By the Appropriations Committee on Agriculture, Environment, and General Government; and Senator Hutson

	601-03147-24 2024804c1
1	A bill to be entitled
2	An act relating gaming licenses and permits; creating
3	s. 16.717, F.S.; authorizing the Florida Gaming
4	Control Commission to deny an application for
5	licensure of, or suspend or revoke the license of, any
6	person who falsely swears under oath or affirmation to
7	certain material statements on his or her application
8	for a license; providing that such persons are subject
9	to other applicable penalties; creating s. 16.718,
10	F.S.; requiring applicants for licenses and licensees
11	to notify the commission of certain contact
12	information and of any change in such contact
13	information and providing penalties for failure to
14	comply; providing that delivery of correspondence to
15	the licensee's or applicant's e-mail or mailing
16	address on record with the commission constitutes
17	sufficient notice for official communications,
18	including administrative complaints or other documents
19	setting forth intended or final agency action;
20	providing discretion to the commission in the method
21	of service of such correspondence; amending s.
22	550.01215, F.S.; revising the timeframe during which a
23	permitholder is required to annually file an
24	application for an operating license for a pari-mutuel
25	facility during the next state fiscal year; revising
26	the date by which the commission is required to issue
27	such license; revising the deadline for application
28	amendments; revising the deadline date for the
29	commission to issue a license; authorizing, rather

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30	than requiring, the commission to take into
31	consideration the impact of such change on state
32	revenues when determining whether to change a
33	performance date; authorizing, rather than requiring,
34	the commission to take specified actions on a
35	permitholder's license; deleting a provision giving
36	permitholders the right to apply for a license for
37	performances that have been vacated, abandoned, or
38	will not be used by another permitholder; making
39	technical changes; amending ss. 550.0351 and 550.054,
40	F.S.; conforming provisions to changes made by the
41	act; amending s. 550.0951, F.S.; making technical
42	changes; removing obsolete language; reenacting and
43	amending s. 550.09515, F.S.; removing obsolete
44	language; amending s. 550.105, F.S.; expanding the
45	commission's authority to deny, revoke, suspend, or
46	place conditions on certain licenses; authorizing the
47	commission to summarily suspend a license when a
48	person has been subject to a provisional suspension or
49	period of ineligibility imposed by the federal
50	Horseracing Integrity and Safety Authority related to
51	the finding of a prohibited substance in an animal's
52	hair or bodily fluids; providing that any suspension
53	imposed expires at the same time the Horseracing
54	Integrity and Safety Authority's provisional
55	suspension or period of ineligibility expires;
56	requiring the commission to offer a licensee a
57	postsuspension hearing within a specified timeframe;
58	providing a burden of proof for such hearings;

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59	providing a standard of review for the commission for
60	such appeals; amending s. 550.125, F.S.; revising
61	requirements for maintaining certain financial records
62	and applying such requirements to all, rather than
63	specified, pari-mutuel wagering permitholders;
64	reenacting and amending s. 550.3551, F.S.; authorizing
65	a licensed horse track to receive broadcasts of
66	horseraces conducted at horse racetracks outside this
67	state if certain conditions are met; amending s.
68	550.505, F.S.; revising the timeframe for nonwagering
69	permitholders to apply for a nonwagering license;
70	requiring permitholders to demonstrate that locations
71	designated for nonwagering horseracing are available
72	for such use; revising the date by which the
73	commission is required to issue certain nonwagering
74	licenses; authorizing the commission to extend a
75	certain nonwagering license for a specified timeframe;
76	amending s. 550.5251, F.S.; revising the timeframes
77	for when a thoroughbred permitholder must file with
78	the commission an application for a license to conduct
79	thoroughbred racing meetings, for when the commission
80	must issue such licenses, and for when the
81	permitholder may request changes in its application to
82	conduct performances; amending s. 551.104, F.S.;
83	removing obsolete language; requiring that audits of
84	licensees' receipts and distributions of slot machine
85	revenues be conducted by a certified public accountant
86	licensed under ch. 473, F.S.; revising the timeframe
87	within which such audits must be filed with the

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88	commission; amending s. 551.107, F.S.; authorizing the
89	waiver of required action on the part of the
90	commission under certain circumstances; reenacting ss.
91	212.04(2)(c), 550.0351(4), 550.09511(2), 550.09512(4),
92	550.09514(1) and (2)(e), 550.09516(3), 550.135(1),
93	550.1625(2), 550.26352(3)-(6), and 550.375(4), F.S.,
94	relating to admissions taxes and rates, charity racing
95	days, jai alai taxes, harness horse taxes, greyhound
96	dogracing taxes and purse requirements, thoroughbred
97	racing permitholders, daily licensing fees collected
98	from pari-mutuel racing, dogracing taxes, authorizing
99	Breeders' Cup Meet pools, and operating certain
100	harness tracks, respectively, to incorporate the
101	amendment made to s. 550.0951, F.S., in references
102	thereto; providing an effective date.
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104	Be It Enacted by the Legislature of the State of Florida:
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106	Section 1. Section 16.717, Florida Statutes, is created to
107	read:
108	16.717 Florida Gaming Control Commission; penalties for
109	false oath or affirmation of applicants for licensure;
110	licensees.—The commission may deny the application of, or
111	suspend or revoke the license of, any person who submits an
112	application for licensure upon which application the person has
113	falsely sworn, in a signed oath or affirmation, to a material
114	statement, including, but not limited to, the criminal history
115	of the applicant or licensee. Additionally, the person is
116	subject to any other penalties provided by law.

