

STORAGE NAME: h0705.rs

DATE: January 20, 2000

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
REGULATED SERVICES
ANALYSIS**

BILL #: HB 705

RELATING TO: Pari-mutuel Wagering; jai alai

SPONSOR(S): Representative Merchant

TIED BILL(S): None

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) REGULATED SERVICES
 - (2) COMMUNITY AFFAIRS
 - (3) FINANCE AND TAXATION
 - (4)
 - (5)
-

I. SUMMARY:

This bill amends the pari-mutuel code to allow a jai alai permitholder, if there is only one such permitholder in a county, to relocate within a 30-mile location within the county without an additional county referendum.

This bill has no significant impact on state revenue.

This act takes effect upon becoming a law.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|---|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Section 550.0555, Florida Statutes, allows a greyhound permitholder to relocate, without the necessity of an additional county referendum, within a 30-mile radius of its present location if there is only one greyhound permitholder in the county. The permitholder may not cross the county boundary and the relocation must be approved under the zoning regulations of the county or municipality of the new location. Additionally, the relocation request must undergo a hearing pursuant to chapter 120 to ensure that the relocation does not adversely impact any other permitholder within 50 miles. This statute applies only to greyhound permitholders.

C. EFFECT OF PROPOSED CHANGES:

This bill allows the relocation of a jai alai permit within a county in the same manner as is currently provided for the relocation of a greyhound permit when there is only one such permit in a county.

A jai alai permit will be allowed to relocate, without the necessity of an additional county referendum, within a 30-mile radius of its present location. The permit may not relocate across a county boundary and the relocation must be approved under the zoning regulations of the county or municipality of the new location. The relocation request must undergo a hearing pursuant to chapter 120 to ensure that the relocation will not adversely impact any other permitholder within 50 miles.

D. SECTION-BY-SECTION ANALYSIS:

Section 1. Amends s. 550.0555, F.S., to allow a jai alai permit, in a county in which there is only one dogracing or jai alai permit issued, to move the location of the facility without the necessity of an additional county referendum. The permit may be moved within a 30-mile radius of its present location.

Section 2. Provides that this act will take effect upon becoming a law.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

According to the Department of Business and Professional Regulation, this legislation will have an insignificant impact on state revenues.

2. Expenditures:

According to the Department of Business and Professional Regulation, this legislation will have an insignificant impact on state expenditures.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

This legislation will have no impact on local government revenues.

2. Expenditures:

This legislation will have no impact on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The ability to relocate may expand the revenue-producing capability of some jai alai permitholders which may result in a positive fiscal impact for the pari-mutuel facility.

D. FISCAL COMMENTS:

None.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take any action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

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C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

As written, the amendments to s. 550.0555, F.S., contained in this legislation are subject to differing interpretations. For example, the first amendment to subsection (2) may be interpreted to mean that any dog track or jai alai fronton in a county in which there is only one like permit, may relocate. On the other hand, the first amendment to subsection (2) may be interpreted to prohibit a jai alai fronton from relocating if there is more than one dog track in the county.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The bill's sponsor has prepared an amendment to be offered to this legislation which will clarify the purpose and intent.

VII. SIGNATURES:

COMMITTEE ON REGULATED SERVICES:

Prepared by:

Staff Director:

Janet Clark Morris

Paul Liepshutz