



709366

LEGISLATIVE ACTION

Senate	.	House
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Floor: WD/2R	.	
04/29/2011 02:56 PM	.	
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Senators Jones, Garcia, Latvala, Dockery, Ring, Norman, Diaz de la Portilla, and Lynn moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsections (11) and (25) of section 550.002,  
Florida Statutes, are amended to read:

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

(11) "Full schedule of live racing or games" means, for a greyhound or jai alai permitholder, the conduct of a combination of at least 100 live evening or matinee performances during the preceding year; for a permitholder who has a converted permit or filed an application on or before June 1, 1990, for a converted



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13 permit, the conduct of a combination of at least 100 live  
14 evening and matinee wagering performances during either of the 2  
15 preceding years; for a jai alai permitholder who does not  
16 operate slot machines in its pari-mutuel facility, who has  
17 conducted at least 100 live performances per year for at least  
18 10 years after December 31, 1992, and whose handle on live jai  
19 alai games conducted at its pari-mutuel facility has been less  
20 than \$4 million per state fiscal year for at least 2 consecutive  
21 years after June 30, 1992, the conduct of a combination of at  
22 least 40 live evening or matinee performances during the  
23 preceding year; for a jai alai permitholder who operates slot  
24 machines in its pari-mutuel facility, the conduct of a  
25 combination of at least 150 performances during the preceding  
26 year; for a harness permitholder, the conduct of at least 100  
27 live regular wagering performances during the preceding year;  
28 for a quarter horse permitholder at its facility unless an  
29 alternative schedule of at least 20 live regular wagering  
30 performances is agreed upon by the permitholder and either the  
31 Florida Quarter Horse Racing Association or the horsemen's  
32 association representing the majority of the quarter horse  
33 owners and trainers at the facility and filed with the division  
34 along with its annual date application, in the 2010-2011 fiscal  
35 year, the conduct of at least 20 regular wagering performances,  
36 in the 2011-2012 and 2012-2013 fiscal years, the conduct of at  
37 least 30 live regular wagering performances, and for every  
38 fiscal year after the 2012-2013 fiscal year, the conduct of at  
39 least 40 live regular wagering performances; for a quarter horse  
40 permitholder leasing another licensed racetrack, the conduct of  
41 160 events at the leased facility; and for a thoroughbred



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42 permitholder, the conduct of at least 40 live regular wagering  
43 performances during the preceding year. For a permitholder which  
44 is restricted by statute to certain operating periods within the  
45 year when other members of its same class of permit are  
46 authorized to operate throughout the year, the specified number  
47 of live performances which constitute a full schedule of live  
48 racing or games shall be adjusted pro rata in accordance with  
49 the relationship between its authorized operating period and the  
50 full calendar year and the resulting specified number of live  
51 performances shall constitute the full schedule of live games  
52 for such permitholder and all other permitholders of the same  
53 class within 100 air miles of such permitholder. A live  
54 performance must consist of no fewer than eight races or games  
55 conducted live for each of a minimum of three performances each  
56 week at the permitholder's licensed facility under a single  
57 admission charge. Notwithstanding any other provision of law,  
58 beginning with the 2011-2012 fiscal year, there shall be no  
59 minimum requirement of live performances for greyhound  
60 permitholders.

61 (25) "Performance" means a series of timed events, races,  
62 or games performed consecutively under a single admission  
63 charge.

64 Section 2. Subsection (1) of section 550.01215, Florida  
65 Statutes, is amended to read:

66 550.01215 License application; periods of operation; bond,  
67 conversion of permit.—

68 (1) Each permitholder shall annually, during the period  
69 between December 15 and January 4, file in writing with the  
70 division its application for a license to conduct pari-mutuel



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71 wagering activities ~~performances~~ during the next state fiscal  
72 year. Each application requesting live performances, if any,  
73 shall specify the number, dates, and starting times of all  
74 performances which the permitholder intends to conduct. It shall  
75 also specify which performances will be conducted as charity or  
76 scholarship performances. In addition, each application for a  
77 license shall include, for each permitholder which elects to  
78 operate a cardroom, the dates and periods of operation the  
79 permitholder intends to operate the cardroom or, for each  
80 thoroughbred permitholder which elects to receive or rebroadcast  
81 out-of-state races after 7 p.m., the dates for all performances  
82 which the permitholder intends to conduct. A greyhound  
83 permitholder may receive a license to conduct pari-mutuel  
84 wagering activities at a licensed greyhound facility pursuant to  
85 s. 550.475. ~~Permitholders may shall be entitled to~~ amend their  
86 applications through February 28 or, for applications by  
87 greyhound permitholders relating to the 2011-2012 fiscal year,  
88 through August 31, 2011.