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601-03147-24 2024804c1 117 Section 2. Section 16.718, Florida Statutes, is created to 118 read: 119 16.718 Florida Gaming Control Commission; notification of 120 applicants' or licensees' addresses and place of employment; 121 service.-122 (1) Each applicant for a license with the commission and 123 each licensee of the commission is responsible for notifying the 124 commission in writing of the applicant's or licensee's current 125 mailing address, e-mail address, and place of employment. An 126 applicant's failure to notify the commission constitutes a 127 violation of this section, and the applicant's application may 128 be denied. A licensee's failure to notify the commission of any 129 change to the e-mail or mailing address of record constitutes a 130 violation of this section, and the licensee may be disciplined by the commission as described in s. 550.0251(10). 131 132 (2) Notwithstanding any provision of law to the contrary, 133 service by e-mail to an applicant's or licensee's e-mail address 134 of record with the commission constitutes sufficient notice to 135 the applicant or licensee for any official communication. The 136 commission may, in its discretion, provide service for any 137 official communication by regular mail to an applicant's or 138 licensee's last known mailing address. The commission is not 139 required to provide service by both e-mail and regular mail. 140 (3) Notwithstanding any provision of law to the contrary, when an administrative complaint or other document setting forth 141 142 intended or final agency action is to be served on an applicant 143 or a licensee, the commission is only required to provide 144 service by e-mail to the applicant's or licensee's e-mail 145 address on record with the commission. E-mail service

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146	constitutes sufficient notice to the person or persons upon whom
147	an administrative complaint or any other document setting forth
148	intended or final agency action is served. The commission may,
149	in its discretion, provide service of an administrative
150	complaint or any other documents setting forth intended or final
151	agency action by regular mail to an applicant's or licensee's
152	last known mailing address. The commission is not required to
153	provide service by both e-mail and regular mail.
154	Section 3. Subsections (1), (3), (4), and (5) of section
155	550.01215, Florida Statutes, are amended to read:
156	550.01215 License application; periods of operation;
157	license fees; bond
158	(1) Each permitholder shall annually, during the period
159	between <u>January</u> December 15 and <u>February</u> January 4, file in
160	writing with the commission its application for an operating
161	license for a pari-mutuel facility for the conduct of pari-
162	mutuel wagering during the next state fiscal year, including
163	intertrack and simulcast race wagering. Each application for
164	live performances must specify the number, dates, and starting
165	times of all live performances that the permitholder intends to
166	conduct. It must also specify which performances will be
167	conducted as charity or scholarship performances.
168	(a) Each application for an operating license also must
169	include:
170	1. For each permitholder, whether the permitholder intends
171	to accept wagers on intertrack or simulcast events.
172	2. For each permitholder that elects to operate a cardroom,
173	the dates and periods of operation the permitholder intends to
174	operate the cardroom.
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601-03147-24 2024804c1 175 3. For each thoroughbred racing permitholder that elects to 176 receive or rebroadcast out-of-state races, the dates for all 177 performances that the permitholder intends to conduct. 178 (b)1. A greyhound permitholder may not conduct live racing. 179 A jai alai permitholder, harness horse racing permitholder, or quarter horse racing permitholder may elect not to conduct live 180 181 racing or games. A thoroughbred permitholder must conduct live racing. A greyhound permitholder, jai alai permitholder, harness 182 horse racing permitholder, or quarter horse racing permitholder 183 184 that does not conduct live racing or games retains its permit; 185 is a pari-mutuel facility as defined in s. 550.002(23); if such 186 permitholder has been issued a slot machine license, the 187 facility where such permit is located remains an eligible 188 facility as defined in s. 551.102(4), continues to be eligible 189 for a slot machine license pursuant to s. 551.104(3), and is 190 exempt from ss. 551.104(4)(c) and (10) and 551.114(2); is 191 eligible, but not required, to be a guest track and, if the 192 permitholder is a harness horse racing permitholder, to be a 193 host track for purposes of intertrack wagering and simulcasting 194 pursuant to ss. 550.3551, 550.615, 550.625, and 550.6305; and 195 remains eligible for a cardroom license.

196 2. A permitholder or licensee may not conduct live 197 greyhound racing or dogracing in connection with any wager for 198 money or any other thing of value in the state. The commission may deny, suspend, or revoke any permit or license under this 199 200 chapter if a permitholder or licensee conducts live greyhound 201 racing or dogracing in violation of this subparagraph. In addition to, or in lieu of, denial, suspension, or revocation of 202 such permit or license, the commission may impose a civil 203

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     penalty of up to $5,000 against the permitholder or licensee for
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     a violation of this subparagraph. All penalties imposed and
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     collected must be deposited with the Chief Financial Officer to
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     the credit of the General Revenue Fund.
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           (c) Permitholders may amend their applications through
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     March February 28.
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           (d) Notwithstanding any other provision of law, other than
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     a permitholder issued a permit pursuant to s. 550.3345, a pari-
     mutuel permitholder may not be issued an operating license for
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     the conduct of pari-mutuel wagering, slot machine gaming, or the
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     operation of a cardroom if the permitholder did not hold an
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     operating license for the conduct of pari-mutuel wagering for
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     fiscal year 2020-2021. This paragraph does not apply to a
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     purchaser, transferee, or assignee holding a valid permit for
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     the conduct of pari-mutuel wagering approved pursuant to s.
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     550.054(15)(a).
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          (3) The commission shall issue each license no later than
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     April March 15. Each permitholder shall operate all performances
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     at the date and time specified on its license. The commission
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     shall have the authority to approve minor changes in racing
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     dates after a license has been issued. The commission may
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     approve changes in performance racing dates after a license has
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     been issued when there is no objection from any operating
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     permitholder that is conducting live racing or games and that is
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     located within 50 miles of the permitholder requesting the
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     changes in operating dates. In the event of an objection, the
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     commission shall approve or disapprove the change in operating
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     dates based upon the impact on operating permitholders located
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     within 50 miles of the permitholder requesting the change in
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233	operating dates. In making the determination to change
234	performance racing dates, the commission <u>may</u> shall take into
235	consideration the impact of such changes on state revenues.
236	(4) In the event that a permitholder fails to operate all
237	performances specified on its license at the date and time
238	specified, the commission <u>may</u> shall hold a hearing to determine
239	whether to fine or suspend the permitholder's license, unless
240	such failure was the direct result of fire, strike, war,
241	hurricane, pandemic, or other disaster or event beyond the
242	ability of the permitholder to control. Financial hardship to
243	the permitholder shall not, in and of itself, constitute just
244	cause for failure to operate all performances on the dates and
245	at the times specified.
246	(5) In the event that performances licensed to be operated
247	by a permitholder are vacated, abandoned, or will not be used
248	for any reason, any permitholder shall be entitled, pursuant to
249	rules adopted by the commission, to apply to conduct
250	performances on the dates for which the performances have been
251	abandoned. The commission shall issue an amended license for all
252	such replacement performances which have been requested in
253	compliance with this chapter and commission rules.
254	Section 4. Section 550.0351, Florida Statutes, is amended
255	to read:
256	550.0351 Charity racing days.—
257	(1) The commission shall, upon the request of a
258	permitholder, authorize each horseracing permitholder and jai
259	alai permitholder up to five charity or scholarship days in

