means the Department of the Lottery.

457 ~~(6)-(2)~~ "Secretary" means the secretary of the department.

458 (3) "Person" means any individual, firm, association, joint
459 adventure, partnership, estate, trust, syndicate, fiduciary,
460 corporation, or other group or combination and includes an ~~shall~~
461 ~~include any~~ agency or political subdivision of the state.

462 (4) "Point-of-sale terminal" means an electronic device
463 used to process credit card, debit card, or other similar charge
464 card payments at retail locations which is supported by networks

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465 that enable verification, payment, transfer of funds, and
466 logging of transactions.

467 (2)~~(4)~~ "Major procurement" means a procurement for a
468 contract for the printing of tickets for use in any lottery
469 game, consultation services for the startup of the lottery, any
470 goods or services involving the official recording for lottery
471 game play purposes of a player's selections in any lottery game
472 involving player selections, any goods or services involving the
473 receiving of a player's selection directly from a player in any
474 lottery game involving player selections, any goods or services
475 involving the drawing, determination, or generation of winners
476 in any lottery game, the security report services provided for
477 in this act, or any goods and services relating to marketing and
478 promotion which exceed a value of \$25,000.

479 (5) "Retailer" means a person who sells lottery tickets on
480 behalf of the department pursuant to a contract.

481 (7)~~(6)~~ "Vendor" means a person who provides or proposes to
482 provide goods or services to the department, but does not
483 include an employee of the department, a retailer, or a state
484 agency.

485 Section 2. Present subsections (19) and (20) of section
486 24.105, Florida Statutes, are redesignated as subsections (20)
487 and (21), respectively, and a new subsection (19) is added to
488 that section, to read:

489 24.105 Powers and duties of department.—The department
490 shall:

491 (19) Have the authority to create a program that allows a
492 person who is at least 18 years of age to purchase a lottery
493 ticket at a point-of-sale terminal. The department may adopt

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494 rules to administer the program. Such rules shall include, but
495 are not limited to, the following:

496 (a) Limiting the dollar amount of lottery tickets that a
497 person may purchase at point-of-sale terminals;

498 (b) Creating a process to enable a customer to restrict or
499 prevent his or her own access to lottery tickets; and

500 (c) Ensuring that the program is administered in a manner
501 that does not breach the exclusivity provisions of any Indian
502 gaming compact to which this state is a party.

503 Section 3. Section 24.112, Florida Statutes, is amended to
504 read:

505 24.112 Retailers of lottery tickets; ~~authorization of~~
506 vending machines; point-of-sale terminals to dispense lottery
507 tickets.-

508 (1) The department shall adopt ~~promulgate~~ rules specifying
509 the terms and conditions for contracting with retailers who will
510 best serve the public interest and promote the sale of lottery
511 tickets.

512 (2) In the selection of retailers, the department shall
513 consider factors such as financial responsibility, integrity,
514 reputation, accessibility of the place of business or activity
515 to the public, security of the premises, the sufficiency of
516 existing retailers to serve the public convenience, and the
517 projected volume of the sales for the lottery game involved. In
518 the consideration of these factors, the department may require
519 the information it deems necessary of any person applying for
520 authority to act as a retailer. However, the department may not
521 establish a limitation upon the number of retailers and shall
522 make every effort to allow small business participation as

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523 retailers. It is the intent of the Legislature that retailer
524 selections be based on business considerations and the public
525 convenience and that retailers be selected without regard to
526 political affiliation.

527 (3) The department may ~~shall~~ not contract with any person
528 as a retailer who:

529 (a) Is less than 18 years of age.

530 (b) Is engaged exclusively in the business of selling
531 lottery tickets; however, this paragraph may ~~shall~~ not preclude
532 the department from selling lottery tickets.

533 (c) Has been convicted of, or entered a plea of guilty or
534 nolo contendere to, a felony committed in the preceding 10
535 years, regardless of adjudication, unless the department
536 determines that:

537 1. The person has been pardoned or the person's civil
538 rights have been restored;

539 2. Subsequent to such conviction or entry of plea the
540 person has engaged in the kind of law-abiding commerce and good
541 citizenship that would reflect well upon the integrity of the
542 lottery; or

543 3. If the person is a firm, association, partnership,
544 trust, corporation, or other entity, the person has terminated
545 its relationship with the individual whose actions directly
546 contributed to the person's conviction or entry of plea.

547 (4) The department shall issue a certificate of authority
548 to each person with whom it contracts as a retailer for purposes
549 of display pursuant to subsection (6). The issuance of the
550 certificate may ~~shall~~ not confer upon the retailer any right
551 apart from that specifically granted in the contract. The

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552 authority to act as a retailer may ~~shall~~ not be assignable or
553 transferable.

554 (5) A ~~Any~~ contract executed by the department pursuant to
555 this section shall specify the reasons for any suspension or
556 termination of the contract by the department, including, but
557 not limited to:

558 (a) Commission of a violation of this act or rule adopted
559 pursuant thereto.

560 (b) Failure to accurately account for lottery tickets,
561 revenues, or prizes as required by the department.

562 (c) Commission of any fraud, deceit, or misrepresentation.

563 (d) Insufficient sale of tickets.

564 (e) Conduct prejudicial to public confidence in the
565 lottery.

566 (f) Any material change in any matter considered by the
567 department in executing the contract with the retailer.

568 (6) Each ~~Every~~ retailer shall post and keep conspicuously
569 displayed in a location on the premises accessible to the public
570 its certificate of authority and, with respect to each game, a
571 statement supplied by the department of the estimated odds of
572 winning a ~~some~~ prize for the game.

573 (7) A ~~No~~ contract with a retailer may not ~~shall~~ authorize
574 the sale of lottery tickets at more than one location, and a
575 retailer may sell lottery tickets only at the location stated on
576 the certificate of authority.

577 (8) With respect to any retailer whose rental payments for
578 premises are contractually computed, in whole or in part, on the
579 basis of a percentage of retail sales, and where such
580 computation of retail sales is not explicitly defined to include

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581 sales of tickets in a state-operated lottery, the compensation
582 received by the retailer from the department shall be deemed to
583 be the amount of the retail sale for the purposes of such
584 contractual compensation.

585 (9) (a) The department may require each ~~every~~ retailer to
586 post an appropriate bond as determined by the department, using
587 an insurance company acceptable to the department, in an amount
588 not to exceed twice the average lottery ticket sales of the
589 retailer for the period within which the retailer is required to
590 remit lottery funds to the department. For the first 90 days of
591 sales of a new retailer, the amount of the bond may not exceed
592 twice the average estimated lottery ticket sales for the period
593 within which the retailer is required to remit lottery funds to
594 the department. This paragraph does ~~shall~~ not apply to lottery
595 tickets that ~~which~~ are prepaid by the retailer.

596 (b) In lieu of such bond, the department may purchase
597 blanket bonds covering all or selected retailers or may allow a
598 retailer to deposit and maintain with the Chief Financial
599 Officer securities that are interest bearing or accruing and
600 that, with the exception of those specified in subparagraphs 1.
601 and 2., are rated in one of the four highest classifications by
602 an established nationally recognized investment rating service.
603 Securities eligible under this paragraph shall be limited to:

604 1. Certificates of deposit issued by solvent banks or
605 savings associations organized and existing under the laws of
606 this state or under the laws of the United States and having
607 their principal place of business in this state.

608 2. United States bonds, notes, and bills for which the full
609 faith and credit of the government of the United States is

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610 pledged for the payment of principal and interest.

611 3. General obligation bonds and notes of any political
612 subdivision of the state.

613 4. Corporate bonds of any corporation that is not an
614 affiliate or subsidiary of the depositor.

615

616 Such securities shall be held in trust and shall have at all
617 times a market value at least equal to an amount required by the
618 department.

619 (10) Each ~~Every~~ contract entered into by the department
620 pursuant to this section shall contain a provision for payment
621 of liquidated damages to the department for any breach of
622 contract by the retailer.

623 (11) The department shall establish procedures by which
624 each retailer shall account for all tickets sold by the retailer
625 and account for all funds received by the retailer from such
626 sales. The contract with each retailer shall include provisions
627 relating to the sale of tickets, payment of moneys to the
628 department, reports, service charges, and interest and
629 penalties, if necessary, as the department shall deem
630 appropriate.

631 (12) ~~No~~ Payment by a retailer to the department for tickets
632 may not shall be in cash. All such payments shall be in the form
633 of a check, bank draft, electronic fund transfer, or other
634 financial instrument authorized by the secretary.

635 (13) Each retailer shall provide accessibility for disabled
636 persons on habitable grade levels. This subsection does not
637 apply to a retail location that ~~which~~ has an entrance door
638 threshold more than 12 inches above ground level. As used in

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639 ~~herein and for purposes of~~ this subsection ~~only~~, the term
640 "accessibility for disabled persons on habitable grade levels"
641 means that retailers shall provide ramps, platforms, aisles and
642 pathway widths, turnaround areas, and parking spaces to the
643 extent these are required for the retailer's premises by the
644 particular jurisdiction where the retailer is located.
645 Accessibility shall be required to only one point of sale of
646 lottery tickets for each lottery retailer location. The
647 requirements of this subsection shall be deemed to have been met
648 if, in lieu of the foregoing, disabled persons can purchase
649 tickets from the retail location by means of a drive-up window,
650 provided the hours of access at the drive-up window are not less
651 than those provided at any other entrance at that lottery
652 retailer location. Inspections for compliance with this
653 subsection shall be performed by those enforcement authorities
654 responsible for enforcement pursuant to s. 553.80 in accordance
655 with procedures established by those authorities. Those
656 enforcement authorities shall provide to the Department of the
657 Lottery a certification of noncompliance for any lottery
658 retailer not meeting such requirements.

659 (14) The secretary may, after filing with the Department of
660 State his or her manual signature certified by the secretary
661 under oath, execute or cause to be executed contracts between
662 the department and retailers by means of engraving, imprinting,
663 stamping, or other facsimile signature.

664 (15) A vending machine may be used to dispense online
665 lottery tickets, instant lottery tickets, or both online and
666 instant lottery tickets.

667 (a) The vending machine must:

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668 1. Dispense a lottery ticket after a purchaser inserts a
669 coin or currency in the machine.

670 2. Be capable of being electronically deactivated for a
671 period of 5 minutes or more.

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

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

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

679 2. Ensure that at least one employee is on duty when the
680 vending machine is available for use. However, if the retailer
681 has previously violated s. 24.1055, at least two employees must
682 be on duty when the vending machine is available for use.

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

686 (d) The vending machine, or any machine or device linked to
687 the vending machine, may not include or make use of video reels
688 or mechanical reels or other video depictions of slot machine or
689 casino game themes or titles for game play. This does not
690 preclude the use of casino game themes or titles on such tickets
691 or signage or advertising displays on the machines.

692 (16) The department, a retailer operating from one or more
693 locations, or a vendor approved by the department may use a
694 point-of-sale terminal to facilitate the sale of a lottery
695 ticket.

696 (a) A point-of-sale terminal must:

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697 1. Dispense a paper lottery ticket with numbers selected by
698 the purchaser or selected randomly by the machine after the
699 purchaser uses a credit card, debit card, or other similar
700 charge card issued by a bank, savings association, credit union,
701 or charge card company or issued by a retailer pursuant to part
702 II of chapter 520 for payment;

703 2. Recognize a valid driver license or use another age
704 verification process approved by the department to ensure that
705 only persons at least 18 years of age may purchase a lottery
706 ticket;

707 3. Process a lottery transaction through a platform that is
708 certified or otherwise approved by the department; and

709 4. Be in compliance with all applicable department
710 requirements related to the lottery ticket offered for sale.

711 (b) A point-of-sale terminal does not reveal winning
712 numbers, which are selected at a subsequent time and different
713 location through a drawing by the state lottery.

714 (c) A point-of-sale terminal, or any machine or device
715 linked to the point-of-sale terminal, may not include or make
716 use of video reels or mechanical reels or other video depictions
717 of slot machine or casino game themes or titles for game play.
718 This does not preclude the use of casino game themes or titles
719 on a lottery ticket or game or on the signage or advertising
720 displays on the terminal.

721 (d) A point-of-sale terminal may not be used to redeem a
722 winning ticket.

723 Section 4. Effective upon becoming a law, paragraph (a) of
724 subsection (1), subsection (3), and present subsections (9),
725 (11), and (14) of section 285.710, Florida Statutes, are

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726 amended, present subsections (4) through (14) of that section
727 are redesignated as subsections (5) through (15), respectively,
728 and a new subsection (4) is added to that section, to read:

729 285.710 Compact authorization.—

730 (1) As used in this section, the term:

731 (a) "Compact" means the Gaming Compact between the Seminole
732 Tribe of Florida and the State of Florida, ~~executed on April 7,~~
733 ~~2010.~~

734 (3) (a) A ~~The~~ gaming compact between the Seminole Tribe of
735 Florida and the State of Florida, executed by the Governor and
736 the Tribe on April 7, 2010, was ~~is~~ ratified and approved by
737 chapter 2010-29, Laws of Florida. ~~The Governor shall cooperate~~
738 ~~with the Tribe in seeking approval of the compact from the~~
739 ~~United States Secretary of the Interior.~~

740 (b) The Gaming Compact between the Seminole Tribe of
741 Florida and the State of Florida, which was executed by the
742 Governor and the Tribe on December 7, 2015, shall be deemed
743 ratified and approved only if amended as specified in subsection
744 (4).

745 (c) Upon approval or deemed approval by the United States
746 Department of Interior and publication in the Federal Register,
747 the amended Gaming Compact supersedes the gaming compact
748 ratified and approved by chapter 2010-29, Laws of Florida. The
749 Governor shall cooperate with the Tribe in seeking approval of
750 the amended Gaming Compact from the United States Secretary of
751 the Interior. The Secretary of the Department of Business and
752 Professional Regulation is directed to notify in writing the
753 Governor, the President of the Senate, the Speaker of the House
754 of Representatives, and the Division of Law Revision and

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755 Information of the effective date of the compact, amended as
756 required by this act, which has been published in the Federal
757 Register by the Department of the Interior within 5 days after
758 such publication.

759 (4) The compact executed on December 7, 2015, shall be
760 amended by an agreement between the Governor and the Tribe to:

761 (a) Become effective after it is approved as a tribal-state
762 compact within the meaning of the Indian Gaming Regulatory Act
763 by action of the United States Secretary of the Interior or by
764 operation of law under 25 U.S.C. s. 2710(d)(8), and upon
765 publication of a notice of approval in the Federal Register
766 under 25 U.S.C. s. 2710(d)(8)(D);

767 (b) Require that the State of Florida and the Tribe
768 dismiss, with prejudice, any and all pending motions for
769 rehearing or any pending appeals arising from *State of Florida*
770 *v. Seminole Tribe of Florida* (Consolidated Case No. 4:15cv516-
771 RH/CAS; United States District Court in and for the Northern
772 District of Florida); and

773 (c) Incorporate the following exceptions to the exclusivity
774 provided to the Tribe under the gaming compact executed on
775 December 7, 2015:

776 1. Point-of-sale lottery ticket sales are permitted in
777 accordance with chapter 24, as amended by this act;

778 2. Fantasy contests conducted in accordance with ss.
779 546.11-546.18, as created by this act;

780 3. Slot machines operated in accordance with chapter 551,
781 as amended by this act;

782 4. The game of blackjack, in accordance with s. 551.1044,
783 as created by this act;

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784 5. Designated player games of poker conducted at cardrooms
785 in accordance with chapter 849, as amended by this act, and in
786 compliance with Rule Chapter 61D-11, Florida Administrative
787 Code;

788 6. Those activities claimed to be violations of the gaming
789 compact between the Seminole Tribe of Florida and the State of
790 Florida, executed by the Governor and the Tribe on April 7,
791 2010, in the legal actions consolidated and heard in State of
792 Florida v. Seminole Tribe of Florida (Consolidated Case No.
793 4:15cv516-RH/CAS; United States District Court in and for the
794 Northern District of Florida); and

795 7. All activities authorized and conducted pursuant to
796 Florida law, as amended by this act.

797
798 The incorporation of all such provisions may not impact or
799 change the payments required to the state under part XI of the
800 compact during the Guarantee Payment Period and the Regular
801 Payment Period and may not change or impact the Guaranteed
802 Minimum Compact Term Payment required to be paid to the state
803 under the compact or any other payment required to be paid by
804 the Tribe under the compact. The compact may not be amended to
805 prorate or reduce any amount required to be paid to the state
806 during the first fiscal year of the Guaranteed Payment Period or
807 any other time during which the compact is effective, regardless
808 of the date on which the compact becomes effective. Part XI of
809 the compact shall be amended to delete provisions concerning
810 payments required to be paid to the state during the Initial
811 Payment Period.

812 (10)-(9) The moneys paid by the Tribe to the state for the

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813 benefit of exclusivity under the compact ratified by this
814 section shall be deposited into the General Revenue Fund. Three
815 percent of the amount paid by the Tribe to the state shall be
816 designated as the local government share and shall be
817 distributed as provided in subsections ~~(10) and~~ (11) and (12).

818 (12)~~(11)~~ Upon receipt of the annual audited revenue figures
819 from the Tribe and completion of the calculations as provided in
820 subsection (11) ~~(10)~~, the state compliance agency shall certify
821 the results to the Chief Financial Officer and shall request the
822 distributions to be paid from the General Revenue Fund within 30
823 days after authorization of nonoperating budget authority
824 pursuant to s. 216.181(12).

825 (15)~~(14)~~ Notwithstanding any other provision of state law,
826 it is not a crime for a person to participate in the games
827 specified in subsection (14) ~~(13)~~ at a tribal facility operating
828 under the compact entered into pursuant to this section.

829 Section 5. Subsection (14) of section 285.710, Florida
830 Statutes, as amended by this act, is amended to read:

831 285.710 Compact authorization.—

832 (14) For the purpose of satisfying the requirement in 25
833 U.S.C. s. 2710(d)(1)(B) that the gaming activities authorized
834 under an Indian gaming compact must be permitted in the state
835 for any purpose by any person, organization, or entity, the
836 following class III games or other games specified in this
837 section are hereby authorized to be conducted by the Tribe
838 pursuant to the compact:

839 (a) Slot machines, as defined in s. 551.102(8).

840 (b) Banking or banked card games, including baccarat,
841 chemin de fer, and blackjack or 21 ~~at the tribal facilities in~~

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842 ~~Broward County, Collier County, and Hillsborough County.~~

843 (c) Dice games, such as craps and sic-bo.

844 (d) Wheel games, such as roulette and big six.

845 (e)~~(e)~~ Raffles and drawings.

846 Section 6. Subsection (4) of section 285.712, Florida
847 Statutes, is amended to read:

848 285.712 Tribal-state gaming compacts.-

849 (4) Upon receipt of an act ratifying a tribal-state
850 compact, the Secretary of State shall forward a copy of the
851 executed compact and the ratifying act to the United States
852 Secretary of the Interior for his or her review and approval, in
853 accordance with 25 U.S.C. s. 2710(d)(8) ~~s. 2710(8)(d)~~.

854 Section 7. Section 546.11, Florida Statutes, is created to
855 read:

856 546.11 Short title.-Sections 546.11-546.18 may be cited as
857 the "Fantasy Contest Amusement Act."

858 Section 8. Section 546.12, Florida Statutes, is created to
859 read:

860 546.12 Legislative intent.-It is the intent of the
861 Legislature to ensure public confidence in the integrity of
862 fantasy contests and fantasy contest operators. This act is
863 designed to strictly regulate the operators of fantasy contests
864 and individuals who participate in such contests and to adopt
865 consumer protections related to fantasy contests. Furthermore,
866 the Legislature finds that fantasy contests, as that term is
867 defined in s. 546.13, involve the skill of contest participants.

868 Section 9. Section 546.13, Florida Statutes, is created to
869 read:

870 546.13 Definitions.-As used in ss. 546.11-546.18, the term:

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871 (1) "Act" means ss. 546.11-546.18.

872 (2) "Confidential information" means information related to
873 the playing of fantasy contests by contest participants which is
874 obtained solely as a result of a person's employment with, or
875 work as an agent of, a contest operator.

876 (3) "Contest operator" means a person or entity that offers
877 fantasy contests for a cash prize to members of the public.

878 (4) "Contest participant" means a person who pays an entry
879 fee for the ability to participate in a fantasy contest offered
880 by a contest operator.

881 (5) "Entry fee" means the cash or cash equivalent amount
882 that is required to be paid by a person to a contest operator to
883 participate in a fantasy contest.

884 (6) "Fantasy contest" means a fantasy or simulation sports
885 game or contest offered by a contest operator or a noncommercial
886 contest operator in which a contest participant manages a
887 fantasy or simulation sports team composed of athletes from a
888 professional sports organization and which meets the following
889 conditions:

890 (a) All prizes and awards offered to winning contest
891 participants are established and made known to the contest
892 participants in advance of the game or contest and their value
893 is not determined by the number of contest participants or the
894 amount of any fees paid by those contest participants.

895 (b) All winning outcomes reflect the relative knowledge and
896 skill of the contest participants and are determined
897 predominantly by accumulated statistical results of the
898 performance of the athletes participating in multiple real-world
899 sporting or other events. However, a winning outcome may not be

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900 based:

901 1. On the score, point spread, or any performance or
902 performances of a single real-world team or any combination of
903 such teams;

904 2. Solely on any single performance of an individual
905 athlete in a single real-world sporting or other event;

906 3. On a live pari-mutuel event, as the term "pari-mutuel"
907 is defined in s. 550.002; or

908 4. On the performance of athletes participating in an
909 amateur sporting event.

910 (7) "Noncommercial contest operator" means a person who
911 organizes and conducts a fantasy contest in which contest
912 participants are charged entry fees for the right to
913 participate; entry fees are collected, maintained, and
914 distributed by the same person; and all entry fees are returned
915 to the contest participants in the form of prizes.

916 (8) "Office" means the Office of Contest Amusements created
917 in s. 546.14.

918 Section 10. Section 546.14, Florida Statutes is created to
919 read:

920 546.14 Office of Contest Amusements.-

921 (1) The Office of Contest Amusements is created within the
922 Department of Business and Professional Regulation. The office
923 shall operate under the supervision of a senior manager exempt
924 under s. 110.205 in the Senior Management Service appointed by
925 the Secretary of Business and Professional Regulation.

926 (2) The duties of the office include, but are not limited
927 to, administering and enforcing this act and any rules adopted
928 pursuant to this act. The office may work with department

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929 personnel as needed to assist in fulfilling its duties.

930 (3) The office may:

931 (a) Conduct investigations and monitor the operation and
932 play of fantasy contests.

933 (b) Review the books, accounts, and records of any current
934 or former contest operator.

935 (c) Suspend or revoke any license issued under this act,
936 after a hearing, for any violation of state law or rule.

937 (d) Take testimony, issue summons and subpoenas for any
938 witness, and issue subpoenas duces tecum in connection with any
939 matter within its jurisdiction.

940 (e) Monitor and ensure the proper collection and
941 safeguarding of entry fees and the payment of contest prizes in
942 accordance with consumer protection procedures adopted pursuant
943 to s. 546.16.