89 Section 3. Paragraph (b) of subsection (14) of section  
90 550.054, Florida Statutes, is amended to read:

91 550.054 Application for permit to conduct pari-mutuel  
92 wagering.—

93 (14)

94 (b) The division, upon application from the holder of a jai  
95 alai permit meeting all conditions of this section, shall  
96 convert the permit and shall issue to the permitholder a permit  
97 to conduct greyhound racing. ~~A permitholder of a permit~~  
98 ~~converted under this section shall be required to apply for and~~  
99 ~~conduct a full schedule of live racing each fiscal year to be~~



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100 ~~eligible for any tax credit provided by this chapter.~~ The holder  
101 of a permit converted pursuant to this subsection or any holder  
102 of a permit to conduct greyhound racing located in a county in  
103 which it is the only permit issued pursuant to this section who  
104 operates at a leased facility pursuant to s. 550.475 may move  
105 the location for which the permit has been issued to another  
106 location within a 30-mile radius of the location fixed in the  
107 permit issued in that county, provided the move does not cross  
108 the county boundary and such location is approved under the  
109 zoning regulations of the county or municipality in which the  
110 permit is located, and upon such relocation may use the permit  
111 for the conduct of pari-mutuel wagering and the operation of a  
112 cardroom. The provisions of s. 550.6305(9)(d) and (f) shall  
113 apply to any permit converted under this subsection and shall  
114 continue to apply to any permit which was previously included  
115 under and subject to such provisions before a conversion  
116 pursuant to this section occurred.

117 Section 4. Subsection (1) and paragraph (c) of subsection  
118 (3) of section 550.0951, Florida Statutes, are amended to read:

119 550.0951 Payment of daily license fee and taxes;  
120 penalties.—

121 (1) (a) DAILY LICENSE FEE.—Each person engaged in the  
122 business of conducting race meetings or jai alai games under  
123 this chapter, hereinafter referred to as the "permitholder,"  
124 "licensee," or "permittee," shall pay to the division, for the  
125 use of the division, a daily license fee on each live or  
126 simulcast pari-mutuel event of \$100 for each horserace and \$80  
127 for each dograce and \$40 for each jai alai game conducted at a  
128 racetrack or fronton licensed under this chapter. In addition to



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129 the tax exemption specified in s. 550.09514(1) of \$360,000 or  
130 \$500,000 per greyhound permitholder per state fiscal year, each  
131 greyhound permitholder shall receive in the current state fiscal  
132 year a tax credit equal to the number of live greyhound races  
133 conducted in the previous state fiscal year times the daily  
134 license fee specified for each dograce in this subsection  
135 applicable for the previous state fiscal year. This tax credit  
136 and the exemption in s. 550.09514(1) shall be applicable to any  
137 tax imposed by this chapter or the daily license fees imposed by  
138 this chapter except during any charity or scholarship  
139 performances conducted pursuant to s. 550.0351. Each  
140 permitholder shall pay daily license fees not to exceed \$500 per  
141 day on any simulcast races or games on which such permitholder  
142 accepts wagers regardless of the number of out-of-state events  
143 taken or the number of out-of-state locations from which such  
144 events are taken. This license fee shall be deposited with the  
145 Chief Financial Officer to the credit of the Pari-mutuel  
146 Wagering Trust Fund.

147 (b) Each permitholder that cannot utilize the full amount  
148 of the exemption of \$360,000 or \$500,000 provided in s.  
149 550.09514(1) or the daily license fee credit provided in this  
150 section may, at any time after notifying the division in  
151 writing, ~~elect once per state fiscal year~~ on a form provided by  
152 the division, elect to transfer such exemption or credit or any  
153 portion thereof to any greyhound permitholder which acts as a  
154 host track to such permitholder for the purpose of intertrack  
155 wagering. Notwithstanding any other provision of law, the  
156 exemption of \$360,000 or \$500,000 provided in s. 550.09514(1),  
157 for each greyhound permitholder that does not conduct live