addition to the regular racing days authorized by law. (2) The proceeds of charity performances shall be paid to

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262 qualified beneficiaries selected by the permitholders from an 263 authorized list of charities on file with the commission. 264 Eligible charities include any charity that provides evidence of 265 compliance with the provisions of chapter 496 and evidence of 266 possession of a valid exemption from federal taxation issued by 267 the Internal Revenue Service. In addition, the authorized list 268 must include the Racing Scholarship Trust Fund, the Historical 269 Resources Operating Trust Fund, major state and private 270 institutions of higher learning, and Florida community colleges.

(3) The permitholder shall, within 120 days after the 271 272 conclusion of its fiscal year, pay to the authorized charities 273 the total of all profits derived from the operation of the 274 charity day performances conducted. If charity days are operated 275 on behalf of another permitholder pursuant to law, the permitholder entitled to distribute the proceeds shall 276 277 distribute the proceeds to charity within 30 days after the 278 actual receipt of the proceeds.

279 (4) The total of all profits derived from the conduct of a 280 charity day performance must include all revenues derived from 281 the conduct of that racing performance, including all state 282 taxes that would otherwise be due to the state, except that the 283 daily license fee as provided in s. 550.0951(1) and the breaks 284 for the promotional trust funds as provided in s. 550.2625(3), (4), (5), (7), and (8) shall be paid to the commission. All 285 286 other revenues from the charity racing performance, including 287 the commissions, breaks, and admissions and the revenues from 288 parking, programs, and concessions, shall be included in the 289 total of all profits.

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(5) In determining profit, the permitholder may elect to

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601-03147-24 2024804c1 291 distribute as proceeds only the amount equal to the state tax 292 that would otherwise be paid to the state if the charity day 293 were conducted as a regular or matinee performance. 294 (6) (a) The commission shall authorize one additional 295 scholarship day for horseracing in addition to the regular 296 racing days authorized by law and any additional days authorized 297 by this section, to be conducted at all horse racetracks located 298 in Hillsborough County. The permitholder shall conduct a full 299 schedule of racing on the scholarship day. 300 (b) The funds derived from the operation of the additional scholarship day shall be allocated as provided in this section 301 302 and paid to Pasco-Hernando Community College. 303 (c) When a charity or scholarship performance is conducted 304 as a matinee performance, the commission may authorize the permitholder to conduct the evening performances of that 305 306 operation day as a regular performance in addition to the 307 regular operating days authorized by law.

(7) In addition to the eligible charities that meet the criteria set forth in this section, a jai alai permitholder is authorized to conduct two additional charity performances each fiscal year for a fund to benefit retired jai alai players. This performance shall be known as the "Retired Jai Alai Players Charity Day." The administration of this fund shall be determined by rule by the commission.

315 Section 5. Paragraph (a) of subsection (9) of section 316 550.054, Florida Statutes, is amended to read:

317 550.054 Application for permit to conduct pari-mutuel 318 wagering.-

(9) (a) After a permit has been granted by the commission

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320	and has been ratified and approved by the majority of the
321	electors participating in the election in the county designated
322	in the permit, the commission shall grant to the lawful
323	permitholder, subject to the conditions of this chapter, a
324	license to conduct pari-mutuel operations under this chapter,
325	and, except as provided in s. 550.5251, the commission shall fix
326	annually the time, place, and number of days during which pari-
327	mutuel operations may be conducted by the permitholder at the
328	location fixed in the permit and ratified in the election. After
329	the first license has been issued to the holder of a ratified
330	permit for racing in any county, all subsequent annual
331	applications for a license by that permitholder must be
332	accompanied by proof, in such form as the commission requires,
333	that the ratified permitholder still possesses all the
334	qualifications prescribed by this chapter and that the permit
335	has not been recalled at a later election held in the county.
336	Section 6. Subsections (1) and (5) of section 550.0951,
337	Florida Statutes, are amended to read:
338	550.0951 Payment of daily license fee and taxes;
339	penalties
340	(1) DAILY LICENSE FEE.—
341	(a) Each person engaged in the business of conducting race
342	meetings or jai alai games under this chapter, hereinafter
343	referred to as the "permitholder," "licensee," or "permittee,"
344	shall pay to the commission, for the use of the commission, a
345	daily license fee on each live or simulcast pari-mutuel event of
346	\$100 for each horserace and \$80 for each dograce and \$40 for
347	each jai alai game conducted at a racetrack or fronton licensed
348	under this chapter. In addition to the tax exemption specified