944 (4) The office may adopt rules to implement and administer
945 this act.

946 Section 11. Section 546.15, Florida Statutes, is created to
947 read:

948 546.15 Licensing.—

949 (1) A contest operator that offers fantasy contests for
950 play by persons in this state must be licensed by the office to
951 conduct fantasy contests within this state. The initial license
952 application fee is \$500,000, and the annual license renewal fee
953 is \$100,000; however, the respective fees may not exceed 10
954 percent of the difference between the amount of entry fees
955 collected by a contest operator from the operation of fantasy
956 contests in this state and the amount of cash or cash
957 equivalents paid to contest participants in this state. The

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958 office shall require the contest operator to provide written
959 evidence of the proposed amount of entry fees and cash or cash
960 equivalents to be paid to contest participants during the annual
961 license period. Before renewing a license, the contest operator
962 shall provide written evidence to the office of the actual entry
963 fees collected and cash or cash equivalents paid to contest
964 participants during the previous period of licensure. The
965 contest operator shall remit to the office any difference in
966 license fee which results from the difference between the
967 proposed amount of entry fees and cash or cash equivalents paid
968 to contest participants and the actual amounts collected and
969 paid.

970 (2) The office shall grant or deny a completed application
971 within 120 days after receipt. A completed application that is
972 not acted upon by the office within 120 days after receipt is
973 deemed approved, and the office shall issue the license.
974 Applications for a contest operator's license are exempt from
975 the 90-day licensure timeframe imposed in s. 120.60(1).

976 (3) The application must include:

977 (a) The full name of the applicant.

978 (b) If the applicant is a corporation, the name of the
979 state in which the applicant is incorporated and the names and
980 addresses of the officers, directors, and shareholders who hold
981 15 percent or more equity.

982 (c) If the applicant is a business entity other than a
983 corporation, the names and addresses of each principal, partner,
984 or shareholder who holds 15 percent or more equity.

985 (d) The names and addresses of the ultimate equitable
986 owners of the corporation or other business entity, if different

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987 from those provided under paragraphs (b) and (c), unless the
988 securities of the corporation or entity are registered pursuant
989 to s. 12 of the Securities Exchange Act of 1934, 15 U.S.C. ss.
990 78a-78kk, and:

991 1. The corporation or entity files with the United States
992 Securities and Exchange Commission the reports required by s. 13
993 of that act; or

994 2. The securities of the corporation or entity are
995 regularly traded on an established securities market in the
996 United States.

997 (e) The estimated number of fantasy contests to be
998 conducted by the applicant annually.

999 (f) A statement of the assets and liabilities of the
1000 applicant.

1001 (g) If required by the office, the names and addresses of
1002 the officers and directors of any creditor of the applicant and
1003 of stockholders who hold more than 10 percent of the stock of
1004 the creditor.

1005 (h) For each individual listed in the application pursuant
1006 to paragraph (a), paragraph (b), paragraph (c) or paragraph (d),
1007 a full set of fingerprints to be submitted to the office or to a
1008 vendor, entity, or agency authorized by s. 943.053(13).

1009 1. The office, vendor, entity, or agency shall forward the
1010 fingerprints to the Department of Law Enforcement for state
1011 processing, and the Department of Law Enforcement shall forward
1012 the fingerprints to the Federal Bureau of Investigation for
1013 national processing.

1014 2. Fees for state and federal fingerprint processing and
1015 retention shall be borne by the applicant. The state cost for

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1016 fingerprint processing shall be as provided in s. 943.053(3)(b)
1017 for records provided to persons or entities other than those
1018 specified as exceptions therein.

1019 3. Fingerprints submitted to the Department of Law
1020 Enforcement pursuant to this paragraph shall be retained by the
1021 Department of Law Enforcement as provided in s. 943.05(2)(g) and
1022 (h) and, when the Department of Law Enforcement begins
1023 participation in the program, enrolled in the Federal Bureau of
1024 Investigation's national retained print arrest notification
1025 program. Any arrest record identified shall be reported to the
1026 department.

1027 (i) For each foreign national, such documents as necessary
1028 to allow the office to conduct criminal history records checks
1029 in the individual's home country. The applicant must pay the
1030 full cost of processing fingerprints and required documentation.
1031 The office also may charge a \$2 handling fee for each set of
1032 fingerprints submitted.

1033 (4) A person or entity is not eligible for licensure as a
1034 contest operator or for licensure renewal if an individual
1035 required to be listed pursuant to paragraph (3)(a), paragraph
1036 (3)(b), paragraph (3)(c), or paragraph (3)(d) is determined by
1037 the office, after investigation, not to be of good moral
1038 character or is found to have been convicted of a felony in this
1039 state, any offense in another jurisdiction which would be
1040 considered a felony if committed in this state, or a felony
1041 under the laws of the United States. As used in this subsection,
1042 the term "convicted" means having been found guilty, with or
1043 without adjudication of guilt, as a result of a jury verdict,
1044 nonjury trial, or entry of a plea of guilty or nolo contendere.

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1045 (5) The office may suspend, revoke, or deny the license of
1046 a contest operator who fails to comply with this act or rules
1047 adopted pursuant to this act.

1048 Section 12. Section 546.16, Florida Statutes, is created to
1049 read:

1050 546.16 Consumer protection.—

1051 (1) A contest operator that charges an entry fee to contest
1052 participants shall implement procedures for fantasy contests
1053 which:

1054 (a) Prevent employees of the contest operator, and
1055 relatives living in the same household as such employees, from
1056 competing in a fantasy contest in which a cash prize is awarded.

1057 (b) Prohibit the contest operator from being a contest
1058 participant in a fantasy contest that he or she offers.

1059 (c) Prevent employees or agents of the contest operator
1060 from sharing with a third party confidential information that
1061 could affect fantasy contest play until the information has been
1062 made publicly available.

1063 (d) Verify that contest participants are 18 years of age or
1064 older.

1065 (e) Restrict an individual who is a player, a game
1066 official, or another participant in a real-world game or
1067 competition from participating in a fantasy contest that is
1068 determined, in whole or in part, on the performance of that
1069 individual, the individual's real-world team, or the accumulated
1070 statistical results of the sport or competition in which he or
1071 she is a player, game official, or other participant.

1072 (f) Allow individuals to restrict or prevent their own
1073 access to such a fantasy contest and take reasonable steps to

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1074 prevent those individuals from entering a fantasy contest.

1075 (g) Limit the number of entries a single contest
1076 participant may submit to each fantasy contest and take
1077 reasonable steps to prevent participants from submitting more
1078 than the allowable number of entries.

1079 (h) Segregate contest participants' funds from operational
1080 funds or maintain a reserve in the form of cash, cash
1081 equivalents, payment processor reserves, payment processor
1082 receivables, an irrevocable letter of credit, a bond, or a
1083 combination thereof in the total amount of deposits in contest
1084 participants' accounts for the benefit and protection of
1085 authorized contest participants' funds held in fantasy contest
1086 accounts.

1087 (2) A contest operator that offers fantasy contests in this
1088 state which require contest participants to pay an entry fee
1089 shall annually contract with a third party to perform an
1090 independent audit, consistent with the standards established by
1091 the American Institute of Certified Public Accountants, to
1092 ensure compliance with this act. The contest operator shall
1093 submit the results of the independent audit to the office no
1094 later than 90 days after the end of each annual licensing
1095 period.

1096 Section 13. Section 546.17, Florida Statutes, is created to
1097 read:

1098 546.17 Records and reports.—Each contest operator shall
1099 keep and maintain daily records of its operations and shall
1100 maintain such records for at least 3 years. The records must
1101 sufficiently detail all financial transactions to determine
1102 compliance with the requirements of this act and must be

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1103 available for audit and inspection by the office or other law
1104 enforcement agencies during the contest operator's regular
1105 business hours. The office shall adopt rules to implement this
1106 subsection.

1107 Section 14. Section 546.18, Florida Statutes, is created to
1108 read:

1109 546.18 Penalties; applicability; exemption.-

1110 (1) (a) A contest operator, or an employee or agent thereof,
1111 who violates this act is subject to a civil penalty, not to
1112 exceed \$5,000 for each violation and not to exceed \$100,000 in
1113 the aggregate, which shall accrue to the state. An action to
1114 recover such penalties may be brought by the office or the
1115 Department of Legal Affairs in the circuit courts in the name
1116 and on behalf of the state.

1117 (b) The penalty provisions established in this subsection
1118 do not apply to violations committed by a contest operator which
1119 occurred prior to the issuance of a license under this act if
1120 the contest operator applies for a license within 90 days after
1121 the effective date of this section and receives a license within
1122 240 days after the effective date of this section.

1123 (2) Fantasy contests conducted by a contest operator or
1124 noncommercial contest operator in accordance with this act are
1125 not subject to s. 849.01, s. 849.08, s. 849.09, s. 849.11, s.
1126 849.14, or s. 849.25.

1127 Section 15. The Division of Law Revision and Information is
1128 directed to replace the phrase "the effective date of this
1129 section" wherever it occurs in s. 546.18, Florida Statutes, with
1130 the date that section becomes effective.

1131 Section 16. Subsection (11) of section 550.002, Florida

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1132 Statutes, is amended to read:

1133 550.002 Definitions.—As used in this chapter, the term:

1134 (11) (a) “Full schedule of live racing or games” means:†

1135 1. For a greyhound racing permitholder or jai alai
1136 permitholder, the conduct of a combination of at least 100 live
1137 ~~evening or matinee~~ performances during the preceding year.† ~~for~~
1138 ~~a permitholder who has a converted permit or filed an~~
1139 ~~application on or before June 1, 1990, for a converted permit,~~
1140 ~~the conduct of a combination of at least 100 live evening and~~
1141 ~~matinee wagering performances during either of the 2 preceding~~
1142 ~~years;†~~

1143 2. For a jai alai permitholder that ~~who~~ does not possess a
1144 ~~operate~~ slot machine license machines in its pari-mutuel
1145 facility, ~~who~~ has conducted at least 100 live performances per
1146 year for at least 10 years after December 31, 1992, and has had
1147 ~~whose~~ handle on live jai alai games conducted at its pari-mutuel
1148 facility which was ~~has been~~ less than \$4 million per state
1149 fiscal year for at least 2 consecutive years after June 30,
1150 1992, the conduct of ~~a combination of~~ at least 40 live evening
1151 ~~or matinee~~ performances during the preceding year.†

1152 3. For a jai alai permitholder that possesses a ~~who~~
1153 ~~operates~~ slot machine license machines in its pari-mutuel
1154 facility, the conduct of ~~a combination of~~ at least 150
1155 performances during the preceding year.†

1156 4. For a jai alai permitholder that does not possess a slot
1157 machine license, the conduct of at least 58 live performances
1158 during the preceding year, unless the permitholder meets the
1159 requirements of subparagraph 2.

1160 5. For a harness horse racing permitholder, the conduct of

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1161 at least 100 live regular wagering performances during the
1162 preceding year.~~;~~

1163 6. For a quarter horse racing permitholder at its facility,
1164 unless an alternative schedule of at least 20 live regular
1165 wagering performances each year is agreed upon by the
1166 permitholder and either the Florida Quarter Horse Racing
1167 Association or the horsemen's association representing the
1168 majority of the quarter horse owners and trainers at the
1169 facility and filed ~~with the division along~~ with its annual
1170 operating license ~~date~~ application:~~;~~

1171 a. In the 2010-2011 fiscal year, the conduct of at least 20
1172 regular wagering performances.~~;~~

1173 b. In the 2011-2012 and 2012-2013 fiscal years, the conduct
1174 of at least 30 live regular wagering performances.~~;~~ ~~and~~

1175 c. For every fiscal year after the 2012-2013 fiscal year,
1176 the conduct of at least 40 live regular wagering performances.~~;~~

1177 7. For a quarter horse racing permitholder leasing another
1178 licensed racetrack, the conduct of 160 events at the leased
1179 facility during the preceding year.~~;~~ ~~and~~

1180 8. For a thoroughbred racing permitholder, the conduct of
1181 at least 40 live regular wagering performances during the
1182 preceding year.

1183 ~~(b) For a permitholder which is restricted by statute to~~
1184 ~~certain operating periods within the year when other members of~~
1185 ~~its same class of permit are authorized to operate throughout~~
1186 ~~the year, the specified number of live performances which~~
1187 ~~constitute a full schedule of live racing or games shall be~~
1188 ~~adjusted pro rata in accordance with the relationship between~~
1189 ~~its authorized operating period and the full calendar year and~~

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1190 ~~the resulting specified number of live performances shall~~
1191 ~~constitute the full schedule of live games for such permitholder~~
1192 ~~and all other permitholders of the same class within 100 air~~
1193 ~~miles of such permitholder.~~ A live performance must consist of
1194 no fewer than eight races or games conducted live for each of a
1195 minimum of three performances each week at the permitholder's
1196 licensed facility under a single admission charge.

1197 Section 17. Subsections (1), (3), and (6) of section
1198 550.01215, Florida Statutes, are amended, and subsection (7) is
1199 added to that section, to read:

1200 550.01215 License application; periods of operation; bond,
1201 conversion of permit.—

1202 (1) Each permitholder shall annually, during the period
1203 between December 15 and January 4, file in writing with the
1204 division its application for an operating a license to conduct
1205 pari-mutuel wagering during the next fiscal year, including
1206 intertrack and simulcast race wagering for greyhound racing
1207 permitholders, jai alai permitholders, harness horse racing
1208 permitholders, quarter horse racing permitholders, and
1209 thoroughbred horse racing permitholders that do not ~~to~~ conduct
1210 live performances during the next state fiscal year. Each
1211 application for live performances must ~~shall~~ specify the number,
1212 dates, and starting times of all live performances that ~~which~~
1213 the permitholder intends to conduct. It must ~~shall~~ also specify
1214 which performances will be conducted as charity or scholarship
1215 performances.

1216 (a) In addition, Each application for an operating a
1217 license also must ~~shall~~ include:7

1218 1. For each permitholder, whether the permitholder intends

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1219 to accept wagers on intertrack or simulcast events. As a
1220 condition on the ability to accept wagers on intertrack or
1221 simulcast events, each permitholder accepting wagers on
1222 intertrack or simulcast events must make available for wagering
1223 to its patrons all available live races conducted by
1224 thoroughbred horse permitholders.

1225 2. For each permitholder that elects ~~which elects~~ to
1226 operate a cardroom, the dates and periods of operation the
1227 permitholder intends to operate the cardroom. ~~or,~~

1228 3. For each thoroughbred racing permitholder that ~~which~~
1229 elects to receive or rebroadcast out-of-state races after 7
1230 p.m., the dates for all performances which the permitholder
1231 intends to conduct.

1232 (b) A greyhound racing permitholder that conducted a full
1233 schedule of live racing for a period of at least 10 consecutive
1234 state fiscal years after the 1996-1997 state fiscal year, or
1235 that converted its permit to a permit to conduct greyhound
1236 racing after the 1996-1997 state fiscal year, may specify in its
1237 application for an operating license that it does not intend to
1238 conduct live racing, or that it intends to conduct less than a
1239 full schedule of live racing, in the next state fiscal year. A
1240 greyhound racing permitholder may receive an operating license
1241 to conduct pari-mutuel wagering activities at another
1242 permitholder's greyhound racing facility pursuant to s. 550.475.

1243 (c)1. A thoroughbred horse racing permitholder that has
1244 conducted live racing for at least 5 years may elect not to
1245 conduct live racing, if such election is made within 30 days
1246 after the effective date of this act. A thoroughbred horse
1247 racing permitholder that makes such election may retain such

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1248 permit, must specify in future applications for an operating
1249 license that it does not intend to conduct live racing, and is a
1250 pari-mutuel facility as defined in s. 550.002(23).

1251 2. If a thoroughbred horse racing permitholder makes such
1252 election and if such permitholder holds a slot machine license
1253 when such election is made, the facility where such permit is
1254 located:

1255 a. Remains an eligible facility pursuant to s. 551.102(4),
1256 and continues to be eligible for a slot machine license;

1257 b. Is exempt from ss. 550.5251, 551.104(3) and (4)(c)1.,
1258 and 551.114(2) and (4);

1259 c. Is eligible, but not required, to be a guest track for
1260 purposes of intertrack wagering and simulcasting; and

1261 d. Remains eligible for a cardroom license, notwithstanding
1262 any requirement for the conduct of live racing pursuant to s.
1263 849.086.

1264 3. A thoroughbred horse racing permitholder that makes such
1265 election shall comply with all contracts regarding contributions
1266 by such permitholder to thoroughbred horse purse supplements or
1267 breeders' awards entered into before the effective date of this
1268 act pursuant to s. 551.104(10)(a). At the time of such election,
1269 such permitholder shall file with the division an irrevocable
1270 consent that such contributions shall be allowed to be used for
1271 purse and awards on live races at other thoroughbred horse
1272 racing facilities in this state. This subparagraph and s.
1273 551.104(10)(a) shall not apply after December 31, 2020, to a
1274 thoroughbred horse racing permitholder that made such election.

1275 (d) Any harness horse racing permitholder and any quarter
1276 horse racing permitholder that has held an operating license for

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1277 at least 5 years is exempt from the live racing requirements of
1278 this subsection and may specify in its annual application for an
1279 operating license that it does not intend to conduct live
1280 racing, or that it intends to conduct less than a full schedule
1281 of live racing, in the next state fiscal year.

1282 (e) A jai alai permitholder that has held an operating
1283 license for at least 5 years is exempt from the live jai alai
1284 requirements of this subsection and may specify in its annual
1285 application for an operating license that it does not intend to
1286 conduct live jai alai, or that it intends to conduct less than a
1287 full schedule of live jai alai, in the next state fiscal year.

1288
1289 A permitholder described in paragraph (b), paragraph (d), or
1290 paragraph (e) may retain its permit and is a pari-mutuel
1291 facility as defined in s. 550.002(23). If such permitholder has
1292 been issued a slot machine license, the facility where such
1293 permit is located remains an eligible facility as defined in s.
1294 551.102(4) and continues to be eligible for a slot machine
1295 license; is exempt from s. 551.104(3) and (4)(c)1., and s.
1296 551.114(2) and (4); is eligible, but not required, to be a guest
1297 track or, if the permitholder is a harness horse racing
1298 permitholder, a host track for purposes of intertrack wagering
1299 and simulcasting pursuant to ss. 550.3551, 550.615, 550.625, and
1300 550.6305; and remains eligible for a cardroom license,
1301 notwithstanding any requirement for the conduct of live racing
1302 performances contained in s. 849.086.

1303 (f) Permitholders ~~may~~ shall be entitled to amend their
1304 applications through February 28.

1305 (3) The division shall issue each license no later than

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1306 March 15. Each permitholder shall operate all performances at
1307 the date and time specified on its license. The division shall
1308 have the authority to approve minor changes in racing dates
1309 after a license has been issued. The division may approve
1310 changes in racing dates after a license has been issued when
1311 there is no objection from any operating permitholder located
1312 within 50 miles of the permitholder requesting the changes in
1313 operating dates. In the event of an objection, the division
1314 shall approve or disapprove the change in operating dates based
1315 upon the impact on operating permitholders located within 50
1316 miles of the permitholder requesting the change in operating
1317 dates. In making the determination to change racing dates, the
1318 division shall take into consideration the impact of such
1319 changes on state revenues. Notwithstanding any other provision
1320 of law, and for the 2017-2018 fiscal year only, the division may
1321 approve changes in racing dates for permitholders if the request
1322 for such changes is received before August 31, 2017.

1323 (6) A summer jai alai permitholder may apply for an
1324 operating license to operate a jai alai fronton only during the
1325 summer season beginning May 1 and ending November 30 of each
1326 year on such dates as may be selected by the permitholder. Such
1327 permitholder is subject to the same taxes, rules, and provisions
1328 of this chapter which apply to the operation of winter jai alai
1329 frontons. A summer jai alai permitholder is not eligible for
1330 licensure to operate a slot machine facility. A summer jai alai
1331 permitholder and a winter jai alai permitholder may not operate
1332 on the same days or in competition with each other. This
1333 subsection does not prevent a summer jai alai licensee from
1334 leasing the facilities of a winter jai alai licensee for the

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1335 ~~operation of a summer meet Any permit which was converted from a~~
1336 ~~jai alai permit to a greyhound permit may be converted to a jai~~
1337 ~~alai permit at any time if the permitholder never conducted~~
1338 ~~greyhound racing or if the permitholder has not conducted~~
1339 ~~greyhound racing for a period of 12 consecutive months.~~

1340 (7) In addition to seeking a license under any other
1341 provision of this section, if any of the following conditions
1342 exist on February 1 of any year, the holder of a limited
1343 thoroughbred racing permit under s. 550.3345 which did not file
1344 an application for live performances between December 15 and
1345 January 31 may apply to conduct live performances, and such
1346 application must be filed before March 31, with the resulting
1347 license issued no later than April 15:

1348 (a) All thoroughbred racing permitholders with slot machine
1349 licenses have not collectively sought pari-mutuel wagering
1350 licenses for at least 160 performances and a minimum of 1,760
1351 races in the next state fiscal year.

1352 (b) All thoroughbred racing permitholders have not
1353 collectively sought pari-mutuel wagering licenses for at least
1354 200 performances or a minimum of 1,760 races in the next state
1355 fiscal year.

1356 (c) All thoroughbred racing permitholders did not
1357 collectively run at least 1,760 races in the previous state
1358 fiscal year.

1359 Section 18. Subsection (1) of section 550.0251, Florida
1360 Statutes, is amended to read:

1361 550.0251 The powers and duties of the Division of Pari-
1362 mutuel Wagering of the Department of Business and Professional
1363 Regulation.—The division shall administer this chapter and

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1364 regulate the pari-mutuel industry under this chapter and the
1365 rules adopted pursuant thereto, and:

1366 (1) The division shall make an annual report for the prior
1367 fiscal year to the Governor, the President of the Senate, and
1368 the Speaker of the House of Representatives. The report shall
1369 include, at a minimum:

1370 (a) Recent events in the gaming industry, including pending
1371 litigation involving permitholders; pending permitholder,
1372 facility, cardroom, slot, or operating license applications; and
1373 new and pending rules.

1374 (b) Actions of the department relating to the
1375 implementation and administration of this chapter, and chapters
1376 551 and 849.

1377 (c) The state revenues and expenses associated with each
1378 form of authorized gaming. Revenues and expenses associated with
1379 pari-mutuel wagering must be further delineated by the class of
1380 license.

1381 (d) The performance of each pari-mutuel wagering licensee,
1382 cardroom licensee, and slot machine licensee.

1383 (e) A summary of disciplinary actions taken by the
1384 department.