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158  racing shall be pooled for distribution to eligible greyhound  
159  permitholders in the current fiscal year and any portion of the  
160  exemptions provided in s. 550.09514(1) unused or not transferred  
161  by each greyhound permitholder that elects to conduct live  
162  racing shall be pooled for distribution to eligible greyhound  
163  permitholders in the following fiscal year. Each greyhound  
164  permitholder conducting at least 100 live performances of at  
165  least eight races during a fiscal year shall be eligible for an  
166  additional tax credit from the pool in an amount equal to the  
167  product of the respective permitholder's percentage share of  
168  live and intertrack wagering handle, excluding the live and  
169  intertrack wagering handle of permitholders that do not conduct  
170  live racing during the year in which the credits are distributed  
171  under subsection (3) during the preceding fiscal year and the  
172  total value of tax credits available in the pool. A greyhound  
173  permitholder conducting live racing shall use the credits  
174  provided in paragraph (a) and s. 550.1647 prior to the  
175  exemptions provided in s. 550.09514(1) for purposes of  
176  calculating the amount of unused exemptions. Once an election to  
177  transfer such exemption or credit is filed with the division, it  
178  shall not be rescinded. The division shall disapprove the  
179  transfer when the amount of the exemption or credit or portion  
180  thereof is unavailable to the transferring permitholder for any  
181  reason, including being unavailable because the transferring  
182  permitholder did not conduct at least 100 live performances of  
183  at least eight races during the fiscal year, or when the  
184  permitholder who is entitled to transfer the exemption or credit  
185  or who is entitled to receive the exemption or credit owes taxes  
186  to the state pursuant to a deficiency letter or administrative



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187 complaint issued by the division. Upon approval of the transfer  
188 by the division, the transferred tax exemption or credit shall  
189 be effective for the first performance of the next payment  
190 period as specified in subsection (5). The exemption or credit  
191 transferred to such host track may be applied by such host track  
192 against any taxes imposed by this chapter or daily license fees  
193 imposed by this chapter. The greyhound permitholder host track  
194 to which such exemption or credit is transferred shall reimburse  
195 such permitholder the exact monetary value of such transferred  
196 exemption or credit as actually applied against the taxes and  
197 daily license fees of the host track. The division shall ensure  
198 that all transfers of exemption or credit are made in accordance  
199 with this subsection and shall have the authority to adopt rules  
200 to ensure the implementation of this section.

201 (c) A greyhound permitholder that conducts at least 100  
202 live performances of at least eight races during each of the 5  
203 years after July 1, 2011; that subsequently elects to not  
204 conduct live racing; and that served as a host track for  
205 intertrack wagering in each of the 10 years preceding its  
206 election to not conduct live racing, or was converted pursuant  
207 to s. 550.054(14), is entitled to an annual tax credit for each  
208 year the greyhound permitholder conducted live racing after July  
209 1, 2011, not to exceed 10 years, in an amount equal to the  
210 average tax credit received by the greyhound permitholder  
211 pursuant to paragraph (b) during the 3 years preceding the  
212 greyhound permitholder's election to not conduct live racing.  
213 The tax credit provided under this paragraph shall be deducted  
214 from the pool pursuant to paragraph (b) and may be applied  
215 against any taxes or fees imposed by this chapter or any taxes





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216 or fees imposed by s. 849.086.

217 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on  
218 contributions to pari-mutuel pools, the aggregate of which is  
219 hereinafter referred to as "handle," on races or games conducted  
220 by the permitholder. The tax is imposed daily and is based on  
221 the total contributions to all pari-mutuel pools conducted  
222 during the daily performance. If a permitholder conducts more  
223 than one performance daily, the tax is imposed on each  
224 performance separately.

225 (c)1. The tax on handle for intertrack wagering is 2.0  
226 percent of the handle if the host track is a horse track, 3.3  
227 percent if the host track is a harness track, 5.5 percent if the  
228 host track is a dog track, and 7.1 percent if the host track is  
229 a jai alai fronton. The tax on handle for intertrack wagering is  
230 0.5 percent if the host track and the guest track are  
231 thoroughbred permitholders or if the guest track is located  
232 outside the market area of the host track and within the market  
233 area of a thoroughbred permitholder currently conducting a live  
234 race meet. The tax on handle for intertrack wagering on  
235 rebroadcasts of simulcast thoroughbred horseraces is 2.4 percent  
236 of the handle and 1.5 percent of the handle for intertrack  
237 wagering on rebroadcasts of simulcast harness horseraces. The  
238 tax shall be deposited into the Pari-mutuel Wagering Trust Fund.