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601-03147-24 2024804c1 349 in s. 550.09514(1) of \$360,000 or \$500,000 per greyhound 350 permitholder per state fiscal year, each greyhound permitholder 351 shall receive in the current state fiscal year a tax credit 352 equal to the number of live greyhound races conducted in the 353 previous state fiscal year times the daily license fee specified 354 for each dograce in this subsection applicable for the previous 355 state fiscal year. This tax credit and the exemption in s. 356 550.09514(1) apply shall be applicable to any tax imposed by 357 this chapter or the daily license fees imposed by this chapter 358 except during any charity or scholarship performances conducted 359 pursuant to s. 550.0351. Each permitholder shall pay daily 360 license fees not to exceed \$500 per day on any simulcast races 361 or games on which such permitholder accepts wagers regardless of the number of out-of-state events taken or the number of out-of-362 state locations from which such events are taken. This license 363 364 fee shall be deposited with the Chief Financial Officer to the 365 credit of the Pari-mutuel Wagering Trust Fund. 366

(b) Each permitholder that cannot utilize the full amount 367 of the exemption of \$360,000 or \$500,000 provided in s. 368 550.09514(1) or the daily license fee credit provided in this 369 section may, after notifying the commission in writing, elect 370 once per state fiscal year on a form provided by the commission 371 to transfer such exemption or credit or any portion thereof to 372 any greyhound permitholder which acts as a host track to such 373 permitholder for the purpose of intertrack wagering. Once an 374 election to transfer such exemption or credit is filed with the 375 commission, it may shall not be rescinded. The commission shall 376 disapprove the transfer when the amount of the exemption or 377 credit or portion thereof is unavailable to the transferring

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601-03147-24 2024804c1 378 permitholder or when the permitholder who is entitled to 379 transfer the exemption or credit or who is entitled to receive 380 the exemption or credit owes taxes to the state pursuant to a 381 deficiency letter or administrative complaint issued by the 382 commission. Upon approval of the transfer by the commission, the 383 transferred tax exemption or credit is shall be effective for 384 the first performance of the next payment period as specified in 385 subsection (5). The exemption or credit transferred to such host 386 track may be applied by such host track against any taxes 387 imposed by this chapter or daily license fees imposed by this 388 chapter. The greyhound permitholder host track to which such 389 exemption or credit is transferred shall reimburse such 390 permitholder the exact monetary value of such transferred 391 exemption or credit as actually applied against the taxes and daily license fees of the host track. The commission shall 392 393 ensure that all transfers of exemption or credit are made in 394 accordance with this subsection and has shall have the authority 395 to adopt rules to ensure the implementation of this section. 396 (5) PAYMENT AND DISPOSITION OF FEES AND TAXES.-Payments

397 imposed by this section must shall be paid to the commission. 398 The commission shall deposit these sums with the Chief Financial 399 Officer, to the credit of the Pari-mutuel Wagering Trust Fund, 400 hereby established. The permitholder shall remit to the 401 commission payment for the daily license fee, the admission tax, 402 the tax on handle, and the breaks tax. Such payments shall be 403 remitted by 3 p.m. Wednesday of each week for taxes imposed and 404 collected for the preceding week ending on Sunday. Beginning on 405 July 1, 2012, such payments must shall be remitted by 3 p.m. on the 5th day of each calendar month for taxes imposed and 406

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601-03147-24 2024804c1 407 collected for the preceding calendar month. If the 5th day of 408 the calendar month falls on a weekend, payments must shall be 409 remitted by 3 p.m. the first Monday following the weekend. 410 Permitholders shall file a report under oath by the 5th day of 411 each calendar month for all taxes remitted during the preceding 412 calendar month. Such payments must shall be accompanied by a 413 report under oath showing the total of all admissions, the pari-414 mutuel wagering activities for the preceding calendar month, and 415 such other information as may be prescribed by the commission.

416 Section 7. Subsection (7) of section 550.09515, Florida 417 Statutes, is amended, and subsection (4) of that section is 418 reenacted for the purpose of incorporating the amendment made by 419 this act to section 550.0951, Florida Statutes, to read:

420 550.09515 Thoroughbred horse taxes; abandoned interest in a 421 permit for nonpayment of taxes.-

422 (4) In the event that a court of competent jurisdiction 423 determines any of the provisions of this section to be 424 unconstitutional, it is the intent of the Legislature that the 425 provisions contained in this section shall be null and void and 426 that the provisions of s. 550.0951 shall apply to all 427 thoroughbred horse permitholders beginning on the date of such 428 judicial determination. To this end, the Legislature declares 429 that it would not have enacted any of the provisions of this 430 section individually and, to that end, expressly finds them not 431 to be severable.

432 (7) If a thoroughbred permitholder fails to operate all
433 performances on its 2001-2002 license, failure to pay tax on
434 handle for a full schedule of live races for those performances
435 in the 2001-2002 fiscal year does not constitute failure to pay

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601-03147-24 2024804c1 taxes on handle for a full schedule of live races in a fiscal year for the purposes of subsection (3). This subsection may not be construed as forgiving a thoroughbred permitholder from paying taxes on performances conducted at its facility pursuant to its 2001-2002 license other than for failure to operate all performances on its 2001-2002 license. This subsection expires July 1, 2003. Section 8. Paragraphs (a) and (c) of subsection (5) of section 550.105, Florida Statutes, are amended to read: 550.105 Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines.-(5) (a) The commission may do the following: 1. Deny a license to or revoke, suspend, or place conditions upon or restrictions on a license of any person who has been refused a license by any other state racing commission or racing authority or has been subject to a provisional suspension or period of ineligibility by the federal Horseracing Integrity and Safety Authority (HISA), or another such authority designated by the Federal Trade Commission.+ 2. Deny, suspend, or place conditions on a license of any person who is under suspension, or has unpaid fines in another jurisdiction, or is subject to a provisional suspension or period of ineligibility under HISA.+ 3. Notwithstanding subparagraph 2. and chapter 120, summarily suspend the occupational license of any person subject to a provisional suspension or period of ineligibility imposed by HISA related to a prohibited substance in an animal's hair or

464 in its blood, urine, saliva, or any other bodily fluid. Any

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465	suspension imposed pursuant to this subparagraph expires on the
466	date that the provisional suspension or period of ineligibility
467	imposed by HISA expires. If an occupational licensee is
468	summarily suspended under this subparagraph, the commission must
469	offer the licensee a postsuspension hearing within 72 hours
470	after commencement of the suspension. The occupational licensee
471	has the burden of proving by clear and convincing evidence that
472	he or she is not subject to a provisional suspension or period
473	of ineligibility imposed by HISA. The standard of review
474	applicable to the commission under this subparagraph is whether
475	the commission's action was an abuse of discretion
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477	if the state racing commission or racing authority of such other

478 state or jurisdiction extends to the commission reciprocal 479 courtesy to maintain the disciplinary control.