1385 (f) Any suggestions to more effectively achieve ~~showing its~~
1386 ~~own actions, receipts derived under the provisions of this~~
1387 ~~chapter, the practical effects of the application of this~~
1388 ~~chapter, and any suggestions it may approve for the more~~
1389 ~~effectual accomplishments of the purposes of this chapter.~~

1390 Section 19. Paragraphs (a) and (b) of subsection (9) of
1391 section 550.054, Florida Statutes, is amended, and paragraphs
1392 (c) through (g) are added to that subsection, and paragraph (a)

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1393 of subsection (11) and subsections (13) and (14) of that section
1394 are amended, to read:

1395 550.054 Application for permit to conduct pari-mutuel
1396 wagering.—

1397 (9) (a) After a permit has been granted by the division and
1398 has been ratified and approved by the majority of the electors
1399 participating in the election in the county designated in the
1400 permit, the division shall grant to the lawful permitholder,
1401 subject to the conditions of this chapter, a license to conduct
1402 pari-mutuel operations under this chapter, and, ~~except as~~
1403 ~~provided in s. 550.5251,~~ the division shall fix annually the
1404 time, place, and number of days during which pari-mutuel
1405 operations may be conducted by the permitholder at the location
1406 fixed in the permit and ratified in the election. After the
1407 first license has been issued to the holder of a ratified permit
1408 for racing in any county, all subsequent annual applications for
1409 a license by that permitholder must be accompanied by proof, in
1410 such form as the division requires, that the ratified
1411 permitholder still possesses all the qualifications prescribed
1412 by this chapter and that the permit has not been recalled at a
1413 later election held in the county.

1414 (b) The division may revoke or suspend any permit or
1415 license issued under this chapter upon a ~~the~~ willful violation
1416 by the permitholder or licensee ~~of any provision~~ of this
1417 chapter, chapter 551, s. 849.086, or rules ~~of any rule~~ adopted
1418 pursuant thereto ~~under this chapter.~~ With the exception of the
1419 revocation of permits required in paragraphs (c), (d), (f), and
1420 (g), ~~In lieu of suspending or revoking a permit or license,~~ the
1421 division may, in lieu of suspending or revoking a permit or

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1422 license, impose a civil penalty against the permitholder or
1423 licensee for a violation of this chapter, chapter 551, s.
1424 849.086, or rules adopted pursuant thereto ~~any rule adopted by~~
1425 ~~the division~~. The penalty so imposed may not exceed \$1,000 for
1426 each count or separate offense. All penalties imposed and
1427 collected must be deposited with the Chief Financial Officer to
1428 the credit of the General Revenue Fund.

1429 (c) Unless a failure to obtain an operating license and to
1430 operate was the direct result of fire, strike, war, or other
1431 disaster or event beyond the permitholder's control, the
1432 division shall revoke the permit of any permitholder that has
1433 not obtained an operating license in accordance with s.
1434 550.01215 for a period of more than 24 consecutive months after
1435 June 30, 2012. The division shall revoke the permit upon
1436 adequate notice to the permitholder. Financial hardship to the
1437 permitholder does not, in and of itself, constitute just cause
1438 for failure to operate.

1439 (d) The division shall revoke the permit of any
1440 permitholder that fails to make payments that are due pursuant
1441 to s. 550.0951 for more than 24 consecutive months unless such
1442 failure to pay the tax due on handle was the direct result of
1443 fire, strike, war, or other disaster or event beyond the
1444 permitholder's control. Financial hardship to the permitholder
1445 does not, in and of itself, constitute just cause for failure to
1446 pay tax on handle.

1447 (e) Notwithstanding any other law, a new permit to conduct
1448 pari-mutuel wagering may not be approved or issued 30 days after
1449 the effective date of this act.

1450 (f) A permit revoked under this subsection is void and may

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1451 not be reissued.

1452 (g) A permitholder may apply to the division to place the
1453 permit into inactive status for a period of 12 months pursuant
1454 to division rule. The division, upon good cause shown by the
1455 permitholder, may renew inactive status for a period of up to 12
1456 months, but a permit may not be in inactive status for a period
1457 of more than 24 consecutive months. Holders of permits in
1458 inactive status are not eligible for licensure for pari-mutuel
1459 wagering, slot machines, or cardrooms.

1460 (11) (a) A permit granted under this chapter may not be
1461 transferred or assigned except upon written approval by the
1462 division pursuant to s. 550.1815, ~~except that the holder of any~~
1463 ~~permit that has been converted to a jai alai permit may lease or~~
1464 ~~build anywhere within the county in which its permit is located.~~

1465 (13) ~~(a)~~ Notwithstanding any provision ~~provisions~~ of this
1466 chapter or chapter 551, a pari-mutuel ~~no thoroughbred horse~~
1467 ~~racetrack~~ permit or license issued under this chapter or chapter
1468 551 may not shall be transferred, or reissued when such
1469 reissuance is in the nature of a transfer so as to permit or
1470 authorize a licensee to change the location of a pari-mutuel
1471 facility, cardroom, or slot machine facility, except through the
1472 relocation of the pari-mutuel permit pursuant to s. 550.0555.
1473 ~~thoroughbred horse racetrack except upon proof in such form as~~
1474 ~~the division may prescribe that a referendum election has been~~
1475 ~~held:~~

1476 ~~1. If the proposed new location is within the same county~~
1477 ~~as the already licensed location, in the county where the~~
1478 ~~licensee desires to conduct the race meeting and that a majority~~
1479 ~~of the electors voting on that question in such election voted~~

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1480 ~~in favor of the transfer of such license.~~

1481 ~~2. If the proposed new location is not within the same~~
1482 ~~county as the already licensed location, in the county where the~~
1483 ~~licensee desires to conduct the race meeting and in the county~~
1484 ~~where the licensee is already licensed to conduct the race~~
1485 ~~meeting and that a majority of the electors voting on that~~
1486 ~~question in each such election voted in favor of the transfer of~~
1487 ~~such license.~~

1488 ~~(b) Each referendum held under the provisions of this~~
1489 ~~subsection shall be held in accordance with the electoral~~
1490 ~~procedures for ratification of permits, as provided in s.~~
1491 ~~550.0651. The expense of each such referendum shall be borne by~~
1492 ~~the licensee requesting the transfer.~~

1493 ~~(14) (a) Any holder of a permit to conduct jai alai may~~
1494 ~~apply to the division to convert such permit to a permit to~~
1495 ~~conduct greyhound racing in lieu of jai alai if:~~

1496 ~~1. Such permit is located in a county in which the division~~
1497 ~~has issued only two pari-mutuel permits pursuant to this~~
1498 ~~section;~~

1499 ~~2. Such permit was not previously converted from any other~~
1500 ~~class of permit; and~~

1501 ~~3. The holder of the permit has not conducted jai alai~~
1502 ~~games during a period of 10 years immediately preceding his or~~
1503 ~~her application for conversion under this subsection.~~

1504 ~~(b) The division, upon application from the holder of a jai~~
1505 ~~alai permit meeting all conditions of this section, shall~~
1506 ~~convert the permit and shall issue to the permitholder a permit~~
1507 ~~to conduct greyhound racing. A permitholder of a permit~~
1508 ~~converted under this section shall be required to apply for and~~

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1509 ~~conduct a full schedule of live racing each fiscal year to be~~
1510 ~~eligible for any tax credit provided by this chapter. The holder~~
1511 ~~of a permit converted pursuant to this subsection or any holder~~
1512 ~~of a permit to conduct greyhound racing located in a county in~~
1513 ~~which it is the only permit issued pursuant to this section who~~
1514 ~~operates at a leased facility pursuant to s. 550.475 may move~~
1515 ~~the location for which the permit has been issued to another~~
1516 ~~location within a 30-mile radius of the location fixed in the~~
1517 ~~permit issued in that county, provided the move does not cross~~
1518 ~~the county boundary and such location is approved under the~~
1519 ~~zoning regulations of the county or municipality in which the~~
1520 ~~permit is located, and upon such relocation may use the permit~~
1521 ~~for the conduct of pari-mutuel wagering and the operation of a~~
1522 ~~cardroom. The provisions of s. 550.6305(9)(d) and (f) shall~~
1523 ~~apply to any permit converted under this subsection and shall~~
1524 ~~continue to apply to any permit which was previously included~~
1525 ~~under and subject to such provisions before a conversion~~
1526 ~~pursuant to this section occurred.~~

1527 Section 20. Section 550.0555, Florida Statutes, is amended
1528 to read:

1529 550.0555 Permitholder ~~Greyhound dogracing permits;~~
1530 relocation within a county; conditions.—

1531 (1) It is the finding of the Legislature that pari-mutuel
1532 wagering on greyhound dogracing provides substantial revenues to
1533 the state. It is the further finding that, in some cases, this
1534 revenue-producing ability is hindered due to the lack of
1535 provisions allowing the relocation of existing dogracing
1536 operations. It is therefore declared that state revenues derived
1537 from greyhound dogracing will continue to be jeopardized if

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1538 provisions allowing the relocation of such greyhound racing
1539 permits are not implemented. This enactment is made pursuant to,
1540 and for the purpose of, implementing such provisions.

1541 (2) The following permit holders are ~~Any holder of a valid~~
1542 ~~outstanding permit for greyhound dogracing in a county in which~~
1543 ~~there is only one dogracing permit issued, as well as any holder~~
1544 ~~of a valid outstanding permit for jai alai in a county where~~
1545 ~~only one jai alai permit is issued, is authorized, without the~~
1546 necessity of an additional county referendum required under s.
1547 550.0651, to move the location for which the permit has been
1548 issued to another location within a 30-mile radius of the
1549 location fixed in the permit issued in that county, provided the
1550 move does not cross the county boundary, that such relocation is
1551 approved under the zoning regulations of the county or
1552 municipality in which the permit is to be located as a planned
1553 development use, consistent with the comprehensive plan, and
1554 that such move is approved by the department after it is
1555 determined that the new location is an existing pari-mutuel
1556 facility that has held an operating license for at least 5
1557 consecutive years since 2010 or is at least 10 miles from an
1558 existing pari-mutuel facility and, if within a county with three
1559 or more pari-mutuel permits, is at least 10 miles from the
1560 waters of the Atlantic Ocean:

1561 (a) Any holder of a valid outstanding greyhound racing
1562 permit that was previously converted from a jai alai permit;

1563 (b) Any holder of a valid outstanding greyhound racing
1564 permit in a county in which there is only one greyhound racing
1565 permit issued; and

1566 (c) Any holder of a valid outstanding jai alai permit in a

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1567 county in which there is only one jai alai permit issued. ~~at a~~
1568 ~~proceeding pursuant to chapter 120 in the county affected that~~
1569 ~~the move is necessary to ensure the revenue-producing capability~~
1570 ~~of the permittee without deteriorating the revenue-producing~~
1571 ~~capability of any other pari-mutuel permittee within 50 miles;~~
1572

1573 The distances ~~distance~~ shall be measured on a straight line from
1574 the nearest property line of one racing plant or jai alai
1575 fronton to the nearest property line of the other and the
1576 nearest mean high tide line of the Atlantic Ocean.

1577 Section 21. Section 550.0745, Florida Statutes, is
1578 repealed.

1579 Section 22. Section 550.0951, Florida Statutes, is amended
1580 to read:

1581 550.0951 Payment of daily license fee and taxes;
1582 penalties.—

1583 (1) ~~(a)~~ DAILY LICENSE FEE.—Each person engaged in the
1584 business of conducting race meetings or jai alai games under
1585 this chapter, hereinafter referred to as the "permitholder,"
1586 "licensee," or "permittee," shall pay ~~to the division, for the~~
1587 ~~use of the division,~~ a daily license fee on each live or
1588 simulcast pari-mutuel event of \$100 for each horserace, and \$80
1589 for each greyhound race, ~~dog race~~ and \$40 for each jai alai game,
1590 any of which is conducted at a racetrack or fronton licensed
1591 under this chapter. A ~~In addition to the tax exemption specified~~
1592 ~~in s. 550.09514(1) of \$360,000 or \$500,000 per greyhound~~
1593 ~~permitholder per state fiscal year, each greyhound permitholder~~
1594 ~~shall receive in the current state fiscal year a tax credit~~
1595 ~~equal to the number of live greyhound races conducted in the~~

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1596 ~~previous state fiscal year times the daily license fee specified~~
1597 ~~for each dograce in this subsection applicable for the previous~~
1598 ~~state fiscal year. This tax credit and the exemption in s.~~
1599 ~~550.09514(1) shall be applicable to any tax imposed by this~~
1600 ~~chapter or the daily license fees imposed by this chapter except~~
1601 ~~during any charity or scholarship performances conducted~~
1602 ~~pursuant to s. 550.0351. Each permitholder may not be required~~
1603 ~~to shall pay daily license fees in excess of not to exceed \$500~~
1604 ~~per day on any simulcast races or games on which such~~
1605 ~~permitholder accepts wagers, regardless of the number of out-of-~~
1606 ~~state events taken or the number of out-of-state locations from~~
1607 ~~which such events are taken. This license fee shall be deposited~~
1608 ~~with the Chief Financial Officer to the credit of the Pari-~~
1609 ~~mutuel Wagering Trust Fund.~~

1610 (b) ~~Each permitholder that cannot utilize the full amount~~
1611 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~
1612 ~~550.09514(1) or the daily license fee credit provided in this~~
1613 ~~section may, after notifying the division in writing, elect once~~
1614 ~~per state fiscal year on a form provided by the division to~~
1615 ~~transfer such exemption or credit or any portion thereof to any~~
1616 ~~greyhound permitholder which acts as a host track to such~~
1617 ~~permitholder for the purpose of intertrack wagering. Once an~~
1618 ~~election to transfer such exemption or credit is filed with the~~
1619 ~~division, it shall not be rescinded. The division shall~~
1620 ~~disapprove the transfer when the amount of the exemption or~~
1621 ~~credit or portion thereof is unavailable to the transferring~~
1622 ~~permitholder or when the permitholder who is entitled to~~
1623 ~~transfer the exemption or credit or who is entitled to receive~~
1624 ~~the exemption or credit owes taxes to the state pursuant to a~~

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1625 ~~deficiency letter or administrative complaint issued by the~~
1626 ~~division. Upon approval of the transfer by the division, the~~
1627 ~~transferred tax exemption or credit shall be effective for the~~
1628 ~~first performance of the next payment period as specified in~~
1629 ~~subsection (5). The exemption or credit transferred to such host~~
1630 ~~track may be applied by such host track against any taxes~~
1631 ~~imposed by this chapter or daily license fees imposed by this~~
1632 ~~chapter. The greyhound permitholder host track to which such~~
1633 ~~exemption or credit is transferred shall reimburse such~~
1634 ~~permitholder the exact monetary value of such transferred~~
1635 ~~exemption or credit as actually applied against the taxes and~~
1636 ~~daily license fees of the host track. The division shall ensure~~
1637 ~~that all transfers of exemption or credit are made in accordance~~
1638 ~~with this subsection and shall have the authority to adopt rules~~
1639 ~~to ensure the implementation of this section.~~

1640 (2) ADMISSION TAX.—

1641 (a) An admission tax equal to 15 percent of the admission
1642 charge for entrance to the permitholder's facility and
1643 grandstand area, or 10 cents, whichever is greater, is imposed
1644 on each person attending a horserace, greyhound race ~~dograce~~, or
1645 jai alai game. The permitholder is ~~shall be~~ responsible for
1646 collecting the admission tax.

1647 (b) The ~~No~~ admission tax imposed under this chapter and ~~or~~
1648 chapter 212 may not ~~shall~~ be imposed on any free passes or
1649 complimentary cards issued to persons for which there is no cost
1650 to the person for admission to pari-mutuel events.

1651 (c) A permitholder may issue tax-free passes to its
1652 officers, officials, and employees and to ~~or~~ other persons
1653 actually engaged in working at the racetrack, including

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1654 accredited media ~~press~~ representatives such as reporters and
1655 editors, and may also issue tax-free passes to other
1656 permitholders for the use of their officers and officials. The
1657 permitholder shall file with the division a list of all persons
1658 to whom tax-free passes are issued under this paragraph.

1659 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on
1660 contributions to pari-mutuel pools, the aggregate of which is
1661 hereinafter referred to as "handle," on races or games conducted
1662 by the permitholder. The tax is imposed daily and is based on
1663 the total contributions to all pari-mutuel pools conducted
1664 during the daily performance. If a permitholder conducts more
1665 than one performance daily, the tax is imposed on each
1666 performance separately.

1667 (a) The tax on handle for quarter horse racing is 1.0
1668 percent of the handle.

1669 (b)1. The tax on handle for greyhound racing ~~dogracing~~ is
1670 1.28 ~~5.5~~ percent of the handle, ~~except that for live charity~~
1671 ~~performances held pursuant to s. 550.0351, and for intertrack~~
1672 ~~wagering on such charity performances at a guest greyhound track~~
1673 ~~within the market area of the host, the tax is 7.6 percent of~~
1674 ~~the handle.~~

1675 2. The tax on handle for jai alai is 7.1 percent of the
1676 handle.

1677 (c)1. The tax on handle for intertrack wagering is:
1678 a. If the host track is a horse track, 2.0 percent of the
1679 handle.

1680 b. If the host track is a harness horse racetrack track,
1681 3.3 percent of the handle.

1682 c. If the host track is a greyhound racing harness track,

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1683 1.28 ~~5.5~~ percent of the handle, to be remitted by the guest
 1684 track. ~~if the host track is a dog track, and~~

1685 d. If the host track is a jai alai fronton, 7.1 percent of
 1686 the handle ~~if the host track is a jai alai fronton.~~

1687 e. The tax on handle for intertrack wagering is 0.5 percent
 1688 If the host track and the guest track are thoroughbred racing
 1689 permitholders or if the guest track is located outside the
 1690 market area of a the host track that is not a greyhound racing
 1691 track and within the market area of a thoroughbred racing
 1692 permitholder currently conducting a live race meet, 0.5 percent
 1693 of the handle.

1694 f. The tax on handle For intertrack wagering on
 1695 rebroadcasts of simulcast thoroughbred horseraces, is 2.4
 1696 percent of the handle and ~~1.5 percent of the handle~~ for
 1697 intertrack wagering on rebroadcasts of simulcast harness
 1698 horseraces, 1.5 percent of the handle.

1699 2. The tax shall be deposited into the Pari-mutuel Wagering
 1700 Trust Fund.

1701 3.2. The tax on handle for intertrack wagers accepted by
 1702 any greyhound racing ~~dog~~ track located in an area of the state
 1703 in which there are only three permitholders, all of which are
 1704 greyhound racing permitholders, located in three contiguous
 1705 counties, from any greyhound racing permitholder also located
 1706 within such area or any greyhound racing ~~dog~~ track or jai alai
 1707 fronton located as specified in s. 550.615(7) ~~s. 550.615(6) or~~
 1708 ~~(9)~~, on races or games received from any jai alai ~~the same class~~
 1709 ~~of~~ permitholder located within the same market area is 1.28 ~~3.9~~
 1710 percent of the handle if the host facility is a greyhound racing
 1711 permitholder. ~~and,~~ If the host facility is a jai alai

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1712 permitholder, the tax is rate shall be 6.1 percent of the handle
1713 until ~~except that it shall be 2.3 percent on handle at~~ such time
1714 as the total tax on intertrack handle paid to the division by
1715 the permitholder during the current state fiscal year exceeds
1716 the total ~~tax on intertrack handle~~ paid to the division by the
1717 permitholder during the 1992-1993 state fiscal year, in which
1718 case the tax is 2.3 percent of the handle.

1719 (d) Notwithstanding any other provision of this chapter, in
1720 order to protect the Florida jai alai industry, effective July
1721 1, 2000, a jai alai permitholder may not be taxed on live handle
1722 at a rate higher than 2 percent.

1723 (4) BREAKS TAX.—Effective October 1, 1996, each
1724 permitholder conducting jai alai performances shall pay a tax
1725 equal to the breaks. As used in this subsection, the term
1726 "breaks" means the money that remains in each pari-mutuel pool
1727 after funds are ~~The "breaks" represents that portion of each~~
1728 ~~pari-mutuel pool which is not~~ redistributed to the contributors
1729 and commissions are ~~or~~ withheld by the permitholder ~~as~~
1730 ~~commission.~~

1731 (5) PAYMENT AND DISPOSITION OF FEES AND TAXES.—Payments
1732 imposed by this section shall be paid to the division. The
1733 division shall deposit such payments ~~these sums~~ with the Chief
1734 Financial Officer, to the credit of the Pari-mutuel Wagering
1735 Trust Fund, hereby established. The permitholder shall remit to
1736 the division payment for the daily license fee, the admission
1737 tax, the tax on handle, and the breaks tax. Such payments must
1738 ~~shall~~ be remitted by 3 p.m. on Wednesday of each week for taxes
1739 imposed and collected for the preceding week ending on Sunday.
1740 Beginning on July 1, 2012, such payments must ~~shall~~ be remitted

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1741 by 3 p.m. on the 5th day of each calendar month for taxes
1742 imposed and collected for the preceding calendar month. If the
1743 5th day of the calendar month falls on a weekend, payments must
1744 ~~shall~~ be remitted by 3 p.m. the first Monday following the
1745 weekend. Permitholders shall file a report under oath by the 5th
1746 day of each calendar month for all taxes remitted during the
1747 preceding calendar month. Such payments must ~~shall~~ be
1748 accompanied by a report under oath showing the total of all
1749 admissions, the pari-mutuel wagering activities for the
1750 preceding calendar month, and any ~~such~~ other information ~~as may~~
1751 ~~be~~ prescribed by the division.

1752 (6) PENALTIES.—

1753 (a) The failure of any permitholder to make payments as
1754 prescribed in subsection (5) is a violation of this section, and
1755 the ~~permitholder may be subjected by the division~~ may impose ~~to~~
1756 a civil penalty against the permitholder of up to \$1,000 for
1757 each day the tax payment is not remitted. All penalties imposed
1758 and collected shall be deposited in the General Revenue Fund. If
1759 a permitholder fails to pay penalties imposed by order of the
1760 division under this subsection, the division may suspend or
1761 revoke the license of the permitholder, cancel the permit of the
1762 permitholder, or deny issuance of any further license or permit
1763 to the permitholder.

1764 (b) In addition to the civil penalty prescribed in
1765 paragraph (a), any willful or wanton failure by any permitholder
1766 to make payments of the daily license fee, admission tax, tax on
1767 handle, or breaks tax constitutes sufficient grounds for the
1768 division to suspend or revoke the license of the permitholder,
1769 to cancel the permit of the permitholder, or to deny issuance of

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1770 any further license or permit to the permitholder.

1771 Section 23. Section 550.09512, Florida Statutes, is amended
1772 to read:

1773 550.09512 Harness horse racing taxes; abandoned interest in
1774 a permit for nonpayment of taxes.—

1775 (1) Pari-mutuel wagering at harness horse racetracks in
1776 this state is an important business enterprise, and taxes
1777 derived therefrom constitute a part of the tax structure which
1778 funds operation of the state. Harness horse racing permitholders
1779 should pay their fair share of these taxes to the state. This
1780 business interest should not be taxed to such an extent as to
1781 cause any racetrack which is operated under sound business
1782 principles to be forced out of business. Due to the need to
1783 protect the public health, safety, and welfare, the gaming laws
1784 of the state provide for the harness horse racing industry to be
1785 highly regulated and taxed. The state recognizes that there
1786 exist identifiable differences between harness horse racing
1787 permitholders based upon their ability to operate under such
1788 regulation and tax system.

