

1 A bill to be entitled
 2 An act relating to greyhound racing permitholders;
 3 amending s. 550.002, F.S.; revising the definition of
 4 "full schedule of live racing or games" as it refers to
 5 greyhound permitholders under the Florida Pari-mutuel
 6 Wagering Act; providing for application to simulcast or
 7 intertrack wagering, slot machine gaming, and cardroom
 8 operations under specified provisions; amending s.
 9 550.054, F.S.; providing that no new greyhound racing
 10 permits shall be issued under specified provisions after a
 11 certain date; amending s. 550.0951, F.S.; revising
 12 provisions for transfer by a greyhound permitholder of
 13 specified tax credits or exemptions to another greyhound
 14 permitholder; requiring a certain number of live
 15 performances during a fiscal year; amending s. 849.086,
 16 F.S.; revising requirements for renewal of a cardroom
 17 license by a greyhound permitholder; providing an
 18 effective date.

19
 20 Be It Enacted by the Legislature of the State of Florida:

21
 22 Section 1. Subsection (11) of section 550.002, Florida
 23 Statutes, is amended to read:

24 550.002 Definitions.--As used in this chapter, the term:

25 (11) "Full schedule of live racing or games" means, for a
 26 greyhound permitholder, the conduct of no minimum number of live
 27 performances provided that the permitholder conducted a
 28 combination of at least 100 live evening or matinee performances

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29 per year for at least 5 years following December 31, 2002; for a
30 ~~or~~ jai alai permitholder, the conduct of a combination of at
31 least 100 live evening or matinee performances during the
32 preceding year; for a permitholder who has a converted permit or
33 filed an application on or before June 1, 1990, for a converted
34 permit, the conduct of a combination of at least 100 live
35 evening and matinee wagering performances during either of the 2
36 preceding years; for a jai alai permitholder who does not
37 operate slot machines in its pari-mutuel facility, who has
38 conducted at least 100 live performances per year for at least
39 10 years after December 31, 1992, and whose handle on live jai
40 alai games conducted at its pari-mutuel facility has been less
41 than \$4 million per state fiscal year for at least 2 consecutive
42 years after June 30, 1992, the conduct of a combination of at
43 least 40 live evening or matinee performances during the
44 preceding year; for a jai alai permitholder who operates slot
45 machines in its pari-mutuel facility, the conduct of a
46 combination of at least 150 performances during the preceding
47 year; for a harness permitholder, the conduct of at least 100
48 live regular wagering performances during the preceding year;
49 for a quarter horse permitholder, the conduct of at least 40
50 live regular wagering performances during the preceding year;
51 and for a thoroughbred permitholder, the conduct of at least 40
52 live regular wagering performances during the preceding year.
53 For a permitholder which is restricted by statute to certain
54 operating periods within the year when other members of its same
55 class of permit are authorized to operate throughout the year,
56 the specified number of live performances which constitute a

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57 full schedule of live racing or games shall be adjusted pro rata
58 in accordance with the relationship between its authorized
59 operating period and the full calendar year and the resulting
60 specified number of live performances shall constitute the full
61 schedule of live games for such permitholder and all other
62 permitholders of the same class within 100 air miles of such
63 permitholder. A live performance must consist of no fewer than
64 eight races or games conducted live for each of a minimum of
65 three performances each week at the permitholder's licensed
66 facility under a single admission charge. Notwithstanding any
67 other provision of law, a greyhound permitholder shall not be
68 required to run a minimum number of live performances of
69 greyhound racing in order to engage in the business of simulcast
70 or intertrack wagering pursuant to this chapter, slot machine
71 gaming pursuant to chapter 551, or cardroom operations pursuant
72 to s. 849.086, provided that such greyhound permitholder
73 conducted a combination of at least 100 live evening or matinee
74 performances per year for at least 5 years following December
75 31, 2002.