480 (c) The commission may deny, declare ineligible, or revoke 481 any occupational license if the applicant for such license has 482 been convicted of a felony or misdemeanor in this state, in any other state, or under the laws of the United States, if such 483 484 felony or misdemeanor is related to gambling or bookmaking, as 485 contemplated in s. 849.25, or involves cruelty to animals. If 486 the applicant establishes that she or he is of good moral 487 character, that she or he has been rehabilitated, and that the 488 crime she or he was convicted of is not related to pari-mutuel wagering and is not a capital offense, the restrictions 489 490 excluding offenders may be waived by the director of the 491 commission.

492 Section 9. Paragraph (a) of subsection (2) of section493 550.125, Florida Statutes, is amended to read:

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601-03147-24 2024804c1 494 550.125 Uniform reporting system; bond requirement.-(2) (a) Each permitholder issued an operating license that 495 496 conducts race meetings or jai alai exhibitions under this 497 chapter shall keep records that clearly show the total number of 498 admissions and the total amount of money contributed to each 499 pari-mutuel pools, cardroom gross receipts, and slot machine 500 revenues pool on each race or exhibition separately and the 501 amount of money received daily from admission fees and, within 502 120 days after the end of its fiscal year, shall submit to the 503 commission a complete annual report of its accounts, audited by 504 a certified public accountant licensed to practice in this the 505 state. 506 Section 10. Subsection (3) of section 550.3551, Florida 507 Statutes, is amended, and paragraph (b) of subsection (2) and 508 subsection (4) are reenacted to read: 509 550.3551 Transmission of racing and jai alai information; 510 commingling of pari-mutuel pools.-511 (2) Any horse track or fronton licensed under this chapter 512 may transmit broadcasts of races or games conducted at the 513 enclosure of the licensee to locations outside this state. 514 (b) Wagers accepted by any out-of-state pari-mutuel 515 permitholder or licensed betting system on a race broadcasted 516 under this subsection may be, but are not required to be, 517 included in the pari-mutuel pools of the horse track in this 518 state that broadcasts the race upon which wagers are accepted. 519 The handle, as referred to in s. 550.0951(3), does not include 520 any wagers accepted by an out-of-state pari-mutuel permitholder 521 or licensed betting system, irrespective of whether such wagers 522 are included in the pari-mutuel pools of the Florida

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601-03147-242024804c1523permitholder as authorized by this subsection.

(3) Any horse track licensed under this chapter may receive broadcasts of horseraces conducted at other horse racetracks located outside this state at the racetrack enclosure of the licensee, if the horse track conducted a full schedule of live racing during the preceding state fiscal year during its racing meet.

(a) All broadcasts of horseraces received from locations
outside this state must comply with the provisions of the
Interstate Horseracing Act of 1978, 92 Stat. 1811, 15 U.S.C. ss.
3001 et seq.

534 (b) Wagers accepted at the horse track in this state may 535 be, but are not required to be, included in the pari-mutuel 536 pools of the out-of-state horse track that broadcasts the race. 537 Notwithstanding any contrary provisions of this chapter, if the 538 horse track in this state elects to include wagers accepted on 539 such races in the pari-mutuel pools of the out-of-state horse 540 track that broadcasts the race, from the amount wagered by 541 patrons at the horse track in this state and included in the 542 pari-mutuel pools of the out-of-state horse track, the horse 543 track in this state shall deduct as the takeout from the amount 544 wagered by patrons at the horse track in this state and included 545 in the pari-mutuel pools of the out-of-state horse track a 546 percentage equal to the percentage deducted from the amount 547 wagered at the out-of-state racetrack as is authorized by the 548 laws of the jurisdiction exercising regulatory authority over 549 the out-of-state horse track.

(c) All forms of pari-mutuel wagering are allowed on racesbroadcast under this section, and all money wagered by patrons

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578 horseracing, must demonstrate that any location to which the 579 <u>nonwagering license applies is available for such use</u>, and must 580 indicate any changes in ownership or management of the

calendar year. Such application must set forth the days and

locations at which the permitholder will conduct nonwagering

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601-03147-24 2024804c1 581 permitholder occurring since the date of application for the 582 prior license. 583 (b) On or before April 15 August 1 of each year, the 584 commission shall issue a license authorizing the nonwagering 585 permitholder to conduct nonwagering horseracing during the next 586 state fiscal succeeding calendar year during the period and for 587 the number of days set forth in the application, subject to all other provisions of this section. 588 589 (c) The commission may extend a nonwagering license for the 590 2024 calendar year through the 2024-2025 fiscal year upon application for such extension by the nonwagering permitholder 591 592 conduct an eligibility investigation to determine the 593 qualifications of any new ownership or management interest in 594 the permit. 595 Section 12. Subsection (1) of section 550.5251, Florida 596 Statutes, is amended to read: 597 550.5251 Florida thoroughbred racing; certain permits; 598 operating days .-599 (1) Each thoroughbred permitholder shall annually, during 600 the period commencing January December 15 of each year and 601 ending February January 4 of the following year, file in writing 602 with the commission its application to conduct one or more 603 thoroughbred racing meetings during the thoroughbred racing 604 season commencing on the following July 1. Each application 605 shall specify the number and dates of all performances that the 606 permitholder intends to conduct during that thoroughbred racing 607 season. On or before April March 15 of each year, the commission 608 shall issue a license authorizing each permitholder to conduct 609 performances on the dates specified in its application. Up to