1789 (2) (a) The tax on handle for live harness horse racing
1790 performances is 0.5 percent of handle per performance.

1791 (b) For purposes of this section, the term "handle" shall
1792 have the same meaning as in s. 550.0951, and does ~~shall~~ not
1793 include handle from intertrack wagering.

1794 (3) ~~(a)~~ The division shall revoke the permit of a harness
1795 horse racing permitholder that ~~who~~ does not pay the tax due on
1796 handle for live harness horse racing performances for a full
1797 schedule of live races for more than 24 consecutive months
1798 ~~during any 2 consecutive state fiscal years shall be void and~~

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1799 shall ~~escheat to and become the property of the state unless~~
1800 such failure to operate and pay tax on handle was the direct
1801 result of fire, strike, war, or other disaster or event beyond
1802 the ability of the permitholder to control. Financial hardship
1803 to the permitholder does ~~shall~~ not, in and of itself, constitute
1804 just cause for failure to operate and pay tax on handle. A
1805 permit revoked under this subsection is void and may not be
1806 reissued.

1807 (b) ~~In order to maximize the tax revenues to the state, the~~
1808 ~~division shall reissue an escheated harness horse permit to a~~
1809 ~~qualified applicant pursuant to the provisions of this chapter~~
1810 ~~as for the issuance of an initial permit. However, the~~
1811 ~~provisions of this chapter relating to referendum requirements~~
1812 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
1813 ~~escheated harness horse permit. As specified in the application~~
1814 ~~and upon approval by the division of an application for the~~
1815 ~~permit, the new permitholder shall be authorized to operate a~~
1816 ~~harness horse facility anywhere in the same county in which the~~
1817 ~~escheated permit was authorized to be operated, notwithstanding~~
1818 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

1819 (4) In the event that a court of competent jurisdiction
1820 determines any of the provisions of this section to be
1821 unconstitutional, it is the intent of the Legislature that the
1822 provisions contained in this section shall be null and void and
1823 that the provisions of s. 550.0951 shall apply to all harness
1824 horse racing permitholders beginning on the date of such
1825 judicial determination. To this end, the Legislature declares
1826 that it would not have enacted any of the provisions of this
1827 section individually and, to that end, expressly finds them not

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1828 to be severable.

1829 Section 24. Section 550.09514, Florida Statutes, is amended
1830 to read:

1831 550.09514 Greyhound racing ~~degrading taxes~~; purse
1832 requirements.-

1833 ~~(1) Wagering on greyhound racing is subject to a tax on~~
1834 ~~handle for live greyhound racing as specified in s. 550.0951(3).~~
1835 ~~However, each permitholder shall pay no tax on handle until such~~
1836 ~~time as this subsection has resulted in a tax savings per state~~
1837 ~~fiscal year of \$360,000. Thereafter, each permitholder shall pay~~
1838 ~~the tax as specified in s. 550.0951(3) on all handle for the~~
1839 ~~remainder of the permitholder's current race meet. For the three~~
1840 ~~permitholders that conducted a full schedule of live racing in~~
1841 ~~1995, and are closest to another state that authorizes greyhound~~
1842 ~~pari-mutuel wagering, the maximum tax savings per state fiscal~~
1843 ~~year shall be \$500,000. The provisions of this subsection~~
1844 ~~relating to tax exemptions shall not apply to any charity or~~
1845 ~~scholarship performances conducted pursuant to s. 550.0351.~~

1846 (1) (a) (2) (a) The division shall determine for each
1847 greyhound racing permitholder the annual purse percentage rate
1848 of live handle for the state fiscal year 1993-1994 by dividing
1849 total purses paid on live handle by the permitholder, exclusive
1850 of payments made from outside sources, during the 1993-1994
1851 state fiscal year by the permitholder's live handle for the
1852 1993-1994 state fiscal year. A greyhound racing ~~Each~~
1853 permitholder conducting live racing during a fiscal year shall
1854 pay as purses for such live races conducted during its current
1855 race meet a percentage of its live handle not less than the
1856 percentage determined under this paragraph, exclusive of

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1857 payments made by outside sources, for its 1993-1994 state fiscal
1858 year.

1859 (b) Except as otherwise set forth herein, in addition to
1860 the minimum purse percentage required by paragraph (a), each
1861 greyhound racing permitholder conducting live racing during a
1862 fiscal year shall pay as purses an annual amount of \$60 for each
1863 live race conducted ~~equal to 75 percent of the daily license~~
1864 ~~fees paid by the greyhound racing each permitholder in for the~~
1865 ~~preceding 1994-1995 fiscal year. These This purse supplement~~
1866 ~~shall be disbursed weekly during the permitholder's race meet in~~
1867 ~~an amount determined by dividing the annual purse supplement by~~
1868 ~~the number of performances approved for the permitholder~~
1869 ~~pursuant to its annual license and multiplying that amount by~~
1870 ~~the number of performances conducted each week. For the~~
1871 ~~greyhound permitholders in the county where there are two~~
1872 ~~greyhound permitholders located as specified in s. 550.615(6),~~
1873 ~~such permitholders shall pay in the aggregate an amount equal to~~
1874 ~~75 percent of the daily license fees paid by such permitholders~~
1875 ~~for the 1994-1995 fiscal year. These permitholders shall be~~
1876 ~~jointly and severally liable for such purse payments. The~~
1877 ~~additional purses provided by this paragraph must be used~~
1878 ~~exclusively for purses other than stakes and disbursed weekly~~
1879 during the permitholder's race meet. The division shall conduct
1880 audits necessary to ensure compliance with this section.

1881 (c)1. Each greyhound racing permitholder, when conducting
1882 at least three live performances during any week, shall pay
1883 purses in that week on wagers it accepts as a guest track on
1884 intertrack and simulcast greyhound races at the same rate as it
1885 pays on live races. Each greyhound racing permitholder, when

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1886 conducting at least three live performances during any week,
1887 shall pay purses in that week, at the same rate as it pays on
1888 live races, on wagers accepted on greyhound races at a guest
1889 track that ~~which~~ is not conducting live racing and is located
1890 within the same market area as the greyhound racing permitholder
1891 conducting at least three live performances during any week.

1892 2. Each host greyhound racing permitholder shall pay purses
1893 on its simulcast and intertrack broadcasts of greyhound races to
1894 guest facilities that are located outside its market area in an
1895 amount equal to one quarter of an amount determined by
1896 subtracting the transmission costs of sending the simulcast or
1897 intertrack broadcasts from an amount determined by adding the
1898 fees received for greyhound simulcast races plus 3 percent of
1899 the greyhound intertrack handle at guest facilities that are
1900 located outside the market area of the host and that paid
1901 contractual fees to the host for such broadcasts of greyhound
1902 races.

1903 (d) The division shall require sufficient documentation
1904 from each greyhound racing permitholder regarding purses paid on
1905 live racing to assure that the annual purse percentage rates
1906 paid by each greyhound racing permitholder conducting ~~on the~~
1907 live races are not reduced below those paid during the 1993-1994
1908 state fiscal year. The division shall require sufficient
1909 documentation from each greyhound racing permitholder to assure
1910 that the purses paid by each permitholder on the greyhound
1911 intertrack and simulcast broadcasts are in compliance with the
1912 requirements of paragraph (c).

1913 (e) In addition to the purse requirements of paragraphs
1914 (a)-(c), each greyhound racing permitholder conducting live

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1915 races shall pay as purses an amount equal to one-third of the
1916 amount of the tax reduction on live and simulcast handle
1917 applicable to such permitholder as a result of the reductions in
1918 tax rates provided by s. 6, chapter 2000-354, Laws of Florida
1919 ~~this act through the amendments to s. 550.0951(3)~~. With respect
1920 to intertrack wagering when the host and guest tracks are
1921 greyhound racing permitholders not within the same market area,
1922 an amount equal to the tax reduction applicable to the guest
1923 track handle as a result of the reduction in tax rate provided
1924 by s. 6, chapter 2000-354, Laws of Florida, ~~this act through the~~
1925 ~~amendment to s. 550.0951(3)~~ shall be distributed to the guest
1926 track, one-third of which amount shall be paid as purses at the
1927 guest track. However, if the guest track is a greyhound racing
1928 permitholder within the market area of the host or if the guest
1929 track is not a greyhound racing permitholder, an amount equal to
1930 such tax reduction applicable to the guest track handle shall be
1931 retained by the host track, one-third of which amount shall be
1932 paid as purses at the host track. These purse funds shall be
1933 disbursed in the week received if the permitholder conducts at
1934 least one live performance during that week. If the permitholder
1935 does not conduct at least one live performance during the week
1936 in which the purse funds are received, the purse funds shall be
1937 disbursed weekly during the permitholder's next race meet in an
1938 amount determined by dividing the purse amount by the number of
1939 performances approved for the permitholder pursuant to its
1940 annual license, and multiplying that amount by the number of
1941 performances conducted each week. The division shall conduct
1942 audits necessary to ensure compliance with this paragraph.

1943 (f) Each greyhound racing permitholder conducting live

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1944 racing shall, during the permitholder's race meet, supply kennel
1945 operators and the Division of Pari-Mutuel Wagering with a weekly
1946 report showing purses paid on live greyhound races and all
1947 greyhound intertrack and simulcast broadcasts, including both as
1948 a guest and a host together with the handle or commission
1949 calculations on which such purses were paid and the transmission
1950 costs of sending the simulcast or intertrack broadcasts, so that
1951 the kennel operators may determine statutory and contractual
1952 compliance.

1953 (g) Each greyhound racing permitholder conducting live
1954 racing shall make direct payment of purses to the greyhound
1955 owners who have filed with such permitholder appropriate federal
1956 taxpayer identification information based on the percentage
1957 amount agreed upon between the kennel operator and the greyhound
1958 owner.

1959 (h) At the request of a majority of kennel operators under
1960 contract with a greyhound racing permitholder conducting live
1961 racing, the permitholder shall make deductions from purses paid
1962 to each kennel operator electing such deduction and shall make a
1963 direct payment of such deductions to the local association of
1964 greyhound kennel operators formed by a majority of kennel
1965 operators under contract with the permitholder. The amount of
1966 the deduction shall be at least 1 percent of purses, as
1967 determined by the local association of greyhound kennel
1968 operators. ~~No~~ Deductions may not be taken pursuant to this
1969 paragraph without a kennel operator's specific approval before
1970 or after May 24, 1998 ~~the effective date of this act.~~

1971 ~~(2)(3)~~ As used in ~~For the purpose of~~ this section, the term
1972 "live handle" means the handle from wagers placed at the

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1973 permitholder's establishment on the live greyhound races
 1974 conducted at the permitholder's establishment.

1975 Section 25. Section 550.09515, Florida Statutes, is amended
 1976 to read:

1977 550.09515 Thoroughbred racing ~~horse~~ taxes; abandoned
 1978 interest in a permit for nonpayment of taxes.—

1979 (1) Pari-mutuel wagering at thoroughbred horse racetracks
 1980 in this state is an important business enterprise, and taxes
 1981 derived therefrom constitute a part of the tax structure which
 1982 funds operation of the state. Thoroughbred horse permitholders
 1983 should pay their fair share of these taxes to the state. This
 1984 business interest should not be taxed to such an extent as to
 1985 cause any racetrack which is operated under sound business
 1986 principles to be forced out of business. Due to the need to
 1987 protect the public health, safety, and welfare, the gaming laws
 1988 of the state provide for the thoroughbred horse industry to be
 1989 highly regulated and taxed. The state recognizes that there
 1990 exist identifiable differences between thoroughbred horse
 1991 permitholders based upon their ability to operate under such
 1992 regulation and tax system and at different periods during the
 1993 year.

1994 (2) (a) The tax on handle for live thoroughbred horserace
 1995 performances shall be 0.5 percent.

1996 (b) For purposes of this section, the term "handle" shall
 1997 have the same meaning as in s. 550.0951, and does ~~shall~~ not
 1998 include handle from intertrack wagering.

1999 (3) ~~(a)~~ The division shall revoke the permit of a
 2000 thoroughbred racing ~~horse~~ permitholder that ~~who~~ does not pay the
 2001 tax due on handle for live thoroughbred horse performances for a

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2002 full schedule of live races for more than 24 consecutive months
2003 ~~during any 2 consecutive state fiscal years shall be void and~~
2004 ~~shall escheat to and become the property of the state unless~~
2005 such failure to operate and pay tax on handle was the direct
2006 result of fire, strike, war, or other disaster or event beyond
2007 the ability of the permitholder to control. Financial hardship
2008 to the permitholder does ~~shall~~ not, in and of itself, constitute
2009 just cause for failure to operate and pay tax on handle. A
2010 permit revoked under this subsection is void and may not be
2011 reissued.

2012 ~~(b) In order to maximize the tax revenues to the state, the~~
2013 ~~division shall reissue an escheated thoroughbred horse permit to~~
2014 ~~a qualified applicant pursuant to the provisions of this chapter~~
2015 ~~as for the issuance of an initial permit. However, the~~
2016 ~~provisions of this chapter relating to referendum requirements~~
2017 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
2018 ~~escheated thoroughbred horse permit. As specified in the~~
2019 ~~application and upon approval by the division of an application~~
2020 ~~for the permit, the new permitholder shall be authorized to~~
2021 ~~operate a thoroughbred horse facility anywhere in the same~~
2022 ~~county in which the escheated permit was authorized to be~~
2023 ~~operated, notwithstanding the provisions of s. 550.054(2)~~
2024 ~~relating to mileage limitations.~~

2025 (4) In the event that a court of competent jurisdiction
2026 determines any of the provisions of this section to be
2027 unconstitutional, it is the intent of the Legislature that the
2028 provisions contained in this section shall be null and void and
2029 that the provisions of s. 550.0951 shall apply to all
2030 thoroughbred racing ~~horse~~ permitholders beginning on the date of

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2031 such judicial determination. To this end, the Legislature
2032 declares that it would not have enacted any of the provisions of
2033 this section individually and, to that end, expressly finds them
2034 not to be severable.

2035 (5) Notwithstanding the provisions of s. 550.0951(3)(c),
2036 the tax on handle for intertrack wagering on rebroadcasts of
2037 simulcast horseraces is 2.4 percent of the handle; provided
2038 however, that if the guest track is a thoroughbred track located
2039 more than 35 miles from the host track, the host track shall pay
2040 a tax of .5 percent of the handle, and additionally the host
2041 track shall pay to the guest track 1.9 percent of the handle to
2042 be used by the guest track solely for purses. The tax shall be
2043 deposited into the Pari-mutuel Wagering Trust Fund.

2044 (6) A credit equal to the amount of contributions made by a
2045 thoroughbred racing permitholder during the taxable year
2046 directly to the Jockeys' Guild or its health and welfare fund to
2047 be used to provide health and welfare benefits for active,
2048 disabled, and retired Florida jockeys and their dependents
2049 pursuant to reasonable rules of eligibility established by the
2050 Jockeys' Guild is allowed against taxes on live handle due for a
2051 taxable year under this section. A thoroughbred racing
2052 permitholder may not receive a credit greater than an amount
2053 equal to 1 percent of its paid taxes for the previous taxable
2054 year.

2055 (7) If a thoroughbred racing permitholder fails to operate
2056 all performances on its 2001-2002 license, failure to pay tax on
2057 handle for a full schedule of live races for those performances
2058 in the 2001-2002 fiscal year does not constitute failure to pay
2059 taxes on handle for a full schedule of live races in a fiscal

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2060 year for the purposes of subsection (3). This subsection may not
2061 be construed as forgiving a thoroughbred racing permitholder
2062 from paying taxes on performances conducted at its facility
2063 pursuant to its 2001-2002 license other than for failure to
2064 operate all performances on its 2001-2002 license. This
2065 subsection expires July 1, 2003.

2066 Section 26. Section 550.155, Florida Statutes, is amended
2067 to read:

2068 550.155 Pari-mutuel pool within track enclosure; takeouts;
2069 breaks; penalty for purchasing part of a pari-mutuel pool for or
2070 through another in specified circumstances; penalty for
2071 accepting wagers on horse races made outside of a pari-mutuel
2072 facility.—

2073 (1) Wagering on the results of a horserace, dograce, or on
2074 the scores or points of a jai alai game and the sale of tickets
2075 or other evidences showing an interest in or a contribution to a
2076 pari-mutuel pool are allowed within the enclosure of any pari-
2077 mutuel facility licensed and conducted under this chapter but
2078 are not allowed elsewhere in this state, must be supervised by
2079 the division, and are subject to such reasonable rules that the
2080 division prescribes.

2081 (2) The permitholder's share of the takeout is that portion
2082 of the takeout that remains after the pari-mutuel tax imposed
2083 upon the contributions to the pari-mutuel pool is deducted from
2084 the takeout and paid by the permitholder. The takeout is
2085 deducted from all pari-mutuel pools but may be different
2086 depending on the type of pari-mutuel pool. The permitholder
2087 shall inform the patrons, either through the official program or
2088 via the posting of signs at conspicuous locations, as to the

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2089 takeout currently being applied to handle at the facility. A
2090 capital improvement proposed by a permitholder licensed under
2091 this chapter to a pari-mutuel facility existing on June 23,
2092 1981, which capital improvement requires, pursuant to any
2093 municipal or county ordinance, resolution, or regulation, the
2094 qualification or approval of the municipality or county wherein
2095 the permitholder conducts its business operations, shall receive
2096 approval unless the municipality or county is able to show that
2097 the proposed improvement presents a justifiable and immediate
2098 hazard to the health and safety of municipal or county
2099 residents, provided the permitholder pays to the municipality or
2100 county the cost of a building permit and provided the capital
2101 improvement meets the following criteria:

2102 (a) The improvement does not qualify as a development of
2103 regional impact as defined in s. 380.06; and

2104 (b) The improvement is contiguous to or within the existing
2105 pari-mutuel facility site. To be contiguous, the site of the
2106 improvement must share a sufficient common boundary with the
2107 present pari-mutuel facility to allow full and free access
2108 without crossing a public roadway, public waterway, or similar
2109 barrier.

2110 (3) After deducting the takeout and the "breaks," a pari-
2111 mutuel pool must be redistributed to the contributors.

2112 (4) Redistribution of funds otherwise distributable to the
2113 contributors of a pari-mutuel pool must be a sum equal to the
2114 next lowest multiple of 10 on all races and games.

2115 (5) A distribution of a pari-mutuel pool may not be made of
2116 the odd cents of any sum otherwise distributable, which odd
2117 cents constitute the "breaks."

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2118 (6) A person or corporation may not directly or indirectly
 2119 purchase pari-mutuel tickets or participate in the purchase of
 2120 any part of a pari-mutuel pool for another for hire or for any
 2121 gratuity. A person may not purchase any part of a pari-mutuel
 2122 pool through another wherein she or he gives or pays directly or
 2123 indirectly such other person anything of value. Any person who
 2124 violates this subsection is guilty of a misdemeanor of the
 2125 second degree, punishable as provided in s. 775.082 or s.
 2126 775.083.

2127 (7) A person who accepts wagers on horseraces conducted at
 2128 in-state and out-of-state pari-mutuel facilities, excluding the
 2129 acceptance of wagers within the enclosure of a pari-mutuel
 2130 facility in this state which are accepted through such pari-
 2131 mutuel facility's ontrack totalisator, commits a felony of the
 2132 third degree, punishable as provided in s. 775.082 or s.
 2133 775.083. Each act of accepting a wager in violation of this
 2134 subsection constitutes a separate offense.

2135 Section 27. Section 550.1625, Florida Statutes, is amended
 2136 to read:

2137 550.1625 Greyhound racing ~~dogracing~~; taxes.-

2138 (1) The operation of a greyhound racing ~~dog~~ track and
 2139 legalized pari-mutuel betting at greyhound racing ~~dog~~ tracks in
 2140 this state is a privilege and is an operation that requires
 2141 strict supervision and regulation in the best interests of the
 2142 state. Pari-mutuel wagering at greyhound racing ~~dog~~ tracks in
 2143 this state is a substantial business, and taxes derived
 2144 therefrom constitute part of the tax structures of the state and
 2145 the counties. The operators of greyhound racing ~~dog~~ tracks
 2146 should pay their fair share of taxes to the state; at the same

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2147 time, this substantial business interest should not be taxed to
2148 such an extent as to cause a track that is operated under sound
2149 business principles to be forced out of business.

2150 (2) A permitholder that conducts a greyhound race ~~dograce~~
2151 meet under this chapter must pay the daily license fee, the
2152 admission tax, ~~the breaks tax,~~ and the tax on pari-mutuel handle
2153 as provided in s. 550.0951 and is subject to all penalties and
2154 sanctions provided in s. 550.0951(6).

2155 Section 28. Section 550.1647, Florida Statutes, is
2156 repealed.

2157 Section 29. Section 550.1648, Florida Statutes, is amended
2158 to read:

2159 550.1648 Greyhound adoptions.—

2160 ~~(1) A greyhound racing~~ Each dogracing permitholder that
2161 conducts live racing at ~~operating~~ a greyhound racing dogracing
2162 facility in this state shall provide for a greyhound adoption
2163 booth to be located at the facility.

2164 (1) (a) The greyhound adoption booth must be operated on
2165 weekends by personnel or volunteers from a bona fide
2166 organization that promotes or encourages the adoption of
2167 greyhounds pursuant to s. 550.1647. Such bona fide organization,
2168 as a condition of adoption, must provide sterilization of
2169 greyhounds by a licensed veterinarian before relinquishing
2170 custody of the greyhound to the adopter. The fee for
2171 sterilization may be included in the cost of adoption. As used
2172 in this section, the term "weekend" includes the hours during
2173 which live greyhound racing is conducted on Friday, Saturday, or
2174 Sunday, and the term "bona fide organization that promotes or
2175 encourages the adoption of greyhounds" means an organization

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2176 that provides evidence of compliance with chapter 496 and
2177 possesses a valid exemption from federal taxation issued by the
2178 Internal Revenue Service. Information pamphlets and application
2179 forms shall be provided to the public upon request.

2180 (b) In addition, The kennel operator or owner shall notify
2181 the permitholder that a greyhound is available for adoption and
2182 the permitholder shall provide information concerning the
2183 adoption of a greyhound in each race program and shall post
2184 adoption information at conspicuous locations throughout the
2185 greyhound racing ~~degrading~~ facility. Any greyhound that is
2186 participating in a race and that will be available for future
2187 adoption must be noted in the race program. The permitholder
2188 shall allow greyhounds to be walked through the track facility
2189 to publicize the greyhound adoption program.