76 Section 2. Subsection (14) is added to section 550.054,
77 Florida Statutes, to read:

78 550.054 Application for permit to conduct pari-mutuel
79 wagering.--

80 (14) Notwithstanding any other provision of law, no new
81 greyhound racing permits shall be issued pursuant to this
82 chapter on or after January 1, 2009.

83 Section 3. Paragraph (b) of subsection (1) of section
84 550.0951, Florida Statutes, is amended to read:

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85 550.0951 Payment of daily license fee and taxes;
86 penalties.--

87 (1)

88 (b) Each permitholder that cannot utilize the full amount
89 of the exemption of \$360,000 or \$500,000 provided in s.
90 550.09514(1) or the daily license fee credit provided in this
91 section may, after notifying the division in writing and
92 provided that, if such permitholder is a greyhound permitholder,
93 the permitholder held a minimum of 100 live performances during
94 the course of the fiscal year, elect once per state fiscal year
95 on a form provided by the division to transfer such exemption or
96 credit or any portion thereof to any greyhound permitholder
97 which acts as a host track to such permitholder for the purpose
98 of intertrack wagering. Once an election to transfer such
99 exemption or credit is filed with the division, it shall not be
100 rescinded. The division shall disapprove the transfer when the
101 amount of the exemption or credit or portion thereof is
102 unavailable to the transferring permitholder or when the
103 permitholder who is entitled to transfer the exemption or credit
104 or who is entitled to receive the exemption or credit owes taxes
105 to the state pursuant to a deficiency letter or administrative
106 complaint issued by the division. Upon approval of the transfer
107 by the division, the transferred tax exemption or credit shall
108 be effective for the first performance of the next biweekly pay
109 period as specified in subsection (5). The exemption or credit
110 transferred to such host track may be applied by such host track
111 against any taxes imposed by this chapter or daily license fees
112 imposed by this chapter. The greyhound permitholder host track

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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113 | to which such exemption or credit is transferred shall reimburse
 114 | such permitholder the exact monetary value of such transferred
 115 | exemption or credit as actually applied against the taxes and
 116 | daily license fees of the host track. The division shall ensure
 117 | that all transfers of exemption or credit are made in accordance
 118 | with this subsection and shall have the authority to adopt rules
 119 | to ensure the implementation of this section.

120 | Section 4. Paragraph (b) of subsection (5) of section
 121 | 849.086, Florida Statutes, is amended to read:

122 | 849.086 Cardrooms authorized.--

123 | (5) LICENSE REQUIRED; APPLICATION; FEES.--No person may
 124 | operate a cardroom in this state unless such person holds a
 125 | valid cardroom license issued pursuant to this section.

126 | (b) After the initial cardroom license is granted, the
 127 | application for the annual license renewal shall be made in
 128 | conjunction with the applicant's annual application for its
 129 | pari-mutuel license. If a permitholder has operated a cardroom
 130 | during any of the 3 previous fiscal years and fails to include a
 131 | renewal request for the operation of the cardroom in its annual
 132 | application for license renewal, the permitholder may amend its
 133 | annual application to include operation of the cardroom. In
 134 | order for a cardroom license to be renewed if the applicant is
 135 | not a greyhound permitholder, the applicant must have requested,
 136 | as part of its pari-mutuel annual license application, to
 137 | conduct at least 90 percent of the total number of live
 138 | performances conducted by such permitholder during either the
 139 | state fiscal year in which its initial cardroom license was
 140 | issued or the state fiscal year immediately prior thereto. In

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141 order for a cardroom license to be renewed if the applicant is a
142 greyhound permitholder, the applicant must have conducted a
143 combination of at least 100 live evening or matinee performances
144 per year for at least 5 years following December 31, 2002. If
145 the application is for a harness permitholder cardroom, the
146 applicant must have requested authorization to conduct a minimum
147 of 140 live performances during the state fiscal year
148 immediately prior thereto. If more than one permitholder is
149 operating at a facility, each permitholder must have applied for
150 a license to conduct a full schedule of live racing.

151 Section 5. This act shall take effect July 1, 2009.