

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1692

SPONSOR: Regulated Industries Committee & Senator Wasserman Schultz

SUBJECT: Greyhound Adoption

DATE: April 5, 2001                      REVISED: 04/10/01 \_\_\_\_\_

|    | ANALYST         | STAFF DIRECTOR  | REFERENCE | ACTION                  |
|----|-----------------|-----------------|-----------|-------------------------|
| 1. | <u>Caldwell</u> | <u>Caldwell</u> | <u>RI</u> | <u>Favorable/CS</u>     |
| 2. | <u>Keating</u>  | <u>Johansen</u> | <u>FT</u> | <u>Fav/2 amendments</u> |
| 3. | _____           | _____           | _____     | _____                   |
| 4. | _____           | _____           | _____     | _____                   |
| 5. | _____           | _____           | _____     | _____                   |
| 6. | _____           | _____           | _____     | _____                   |

**I. Summary:**

The bill requires and specifies the criteria by which greyhound-racing permitholders are to provide information at each dog racing facility concerning the adoption of a greyhound. The bill requires that the racing program contain adoption information and identify greyhounds in a race that will become available for adoption. The permitholder is authorized to hold an additional charity day, designated as “Greyhound Adopt-A-Pet Day,” and use the profits from the charity day to fund activities promoting greyhound adoptions.

This bill creates an unnumbered section of the Florida Statutes and amends section 550.1647 of the Florida Statutes.

**II. Present Situation:**

Section 550.1647, F.S., requires each permitholder to pay from any sources, including the proceeds from performances for charity racing days, an amount not less than ten percent of the amount of the credit provided for any unclaimed, uncashed or abandoned pari-mutuel ticket for a period of one year after the date the ticket was issued to any bona fide organization that promotes or encourages the adoption of greyhounds. This provision took effect July 1, 2000. Any actions as a result of the operation of this section are yet unknown because uncashed winning ticket must be held a year, and therefore, the division has not yet audited any amount of funding.

The Greyhound Pets of America (GPA) is a nationwide organization of volunteers that finds responsible, loving homes for professional racing greyhounds that no longer qualify to compete at the racetrack. The GPA has six chapters in Florida including Central Florida, Daytona Beach, Southeast Coast, Largo, Greater Orlando, and Emerald Coast.

Section 550.0351, F.S., provides for charity racing days. The division may authorize each horseracing, dogracing, and jai alai permitholder up to five charity racing or scholarship days in addition to the regular racing days authorized by law. The proceeds of charity performances shall be paid to qualified beneficiaries selected by the permitholder from an authorized list of charitites on file with the department. The total profits derived from the conduct of charity day performances must include all revenues derived from the conduct of that racing performance, including all state taxes that would otherwise be due to the state, except that the daily license fee as provided in s. 550.0951(1), F.S., and the breaks for the promotional trust funds as provided in s. 550.2625(3),4),(7), and (8), F.S., shall be paid to the division.

### **III. Effect of Proposed Changes:**

The bill requires each permitholder operating a dog racing facility to provide for a greyhound-adoption booth to be located at the facility and operated during the hours the facility is open to the public. The bill specifies who operates the booth and the information that must be provided to the public. The bill further requires kennel operators and greyhound owners to provide to the permitholders information that a greyhound is available for adoption and that the racing program contain specific adoption information. Permitholders must allow greyhounds to be walked through the facility to publicize greyhound adoption.

In addition to the charity days authorized under section 550.0351, F.S., a greyhound permitholder may fund the greyhound adoption program by holding a charity-racing day designated as "Greyhound Adopt-A-Pet Day." The profits must be used to fund activities that promote adoption of greyhounds. The Division of Pari-mutuel Wagering is authorized to adopt rules for administering. The bill specifies that the proceeds for the charity day may not be used as a source for the purposes set forth in s. 550.1647, F.S. Upon violation of these provisions by a permitholder or licensee, the division or judge at a dogracing facility may impose one or more of the following:

- Suspension or permanent revocation of the permitholder's license or permit.
- Imposition of an administrative fine, which may not exceed \$5,000 for each separate offense.
- Stipulation that the permitholder take corrective action.

A penalty imposed under this subsection does not exclude a prosecution for cruelty to animals for any other criminal act.

Finally, the bill amends s. 550.1647, F.S., clarifying that the term "bona fide organization that promotes or encourages the adoption of greyhounds" means any organization that provides evidence of compliance with chapter 496 and possesses a valid exemption from federal income tax issued by the Internal Revenue Service.

The bill takes effect July 1, 2001.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

**V. Economic Impact and Fiscal Note:**

## A. Tax/Fee Issues:

The additional charity day would reduce revenues to the state by one day's receipts. Although the exact amount of the reduction in revenue is unknown, it is estimated to be minimal.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

#1 by Finance and Taxation

Clarifies that the greyhound adoption booth must be operated on weekends by personnel or volunteers from a bona fide organization that promotes or encourages the adoption of greyhounds pursuant to s. 550.1647, F.S.

#2 by Finance and Taxation

Requires that a bona fide organization that promotes or encourages the adoption of greyhounds, as a condition of adoption, must provide sterilization of greyhounds by a licensed veterinarian

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before relinquishing custody of the greyhound to the adopter. The fee for sterilization may be included in the cost of the adoption. (WITH TITLE AMENDMENT)

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This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

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