2190 (2) In addition to the charity days authorized under s.
2191 550.0351, a greyhound racing permitholder may fund the greyhound
2192 adoption program by holding a charity racing day designated as
2193 "Greyhound Adopt-A-Pet Day." All profits derived from the
2194 operation of the charity day must be placed into a fund used to
2195 support activities at the racing facility which promote the
2196 adoption of greyhounds. The division may adopt rules for
2197 administering the fund. ~~Proceeds from the charity day authorized~~
2198 ~~in this subsection may not be used as a source of funds for the~~
2199 ~~purposes set forth in s. 550.1647.~~

2200 (3) (a) Upon a violation of this section by a permitholder
2201 or licensee, the division may impose a penalty as provided in s.
2202 550.0251(10) and require the permitholder to take corrective
2203 action.

2204 (b) A penalty imposed under s. 550.0251(10) does not

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2205 exclude a prosecution for cruelty to animals or for any other
2206 criminal act.

2207 Section 30. Section 550.1752, Florida Statutes, is created
2208 to read:

2209 550.1752 Permit reduction program.—

2210 (1) The permit reduction program is created in the Division
2211 of Pari-mutuel Wagering for the purpose of purchasing and
2212 cancelling active pari-mutuel permits. The program shall be
2213 funded from revenue share payments made by the Seminole Tribe of
2214 Florida under the compact ratified by s. 285.710(3).

2215 (2) The division shall purchase pari-mutuel permits from
2216 pari-mutuel permit holders when sufficient moneys are available
2217 for such purchases. A pari-mutuel permit holder may not submit an
2218 offer to sell a permit unless it is actively conducting pari-
2219 mutuel racing or jai alai as required by law and satisfies all
2220 applicable requirements for the permit. The division shall adopt
2221 by rule the form to be used by a pari-mutuel permit holder for an
2222 offer to sell a permit and shall establish a schedule for the
2223 consideration of offers.

2224 (3) The division shall establish the value of a pari-mutuel
2225 permit based upon the valuation of one or more independent
2226 appraisers selected by the division. The valuation of a permit
2227 must be based on the permit's fair market value and may not
2228 include the value of the real estate or personal property. The
2229 division may establish a value for the permit that is lower than
2230 the amount determined by an independent appraiser but may not
2231 establish a higher value.

2232 (4) The division must accept the offer or offers that best
2233 utilize available funding; however, the division may also accept

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2234 the offers that it determines are most likely to reduce the
2235 incidence of gaming in this state. The division may not accept
2236 an offer to purchase a permit or execute a contract to purchase
2237 a permit if the sum of the purchase price for the permit under
2238 the offer or the contract and the total of the purchase prices
2239 under all previously executed contracts for the purchase of
2240 permits exceeds \$20 million.

2241 (5) Following the execution of a contract between a
2242 permitholder and the state for the acquisition of a permit owned
2243 by a permitholder, and not less than 30 days after the
2244 authorization of the nonoperating budget authority pursuant to
2245 s. 216.181(12) required to pay the purchase price for such
2246 permit, the division shall certify the executed contract to the
2247 Chief Financial Officer and shall request the distribution to be
2248 paid from the General Revenue Fund to the permitholder for the
2249 closing of the purchase. The total of all such distributions for
2250 all permit purchases may not exceed \$20 million in all fiscal
2251 years. Immediately after the closing of a purchase, the division
2252 shall cancel any permit purchased under this section.

2253 (6) This section expires on July 1, 2019, unless reenacted
2254 by the Legislature.

2255 Section 31. Section 550.1753, Florida Statutes, is created
2256 to read:

2257 550.1753 Thoroughbred purse and awards supplement program.—

2258 (1) The thoroughbred purse and awards supplement program is
2259 created in the division for the purpose of maintaining an active
2260 and viable live thoroughbred racing, owning, and breeding
2261 industry in this state. The program shall be funded from revenue
2262 share payments made by the Seminole Tribe of Florida under the

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2263 compact ratified by s. 285.710(3).

2264 (2) Beginning July 1, 2019, after the funds paid by the
2265 Seminole Tribe of Florida to the state during each state fiscal
2266 year exceed \$20 million, and not less than 30 days after the
2267 authorization of the nonoperating budget authority pursuant to
2268 s. 216.181(12) needed to pay purse and awards supplement funds,
2269 the division shall certify to the Chief Financial Officer the
2270 amount of the purse and awards supplement funds to be
2271 distributed to each eligible thoroughbred racing permitholder
2272 and to the Florida Thoroughbred Breeders' Association, Inc.,
2273 pursuant to subsection (3) and shall request the distribution
2274 from the General Revenue Fund to be paid to each thoroughbred
2275 racing permitholder and to the Florida Thoroughbred Breeders'
2276 Association, Inc. The total of all such distributions for all
2277 thoroughbred racing permitholders may not exceed \$20 million in
2278 any fiscal year.

2279 (3) (a) Purse and awards supplement funds are intended to
2280 enhance the purses and awards currently available on
2281 thoroughbred horse racing in this state. Such funds also may be
2282 used both to supplement thoroughbred horse racing purses and
2283 awards and to subsidize the operating costs of and capital
2284 improvements at permitted thoroughbred horse racing facilities
2285 eligible for funding under this section, in accordance with an
2286 agreement with the association representing a majority of the
2287 thoroughbred horse owners and trainers conducting racing at each
2288 such thoroughbred horse racing permitholder's facility.

2289 (b) A thoroughbred horse racing permitholder may not
2290 receive purse and awards supplements under this section unless
2291 it provides the division with a copy of an agreement between the

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2292 thoroughbred horse racing permitholder and the horsemen's
2293 association representing the majority of the thoroughbred
2294 racehorse owners and trainers racing at the thoroughbred horse
2295 racing permitholder's facility for purses to be paid during its
2296 upcoming meet. Ninety percent of all purse and awards supplement
2297 funds must be devoted to purses and ten percent must be devoted
2298 to breeders', stallion, and special racing awards under this
2299 chapter.

2300 (c) The division shall apportion the purse and awards
2301 supplement funds as follows:

2302 1. The first \$10 million shall be allocated to a
2303 thoroughbred horse racing permitholder that has conducted a full
2304 schedule of live racing for 15 consecutive years after June 30,
2305 2000, has never operated at a facility in which slot machines
2306 are located, and has never held a slot machine license, as long
2307 as the thoroughbred horse racing permitholder uses the
2308 allocation for thoroughbred horse racing purses and awards and
2309 operations at the thoroughbred horse racing permitholder's
2310 facility, with at least 50 percent of such funds allocated to
2311 thoroughbred horse racing purses. If more than one thoroughbred
2312 horse racing permitholder is eligible to participate in this
2313 allocation, the funds shall be allocated on a pro rata basis
2314 based on the number of live race days to be conducted by those
2315 eligible thoroughbred horse racing permitholders pursuant to
2316 their annual racing licenses.

2317 2. The balance of the funds shall be allocated on a pro
2318 rata basis based on the number of live race days to be conducted
2319 by thoroughbred horse racing permitholders pursuant to their
2320 annual racing licenses.

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2321 3. If a thoroughbred horse racing permitholder fails to
2322 conduct a live race day, the permitholder must return the unused
2323 purse and awards supplement funds allocated for that day, and
2324 the division shall reapportion the allocation of purse and
2325 awards supplement funds to the remaining race days to be
2326 conducted by that thoroughbred horse racing permitholder.

2327 (d)1. In the event a limited thoroughbred racing
2328 permitholder receives a license as a result of the conditions
2329 set forth in s. 550.01215(7), it shall be allocated in its first
2330 year of licensure a pro rata share as if it were licensed for an
2331 additional 50 percent of its licensed racing days and may apply
2332 in the next 2 state fiscal years for racing days and receive
2333 funding under this section at the additional 50 percent rate
2334 described in subparagraph (c)2. Funding under this paragraph is
2335 conditioned upon the limited thoroughbred racing permitholder
2336 applying for no more performances than are necessary to make up
2337 the deficiency in the racing levels set forth in s.
2338 550.01215(7), with funding in the following 2 years conditioned
2339 upon applying for no more than this same number of performances
2340 or the number of performances necessary to make up the
2341 deficiency in the racing levels specified above at that point,
2342 whichever is greater.

2343 2. After three years of funding at the rate set forth in
2344 this paragraph, the limited thoroughbred permitholder shall be
2345 treated as other thoroughbred permitholders applying for funding
2346 under this section.

2347 3. Notwithstanding paragraph (a), funds received under this
2348 paragraph may be used both to supplement purses and to subsidize
2349 operating costs and capital improvements for the pari-mutuel

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2350 facility.

2351 (e) The division shall distribute 10 percent of all purse
2352 and awards supplement funds to the Florida Thoroughbred
2353 Breeders' Association, Inc., for the payment of breeders',
2354 stallion, and special racing awards, subject to s. 550.2625(3).
2355 Supplement funds received by the association may be returned at
2356 its discretion to thoroughbred horse racing permitholders for
2357 special racing awards to be distributed by the permitholders to
2358 owners of thoroughbred horses participating in prescribed
2359 thoroughbred stakes races, nonstakes races, or both, all in
2360 accordance with a written agreement establishing the rate,
2361 procedure, and eligibility requirements for such awards for the
2362 upcoming state fiscal year, entered into by the permitholder and
2363 the Florida Thoroughbred Breeders' Association, Inc., on or
2364 before June 30 of each year.

2365 (f) The division shall adopt by rule the form to be used by
2366 a permitholder for applying for to receive purse and awards
2367 supplement funds.

2368 (4) The division may adopt rules necessary to implement
2369 this section.

2370 (5) This section expires June 30, 2036.

2371 Section 32. Subsections (4) and (5) and paragraphs (a) and
2372 (c) of subsection (7) of section 550.2415, Florida Statutes, are
2373 amended to read:

2374 550.2415 Racing of animals under certain conditions
2375 prohibited; penalties; exceptions.—

2376 (4) A prosecution pursuant to this section for a violation
2377 of this section must begin within 90 days after the violation
2378 was committed. Filing Service of an administrative complaint by

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2379 the division or a notice of violation by the stewards marks the
2380 commencement of administrative action.

2381 (5) The division shall adopt rules related to the testing
2382 of racing animals which must include chain of custody procedures
2383 and ~~implement~~ a split sample ~~split-sample~~ procedure for testing
2384 animals under this section. The split sample procedure shall
2385 require drawing of at least two samples the first of which shall
2386 be tested by the state's testing laboratory and the second of
2387 which shall be retained in a separate secure location for
2388 testing at a later date in accordance with rules adopted by the
2389 division. The division shall only authorize testing by
2390 laboratories accredited by the Racing Medication and Testing
2391 Consortium.

2392 (a) The division shall notify the owner or trainer, the
2393 stewards, and the appropriate horsemen's association of all drug
2394 test results. If a drug test result is positive, and upon
2395 request by the affected trainer or owner of the animal from
2396 which the sample was obtained, the division shall send the split
2397 sample to an approved independent laboratory for analysis. The
2398 division shall establish standards and rules for uniform
2399 enforcement and shall maintain a list of at least five approved
2400 independent laboratories for an owner or trainer to select from
2401 if a drug test result is positive.

2402 (b) If the division laboratory's findings are not confirmed
2403 by the independent laboratory, no further administrative or
2404 disciplinary action under this section may be pursued.

2405 (c) If the independent laboratory confirms the division
2406 laboratory's positive result, the division may commence
2407 administrative proceedings as prescribed in this chapter and

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2408 consistent with chapter 120. For purposes of this subsection,
2409 the department shall in good faith attempt to obtain a
2410 sufficient quantity of the test fluid to allow both a primary
2411 test and a secondary test to be made.

2412 (d) For the testing of a racing greyhound, if there is an
2413 insufficient quantity of the secondary (split) sample for
2414 confirmation of the division laboratory's positive result, the
2415 division may commence administrative proceedings as prescribed
2416 in this chapter and consistent with chapter 120.

2417 (e) For the testing of a racehorse, if there is an
2418 insufficient quantity of the secondary (split) sample for
2419 confirmation of the division laboratory's positive result, the
2420 division may not take further action on the matter against the
2421 owner or trainer, and any resulting license suspension must be
2422 immediately lifted.

2423 (f) The division shall require its laboratory and the
2424 independent laboratories to annually participate in an
2425 externally administered quality assurance program designed to
2426 assess testing proficiency in the detection and appropriate
2427 quantification of medications, drugs, and naturally occurring
2428 substances that may be administered to racing animals. The
2429 administrator of the quality assurance program shall report its
2430 results and findings to the division and the Department of
2431 Agriculture and Consumer Services.

2432 (7) (a) In order to protect the safety and welfare of racing
2433 animals and the integrity of the races in which the animals
2434 participate, the division shall adopt rules establishing the
2435 conditions of use and maximum concentrations of medications,
2436 drugs, and naturally occurring substances identified in the

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2437 Controlled Therapeutic Medication Schedule, ~~Version 2.1, revised~~
2438 ~~April 17, 2014,~~ adopted by the Association of Racing
2439 Commissioners International, Inc. Controlled therapeutic
2440 medications include only the specific medications and
2441 concentrations allowed in biological samples which have been
2442 approved by the Association of Racing Commissioners
2443 International, Inc., as controlled therapeutic medications.

2444 (c) The division rules must include a classification and
2445 penalty system for the use of drugs, medications, and other
2446 foreign substances which incorporates the Uniform Classification
2447 Guidelines for Foreign Substances, Recommended Penalty
2448 Guidelines, and the Multiple Medication Violation Penalty System
2449 adopted ~~and a corresponding penalty schedule for violations~~
2450 ~~which incorporates the Uniform Classification Guidelines for~~
2451 ~~Foreign Substances, Version 8.0, revised December 2014,~~ by the
2452 Association of Racing Commissioners International, Inc. The
2453 division shall adopt laboratory screening limits approved by the
2454 Association of Racing Commissioners International, Inc., for
2455 drugs and medications that are not included as controlled
2456 therapeutic medications, the presence of which in a sample may
2457 result in a violation of this section.

2458 Section 33. Section 550.2416, Florida Statutes, is created
2459 to read:

2460 550.2416 Reporting of racing greyhound injuries.-

2461 (1) An injury to a racing greyhound which occurs while the
2462 greyhound is located in this state must be reported on a form
2463 adopted by the division within 7 days after the date on which
2464 the injury occurred or is believed to have occurred. The
2465 division may adopt rules defining the term "injury."

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2466 (2) The form shall be completed and signed under oath or
2467 affirmation by the:

2468 (a) Racetrack veterinarian or director of racing, if the
2469 injury occurred at the racetrack facility; or

2470 (b) Owner, trainer, or kennel operator who had knowledge of
2471 the injury, if the injury occurred at a location other than the
2472 racetrack facility, including during transportation.

2473 (3) The division may fine, suspend, or revoke the license
2474 of any individual who knowingly violates this section.

2475 (4) The form must include the following:

2476 (a) The greyhound's registered name, right-ear and left-ear
2477 tattoo numbers, and, if any, the microchip manufacturer and
2478 number.

2479 (b) The name, business address, and telephone number of the
2480 greyhound owner, the trainer, and the kennel operator.

2481 (c) The color, weight, and sex of the greyhound.

2482 (d) The specific type and bodily location of the injury,
2483 the cause of the injury, and the estimated recovery time from
2484 the injury.

2485 (e) If the injury occurred when the greyhound was racing:

2486 1. The racetrack where the injury occurred;

2487 2. The distance, grade, race, and post position of the
2488 greyhound when the injury occurred; and

2489 3. The weather conditions, time, and track conditions when
2490 the injury occurred.

2491 (f) If the injury occurred when the greyhound was not
2492 racing:

2493 1. The location where the injury occurred, including, but
2494 not limited to, a kennel, a training facility, or a

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2495 transportation vehicle; and

2496 2. The circumstances surrounding the injury.

2497 (g) Other information that the division determines is
2498 necessary to identify injuries to racing greyhounds in this
2499 state.

2500 (5) An injury form created pursuant to this section must be
2501 maintained as a public record by the division for at least 7
2502 years after the date it was received.

2503 (6) A licensee of the department who knowingly makes a
2504 false statement concerning an injury or fails to report an
2505 injury is subject to disciplinary action under this chapter or
2506 chapters 455 and 474.

2507 (7) This section does not apply to injuries to a service
2508 animal, personal pet, or greyhound that has been adopted as a
2509 pet.

2510 (8) The division shall adopt rules to implement this
2511 section.

2512 Section 34. Subsection (1) of section 550.26165, Florida
2513 Statutes, is amended to read:

2514 550.26165 Breeders' awards.—

2515 (1) The purpose of this section is to encourage the
2516 agricultural activity of breeding and training racehorses in
2517 this state. Moneys dedicated in this chapter for use as
2518 breeders' awards and stallion awards are to be used for awards
2519 to breeders of registered Florida-bred horses winning horseraces
2520 and for similar awards to the owners of stallions who sired
2521 Florida-bred horses winning stakes races, if the stallions are
2522 registered as Florida stallions standing in this state. Such
2523 awards shall be given at a uniform rate to all winners of the

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2524 awards, may ~~shall~~ not be greater than 20 percent of the
2525 announced gross purse, and may ~~shall~~ not be less than 15 percent
2526 of the announced gross purse if funds are available. In
2527 addition, at least ~~no less than~~ 17 percent, but not ~~not~~ more
2528 than 40 percent, as determined by the Florida Thoroughbred
2529 Breeders' Association, of the moneys dedicated in this chapter
2530 for use as breeders' awards and stallion awards for
2531 thoroughbreds shall be returned pro rata to the permitholders
2532 that generated the moneys for special racing awards to be
2533 distributed by the permitholders to owners of thoroughbred
2534 horses participating in prescribed thoroughbred stakes races,
2535 nonstakes races, or both, all in accordance with a written
2536 agreement establishing the rate, procedure, and eligibility
2537 requirements for such awards entered into by the permitholder,
2538 the Florida Thoroughbred Breeders' Association, and the Florida
2539 Horsemen's Benevolent and Protective Association, Inc., except
2540 that the plan for the distribution by any permitholder located
2541 in the area described in s. 550.615(7) ~~s. 550.615(9)~~ shall be
2542 agreed upon by that permitholder, the Florida Thoroughbred
2543 Breeders' Association, and the association representing a
2544 majority of the thoroughbred racehorse owners and trainers at
2545 that location. Awards for thoroughbred races are to be paid
2546 through the Florida Thoroughbred Breeders' Association, and
2547 awards for standardbred races are to be paid through the Florida
2548 Standardbred Breeders and Owners Association. Among other
2549 sources specified in this chapter, moneys for thoroughbred
2550 breeders' awards will come from the 0.955 percent of handle for
2551 thoroughbred races conducted, received, broadcast, or simulcast
2552 under this chapter as provided in s. 550.2625(3). The moneys for

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2553 quarter horse and harness breeders' awards will come from the
2554 breaks and uncashed tickets on live quarter horse and harness
2555 horse racing performances and 1 percent of handle on intertrack
2556 wagering. The funds for these breeders' awards shall be paid to
2557 the respective breeders' associations by the permitholders
2558 conducting the races.

2559 Section 35. Section 550.3345, Florida Statutes, is amended
2560 to read:

2561 550.3345 ~~Conversion of quarter horse permit to a~~ Limited
2562 thoroughbred racing permit.-

2563 (1) In recognition of the important and long-standing
2564 economic contribution of the thoroughbred horse breeding
2565 industry to this state and the state's vested interest in
2566 promoting the continued viability of this agricultural activity,
2567 the state intends to provide a limited opportunity for the
2568 conduct of live thoroughbred horse racing with the net revenues
2569 from such racing dedicated to the enhancement of thoroughbred
2570 purses and breeders', stallion, and special racing awards under
2571 this chapter; the general promotion of the thoroughbred horse
2572 breeding industry; and the care in this state of thoroughbred
2573 horses retired from racing.

2574 (2) A limited thoroughbred racing permit previously
2575 converted from ~~Notwithstanding any other provision of law, the~~
2576 ~~holder of a quarter horse racing permit pursuant to chapter~~
2577 2010-29, Laws of Florida, issued under s. 550.334 may only be
2578 held by, ~~within 1 year after the effective date of this section,~~
2579 ~~apply to the division for a transfer of the quarter horse racing~~
2580 ~~permit to~~ a not-for-profit corporation formed under state law to
2581 serve the purposes of the state as provided in subsection (1).

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2582 The board of directors of the not-for-profit corporation must be
2583 composed ~~comprised~~ of 11 members, 4 of whom shall be designated
2584 by the applicant, 4 of whom shall be designated by the Florida
2585 Thoroughbred Breeders' Association, and 3 of whom shall be
2586 designated by the other 8 directors, with at least 1 of these 3
2587 members being an authorized representative of another
2588 thoroughbred racing permitholder in this state. A limited
2589 thoroughbred racing ~~The not-for-profit corporation shall submit~~
2590 ~~an application to the division for review and approval of the~~
2591 ~~transfer in accordance with s. 550.054. Upon approval of the~~
2592 ~~transfer by the division, and notwithstanding any other~~
2593 ~~provision of law to the contrary, the not-for-profit corporation~~
2594 ~~may, within 1 year after its receipt of the permit, request that~~
2595 ~~the division convert the quarter horse racing permit to a permit~~
2596 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~
2597 ~~thoroughbred racing. Neither the transfer of the quarter horse~~
2598 ~~racing permit nor its conversion to a limited thoroughbred~~
2599 ~~permit shall be subject to the mileage limitation or the~~
2600 ~~ratification election as set forth under s. 550.054(2) or s.~~
2601 ~~550.0651. Upon receipt of the request for such conversion, the~~
2602 ~~division shall timely issue a converted permit. The converted~~
2603 ~~permit and the not-for-profit corporation are ~~shall be~~ subject~~
2604 to the following requirements:

2605 (a) All net revenues derived by the not-for-profit
2606 corporation under the thoroughbred ~~horse~~ racing permit, after
2607 the funding of operating expenses and capital improvements,
2608 shall be dedicated to the enhancement of thoroughbred purses and
2609 breeders', stallion, and special racing awards under this
2610 chapter; the general promotion of the thoroughbred horse

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2611 breeding industry; and the care in this state of thoroughbred
2612 horses retired from racing.

2613 (b) From December 1 through April 30, ~~no~~ live thoroughbred
2614 racing may not be conducted under the permit on any day during
2615 which another thoroughbred racing permitholder is conducting
2616 live thoroughbred racing within 125 air miles of the not-for-
2617 profit corporation's pari-mutuel facility unless the other
2618 thoroughbred racing permitholder gives its written consent.

2619 (c) ~~After the conversion of the quarter horse racing permit~~
2620 ~~and~~ the issuance of its initial license to conduct pari-mutuel
2621 wagering meets of thoroughbred racing, the not-for-profit
2622 corporation shall annually apply to the division for a license
2623 pursuant to s. 550.01215(7) ~~s. 550.5251~~.

2624 (d) Racing under the permit may take place ~~only~~ at the
2625 location for which the original quarter horse racing permit was
2626 issued, which may be leased, notwithstanding s. 550.475, by the
2627 not-for-profit corporation for that purpose; however, the not-
2628 for-profit corporation may, without the conduct of any
2629 ratification election pursuant to ~~s. 550.054(13)~~ ~~or~~ s. 550.0651,
2630 move the location of the permit to another location in the same
2631 county or counties, if a permit is situated in such a manner
2632 that it is located in more than one county, provided that such
2633 relocation is approved under the zoning and land use regulations
2634 of the applicable county or municipality.