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610	March February 28 of each year, each permitholder may request
611	and shall be granted changes in its application to conduct
612	authorized performances; but thereafter, as a condition
613	precedent to the validity of its license and its right to retain
614	its permit, each permitholder must operate the full number of
615	days authorized on each of the dates set forth in its license.
616	Section 13. Paragraph (b) of subsection (4) and subsection
617	(8) of section 551.104, Florida Statutes, are amended to read:
618	551.104 License to conduct slot machine gaming
619	(4) As a condition of licensure and to maintain continued
620	authority for the conduct of slot machine gaming, the slot
621	machine licensee shall:
622	(b) Continue to be in compliance with chapter 550, when
623	where applicable, and maintain the pari-mutuel permit and
624	license in good standing pursuant to the provisions of chapter
625	550. Notwithstanding any contrary provision of law and in order
626	to expedite the operation of slot machines at eligible
627	facilities, any eligible facility shall be entitled within 60
628	days after the effective date of this act to amend its 2006-2007
629	pari-mutuel wagering operating license issued by the commission
630	under ss. 550.0115 and 550.01215. The commission shall issue a
631	new license to the eligible facility to effectuate any approved
632	change.
633	(8) A slot machine licensee shall file with the commission
634	an audit of the receipt and distribution of all slot machine
635	revenues provided by an independent certified public accountant
636	licensed under chapter 473 verifying compliance with all
637	financial and auditing provisions of this chapter and the
638	associated rules adopted under this chapter. The audit must
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639	include verification of compliance with all statutes and rules
640	regarding all required records of slot machine operations. Such
641	audit <u>must</u> shall be filed within <u>120</u> 60 days after the <u>end of</u>
642	the slot machine licensee's fiscal year completion of the
643	permitholder's pari-mutuel meet.
644	Section 14. Paragraph (b) of subsection (6) of section
645	551.107, Florida Statutes, is amended to read:
646	551.107 Slot machine occupational license; findings;
647	application; fee
648	(6)
649	(b) The commission may deny, revoke, or refuse to renew any
650	slot machine occupational license if the applicant for such
651	license or the licensee has been convicted of a felony or
652	misdemeanor in this state, in any other state, or under the laws
653	of the United States if such felony or misdemeanor is related to
654	gambling or bookmaking as described in s. 849.25. <u>The</u>
655	restrictions authorized in this paragraph may be waived by the
656	commission if the applicant establishes that she or he is of
657	good moral character, that she or he has been rehabilitated, and
658	that the crime she or he was convicted of is not related to slot
659	machine gaming and is not a capital offense.
660	Section 15. For the purpose of incorporating the amendment
661	made by this act to section 550.0951, Florida Statutes, in
662	references thereto, paragraph (c) of subsection (2) of section
663	212.04, Florida Statutes, is reenacted to read:
664	212.04 Admissions tax; rate, procedure, enforcement
665	(2)
666	(c) The taxes imposed by this section shall be collected in
667	addition to the admission tax collected pursuant to s. 550.0951,

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601-03147-24 2024804c1 668 but the amount collected under s. 550.0951 shall not be subject 669 to taxation under this chapter. 670 Section 16. For the purpose of incorporating the amendment made by this act to section 550.0951, Florida Statutes, in a 671 672 reference thereto, subsection (4) of section 550.0351, Florida 673 Statutes, is reenacted to read: 674 550.0351 Charity racing days.-675 (4) The total of all profits derived from the conduct of a charity day performance must include all revenues derived from 676 677 the conduct of that racing performance, including all state 678 taxes that would otherwise be due to the state, except that the 679 daily license fee as provided in s. 550.0951(1) and the breaks 680 for the promotional trust funds as provided in s. 550.2625(3), 681 (4), (5), (7), and (8) shall be paid to the commission. All 682 other revenues from the charity racing performance, including 683 the commissions, breaks, and admissions and the revenues from 684 parking, programs, and concessions, shall be included in the 685 total of all profits. 686 Section 17. For the purpose of incorporating the amendment 687 made by this act to section 550.0951, Florida Statutes, in a 688 reference thereto, subsection (2) of section 550.09511, Florida 689 Statutes, is reenacted to read: 690 550.09511 Jai alai taxes; abandoned interest in a permit

691 for nonpayment of taxes.-

(2) Notwithstanding the provisions of s. 550.0951(3)(b),
wagering on live jai alai performances shall be subject to the
following taxes:

(a)1. The tax on handle per performance for live jai alaiperformances is 4.25 percent of handle per performance. However,

