

By Senator Geller

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A bill to be entitled  
An act relating to a tax on revenues from slot machines; amending s. 849.16, F.S.; imposing a tax on revenues from slot machines located in certain pari-mutuel facilities located in Broward County, as authorized by Section 23 of Article X of the State Constitution; defining the term "slot-machine revenues"; providing for remitting the tax proceeds periodically to the Department of Revenue; providing for rulemaking by the department; requiring the tax proceeds to be deposited in the State School Trust Fund and used to supplement public education funding; providing for the distribution of the tax proceeds; providing penalties for a failure to timely pay the tax on slot-machine revenues; requiring that the Department of Revenue coordinate with the Division of Pari-mutuel Wagering in enforcement actions; requiring the division to adopt rules governing suppliers and operators of slot machines; providing that, except for the provisions of this act, ch. 849, F.S., does not apply to a licensed pari-mutuel facility in Broward County which qualifies under Section 23 of Article X of the State Constitution to operate slot machines, if specified conditions are met; providing an effective date.

1           WHEREAS, the voters of the State of Florida approved  
2 Section 23 of Article X of the State Constitution on November  
3 4, 2004, and

4           WHEREAS, Section 23 of Article X of the State  
5 Constitution allows the Legislature to regulate and tax the  
6 slot-machine proceeds to supplement funds for education, and

7           WHEREAS, the Florida Legislature desires to create a  
8 regulatory structure that provides for the taxation of  
9 slot-machine proceeds for the benefit of public education,

10 NOW, THEREFORE,

11  
12 Be It Enacted by the Legislature of the State of Florida:

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14           Section 1. Subsections (3) and (4) are added to  
15 section 849.16, Florida Statutes, to read:

16           849.16 Machines or devices which come within  
17 provisions of law defined.--

18           (3)(a) A licensed pari-mutuel facility that conducts  
19 slot machine gaming in Broward County, as authorized by s. 23,  
20 Art. X of the State Constitution, shall pay to the state a tax  
21 of 30 percent of slot-machine revenues for the purpose of  
22 supplementing public education funding. As used in this  
23 subsection, the term "slot-machine revenues" means the total  
24 of all cash and property received by the licensed pari-mutuel  
25 facility from slot machine gaming minus the amount of cash,  
26 cash equivalents, credits, and prizes paid to winners.

27           (b) The pari-mutuel facility shall remit the tax  
28 proceeds at the end of each month to the Department of Revenue  
29 in such a form and fashion as set forth by the department.  
30 The Department of Revenue shall adopt rules for collecting and  
31 auditing the tax proceeds remitted under this paragraph.

1           (c) The funds collected by the Department of Revenue  
2 under paragraph (b) shall be deposited in the State School  
3 Trust Fund for the purpose of supplementing public education  
4 funding. The revenues from slot machines which have been  
5 deposited into the trust fund shall be distributed to the  
6 counties annually through the General Appropriations Act as  
7 follows:

8           1. To offset the impact of slot machines, Broward  
9 County shall receive \$75 per full-time equivalent student  
10 enrolled within the county.

11           2. The slot-machine revenues that remain after the  
12 distribution authorized under subparagraph 1. shall be  
13 distributed in accordance with the Florida Education Finance  
14 Program as determined by the General Appropriations Act to all  
15 counties, including Broward County.

16           (d) The failure to timely pay the tax on slot-machine  
17 revenues shall subject the licensed permitholder to  
18 enforcement by the Division of Pari-mutuel Wagering and to  
19 penalties set forth in s. 550.0951. The Department of Revenue  
20 shall coordinate with the Division of Pari-mutuel Wagering in  
21 bringing an enforcement action under this paragraph.

22           (e) The Division of Pari-mutuel Wagering shall adopt  
23 rules governing licensure and regulation of the suppliers of  
24 slot machines to the authorized pari-mutuel facilities and of  
25 the operators of those slot machines.

26           (4) Except for subsection (3) and this subsection,  
27 this chapter may not be construed, interpreted, or applied to  
28 any licensed pari-mutuel facility in Broward County which  
29 qualifies under s. 23, Art. X of the State Constitution to  
30 operate slot machines if the pari-mutuel facility complies  
31 with the payment of taxes under this section.

1 Section 2. This act shall take effect upon becoming a  
2 law.

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5 SENATE SUMMARY

6 Imposes a tax on revenues from slot machines located in  
7 certain pari-mutuel facilities located in Broward County,  
8 as authorized by Section 23 of Article X of the State  
9 Constitution. Defines the term "slot-machine revenues."  
10 Provides for remitting the tax proceeds monthly to the  
11 Department of Revenue. Provides for rulemaking by the  
12 department. Requires that the tax proceeds be deposited  
13 in the State School Trust Fund and used to supplement  
14 public education funding. Provides for the distribution  
15 of the tax proceeds. Provides penalties for a failure to  
16 timely pay the tax on slot-machine revenues. Requires  
17 that the Department of Revenue coordinate with the  
18 Division of Pari-mutuel Wagering in enforcement actions.  
19 Requires the division to adopt rules governing suppliers  
20 and operators of slot machines. Provides that, except for  
21 the provisions created by this act, ch. 849, F.S., does  
22 not apply to a licensed pari-mutuel facility in Broward  
23 County which qualifies under Section 23 of Article X of  
24 the State Constitution to operate slot machines if  
25 specified conditions are met.  
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