2635 (e) A limited thoroughbred racing ~~no~~ permit may not be
2636 transferred ~~converted under this section is eligible for~~
2637 ~~transfer~~ to another person or entity.

2638 (3) Unless otherwise provided in this section, ~~after~~
2639 ~~conversion~~, the permit and the not-for-profit corporation shall

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2640 be treated under the laws of this state as a thoroughbred racing
2641 permit and as a thoroughbred racing permitholder, respectively,
2642 with the exception of ss. 550.054(9)(c) and (d) and s.
2643 550.09515(3).

2644 (4) Notwithstanding any other law, the holder of a limited
2645 thoroughbred racing permit under this section which is not
2646 licensed to conduct a full schedule of live racing may, at any
2647 time, apply for and be issued an operating license under this
2648 chapter to receive broadcasts of horseraces and conduct
2649 intertrack wagering on such races as a guest track.

2650 Section 36. Subsection (6) of section 550.3551, Florida
2651 Statutes, is amended to read:

2652 550.3551 Transmission of racing and jai alai information;
2653 commingling of pari-mutuel pools.-

2654 (6) (a) ~~A maximum of 20 percent of the total number of races~~
2655 ~~on which wagers are accepted by a greyhound permitholder not~~
2656 ~~located as specified in s. 550.615(6) may be received from~~
2657 ~~locations outside this state.~~ A permitholder may not conduct
2658 fewer than eight live races or games on any authorized race day
2659 except as provided in this subsection. A thoroughbred racing
2660 permitholder may not conduct fewer than eight live races on any
2661 race day without the written approval of the Florida
2662 Thoroughbred Breeders' Association and the Florida Horsemen's
2663 Benevolent and Protective Association, Inc., unless it is
2664 determined by the department that another entity represents a
2665 majority of the thoroughbred racehorse owners and trainers in
2666 the state. A harness horse racing permitholder may conduct fewer
2667 than eight live races on any authorized race day, except that
2668 such permitholder must conduct a full schedule of live racing

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2669 during its race meet consisting of at least eight live races per
2670 authorized race day for at least 100 days. ~~Any harness horse~~
2671 ~~permitholder that during the preceding racing season conducted a~~
2672 ~~full schedule of live racing may, at any time during its current~~
2673 ~~race meet, receive full card broadcasts of harness horse races~~
2674 ~~conducted at harness racetracks outside this state at the~~
2675 ~~harness track of the permitholder and accept wagers on such~~
2676 ~~harness races.~~ With specific authorization from the division for
2677 special racing events, a permitholder may conduct fewer than
2678 eight live races or games when the permitholder also broadcasts
2679 out-of-state races or games. The division may not grant more
2680 than two such exceptions a year for a permitholder in any 12-
2681 month period, and those two exceptions may not be consecutive.

2682 (b) Notwithstanding any other provision of this chapter,
2683 any harness horse racing permitholder accepting broadcasts of
2684 out-of-state harness horse races when such permitholder is not
2685 conducting live races must make the out-of-state signal
2686 available to all permitholders eligible to conduct intertrack
2687 wagering and shall pay to guest tracks located as specified in
2688 ~~ss. 550.615(6) and s.~~ s. 550.6305(9) (d) 50 percent of the net
2689 proceeds after taxes and fees to the out-of-state host track on
2690 harness horse race wagers which they accept. A harness horse
2691 racing permitholder shall be required to pay into its purse
2692 account 50 percent of the net income retained by the
2693 permitholder on account of wagering on the out-of-state
2694 broadcasts received pursuant to this subsection. Nine-tenths of
2695 a percent of all harness horse race wagering proceeds on the
2696 broadcasts received pursuant to this subsection shall be paid to
2697 the Florida Standardbred Breeders and Owners Association under

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2698 the provisions of s. 550.2625(4) for the purposes provided
2699 therein.

2700 Section 37. Section 550.475, Florida Statutes, is amended
2701 to read:

2702 550.475 Lease of pari-mutuel facilities by pari-mutuel
2703 permitholders.—Holders of valid pari-mutuel permits for the
2704 conduct of any jai alai games, dogracing, or thoroughbred and
2705 standardbred horse racing in this state are entitled to lease
2706 any and all of their facilities to any other holder of a same
2707 class, valid pari-mutuel permit for jai alai games, dogracing,
2708 or thoroughbred or standardbred horse racing, when they are
2709 located within a 35-mile radius of each other, and such lessee
2710 is entitled to a permit and license to operate its race meet or
2711 jai alai games at the leased premises. A permitholder may not
2712 lease facilities from a pari-mutuel permitholder that is not
2713 conducting a full schedule of live racing.

2714 Section 38. Section 550.5251, Florida Statutes, is amended
2715 to read:

2716 550.5251 Florida thoroughbred racing; certain permits;
2717 operating days.—

2718 ~~(1) Each thoroughbred permitholder shall annually, during~~
2719 ~~the period commencing December 15 of each year and ending~~
2720 ~~January 4 of the following year, file in writing with the~~
2721 ~~division its application to conduct one or more thoroughbred~~
2722 ~~racing meetings during the thoroughbred racing season commencing~~
2723 ~~on the following July 1. Each application shall specify the~~
2724 ~~number and dates of all performances that the permitholder~~
2725 ~~intends to conduct during that thoroughbred racing season. On or~~
2726 ~~before March 15 of each year, the division shall issue a license~~

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2727 ~~authorizing each permitholder to conduct performances on the~~
2728 ~~dates specified in its application. Up to February 28 of each~~
2729 ~~year, each permitholder may request and shall be granted changes~~
2730 ~~in its authorized performances; but thereafter, as a condition~~
2731 ~~precedent to the validity of its license and its right to retain~~
2732 ~~its permit, each permitholder must operate the full number of~~
2733 ~~days authorized on each of the dates set forth in its license.~~

2734 ~~(2) A thoroughbred racing permitholder may not begin any~~
2735 ~~race later than 7 p.m. Any thoroughbred permitholder in a county~~
2736 ~~in which the authority for cardrooms has been approved by the~~
2737 ~~board of county commissioners may operate a cardroom and, when~~
2738 ~~conducting live races during its current race meet, may receive~~
2739 ~~and rebroadcast out-of-state races after the hour of 7 p.m. on~~
2740 ~~any day during which the permitholder conducts live races.~~

2741 ~~(1)(3)(a)~~ Each licensed thoroughbred permitholder in this
2742 state must run an average of one race per racing day in which
2743 horses bred in this state and duly registered with the Florida
2744 Thoroughbred Breeders' Association have preference as entries
2745 over non-Florida-bred horses, unless otherwise agreed to in
2746 writing by the permitholder, the Florida Thoroughbred Breeders'
2747 Association, and the association representing a majority of the
2748 thoroughbred racehorse owners and trainers at that location. All
2749 licensed thoroughbred racetracks shall write the conditions for
2750 such races in which Florida-bred horses are preferred so as to
2751 assure that all Florida-bred horses available for racing at such
2752 tracks are given full opportunity to run in the class of races
2753 for which they are qualified. The opportunity of running must be
2754 afforded to each class of horses in the proportion that the
2755 number of horses in this class bears to the total number of

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2756 Florida-bred horses available. A track is not required to write
2757 conditions for a race to accommodate a class of horses for which
2758 a race would otherwise not be run at the track during its meet.

2759 (2)~~(b)~~ Each licensed thoroughbred permitholder in this
2760 state may run one additional race per racing day composed
2761 exclusively of Arabian horses registered with the Arabian Horse
2762 Registry of America. Any licensed thoroughbred permitholder that
2763 elects to run one additional race per racing day composed
2764 exclusively of Arabian horses registered with the Arabian Horse
2765 Registry of America is not required to provide stables for the
2766 Arabian horses racing under this subsection ~~paragraph~~.

2767 (3)~~(c)~~ Each licensed thoroughbred permitholder in this
2768 state may run up to three additional races per racing day
2769 composed exclusively of quarter horses registered with the
2770 American Quarter Horse Association.

2771 Section 39. Subsections (2), (4), (6), and (7) of section
2772 550.615, Florida Statutes, are amended, present subsections (8),
2773 (9), and (10) of that section are redesignated as subsections
2774 (6), (7), and (8), respectively, present subsection (9) of that
2775 section is amended, and a new subsection (9) is added to that
2776 section, to read:

2777 550.615 Intertrack wagering.—

2778 (2) A ~~Any~~ track or fronton licensed under this chapter
2779 which has conducted a full schedule of live racing or games for
2780 at least 5 consecutive calendar years since 2010 ~~in the~~
2781 ~~preceding year conducted a full schedule of live racing~~ is
2782 qualified to, at any time, receive broadcasts of any class of
2783 pari-mutuel race or game and accept wagers on such races or
2784 games conducted by any class of permitholders licensed under

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2785 this chapter.

2786 (4) ~~An In no event shall any~~ intertrack wager may not be
2787 accepted on the same class of live races or games of any
2788 permitholder without the written consent of such operating
2789 permitholders conducting the same class of live races or games
2790 if the guest track is within the market area of such operating
2791 permitholder. A greyhound racing permitholder licensed under
2792 this chapter which accepts intertrack wagers on live greyhound
2793 signals is not required to obtain the written consent required
2794 by this subsection from any operating greyhound racing
2795 permitholder within its market area.

2796 ~~(6) Notwithstanding the provisions of subsection (3), in~~
2797 ~~any area of the state where there are three or more horserace~~
2798 ~~permitholders within 25 miles of each other, intertrack wagering~~
2799 ~~between permitholders in said area of the state shall only be~~
2800 ~~authorized under the following conditions: Any permitholder,~~
2801 ~~other than a thoroughbred permitholder, may accept intertrack~~
2802 ~~wagers on races or games conducted live by a permitholder of the~~
2803 ~~same class or any harness permitholder located within such area~~
2804 ~~and any harness permitholder may accept wagers on games~~
2805 ~~conducted live by any jai alai permitholder located within its~~
2806 ~~market area and from a jai alai permitholder located within the~~
2807 ~~area specified in this subsection when no jai alai permitholder~~
2808 ~~located within its market area is conducting live jai alai~~
2809 ~~performances; any greyhound or jai alai permitholder may receive~~
2810 ~~broadcasts of and accept wagers on any permitholder of the other~~
2811 ~~class provided that a permitholder, other than the host track,~~
2812 ~~of such other class is not operating a contemporaneous live~~
2813 ~~performance within the market area.~~

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2814 ~~(7) In any county of the state where there are only two~~
2815 ~~permits, one for dogracing and one for jai alai, no intertrack~~
2816 ~~wager may be taken during the period of time when a permitholder~~
2817 ~~is not licensed to conduct live races or games without the~~
2818 ~~written consent of the other permitholder that is conducting~~
2819 ~~live races or games. However, if neither permitholder is~~
2820 ~~conducting live races or games, either permitholder may accept~~
2821 ~~intertrack wagers on horseraces or on the same class of races or~~
2822 ~~games, or on both horseraces and the same class of races or~~
2823 ~~games as is authorized by its permit.~~

2824 ~~(7)-(9)~~ (7) In any two contiguous counties of the state in which
2825 there are located only four active permits, one for thoroughbred
2826 horse racing, two for greyhound racing ~~dogracing~~, and one for
2827 jai alai games, an ~~no~~ intertrack wager may not be accepted on
2828 the same class of live races or games of any permitholder
2829 without the written consent of such operating permitholders
2830 conducting the same class of live races or games if the guest
2831 track is within the market area of such operating permitholder.

2832 (9) A greyhound racing permitholder that is eligible to
2833 receive broadcasts pursuant to subsection (2) and is operating
2834 pursuant to a current year operating license that specifies that
2835 no live performances will be conducted may accept wagers on live
2836 races conducted at out-of-state greyhound tracks only on the
2837 days when the permitholder receives all live races that any
2838 greyhound host track in this state makes available.

2839 Section 40. Subsections (1), (4), and (5) of section
2840 550.6308, Florida Statutes, are amended to read:

2841 550.6308 Limited intertrack wagering license.—In
2842 recognition of the economic importance of the thoroughbred

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2843 breeding industry to this state, its positive impact on tourism,
2844 and of the importance of a permanent thoroughbred sales facility
2845 as a key focal point for the activities of the industry, a
2846 limited license to conduct intertrack wagering is established to
2847 ensure the continued viability and public interest in
2848 thoroughbred breeding in Florida.

2849 (1) Upon application to the division on or before January
2850 31 of each year, any person that is licensed to conduct public
2851 sales of thoroughbred horses pursuant to s. 535.01 and, that has
2852 conducted at least 8 ~~15~~ days of thoroughbred horse sales at a
2853 permanent sales facility in this state for at least 3
2854 consecutive years, ~~and that has conducted at least 1 day of~~
2855 ~~nonwagering thoroughbred racing in this state, with a purse~~
2856 ~~structure of at least \$250,000 per year for 2 consecutive years~~
2857 before such application, shall be issued a license, subject to
2858 the conditions set forth in this section, to conduct intertrack
2859 wagering at such a permanent sales facility ~~during the following~~
2860 ~~periods:~~

2861 ~~(a) Up to 21 days in connection with thoroughbred sales;~~

2862 ~~(b) Between November 1 and May 8;~~

2863 ~~(c) Between May 9 and October 31 at such times and on such~~
2864 ~~days as any thoroughbred, jai alai, or a greyhound permitholder~~
2865 ~~in the same county is not conducting live performances; provided~~
2866 ~~that any such permitholder may waive this requirement, in whole~~
2867 ~~or in part, and allow the licensee under this section to conduct~~
2868 ~~intertrack wagering during one or more of the permitholder's~~
2869 ~~live performances; and~~

2870 ~~(d) During the weekend of the Kentucky Derby, the~~
2871 ~~Preakness, the Belmont, and a Breeders' Cup Meet that is~~

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2872 ~~conducted before November 1 and after May 8.~~

2873
2874 Only ~~No more than~~ one such license may be issued, and no such
2875 license may be issued for a facility located within 50 miles of
2876 any for-profit thoroughbred permitholder's track.

2877 ~~(4) Intertrack wagering under this section may be conducted~~
2878 ~~only on thoroughbred horse racing, except that intertrack~~
2879 ~~wagering may be conducted on any class of pari-mutuel race or~~
2880 ~~game conducted by any class of permitholders licensed under this~~
2881 ~~chapter if all thoroughbred, jai alai, and greyhound~~
2882 ~~permitholders in the same county as the licensee under this~~
2883 ~~section give their consent.~~

2884 ~~(4)(5)~~ (4) The licensee shall be considered a guest track under
2885 this chapter. ~~The licensee shall pay 2.5 percent of the total~~
2886 ~~contributions to the daily pari-mutuel pool on wagers accepted~~
2887 ~~at the licensee's facility on greyhound races or jai alai games~~
2888 ~~to the thoroughbred permitholder that is conducting live races~~
2889 ~~for purses to be paid during its current racing meet. If more~~
2890 ~~than one thoroughbred permitholder is conducting live races on a~~
2891 ~~day during which the licensee is conducting intertrack wagering~~
2892 ~~on greyhound races or jai alai games, the licensee shall~~
2893 ~~allocate these funds between the operating thoroughbred~~
2894 ~~permitholders on a pro rata basis based on the total live handle~~
2895 ~~at the operating permitholders' facilities.~~

2896 Section 41. Section 551.101, Florida Statutes, is amended
2897 to read:

2898 551.101 Slot machine gaming authorized.—A Any licensed
2899 eligible pari-mutuel facility located in ~~Miami-Dade County or~~
2900 ~~Broward County existing at the time of adoption of s. 23, Art. X~~

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2901 ~~of the State Constitution that has conducted live racing or~~
2902 ~~games during calendar years 2002 and 2003~~ may possess slot
2903 machines and conduct slot machine gaming at the location where
2904 the pari-mutuel permitholder is authorized to conduct pari-
2905 mutuel wagering activities pursuant to such permitholder's valid
2906 pari-mutuel permit or at the location where a licensee is
2907 authorized to conduct slot machine gaming pursuant to s.
2908 551.1043 ~~provided that a majority of voters in a countywide~~
2909 ~~referendum have approved slot machines at such facility in the~~
2910 ~~respective county.~~ Notwithstanding any other ~~provision of law,~~
2911 it is not a crime for a person to participate in slot machine
2912 gaming at a pari-mutuel facility licensed to possess slot
2913 machines and conduct slot machine gaming or to participate in
2914 slot machine gaming described in this chapter.

2915 Section 42. Subsections (4), (10), and (11) of section
2916 551.102, Florida Statutes, are amended to read:

2917 551.102 Definitions.—As used in this chapter, the term:

2918 (4) "Eligible facility" means any licensed pari-mutuel
2919 facility or any facility authorized to conduct slot machine
2920 gaming pursuant to s. 551.1043, which meets the requirements of
2921 s. 551.104(2) located in Miami Dade County or Broward County
2922 ~~existing at the time of adoption of s. 23, Art. X of the State~~
2923 ~~Constitution that has conducted live racing or games during~~
2924 ~~calendar years 2002 and 2003 and has been approved by a majority~~
2925 ~~of voters in a countywide referendum to have slot machines at~~
2926 ~~such facility in the respective county; any licensed pari-mutuel~~
2927 ~~facility located within a county as defined in s. 125.011,~~
2928 ~~provided such facility has conducted live racing for 2~~
2929 ~~consecutive calendar years immediately preceding its application~~

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2930 ~~for a slot machine license, pays the required license fee, and~~
 2931 ~~meets the other requirements of this chapter; or any licensed~~
 2932 ~~pari-mutuel facility in any other county in which a majority of~~
 2933 ~~voters have approved slot machines at such facilities in a~~
 2934 ~~countywide referendum held pursuant to a statutory or~~
 2935 ~~constitutional authorization after the effective date of this~~
 2936 ~~section in the respective county, provided such facility has~~
 2937 ~~conducted a full schedule of live racing for 2 consecutive~~
 2938 ~~calendar years immediately preceding its application for a slot~~
 2939 ~~machine license, pays the required licensed fee, and meets the~~
 2940 ~~other requirements of this chapter.~~

2941 (10) "Slot machine license" means a license issued by the
 2942 division authorizing a pari-mutuel permitholder or a licensee
 2943 authorized pursuant to s. 551.1043 to place and operate slot
 2944 machines as provided in by s. 23, Art. X of the State
 2945 ~~Constitution, the provisions of this chapter, and by~~ division
 2946 rule rules.

2947 (11) "Slot machine licensee" means a pari-mutuel
 2948 permitholder or a licensee authorized pursuant to s. 551.1043
 2949 which who holds a license issued by the division pursuant to
 2950 this chapter which that authorizes such person to possess a slot
 2951 machine ~~within facilities specified in s. 23, Art. X of the~~
 2952 ~~State Constitution~~ and allows slot machine gaming.

2953 Section 43. Subsections (1) and (2), paragraph (c) of
 2954 subsection (4), and paragraphs (a) and (c) of subsection (10) of
 2955 section 551.104, Florida Statutes, are amended to read:

2956 551.104 License to conduct slot machine gaming.-

2957 (1) Upon application, ~~and~~ and a finding by the division, after
 2958 investigation, that the application is complete and that the

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2959 applicant is qualified, and payment of the initial license fee,
2960 the division may issue a license to conduct slot machine gaming
2961 in the designated slot machine gaming area of the eligible
2962 facility. Once licensed, slot machine gaming may be conducted
2963 subject to ~~the requirements of~~ this chapter and rules adopted
2964 pursuant thereto. The division may not issue a slot machine
2965 license to any pari-mutuel permitholder that includes, or
2966 previously included within its ownership group, an ultimate
2967 equitable owner that was also an ultimate equitable owner of a
2968 pari-mutuel permitholder whose permit was voluntarily or
2969 involuntarily surrendered, suspended, or revoked by the division
2970 within 10 years before the date of permitholder's filing of an
2971 application for a slot machine license.

2972 (2) An application may be approved by the division only if:

2973 (a) The facility at which the applicant seeks to operate
2974 slot machines is:

2975 1. A licensed pari-mutuel facility located in Miami-Dade
2976 County or Broward County existing at the time of adoption of s.
2977 23, Art. X of the State Constitution which conducted live racing
2978 or games during calendar years 2002 and 2003, if such
2979 permitholder pays the required license fee and meets the other
2980 requirements of this chapter, including a facility that
2981 relocates pursuant to s. 550.0555;

2982 2. A licensed pari-mutuel facility in any county in which a
2983 majority of voters have approved slot machines in a countywide
2984 referendum, if such permitholder has conducted a full schedule
2985 of live racing or games as defined in s. 550.002(11) for 2
2986 consecutive calendar years immediately preceding its initial
2987 application for a slot machine license, pays the required

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2988 license fee, and meets the other requirements of this chapter;

2989 3. A facility at which a licensee is authorized to conduct
2990 slot machine gaming pursuant to s. 551.1043, if such licensee
2991 pays the required license fee and meets the other requirements
2992 of this chapter; or

2993 4. A licensed pari-mutuel facility, except for a pari-
2994 mutuel facility described in subparagraph 1., located on or
2995 contiguous with property of the qualified project of a public-
2996 private partnership consummated between the permitholder and a
2997 responsible public entity in accordance with s. 255.065 in a
2998 county in which the referendum required pursuant to paragraph
2999 (b) is conducted on or after January 1, 2018, and concurrently
3000 with a general election, if such permitholder has conducted a
3001 full schedule of live racing or games as defined in s.
3002 550.002(11) for 2 consecutive calendar years immediately
3003 preceding its initial application for a slot machine license;
3004 provided that a license may be issued under this subparagraph
3005 only after a comprehensive agreement has been executed pursuant
3006 to s. 255.065(7).

3007 (b) after The voters of the county where the applicant's
3008 facility is located have authorized by referendum slot machines
3009 within pari-mutuel facilities in that county ~~as specified in s.~~
3010 ~~23, Art. X of the State Constitution.~~

3011 (4) As a condition of licensure and to maintain continued
3012 authority for the conduct of slot machine gaming, a ~~the~~ slot
3013 machine licensee shall:

3014 (c) 1. If conducting live racing or games, conduct no fewer
3015 than a full schedule of live racing or games as defined in s.
3016 550.002(11). A permitholder's responsibility to conduct a full

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3017 schedule such number of live races or games as defined in s.
3018 550.002(11) shall be reduced by the number of races or games
3019 that could not be conducted due to the direct result of fire,
3020 war, hurricane, or other disaster or event beyond the control of
3021 the permitholder. A permitholder may conduct live races or games
3022 at another pari-mutuel facility pursuant to s. 550.475 if such
3023 permitholder has operated its live races or games by lease for
3024 at least 5 consecutive years immediately prior to the
3025 permitholder's application for a slot machine license; or

3026 2. If not licensed to conduct a full schedule of live
3027 racing or games as defined in s. 550.002(11), remit for the
3028 payment of purses and awards on live races an amount equal to
3029 the lesser of \$2 million or 3 percent of its slot machine
3030 revenues from the previous state fiscal year to a slot machine
3031 licensee licensed to conduct not fewer than 160 days of
3032 thoroughbred racing. A slot machine licensee receiving funds
3033 under this subparagraph shall remit, within 10 days of receipt,
3034 10 percent of those funds to the Florida Thoroughbred Breeders'
3035 Association, Inc., for the payment of breeders', stallion, and
3036 special racing awards, subject to the fee authorized in s.
3037 550.2625(3). If no slot machine licensee is licensed for at
3038 least 160 days of live thoroughbred racing, no payments for
3039 purses are required. A slot machine licensee that meets the
3040 requirements of subsection (10) shall receive a dollar-for-
3041 dollar credit to be applied toward the payments required under
3042 this subparagraph which are made pursuant to the binding
3043 agreement after the effective date of this act. This
3044 subparagraph expires July 1, 2036.