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     when the live handle of a permitholder during the preceding
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     state fiscal year was less than $15 million, the tax shall be
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     paid on the handle in excess of $30,000 per performance per day.
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          2. The tax rate shall be applicable only until the
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     requirements of paragraph (b) are met.
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           (b) At such time as the total of admissions tax, daily
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     license fee, and tax on handle for live jai alai performances
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     paid to the commission by a permitholder during the current
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     state fiscal year exceeds the total state tax revenues from
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     wagering on live jai alai performances paid or due by the
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     permitholder in fiscal year 1991-1992, the permitholder shall
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     pay tax on handle for live jai alai performances at a rate of
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     2.55 percent of the handle per performance for the remainder of
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     the current state fiscal year. For purposes of this section,
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     total state tax revenues on live jai alai wagering in fiscal
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     year 1991-1992 shall include any admissions tax, tax on handle,
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     surtaxes on handle, and daily license fees.
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           (c) If no tax on handle for live jai alai performances were
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     paid to the commission by a jai alai permitholder during the
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     1991-1992 state fiscal year, then at such time as the total of
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     admissions tax, daily license fee, and tax on handle for live
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     jai alai performances paid to the commission by a permitholder
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     during the current state fiscal year exceeds the total state tax
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     revenues from wagering on live jai alai performances paid or due
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     by the permitholder in the last state fiscal year in which the
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     permitholder conducted a full schedule of live games, the
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     permitholder shall pay tax on handle for live jai alai
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     performances at a rate of 3.3 percent of the handle per
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     performance for the remainder of the current state fiscal year.
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601-03147-24 2024804c1 726 For purposes of this section, total state tax revenues on live 727 jai alai wagering shall include any admissions tax, tax on handle, surtaxes on handle, and daily license fees. This 728 729 paragraph shall take effect July 1, 1993. 730 (d) A permitholder who obtains a new permit issued by the 731 commission subsequent to the 1991-1992 state fiscal year and a 732 permitholder whose permit has been converted to a jai alai 733 permit under the provisions of this chapter, shall, at such time 734 as the total of admissions tax, daily license fee, and tax on 735 handle for live jai alai performances paid to the commission by 736 the permitholder during the current state fiscal year exceeds 737 the average total state tax revenues from wagering on live jai 738 alai performances for the first 3 consecutive jai alai seasons 739 paid to or due the commission by the permitholder and during 740 which the permitholder conducted a full schedule of live games, 741 pay tax on handle for live jai alai performances at a rate of 742 3.3 percent of the handle per performance for the remainder of 743 the current state fiscal year.

(e) The payment of taxes pursuant to paragraphs (b), (c),
and (d) shall be calculated and commence beginning the day in
which the permitholder is first entitled to the reduced rate
specified in this section and the report of taxes required by s.
550.0951(5) is submitted to the commission.

(f) A jai alai permitholder paying taxes under this section shall retain the breaks and pay an amount equal to the breaks as special prize awards which shall be in addition to the regular contracted prize money paid to jai alai players at the permitholder's facility. Payment of the special prize money shall be made during the permitholder's current meet.

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601-03147-24 2024804c1 755 (g) For purposes of this section, "handle" shall have the 756 same meaning as in s. 550.0951, and shall not include handle 757 from intertrack wagering. 758 Section 18. For the purpose of incorporating the amendment 759 made by this act to section 550.0951, Florida Statutes, in a 760 reference thereto, subsection (4) of section 550.09512, Florida 761 Statutes, is reenacted to read: 762 550.09512 Harness horse taxes; abandoned interest in a 763 permit for nonpayment of taxes.-764 (4) In the event that a court of competent jurisdiction 765 determines any of the provisions of this section to be 766 unconstitutional, it is the intent of the Legislature that the 767 provisions contained in this section shall be null and void and that the provisions of s. 550.0951 shall apply to all harness 768 769 horse permitholders beginning on the date of such judicial 770 determination. To this end, the Legislature declares that it 771 would not have enacted any of the provisions of this section 772 individually and, to that end, expressly finds them not to be 773 severable. 774 Section 19. For the purpose of incorporating the amendment 775 made by this act to section 550.0951, Florida Statutes, in 776 references thereto, subsection (1) and paragraph (e) of 777 subsection (2) of section 550.09514, Florida Statutes, are 778 reenacted to read: 779 550.09514 Greyhound dogracing taxes; purse requirements.-780 (1) Wagering on greyhound racing is subject to a tax on

781 handle for live greyhound racing as specified in s. 550.0951(3).
782 However, each permitholder shall pay no tax on handle until such
783 time as this subsection has resulted in a tax savings per state

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601-03147-24 2024804c1 784 fiscal year of \$360,000. Thereafter, each permitholder shall pay 785 the tax as specified in s. 550.0951(3) on all handle for the 786 remainder of the permitholder's current race meet. For the three 787 permitholders that conducted a full schedule of live racing in 788 1995, and are closest to another state that authorizes greyhound 789 pari-mutuel wagering, the maximum tax savings per state fiscal 790 year shall be \$500,000. The provisions of this subsection 791 relating to tax exemptions shall not apply to any charity or 792 scholarship performances conducted pursuant to s. 550.0351. 793 (2)

794 (e) In addition to the purse requirements of paragraphs 795 (a)-(c), each greyhound permitholder shall pay as purses an 796 amount equal to one-third of the amount of the tax reduction on 797 live and simulcast handle applicable to such permitholder as a 798 result of the reductions in tax rates provided by this act 799 through the amendments to s. 550.0951(3). With respect to 800 intertrack wagering when the host and guest tracks are greyhound permitholders not within the same market area, an amount equal 801 802 to the tax reduction applicable to the quest track handle as a 803 result of the reduction in tax rate provided by this act through 804 the amendment to s. 550.0951(3) shall be distributed to the 805 guest track, one-third of which amount shall be paid as purses 806 at the quest track. However, if the quest track is a greyhound 807 permitholder within the market area of the host or if the quest 808 track is not a greyhound permitholder, an amount equal to such 809 tax reduction applicable to the guest track handle shall be 810 retained by the host track, one-third of which amount shall be 811 paid as purses at the host track. These purse funds shall be disbursed in the week received if the permitholder conducts at 812

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601-03147-24 2024804c1 813 least one live performance during that week. If the permitholder 814 does not conduct at least one live performance during the week 815 in which the purse funds are received, the purse funds shall be 816 disbursed weekly during the permitholder's next race meet in an 817 amount determined by dividing the purse amount by the number of 818 performances approved for the permitholder pursuant to its 819 annual license, and multiplying that amount by the number of performances conducted each week. The commission shall conduct 820 821 audits necessary to ensure compliance with this paragraph.