239 2. The tax on handle for intertrack wagers accepted by any  
240 dog track located in an area of the state in which there are  
241 only three permitholders, all of which are greyhound  
242 permitholders, located in three contiguous counties, from any  
243 greyhound permitholder also located within such area or any dog  
244 track or jai alai fronton located as specified in s. 550.615(6)



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245 or (8) ~~(9)~~, on races or games received from the same class of  
246 permitholder located within the same market area is 3.9 percent  
247 if the host facility is a greyhound permitholder and, if the  
248 host facility is a jai alai permitholder, the rate shall be 6.1  
249 percent except that it shall be 2.3 percent on handle at such  
250 time as the total tax on intertrack handle paid to the division  
251 by the permitholder during the current state fiscal year exceeds  
252 the total tax on intertrack handle paid to the division by the  
253 permitholder during the 1992-1993 state fiscal year.

254 Section 5. Paragraphs (b), (c), and (e) of subsection (2)  
255 of section 550.09514, Florida Statutes, are amended to read:

256 550.09514 Greyhound dogracing taxes; purse requirements.-

257 (2)

258 (b) Except as otherwise set forth herein, in addition to  
259 the minimum purse percentage required by paragraph (a), each  
260 permitholder conducting live racing during a fiscal year shall  
261 pay as purses an annual amount equal to 75 percent of the daily  
262 license fees paid by each permitholder for the 1994-1995 fiscal  
263 year. This purse supplement shall be disbursed weekly during the  
264 permitholder's race meet in an amount determined by dividing the  
265 annual purse supplement by the number of performances approved  
266 for the permitholder pursuant to its annual license and  
267 multiplying that amount by the number of performances conducted  
268 each week. ~~For the greyhound permitholders in the county where~~  
269 ~~there are two greyhound permitholders located as specified in s.~~  
270 ~~550.615(6), such permitholders shall pay in the aggregate an~~  
271 ~~amount equal to 75 percent of the daily license fees paid by~~  
272 ~~such permitholders for the 1994-1995 fiscal year. These~~  
273 ~~permitholders shall be jointly and severally liable for such~~



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274 ~~purse payments.~~ The additional purses provided by this paragraph  
275 must be used exclusively for purses other than stakes. The  
276 division shall conduct audits necessary to ensure compliance  
277 with this section.

278 (c)1. Each greyhound permitholder when conducting at least  
279 three live performances during any week shall pay purses in that  
280 week on wagers it accepts as a guest track on intertrack and  
281 simulcast greyhound races at the same rate as it pays on live  
282 races. Each greyhound permitholder when conducting at least  
283 three live performances during any week shall pay purses in that  
284 week, at the same rate as it pays on live races, on wagers  
285 accepted on greyhound races at a guest track which is not  
286 conducting live racing and is located within the same market  
287 area as the greyhound permitholder conducting at least three  
288 live performances during any week.

289 2. Each host greyhound permitholder shall pay purses on its  
290 simulcast and intertrack broadcasts of greyhound races to guest  
291 facilities that are located outside its market area in an amount  
292 equal to one quarter of an amount determined by subtracting the  
293 transmission costs of sending the simulcast or intertrack  
294 broadcasts from an amount determined by adding the fees received  
295 for greyhound simulcast races plus 3 percent of the greyhound  
296 intertrack handle at guest facilities that are located outside  
297 the market area of the host and that paid contractual fees to  
298 the host for such broadcasts of greyhound races. For guest  
299 greyhound permitholders not conducting live racing during a  
300 fiscal year and not subject to the purse requirements in  
301 subparagraph 1., 3 percent of the greyhound intertrack handle  
302 shall be paid to the host greyhound permitholder for payment of



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303 purses at the host track.  
304 (e) In addition to the purse requirements of paragraphs  
305 (a)-(c), each greyhound permitholder shall pay as purses an  
306 amount equal to one-third of the amount of the tax reduction on  
307 live and simulcast handle applicable to such permitholder as a  
308 result of the reductions in tax rates provided ~~by this act~~  
309 through the amendments to s. 550.0951(3) in chapter 2000-354,  
310 Laws of Florida. With respect to intertrack wagering when the  
311 host and guest tracks are greyhound permitholders not within the  
312 same market area, an amount equal to the tax reduction  
313 applicable to the guest track handle as a result of the  
314 reduction in tax rates ~~rate~~ provided ~~by this act~~ through the  
315 amendments ~~amendment~~ to s. 550.0951(3) in chapter 2000-354, Laws  
316 of Florida, shall be distributed to the guest track, one-third  
317 of which amount shall be paid as purses at ~~the~~ guest tracks  
318 conducting live racing ~~track~~. However, if the guest track is a  
319 greyhound permitholder within the market area of the host or if  
320 the guest track is not a greyhound permitholder, an amount equal  
321 to such tax reduction applicable to the guest track handle shall  
322 be retained by the host track, one-third of which amount shall  
323 be paid as purses at the host track. These purse funds shall be  
324 disbursed in the week received if the permitholder conducts at  
325 least one live performance during that week. If the permitholder  
326 does not conduct at least one live performance during the week  
327 in which the purse funds are received, the purse funds shall be  
328 disbursed weekly during the permitholder's next race meet in an  
329 amount determined by dividing the purse amount by the number of  
330 performances approved for the permitholder pursuant to its  
331 annual license, and multiplying that amount by the number of