3045 (10) (a) ~~1.~~ A No slot machine license or renewal thereof may

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3046 not ~~shall~~ be issued to an applicant holding a permit under
3047 chapter 550 to conduct pari-mutuel wagering meets of
3048 thoroughbred racing unless the applicant has on file with the
3049 division a binding written agreement between the applicant and
3050 the Florida Horsemen's Benevolent and Protective Association,
3051 Inc., governing the payment of purses on live thoroughbred races
3052 conducted at the licensee's pari-mutuel facility. In addition, a
3053 ~~ne~~ slot machine license or renewal thereof may not ~~shall~~ be
3054 issued to such an applicant unless the applicant has on file
3055 with the division a binding written agreement between the
3056 applicant and the Florida Thoroughbred Breeders' Association,
3057 Inc., governing the payment of breeders', stallion, and special
3058 racing awards on live thoroughbred races conducted at the
3059 licensee's pari-mutuel facility. The agreement governing purses
3060 and the agreement governing awards may direct the payment of
3061 such purses and awards from revenues generated by any wagering
3062 or gaming the applicant is authorized to conduct under Florida
3063 law. All purses and awards are ~~shall be~~ subject to the terms of
3064 chapter 550. All sums for breeders', stallion, and special
3065 racing awards shall be remitted monthly to the Florida
3066 Thoroughbred Breeders' Association, Inc., for the payment of
3067 awards subject to the administrative fee authorized in s.
3068 550.2625(3). This paragraph does not apply to a summer
3069 thoroughbred racing permitholder.

3070 ~~2. No slot machine license or renewal thereof shall be~~
3071 ~~issued to an applicant holding a permit under chapter 550 to~~
3072 ~~conduct pari-mutuel wagering meets of quarter horse racing~~
3073 ~~unless the applicant has on file with the division a binding~~
3074 ~~written agreement between the applicant and the Florida Quarter~~

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3075 ~~Horse Racing Association or the association representing a~~
3076 ~~majority of the horse owners and trainers at the applicant's~~
3077 ~~eligible facility, governing the payment of purses on live~~
3078 ~~quarter horse races conducted at the licensee's pari-mutuel~~
3079 ~~facility. The agreement governing purses may direct the payment~~
3080 ~~of such purses from revenues generated by any wagering or gaming~~
3081 ~~the applicant is authorized to conduct under Florida law. All~~
3082 ~~purses shall be subject to the terms of chapter 550.~~

3083 (c)1. If an agreement required under paragraph (a) cannot
3084 be reached prior to the initial issuance of the slot machine
3085 license, either party may request arbitration or, in the case of
3086 a renewal, if an agreement required under paragraph (a) is not
3087 in place 120 days prior to the scheduled expiration date of the
3088 slot machine license, the applicant shall immediately ask the
3089 American Arbitration Association to furnish a list of 11
3090 arbitrators, each of whom shall have at least 5 years of
3091 commercial arbitration experience and no financial interest in
3092 or prior relationship with any of the parties or their
3093 affiliated or related entities or principals. Each required
3094 party to the agreement shall select a single arbitrator from the
3095 list provided by the American Arbitration Association within 10
3096 days of receipt, and the individuals so selected shall choose
3097 one additional arbitrator from the list within the next 10 days.

3098 2. If an agreement required under paragraph (a) is not in
3099 place 60 days after the request under subparagraph 1. in the
3100 case of an initial slot machine license or, in the case of a
3101 renewal, 60 days prior to the scheduled expiration date of the
3102 slot machine license, the matter shall be immediately submitted
3103 to mandatory binding arbitration to resolve the disagreement

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3104 between the parties. The three arbitrators selected pursuant to
3105 subparagraph 1. shall constitute the panel that shall arbitrate
3106 the dispute between the parties pursuant to the American
3107 Arbitration Association Commercial Arbitration Rules and chapter
3108 682.

3109 3. At the conclusion of the proceedings, which shall be no
3110 later than 90 days after the request under subparagraph 1. in
3111 the case of an initial slot machine license or, in the case of a
3112 renewal, 30 days prior to the scheduled expiration date of the
3113 slot machine license, the arbitration panel shall present to the
3114 parties a proposed agreement that the majority of the panel
3115 believes equitably balances the rights, interests, obligations,
3116 and reasonable expectations of the parties. The parties shall
3117 immediately enter into such agreement, which shall satisfy the
3118 requirements of paragraph (a) and permit issuance of the pending
3119 annual slot machine license or renewal. The agreement produced
3120 by the arbitration panel under this subparagraph shall be
3121 effective until the last day of the license or renewal period or
3122 until the parties enter into a different agreement. Each party
3123 shall pay its respective costs of arbitration and shall pay one-
3124 half of the costs of the arbitration panel, unless the parties
3125 otherwise agree. If the agreement produced by the arbitration
3126 panel under this subparagraph remains in place 120 days prior to
3127 the scheduled issuance of the next annual license renewal, then
3128 the arbitration process established in this paragraph will begin
3129 again.

3130 4. In the event that ~~neither of the agreements required~~
3131 ~~under paragraph (a) subparagraph (a)1. or the agreement required~~
3132 ~~under subparagraph (a)2.~~ are not in place by the deadlines

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3133 established in this paragraph, arbitration regarding each
3134 agreement will proceed independently, with separate lists of
3135 arbitrators, arbitration panels, arbitration proceedings, and
3136 resulting agreements.

3137 5. With respect to the agreements required under paragraph
3138 (a) governing the payment of purses, the arbitration and
3139 resulting agreement called for under this paragraph shall be
3140 limited to the payment of purses from slot machine revenues
3141 only.

3142 Section 44. Section 551.1042, Florida Statutes, is created
3143 to read:

3144 551.1042 Transfer or relocation of slot machine license
3145 prohibited.—A slot machine license issued under this chapter may
3146 not be transferred or reissued when such reissuance is in the
3147 nature of a transfer so as to permit or authorize a licensee to
3148 change the location of a slot machine facility, except through
3149 the relocation of the pari-mutuel permit pursuant to s.
3150 550.0555.

3151 Section 45. Section 551.1043, Florida Statutes, is created
3152 to read:

3153 551.1043 Slot machine license to enhance live pari-mutuel
3154 activity.—In recognition of the important and long-standing
3155 economic contribution of the pari-mutuel industry to this state
3156 and the state's vested interest in the revenue generated from
3157 that industry and in the interest of promoting the continued
3158 viability of the important statewide agricultural activities
3159 that the industry supports, the Legislature finds that it is in
3160 the state's interest to provide a limited opportunity for the
3161 establishment of two additional slot machine licenses to be

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3162 awarded and renewed annually and located within Broward County
3163 or a county as defined in s. 125.011.

3164 (1) (a) Within 120 days after the effective date of this
3165 act, any person who is not a slot machine licensee may apply to
3166 the division pursuant to s. 551.104(1) for one of the two slot
3167 machine licenses created by this section to be located in
3168 Broward County or a county as defined in s. 125.011. No more
3169 than one of such licenses may be awarded in each of those
3170 counties. An applicant shall submit an application to the
3171 division which satisfies the requirements of s. 550.054(3). Any
3172 person prohibited from holding any horseracing or dogracing
3173 permit or jai alai fronton permit pursuant to s. 550.1815 is
3174 ineligible to apply for the additional slot machine license
3175 created by this section.

3176 (b) The application shall be accompanied by a nonrefundable
3177 license application fee of \$2 million. The license application
3178 fee shall be deposited into the Pari-mutuel Wagering Trust Fund
3179 of the Department of Business and Professional Regulation to be
3180 used by the division and the Department of Law Enforcement for
3181 investigations, the regulation of slot machine gaming, and the
3182 enforcement of slot machine gaming under this chapter. In the
3183 event of a successful award, the license application fee shall
3184 be credited toward the license application fee required by s.
3185 551.106.

3186 (2) If there is more than one applicant for an additional
3187 slot machine license, the division shall award such license to
3188 the applicant that receives the highest score based on the
3189 following criteria:

3190 (a) The amount of slot machine revenues the applicant will

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3191 agree to dedicate to the enhancement of pari-mutuel purses and
3192 breeders', stallion, and special racing or player awards to be
3193 awarded to pari-mutuel activities conducted pursuant to chapter
3194 550, in addition to those required pursuant to ss.
3195 551.104(4)(c)2. and 849.086(14)(d)2.;

3196 (b) The amount of slot machine revenues the applicant will
3197 agree to dedicate to the general promotion of the state's pari-
3198 mutuel industry;

3199 (c) The amount of slot machine revenues the applicant will
3200 agree to dedicate to care provided in this state to injured or
3201 retired animals, jockeys, or jai alai players;

3202 (d) The projected amount by which the proposed slot machine
3203 facility will increase tourism, generate jobs, provide revenue
3204 to the local economy, and provide revenue to the state. The
3205 applicant and its partners shall document their previous
3206 experience in constructing premier facilities with high-quality
3207 amenities which complement a local tourism industry;

3208 (e) The financial history of the applicant and its
3209 partners, including, but not limited to, any capital investments
3210 in slot machine gaming and pari-mutuel facilities, and its bona
3211 fide plan for future community involvement and financial
3212 investment;

3213 (f) The history of investment by the applicant and its
3214 partners in the communities in which its previous developments
3215 have been located;

3216 (g) The ability to purchase and maintain a surety bond in
3217 an amount established by the division to represent the projected
3218 annual state revenues expected to be generated by the proposed
3219 slot machine facility;

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3220 (h) The ability to demonstrate the financial wherewithal to
3221 adequately capitalize, develop, construct, maintain, and operate
3222 a proposed slot machine facility. The applicant must demonstrate
3223 the ability to commit at least \$100 million for hard costs
3224 related to construction and development of the facility,
3225 exclusive of the purchase price and costs associated with the
3226 acquisition of real property and any impact fees. The applicant
3227 must also demonstrate the ability to meet any projected secured
3228 and unsecured debt obligations and to complete construction
3229 within 2 years after receiving the award of the slot machine
3230 license;

3231 (i) The ability to implement a program to train and employ
3232 residents of South Florida to work at the facility and contract
3233 with local business owners for goods and services; and

3234 (j) The ability of the applicant to generate, with its
3235 partners, substantial gross gaming revenue following the award
3236 of gaming licenses through a competitive process.

3237
3238 The division shall award additional points in the evaluation of
3239 the applications for proposed projects located within a half
3240 mile of two forms of public transportation in a designated
3241 community redevelopment area or district.

3242 (3) (a) Notwithstanding the timeframes established in s.
3243 120.60, the division shall complete its evaluations at least 120
3244 days after the submission of applications and shall notice its
3245 intent to award each of the licenses within that timeframe.
3246 Within 30 days after the submission of an application, the
3247 division shall issue, if necessary, requests for additional
3248 information or notices of deficiency to the applicant, who must

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3249 respond within 15 days. Failure to timely and sufficiently
3250 respond to such requests or to correct identified deficiencies
3251 is grounds for denial of the application.

3252 (b) Any protest of an intent to award a license shall be
3253 forwarded to the Division of Administrative Hearings, which
3254 shall conduct an administrative hearing on the matter before an
3255 administrative law judge at least 30 days after the notice of
3256 intent to award. The administrative law judge shall issue a
3257 proposed recommended order at least 30 days after the completion
3258 of the final hearing. The division shall issue a final order at
3259 least 15 days after receipt of the proposed recommended order.

3260 (c) Any appeal of a license denial shall be made to the
3261 First District Court of Appeal and must be accompanied by the
3262 posting of a supersedeas bond in favor of the state in an amount
3263 determined by the division to be equal to the amount of
3264 projected annual slot machine revenue expected to be generated
3265 for the state by the successful licensee which shall be payable
3266 to the state if the state prevails in the appeal.

3267 (4) The division is authorized to adopt emergency rules
3268 pursuant to s. 120.54 to implement this section. The Legislature
3269 finds that such emergency rulemaking power is necessary for the
3270 preservation of the rights and welfare of the people in order to
3271 provide additional funds to benefit the public. The Legislature
3272 further finds that the unique nature of the competitive award of
3273 the slot machine licenses under this section requires that the
3274 department respond as quickly as is practicable to implement
3275 this section. Therefore, in adopting such emergency rules, the
3276 division is exempt from s. 120.54(4)(a). Emergency rules adopted
3277 under this section are exempt from s. 120.54(4)(c) and shall

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3278 remain in effect until replaced by other emergency rules or by
3279 rules adopted pursuant to chapter 120.

3280 (5) A licensee authorized pursuant to this section to
3281 conduct slot machine gaming is:

3282 (a) Authorized to operate a cardroom pursuant to s.
3283 849.086, notwithstanding that the licensee does not have a pari-
3284 mutuel permit and does not have an operating license, pursuant
3285 to chapter 550;

3286 (b) Authorized to operate up to 25 house banked blackjack
3287 table games at its facility pursuant to s. 551.1044(2) and is
3288 subject to s. 551.1044(3), notwithstanding that the licensee
3289 does not have a pari-mutuel permit and does not have an
3290 operating license, pursuant to chapter 550;

3291 (c) Exempt from compliance with chapter 550; and

3292 (d) Exempt from s. 551.104(3), (4)(b) and (c)1., (5), and
3293 (10) and from s. 551.114(4).

3294 Section 46. Section 551.1044, Florida Statutes, is created
3295 to read:

3296 551.1044 House banked blackjack table games authorized.—

3297 (1) The pari-mutuel permitholder of each of the following
3298 pari-mutuel wagering facilities may operate up to 25 house
3299 banked blackjack table games at the permitholder's facility:

3300 (a) A licensed pari-mutuel facility where live racing or
3301 games were conducted during calendar years 2002 and 2003,
3302 located in Miami-Dade County or Broward County, and authorized
3303 for slot machine licensure pursuant to s. 23, Art. X of the
3304 State Constitution; and

3305 (b) A licensed pari-mutuel facility where a full schedule
3306 of live horseracing has been conducted for 2 consecutive

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3307 calendar years immediately preceding its initial application for
 3308 a slot machine license which is located within a county as
 3309 defined in s. 125.011.

3310 (2) Wagers on authorized house banked blackjack table games
 3311 may not exceed \$100 for each initial two-card wager. Subsequent
 3312 wagers on splits or double downs are allowed but may not exceed
 3313 the initial two-card wager. Single side bets of not more than \$5
 3314 are also allowed.

3315 (3) Each pari-mutuel permitholder offering house banked
 3316 blackjack pursuant to this section shall pay a tax to the state
 3317 of 25 percent of the blackjack operator's monthly gross
 3318 receipts. All provisions of s. 849.086(14), except s.
 3319 849.086(14) (a) or (b), apply to taxes owed pursuant to this
 3320 section.

3321 Section 47. Subsections (1) and (2) and present subsection
 3322 (4) of section 551.106, Florida Statutes, are amended,
 3323 subsections (3) and (5) of that section are redesignated as new
 3324 subsection (4) and subsection (6), respectively, and a new
 3325 subsection (3) is added to that section, to read:

3326 551.106 License fee; tax rate; penalties.—

3327 (1) LICENSE FEE.—

3328 ~~(a)~~ Upon submission of the initial application for a slot
 3329 machine license, and annually thereafter, on the anniversary
 3330 date of the issuance of the initial license, the licensee must
 3331 pay to the division a nonrefundable license fee of ~~\$3 million~~
 3332 ~~for the succeeding 12 months of licensure. In the 2010-2011~~
 3333 ~~fiscal year, the licensee must pay the division a nonrefundable~~
 3334 ~~license fee of \$2.5 million for the succeeding 12 months of~~
 3335 ~~licensure. In the 2011-2012 fiscal year and for every fiscal~~

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3336 ~~year thereafter, the licensee must pay the division a~~
3337 ~~nonrefundable license fee of \$2 million for the succeeding 12~~
3338 ~~months of licensure. The license fee shall be deposited into the~~
3339 ~~Pari-mutuel Wagering Trust Fund of the Department of Business~~
3340 ~~and Professional Regulation to be used by the division and the~~
3341 ~~Department of Law Enforcement for investigations, regulation of~~
3342 ~~slot machine gaming, and enforcement of slot machine gaming~~
3343 ~~provisions under this chapter. These payments shall be accounted~~
3344 ~~for separately from taxes or fees paid pursuant to the~~
3345 ~~provisions of chapter 550.~~

3346 ~~(b) Prior to January 1, 2007, the division shall evaluate~~
3347 ~~the license fee and shall make recommendations to the President~~
3348 ~~of the Senate and the Speaker of the House of Representatives~~
3349 ~~regarding the optimum level of slot machine license fees in~~
3350 ~~order to adequately support the slot machine regulatory program.~~

3351 (2) TAX ON SLOT MACHINE REVENUES.—

3352 (a) The tax rate on slot machine revenues at each facility
3353 is shall be 35 percent. Effective January 1, 2018, the tax rate
3354 on slot machine revenues at each facility is 30 percent.
3355 Effective July 1, 2019, the tax rate on slot machine revenues at
3356 each facility is 25 percent. If, during any state fiscal year,
3357 the aggregate amount of tax paid to the state by ~~all~~ slot
3358 machine licensees in Broward and Miami-Dade Counties which were
3359 licensed before January 1, 2017, is less than the aggregate
3360 amount of tax paid to the state by ~~all slot machine~~ licensees in
3361 those counties that were licensed before January 1, 2017, in the
3362 2017-2018 2008-2009 fiscal year, any each slot machine licensee
3363 that was licensed before January 1, 2017, that paid less in that
3364 year than it paid in the 2017-2018 fiscal year shall pay to the

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3365 state within 45 days after the end of the state fiscal year a
3366 surcharge equal to ~~its pro rata share of an amount equal to the~~
3367 difference between the aggregate amount of tax that it paid to
3368 the state ~~by all slot machine licensees~~ in the 2017-2018 ~~2008-~~
3369 ~~2009~~ fiscal year and the amount of tax paid during the
3370 applicable state fiscal year. ~~Each licensee's pro rata share~~
3371 ~~shall be an amount determined by dividing the number 1 by the~~
3372 ~~number of facilities licensed to operate slot machines during~~
3373 ~~the applicable fiscal year, regardless of whether the facility~~
3374 ~~is operating such machines.~~

3375 (b) The slot machine revenue tax imposed by this section on
3376 facilities licensed pursuant to s. 551.104(2) (a)1.-3. shall be
3377 paid to the division for deposit into the Pari-mutuel Wagering
3378 Trust Fund for immediate transfer by the Chief Financial Officer
3379 for deposit into the Educational Enhancement Trust Fund of the
3380 Department of Education. Any interest earnings on the tax
3381 revenues shall also be transferred to the Educational
3382 Enhancement Trust Fund. The slot machine revenue tax imposed by
3383 this section on facilities licensed pursuant to s.
3384 551.104(2) (a)4. shall be paid to the division for deposit into
3385 the Pari-mutuel Wagering Trust Fund. The division shall transfer
3386 90 percent of such funds to be deposited by the Chief Financial
3387 Officer into the Educational Enhancement Trust Fund of the
3388 Department of Education and shall transfer 10 percent of such
3389 funds to the responsible public entity for the public-private
3390 partnership of the slot machine licensee pursuant to ss.
3391 551.104(2) (a)4. and 255.065.

3392 (c)1. Funds transferred to the Educational Enhancement
3393 Trust Fund under paragraph (b) shall be used to supplement

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3394 public education funding statewide. Funds transferred to a
3395 responsible public entity pursuant to paragraph (b) shall be
3396 used in accordance with s. 255.065 to finance the qualifying
3397 project of such entity and the slot machine licensee which
3398 established the licensee's eligibility for initial licensure
3399 pursuant to s. 551.104(2)(a)4.

3400 2. If necessary to comply with any covenant established
3401 pursuant to s. 1013.68(4), s. 1013.70(1), or s. 1013.737(3),
3402 funds transferred to the Educational Enhancement Trust Fund
3403 under paragraph (b) shall first be available to pay debt service
3404 on lottery bonds issued to fund school construction in the event
3405 lottery revenues are insufficient for such purpose or to satisfy
3406 debt service reserve requirements established in connection with
3407 lottery bonds. Moneys available pursuant to this subparagraph
3408 are subject to annual appropriation by the Legislature.

3409 (3) SLOT MACHINE GUARANTEE FEE; SURCHARGE.-

3410 (a) If a permitholder located within a county that has
3411 conducted a successful slot machine referendum after January 1,
3412 2012, or a holder of a slot machine license awarded pursuant to
3413 s. 551.1043 does not pay at least \$11 million in total slot
3414 machine taxes and license fees to the state in state fiscal year
3415 2018-2019, the permitholder shall pay to the state within 45
3416 days after the end of the state fiscal year a surcharge equal to
3417 the difference between the aggregate amount of slot machine
3418 taxes and license fees paid to the state in the fiscal year and
3419 \$11 million, regardless of whether the permitholder or licensee
3420 operated slot machines during the fiscal year.

3421 (b) If a permitholder located within a county that has
3422 conducted a successful slot machine referendum after January 1,

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3423 2012, or a holder of a slot machine license awarded pursuant to
3424 s. 551.1043 does not pay at least \$21 million in total slot
3425 machine taxes and license fees to the state in state fiscal year
3426 2019-2020 and any subsequent state fiscal year, the permitholder
3427 shall pay to the state within 45 days after the end of the state
3428 fiscal year a surcharge equal to the difference between the
3429 aggregate amount of slot machine taxes and license fees paid to
3430 the state in the fiscal year and \$21 million, regardless of
3431 whether the permitholder or licensee operated slot machines
3432 during the fiscal year.

3433 (5)~~(4)~~ TO PAY TAX; PENALTIES.—A slot machine licensee or
3434 pari-mutuel permitholder who fails to make tax and any
3435 applicable surcharge payments as required under this section is
3436 subject to an administrative penalty of up to \$10,000 for each
3437 day the tax payment is not remitted. All administrative
3438 penalties imposed and collected shall be deposited into the
3439 Pari-mutuel Wagering Trust Fund of the Department of Business
3440 and Professional Regulation. If any slot machine licensee or
3441 pari-mutuel permitholder fails to pay penalties imposed by order
3442 of the division under this subsection, the division may deny,
3443 suspend, revoke, or refuse to renew the license of the
3444 permitholder or slot machine licensee.

