

THE FLORIDA SENATE
2021-A SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

CS/SB 8-A — Gaming

by Appropriations Committee and Senator Hutson

This bill updates Florida law for authorized gaming in the state, including live racing and games, slot machine gaming, and the operation of cardrooms.

The bill updates provisions in Florida law to be consistent with the prohibition of racing of greyhounds in Art. X, s. 32, State Constitution, titled “Prohibition on Racing of and Wagering on Greyhounds or other Dogs.”

Under the bill, a permitholder or licensee may not conduct live greyhound racing or dogracing for wagering, and the Division of Pari-mutuel Wagering (division) within the Department of Business and Professional Regulation (DBPR) is authorized to deny, suspend, or revoke any permit or license under chapter 550, Florida Statutes, and impose a civil penalty of up to \$5,000 for such conduct.

The bill revises requirements for greyhound permitholders, jai alai permitholders, and harness horse permitholders to conduct live racing or games, by amending ch. 550, F.S. (Pari-Mutuel Wagering), ch. 551, F.S. (Slot Machines), and ch. 849, F.S. (Gambling). The bill also includes technical drafting changes and conforming changes, and eliminates obsolete language related to requirements for live racing or games.

The bill provides a pari-mutuel permitholder may not be issued an operating license for the conduct of pari-mutuel wagering, slot machine gaming, or the operation of a cardroom if the permitholder did not hold an operating license for the conduct of pari-mutuel wagering for Fiscal Year 2020-2021. Under the bill, a permit for the conduct of pari-mutuel wagering and associated cardroom or slot machine licenses may only be held by a permitholder, other than a limited thoroughbred permitholder, who held an operating license for the conduct of pari-mutuel wagering for Fiscal Year 2020-2021.

A permit held by a permitholder on January 1, 2021 is deemed valid, if the permitholder held an operating license for the conduct of pari-mutuel wagering for Fiscal Year 2020-2021, or held a limited thoroughbred permit, but new permits for pari-mutuel wagering may not be approved or issued by the division after January 1, 2021.

The bill retains racing requirements for thoroughbred permitholders, limited thoroughbred permitholders, and limited intertrack wagering license permitholders.

The bill provides that slot machine gaming areas must be located at the address specified in the licensed permitholder’s slot machine license issued for Fiscal Year 2020-2021.

Under the bill, a municipality may prohibit the establishment of a pari-mutuel facility on or after July 1, 2021, in its jurisdiction. This provision does not apply to a permitholder who held an

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operating license for the conduct of pari-mutuel wagering for Fiscal Year 2020-2021 in the municipality's jurisdiction, or to a pari-mutuel facility that was previously approved by the municipality.

Cardroom licenses may not be issued to any permitholder, other than a limited thoroughbred permitholder, if the permitholder did not hold an operating license for Fiscal Year 2020-2021. In addition, the bill provides that in order to renew a cardroom license, a thoroughbred permitholder must conduct the minimum number of live racing performances required under current law (known as the "90 percent rule").

Under the bill, a municipality may prohibit the establishment of a cardroom on or after July 1, 2021, within its jurisdiction. This provision does not apply to a permitholder who held an operating license for the conduct of pari-mutuel wagering for Fiscal Year 2020-2021 in the municipality's jurisdiction, or to a pari-mutuel facility that was previously approved by the municipality.

The bill allows slot machine gaming areas and cardrooms to be open 24 hours daily.

If approved by the Governor, except as otherwise expressly provided in the bill (some provisions take effect October 1, 2021), these provisions take effect on the same day that CS/SB 2 (Implementation of the Gaming Compact Between the Seminole Tribe of Florida and the State of Florida) or similar legislation takes effect, if adopted in the same legislative session and becomes a law.

Vote: Senate 39-0; House 73-43