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332 performances conducted each week. The division shall conduct  
333 audits necessary to ensure compliance with this paragraph.

334 Section 6. Subsection (9) of section 550.105, Florida  
335 Statutes, is amended to read:

336 550.105 Occupational licenses of racetrack employees; fees;  
337 denial, suspension, and revocation of license; penalties and  
338 fines.—

339 (9) The tax imposed by this section is in lieu of all  
340 license, excise, or occupational taxes to the state or any  
341 county, municipality, or other political subdivision, except  
342 that, if a race meeting or game is held or conducted in a  
343 municipality, the municipality may assess and collect an  
344 additional tax against any person conducting live racing or  
345 games within its corporate limits, which tax may not exceed \$150  
346 per day for horseracing or \$50 per day for dogracing,  
347 simulcasts, intertrack wagering, cardroom games, or jai alai, up  
348 to the maximum of 100 days for dogracing facilities. This tax  
349 may be levied on simulcasts, intertrack wagering, and cardroom  
350 games only to the extent that the facility does not have an  
351 existing agreement with the municipality. Except as provided in  
352 this chapter, a municipality may not assess or collect any  
353 additional excise or revenue tax against any person conducting  
354 race meetings within the corporate limits of the municipality or  
355 against any patron of any such person.

356 Section 7. Subsection (1) of section 550.26165, Florida  
357 Statutes, is amended to read:

358 550.26165 Breeders' awards.—

359 (1) The purpose of this section is to encourage the  
360 agricultural activity of breeding and training racehorses in



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361 this state. Moneys dedicated in this chapter for use as  
362 breeders' awards and stallion awards are to be used for awards  
363 to breeders of registered Florida-bred horses winning horseraces  
364 and for similar awards to the owners of stallions who sired  
365 Florida-bred horses winning stakes races, if the stallions are  
366 registered as Florida stallions standing in this state. Such  
367 awards shall be given at a uniform rate to all winners of the  
368 awards, shall not be greater than 20 percent of the announced  
369 gross purse, and shall not be less than 15 percent of the  
370 announced gross purse if funds are available. In addition, no  
371 less than 17 percent nor more than 40 percent, as determined by  
372 the Florida Thoroughbred Breeders' Association, of the moneys  
373 dedicated in this chapter for use as breeders' awards and  
374 stallion awards for thoroughbreds shall be returned pro rata to  
375 the permitholders that generated the moneys for special racing  
376 awards to be distributed by the permitholders to owners of  
377 thoroughbred horses participating in prescribed thoroughbred  
378 stakes races, nonstakes races, or both, all in accordance with a  
379 written agreement establishing the rate, procedure, and  
380 eligibility requirements for such awards entered into by the  
381 permitholder, the Florida Thoroughbred Breeders' Association,  
382 and the Florida Horsemen's Benevolent and Protective  
383 Association, Inc., except that the plan for the distribution by  
384 any permitholder located in the area described in s. 550.615(8)  
385 ~~s. 550.615(9)~~ shall be agreed upon by that permitholder, the  
386 Florida Thoroughbred Breeders' Association, and the association  
387 representing a majority of the thoroughbred racehorse owners and  
388 trainers at that location. Awards for thoroughbred races are to  
389 be paid through the Florida Thoroughbred Breeders' Association,



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390 and awards for standardbred races are to be paid through the  
391 Florida Standardbred Breeders and Owners Association. Among  
392 other sources specified in this chapter, moneys for thoroughbred  
393 breeders' awards will come from the 0.955 percent of handle for  
394 thoroughbred races conducted, received, broadcast, or simulcast  
395 under this chapter as provided in s. 550.2625(3). The moneys for  
396 quarter horse and harness breeders' awards will come from the  
397 breaks and uncashed tickets on live quarter horse and harness  
398 racing performances and 1 percent of handle on intertrack  
399 wagering. The funds for these breeders' awards shall be paid to  
400 the respective breeders' associations by the permitholders  
401 conducting the races.