Section 20. For the purpose of incorporating the amendment made by this act to section 550.0951, Florida Statutes, in a reference thereto, subsection (3) of section 550.09516, Florida Statutes, is reenacted to read:

826 550.09516 Credit for eligible permitholders conducting827 thoroughbred racing.-

828 (3) Beginning July 1, 2023, and each July 1 thereafter, 829 each permitholder granted a credit pursuant to this section may 830 apply the credit to the taxes and fees due under ss. 550.0951, 831 550.09515, and 550.3551(3), less any credit received by the 832 permitholder under s. 550.09515(6), and less the amount of state 833 taxes that would otherwise be due to the state for the conduct 834 of charity day performances under s. 550.0351(4). The unused 835 portion of the credit may be carried forward and applied each 836 month as taxes and fees become due. Any unused credit remaining 837 at the end of a fiscal year expires and may not be used.

838 Section 21. For the purpose of incorporating the amendment 839 made by this act to section 550.0951, Florida Statutes, in a 840 reference thereto, subsection (1) of section 550.135, Florida 841 Statutes, is reenacted to read:

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601-03147-24 2024804c1 842 550.135 Division of moneys derived under this law.-All 843 moneys that are deposited with the Chief Financial Officer to 844 the credit of the Pari-mutuel Wagering Trust Fund shall be 845 distributed as follows: 846 (1) The daily license fee revenues collected pursuant to s. 847 550.0951(1) shall be used to fund the operating cost of the 848 commission; however, other collections in the Pari-mutuel 849 Wagering Trust Fund may also be used to fund the operation of 850 the commission in accordance with authorized appropriations. 851 Section 22. For the purpose of incorporating the amendment 852 made by this act to section 550.0951, Florida Statutes, in 853 references thereto, subsection (2) of section 550.1625, Florida 854 Statutes, is reenacted to read: 855 550.1625 Dogracing; taxes.-856 (2) A permitholder that conducts a dograce meet under this 857 chapter must pay the daily license fee, the admission tax, the 858 breaks tax, and the tax on pari-mutuel handle as provided in s. 859 550.0951 and is subject to all penalties and sanctions provided 860 in s. 550.0951(6). 861 Section 23. For the purpose of incorporating the amendment

861 Section 23. For the purpose of incorporating the amendment 862 made by this act to section 550.0951, Florida Statutes, in 863 references thereto, subsections (3) through (6) of section 864 550.26352, Florida Statutes, are reenacted to read:

865 550.26352 Breeders' Cup Meet; pools authorized; conflicts; 866 taxes; credits; transmission of races; rules; application.-

867 (3) If the permitholder conducting the Breeders' Cup Meet
868 is located within 35 miles of one or more permitholders
869 scheduled to conduct a thoroughbred race meet on any of the 3
870 days of the Breeders' Cup Meet, then operation on any of those 3

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601-03147-24 2024804c1 871 days by the other permitholders is prohibited. As compensation 872 for the loss of racing days caused thereby, such operating 873 permitholders shall receive a credit against the taxes otherwise 874 due and payable to the state under ss. 550.0951 and 550.09515. 875 This credit shall be in an amount equal to the operating loss 876 determined to have been suffered by the operating permitholders 877 as a result of not operating on the prohibited racing days, but shall not exceed a total of \$950,000. The determination of the 878 879 amount to be credited shall be made by the commission upon 880 application by the operating permitholder. The tax credits 881 provided in this subsection shall not be available unless an 882 operating permitholder is required to close a bona fide meet 883 consisting in part of no fewer than 10 scheduled performances in 884 the 15 days immediately preceding or 10 scheduled performances 885 in the 15 days immediately following the Breeders' Cup Meet. 886 Such tax credit shall be in lieu of any other compensation or 887 consideration for the loss of racing days. There shall be no 888 replacement or makeup of any lost racing days.

(4) Notwithstanding any provision of ss. 550.0951 and
550.09515, the permitholder conducting the Breeders' Cup Meet
shall pay no taxes on the handle included within the pari-mutuel
pools of said permitholder during the Breeders' Cup Meet.

(5) The permitholder conducting the Breeders' Cup Meet shall receive a credit against the taxes otherwise due and payable to the state under ss. 550.0951 and 550.09515 generated during said permitholder's next ensuing regular thoroughbred race meet. This credit shall be in an amount not to exceed \$950,000 and shall be utilized by the permitholder to pay the purses offered by the permitholder during the Breeders' Cup Meet

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900	in excess of the purses which the permitholder is otherwise
901	required by law to pay. The amount to be credited shall be
902	determined by the commission upon application of the
903	permitholder which is subject to audit by the commission.
904	(6) The permitholder conducting the Breeders' Cup Meet
905	shall receive a credit against the taxes otherwise due and
906	payable to the state under ss. 550.0951 and 550.09515 generated
907	during said permitholder's next ensuing regular thoroughbred
908	race meet. This credit shall be in an amount not to exceed
909	\$950,000 and shall be utilized by the permitholder for such
910	capital improvements and extraordinary expenses as may be
911	necessary for operation of the Breeders' Cup Meet. The amount to
912	be credited shall be determined by the commission upon
913	application of the permitholder which is subject to audit by the
914	commission.
915	Section 24. For the purpose of incorporating the amendment
916	made by this act to section 550.0951, Florida Statutes, in
917	references thereto, subsection (4) of section 550.375, Florida
918	Statutes, is reenacted to read:
919	550.375 Operation of certain harness tracks
920	(4) The permitholder conducting a harness horse race meet
921	must pay the daily license fee, the admission tax, the tax on

921 must pay the daily license fee, the admission tax, the tax on 922 breaks, and the tax on pari-mutuel handle provided in s. 923 550.0951 and is subject to all penalties and sanctions provided 924 in s. 550.0951(6).

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Section 25. This act shall take effect July 1, 2024.

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