3445 Section 48. Subsection (2) of section 551.108, Florida
3446 Statutes, is amended to read:

3447 551.108 Prohibited relationships.—

3448 (2) A manufacturer or distributor of slot machines may not
3449 enter into any contract with a slot machine licensee that
3450 provides for any revenue sharing of any kind or nature that is
3451 directly or indirectly calculated on the basis of a percentage

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3452 of slot machine revenues. Any maneuver, shift, or device whereby
 3453 this subsection is violated is a violation of this chapter and
 3454 renders any such agreement void. This subsection does not apply
 3455 to contracts related to a progressive system used in conjunction
 3456 with slot machines.

3457 Section 49. Subsections (2) and (4) of section 551.114,
 3458 Florida Statutes, are amended to read:

3459 551.114 Slot machine gaming areas.—

3460 (2) If such races or games are available to the slot
 3461 machine licensee, the slot machine licensee shall display pari-
 3462 mutuel races or games within the designated slot machine gaming
 3463 areas and offer patrons within the designated slot machine
 3464 gaming areas the ability to engage in pari-mutuel wagering on
 3465 any live, intertrack, and simulcast races conducted or offered
 3466 to patrons of the licensed facility.

3467 (4) Designated slot machine gaming areas shall ~~may~~ be
 3468 located anywhere within the property described in a slot machine
 3469 licensee's pari-mutuel permit ~~within the current live gaming~~
 3470 ~~facility or in an existing building that must be contiguous and~~
 3471 ~~connected to the live gaming facility. If a designated slot~~
 3472 ~~machine gaming area is to be located in a building that is to be~~
 3473 ~~constructed, that new building must be contiguous and connected~~
 3474 ~~to the live gaming facility.~~

3475 Section 50. Section 551.116, Florida Statutes, is amended
 3476 to read:

3477 551.116 Days and hours of operation.—Slot machine gaming
 3478 areas may be open 24 hours per day, 7 days a week ~~daily~~
 3479 throughout the year. ~~The slot machine gaming areas may be open a~~
 3480 ~~cumulative amount of 18 hours per day on Monday through Friday~~

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3481 ~~and 24 hours per day on Saturday and Sunday and on those~~
3482 ~~holidays specified in s. 110.117(1).~~

3483 Section 51. Subsections (1) and (3) of section 551.121,
3484 Florida Statutes, are amended to read:

3485 551.121 Prohibited activities and devices; exceptions.—

3486 (1) Complimentary or reduced-cost alcoholic beverages may
3487 ~~not~~ be served to a person ~~persons~~ playing a slot machine.

3488 ~~Alcoholic beverages served to persons playing a slot machine~~
3489 ~~shall cost at least the same amount as alcoholic beverages~~
3490 ~~served to the general public at a bar within the facility.~~

3491 (3) A slot machine licensee may ~~not~~ allow any automated
3492 teller machine or similar device designed to provide credit or
3493 dispense cash to be located within the designated slot machine
3494 gaming areas of a facility of a slot machine licensee.

3495 Section 52. Present subsections (9) through (17) of section
3496 849.086, Florida Statutes, are redesignated as subsections (10)
3497 through (18), respectively, and a new subsection (9) is added to
3498 that section, subsections (1) and (2) of that section are
3499 amended, paragraph (g) is added to subsection (4) of that
3500 section, and paragraph (b) of subsection (5), paragraphs (a),
3501 (b), and (c) of subsection (7), paragraphs (a) and (b) of
3502 subsection (8), present subsection (12), paragraphs (d) and (h)
3503 of present subsection (13), and present subsection (17) of
3504 section 849.086, Florida Statutes, are amended, to read:

3505 849.086 Cardrooms authorized.—

3506 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
3507 to provide additional entertainment choices for the residents of
3508 and visitors to the state, promote tourism in the state, provide
3509 revenues to support the continuation of live pari-mutuel

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3510 activity, and provide additional state revenues through the
3511 authorization of the playing of certain games in the state at
3512 facilities known as cardrooms which are to be located at
3513 licensed pari-mutuel facilities. To ensure the public confidence
3514 in the integrity of authorized cardroom operations, this act is
3515 designed to strictly regulate the facilities, persons, and
3516 procedures related to cardroom operations. Furthermore, the
3517 Legislature finds that authorized games of poker and dominoes ~~as~~
3518 ~~herein defined~~ are considered to be pari-mutuel style games and
3519 not casino gaming because the participants play against each
3520 other instead of against the house.

3521 (2) DEFINITIONS.—As used in this section:

3522 (a) "Authorized game" means a game or series of games of
3523 poker or dominoes which are played in conformance with this
3524 section ~~a nonbanking manner~~.

3525 (b) "Banking game" means a game in which the house is a
3526 participant in the game, taking on players, paying winners, and
3527 collecting from losers ~~or in which the cardroom establishes a~~
3528 ~~bank against which participants play~~. A designated player game
3529 is not a banking game.

3530 (c) "Cardroom" means a facility where authorized games are
3531 played for money or anything of value and to which the public is
3532 invited to participate in such games and charged a fee for
3533 participation by the operator of such facility. Authorized games
3534 and cardrooms do not constitute casino gaming operations if
3535 conducted at an eligible facility.

3536 (d) "Cardroom management company" means any individual not
3537 an employee of the cardroom operator, any proprietorship,
3538 partnership, corporation, or other entity that enters into an

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3539 agreement with a cardroom operator to manage, operate, or
3540 otherwise control the daily operation of a cardroom.

3541 (e) "Cardroom distributor" means any business that
3542 distributes cardroom paraphernalia such as card tables, betting
3543 chips, chip holders, dominoes, dominoes tables, drop boxes,
3544 banking supplies, playing cards, card shufflers, and other
3545 associated equipment to authorized cardrooms.

3546 (f) "Cardroom operator" means a licensed pari-mutuel
3547 permitholder that ~~which~~ holds a valid permit and license issued
3548 by the division pursuant to chapter 550 and which also holds a
3549 valid cardroom license issued by the division pursuant to this
3550 section which authorizes such person to operate a cardroom and
3551 to conduct authorized games in such cardroom.

3552 (g) "Designated player" means the player identified as the
3553 player in the dealer position and seated at a traditional player
3554 position in a designated player game who pays winning players
3555 and collects from losing players.

3556 (h) "Designated player game" means a game in which the
3557 players compare their cards only to the cards of the designated
3558 player or to a combination of cards held by the designated
3559 player and cards common and available for play by all players.

3560 (i) ~~(g)~~ "Division" means the Division of Pari-mutuel
3561 Wagering of the Department of Business and Professional
3562 Regulation.

3563 (j) ~~(h)~~ "Dominoes" means a game of dominoes typically played
3564 with a set of 28 flat rectangular blocks, called "bones," which
3565 are marked on one side and divided into two equal parts, with
3566 zero to six dots, called "pips," in each part. The term also
3567 includes larger sets of blocks that contain a correspondingly

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3568 higher number of pips. The term also means the set of blocks
3569 used to play the game.

3570 (k)~~(i)~~ "Gross receipts" means the total amount of money
3571 received by a cardroom from any person for participation in
3572 authorized games.

3573 (l)~~(j)~~ "House" means the cardroom operator and all
3574 employees of the cardroom operator.

3575 (m)~~(k)~~ "Net proceeds" means the total amount of gross
3576 receipts received by a cardroom operator from cardroom
3577 operations less direct operating expenses related to cardroom
3578 operations, including labor costs, admission taxes only if a
3579 separate admission fee is charged for entry to the cardroom
3580 facility, gross receipts taxes imposed on cardroom operators by
3581 this section, the annual cardroom license fees imposed by this
3582 section on each table operated at a cardroom, and reasonable
3583 promotional costs excluding officer and director compensation,
3584 interest on capital debt, legal fees, real estate taxes, bad
3585 debts, contributions or donations, or overhead and depreciation
3586 expenses not directly related to the operation of the cardrooms.

3587 (n)~~(l)~~ "Rake" means a set fee or percentage of the pot
3588 assessed by a cardroom operator for providing the services of a
3589 dealer, table, or location for playing the authorized game.

3590 (o)~~(m)~~ "Tournament" means a series of games that have more
3591 than one betting round involving one or more tables and where
3592 the winners or others receive a prize or cash award.

3593 (4) AUTHORITY OF DIVISION.—The Division of Pari-mutuel
3594 Wagering of the Department of Business and Professional
3595 Regulation shall administer this section and regulate the
3596 operation of cardrooms under this section and the rules adopted

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3597 pursuant thereto, and is hereby authorized to:

3598 (g) Establish a reasonable period to respond to requests
3599 from a licensed cardroom; provided however, the division has a
3600 maximum of 45 days to approve:

3601 1. A cardroom's internal controls or provide the cardroom
3602 with a list of deficiencies as to the internal controls.

3603 2. Rules for a new authorized game submitted by a licensed
3604 cardroom or provide the cardroom with a list of deficiencies as
3605 to those rules.

3606
3607 Not later than 10 days after the submission of revised internal
3608 controls or revised rules addressing the deficiencies identified
3609 by the division, the division must review and approve or reject
3610 the revised internal controls or revised rules.

3611 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
3612 operate a cardroom in this state unless such person holds a
3613 valid cardroom license issued pursuant to this section.

3614 (b) After the initial cardroom license is granted, the
3615 application for the annual license renewal shall be made in
3616 conjunction with the applicant's annual application for its
3617 pari-mutuel license. ~~If a permitholder has operated a cardroom~~
3618 ~~during any of the 3 previous fiscal years and fails to include a~~
3619 ~~renewal request for the operation of the cardroom in its annual~~
3620 ~~application for license renewal, the permitholder may amend its~~
3621 ~~annual application to include operation of the cardroom. In~~
3622 ~~order for a cardroom license to be renewed the applicant must~~
3623 ~~have requested, as part of its pari-mutuel annual license~~
3624 ~~application, to conduct at least 90 percent of the total number~~
3625 ~~of live performances conducted by such permitholder during~~

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3626 ~~either the state fiscal year in which its initial cardroom~~
3627 ~~license was issued or the state fiscal year immediately prior~~
3628 ~~thereto if the permitholder ran at least a full schedule of live~~
3629 ~~racing or games in the prior year. If the application is for a~~
3630 ~~harness permitholder cardroom, the applicant must have requested~~
3631 ~~authorization to conduct a minimum of 140 live performances~~
3632 ~~during the state fiscal year immediately prior thereto. If more~~
3633 ~~than one permitholder is operating at a facility, each~~
3634 ~~permitholder must have applied for a license to conduct a full~~
3635 ~~schedule of live racing.~~

3636 (7) CONDITIONS FOR OPERATING A CARDROOM.—

3637 (a) A cardroom may be operated only at the location
3638 specified on the cardroom license issued by the division, and
3639 such location may only be the location at which the pari-mutuel
3640 permitholder is authorized to conduct pari-mutuel wagering
3641 activities pursuant to such permitholder's valid pari-mutuel
3642 permit or as otherwise authorized by law. ~~Cardroom operations~~
3643 ~~may not be allowed beyond the hours provided in paragraph (b)~~
3644 ~~regardless of the number of cardroom licenses issued for~~
3645 ~~permitholders operating at the pari-mutuel facility.~~

3646 (b) Any cardroom operator may operate a cardroom at the
3647 pari-mutuel facility daily throughout the year, if the
3648 permitholder meets the requirements under paragraph (5) (b). The
3649 cardroom may be open ~~a cumulative amount of 18 hours per day on~~
3650 ~~Monday through Friday and 24 hours per day on Saturday and~~
3651 ~~Sunday and on the holidays specified in s. 110.117(1).~~

3652 (c) A cardroom operator must at all times employ and
3653 provide a nonplaying live dealer at ~~for~~ each table on which
3654 authorized ~~card~~ games ~~which traditionally use a dealer~~ are

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3655 conducted, except for designated player games ~~at the cardroom~~.
3656 Such dealers may not have a participatory interest in any game
3657 other than the dealing of cards and may not have an interest in
3658 the outcome of the game. The providing of such dealers by a
3659 licensee does not constitute the conducting of a banking game by
3660 the cardroom operator.

3661 (8) METHOD OF WAGERS; LIMITATION.—

3662 (a) ~~No~~ Wagering may not be conducted using money or other
3663 negotiable currency. Games may only be played utilizing a
3664 wagering system whereby all players' money is first converted by
3665 the house to tokens or chips that may ~~which shall~~ be used for
3666 wagering only at that specific cardroom.

3667 (b) The cardroom operator may limit the amount wagered in
3668 any game or series of games.

3669 (9) DESIGNATED PLAYER GAMES AUTHORIZED.—

3670 (a) A cardroom operator may offer designated player games
3671 consisting of players making wagers against the designated
3672 player. The designated player must be licensed pursuant to
3673 paragraph (6) (b). Employees of a designated player also must be
3674 licensed, and the designated player shall pay, in addition to
3675 the business occupational fee established pursuant to paragraph
3676 (6) (i), an employee occupational license fee which may not
3677 exceed \$500 per employee for any 12-month period.

3678 (b) A cardroom operator may not serve as a designated
3679 player in any game. The cardroom operator may not have a
3680 financial interest in a designated player in any game. A
3681 cardroom operator may collect a rake in accordance with the rake
3682 structure posted at the table.

3683 (c) If there are multiple designated players at a table,

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3684 the dealer button shall be rotated in a clockwise rotation after
3685 each hand.

3686 (d) A cardroom operator may not allow a designated player
3687 to pay an opposing player who holds a lower ranked hand.

3688 (e) A designated player may not be required by the rules of
3689 a game or by the rules of a cardroom to cover all wagers posted
3690 by the opposing players.

3691 (f) The cardroom, or any cardroom licensee, may not
3692 contract with, or receive compensation other than a posted table
3693 rake from, any player to participate in any game to serve as a
3694 designated player.

3695 (13)~~(12)~~ PROHIBITED ACTIVITIES.—

3696 (a) A ~~No~~ person licensed to operate a cardroom may not
3697 conduct any banking game or any game not specifically authorized
3698 by this section.

3699 (b) A ~~No~~ person who is younger than ~~under~~ 18 years of age
3700 may not be permitted to hold a cardroom or employee license, ~~or~~
3701 to engage in any game conducted therein.

3702 (c) With the exception of mechanical card shufflers, ~~No~~
3703 electronic or mechanical devices, ~~except mechanical card~~
3704 shufflers, may not be used to conduct any authorized game in a
3705 cardroom.

3706 (d) ~~No~~ Cards, game components, or game implements may not
3707 be used in playing an authorized game unless they have ~~such has~~
3708 been furnished or provided to the players by the cardroom
3709 operator.

3710 (14)~~(13)~~ TAXES AND OTHER PAYMENTS.—

3711 (d)1. Each ~~greyhound and jai-alai~~ permitholder that
3712 operates a cardroom facility shall use at least 4 percent of

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3713 such permitholder's cardroom monthly gross receipts to
3714 supplement ~~greyhound~~ purses and awards or jai alai prize money,
3715 respectively, during the permitholder's next ensuing pari-mutuel
3716 meet.

3717 2. A cardroom license or renewal thereof may not be issued
3718 to a permitholder conducting less than a full schedule of live
3719 racing or games as defined in s. 550.002(11) unless the
3720 applicant has on file with the division a binding written
3721 contract with a thoroughbred permitholder that is licensed to
3722 conduct live racing and that does not possess a slot machine
3723 license. This contract must provide that the permitholder will
3724 pay an amount equal to 4 percent of its monthly cardroom gross
3725 receipts to the thoroughbred permitholder conducting the live
3726 racing for exclusive use as purses and awards during the current
3727 or ensuing live racing meet of the thoroughbred permitholder. A
3728 thoroughbred permitholder receiving funds under this
3729 subparagraph shall remit, within 10 days of receipt, 10 percent
3730 of those funds to the Florida Thoroughbred Breeders'
3731 Association, Inc., for the payment of breeders', stallion, and
3732 special racing awards, subject to the fee authorized in s.
3733 550.2625(3). If there is not a thoroughbred permitholder that
3734 does not possess a slot machine license, payments for purses are
3735 not required, and the cardroom licensee shall retain such funds
3736 for its use ~~Each thoroughbred and harness horse racing~~
3737 ~~permitholder that operates a cardroom facility shall use at~~
3738 ~~least 50 percent of such permitholder's cardroom monthly net~~
3739 ~~proceeds as follows: 47 percent to supplement purses and 3~~
3740 ~~percent to supplement breeders' awards during the permitholder's~~
3741 ~~next ensuing racing meet.~~

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3742 ~~3. No cardroom license or renewal thereof shall be issued~~
3743 ~~to an applicant holding a permit under chapter 550 to conduct~~
3744 ~~pari-mutuel wagering meets of quarter horse racing unless the~~
3745 ~~applicant has on file with the division a binding written~~
3746 ~~agreement between the applicant and the Florida Quarter Horse~~
3747 ~~Racing Association or the association representing a majority of~~
3748 ~~the horse owners and trainers at the applicant's eligible~~
3749 ~~facility, governing the payment of purses on live quarter horse~~
3750 ~~racers conducted at the licensee's pari-mutuel facility. The~~
3751 ~~agreement governing purses may direct the payment of such purses~~
3752 ~~from revenues generated by any wagering or gaming the applicant~~
3753 ~~is authorized to conduct under Florida law. All purses shall be~~
3754 ~~subject to the terms of chapter 550.~~

3755 (h) One-quarter of the moneys deposited into the Pari-
3756 mutuel Wagering Trust Fund pursuant to paragraph (g) shall, by
3757 October 1 of each year, be distributed to the local government
3758 that approved the cardroom under subsection (17) ~~(16)~~; however,
3759 if two or more pari-mutuel racetracks are located within the
3760 same incorporated municipality, the cardroom funds shall be
3761 distributed to the municipality. If a pari-mutuel facility is
3762 situated in such a manner that it is located in more than one
3763 county, the site of the cardroom facility shall determine the
3764 location for purposes of disbursement of tax revenues under this
3765 paragraph. The division shall, by September 1 of each year,
3766 determine: the amount of taxes deposited into the Pari-mutuel
3767 Wagering Trust Fund pursuant to this section from each cardroom
3768 licensee; the location by county of each cardroom; whether the
3769 cardroom is located in the unincorporated area of the county or
3770 within an incorporated municipality; and, the total amount to be

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3771 distributed to each eligible county and municipality.

3772 ~~(18)(17) CHANGE OF LOCATION; REFERENDUM.—~~

3773 ~~(a) Notwithstanding any provisions of this section, a no~~
3774 ~~cardroom gaming license issued under this section may not shall~~
3775 ~~be transferred, or reissued when such reissuance is in the~~
3776 ~~nature of a transfer, so as to permit or authorize a licensee to~~
3777 ~~change the location of the cardroom except through the~~
3778 ~~relocation of the pari-mutuel permit pursuant to s. 550.0555 or~~
3779 ~~s. 550.3345 upon proof in such form as the division may~~
3780 ~~prescribe that a referendum election has been held:~~

3781 ~~1. If the proposed new location is within the same county~~
3782 ~~as the already licensed location, in the county where the~~
3783 ~~licensee desires to conduct cardroom gaming and that a majority~~
3784 ~~of the electors voting on the question in such election voted in~~
3785 ~~favor of the transfer of such license. However, the division~~
3786 ~~shall transfer, without requirement of a referendum election,~~
3787 ~~the cardroom license of any permit holder that relocated its~~
3788 ~~permit pursuant to s. 550.0555.~~

3789 ~~2. If the proposed new location is not within the same~~
3790 ~~county as the already licensed location, in the county where the~~
3791 ~~licensee desires to conduct cardroom gaming and that a majority~~
3792 ~~of the electors voting on that question in each such election~~
3793 ~~voted in favor of the transfer of such license.~~

3794 ~~(b) The expense of each referendum held under the~~
3795 ~~provisions of this subsection shall be borne by the licensee~~
3796 ~~requesting the transfer.~~

3797 Section 53. Paragraph (c) is added to subsection (2) of
3798 section 849.0931, Florida Statutes, and subsection (14) of that
3799 section is republished, to read:

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3800 849.0931 Bingo authorized; conditions for conduct;
3801 permitted uses of proceeds; limitations.—

3802 (2)

3803 (c) Veterans' organizations engaged in charitable, civic,
3804 benevolent, or scholastic works or other similar endeavors,
3805 which organizations have been in existence for 3 years or more,
3806 may conduct instant bingo in accordance with the requirements of
3807 this section using electronic tickets in lieu of or together
3808 with instant bingo paper tickets, only on the following
3809 premises:

3810 1. Property owned by the veterans' organization.

3811 2. Property owned by the veterans' organization that will
3812 benefit from the proceeds.

3813 3. Property leased for a period of not less than 1 year by
3814 a veterans' organization, providing the lease or rental
3815 agreement does not provide for the payment of a percentage of
3816 the proceeds generated at such premises to the lessor or any
3817 other party and providing the rental rate for such premises does
3818 not exceed the rental rates charged for similar premises in the
3819 same locale.

3820

3821 Electronic tickets for instant bingo must be nontransparent
3822 until the electronic ticket is opened by the player in
3823 electronic form and may only be sold or distributed in this
3824 state by veterans' organizations after the software for such
3825 tickets has been independently analyzed and certified to be
3826 compliant with this section by a nationally recognized
3827 independent gaming laboratory.

3828 (14) Any organization or other person who willfully and

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3829 knowingly violates any provision of this section commits a
3830 misdemeanor of the first degree, punishable as provided in s.
3831 775.082 or s. 775.083. For a second or subsequent offense, the
3832 organization or other person commits a felony of the third
3833 degree, punishable as provided in s. 775.082, s. 775.083, or s.
3834 775.084.

3835 Section 54. The Division of Pari-mutuel Wagering of the
3836 Department of Business and Professional Regulation shall revoke
3837 any permit to conduct pari-mutuel wagering if a permit holder has
3838 not conducted live events within the 24 months preceding the
3839 effective date of this act, unless the permit was issued under
3840 s. 550.3345, Florida Statutes, or the permit was issued less
3841 than 24 months preceding the effective date of this act. A
3842 permit revoked under this section may not be reissued.

3843 Section 55. The Division of Law Revision and Information is
3844 directed to replace the phrase "the effective date of this act"
3845 wherever it occurs in this act with the date the act becomes
3846 effective, in accordance with the notice received from the
3847 Secretary of the Department of Business and Professional
3848 Regulation pursuant to s. 285.710(3), Florida Statutes.

3849 Section 56. Except as otherwise expressly provided in this
3850 act, and except for this section, which shall take effect upon
3851 this act becoming a law, this act shall take effect only if the
3852 Gaming Compact between the Seminole Tribe of Florida and the
3853 State of Florida executed by the Governor and the Seminole Tribe
3854 of Florida on December 7, 2015, under the Indian Gaming
3855 Regulatory Act of 1988, is amended as required by this act, and
3856 is approved or deemed approved and not voided by the United
3857 States Department of the Interior, and shall take effect on the

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3858 date that notice of the effective date of the amended compact is
3859 published in the Federal Register.