402 Section 8. Section 550.26352, Florida Statutes, is amended  
403 to read

404 550.26352 Breeders' Cup Meet; pools authorized; conflicts;  
405 taxes; credits; transmission of races; rules; application.-

406 (1) In order to support the long standing history and  
407 importance of Florida's thoroughbred industry and create  
408 incentives for continued job growth and economic development in  
409 this industry, the Legislature finds that the "Breeders' Cup  
410 World Championship of Horse Racing" is an important event that  
411 Florida should annually pursue as a host state. While Florida  
412 has been the host of the Breeders' Cup World Championship in the  
413 past, as of 2011 the Legislature finds that no thoroughbred  
414 track in this state presently meets the facility-related  
415 requirements of the sponsor of the Breeders' Cup World  
416 Championship. The Breeders' Cup World Championship is estimated  
417 to create tens of millions of dollars in economic development  
418 and sustain hundreds of jobs in the horse industry of the state



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419 that hosts the event. The Legislature finds that preserving the  
420 rich history of Florida's horse racing industry and fostering  
421 additional economic development and jobs in Florida's horse  
422 industry are public purposes worthy of providing the incentives  
423 provided to induce current horse racing permitholders to upgrade  
424 their facilities to accommodate the requirements of the  
425 Breeders' Cup World Championship so that the Breeders' Cup World  
426 Championship may return to Florida. In furtherance of these  
427 objectives, the Legislature hereby creates the Breeders' Cup  
428 Permit to be operated exclusively at a Florida racetrack venue  
429 capable of hosting the Breeders' Cup World Championship.

430 (2) (a) ~~(1)~~ Notwithstanding any provision of this chapter to  
431 the contrary, there is hereby created a special thoroughbred  
432 race meet which shall be designated as the "Breeders' Cup Meet."  
433 The Breeders' Cup Meet shall be conducted at the facility of the  
434 Florida permitholder selected by Breeders' Cup Limited to  
435 conduct the Breeders' Cup Meet. The Breeders' Cup Meet shall  
436 consist of 3 days: the day on which the Breeders' Cup races are  
437 conducted, the preceding day, and the subsequent day. Upon the  
438 selection of the Florida permitholder as host for the Breeders'  
439 Cup Meet and application by the selected permitholder, the  
440 division shall issue a license to the selected permitholder to  
441 operate the Breeders' Cup Meet. Notwithstanding s.  
442 550.09515(2) (a), the Breeders' Cup Meet may be conducted on  
443 dates which the selected permitholder is not otherwise  
444 authorized to conduct a race meet. The Breeders' Cup Meet shall  
445 commence on the day before the annual Breeders' Cup World  
446 Championship series of horse races are first conducted and shall  
447 continue through the Wednesday before the ensuing Thanksgiving





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448 Day.

449 (b) There is hereby created a thoroughbred horse racing  
450 permit designated as the "Breeders' Cup Permit" that shall  
451 authorize the holder to operate the Breeders' Cup Meet. In order  
452 to provide for consistency and certainty in the annual racing  
453 schedule, the Breeders' Cup Meet shall be conducted annually at  
454 the facility of the holder of the Breeders' Cup Permit  
455 irrespective of whether the annual Breeders' Cup World  
456 Championship series of horse races is conducted live at the  
457 facility of the holder of the Breeders' Cup Permit in any  
458 particular year. The holder of the Breeders' Cup Permit shall  
459 comply with the requirements of s. 550.01215 with regard to  
460 application for an annual license to conduct the Breeders' Cup  
461 Meet, which license shall be issued by the division as otherwise  
462 provided in s. 550.01215. The provisions of this chapter  
463 relating to referendum requirements for the issuance of a pari-  
464 mutuel permit or which otherwise impose mileage limitations on  
465 the location of a new pari-mutuel permit shall not apply to the  
466 permit created by this section, any contrary provision of law  
467 notwithstanding. The restrictions imposed by s. 550.5251(2)  
468 shall not apply to the holder of the Breeders' Cup Permit or any  
469 other thoroughbred permitholder within its market area.

470 (c) There shall be only one Breeders' Cup Permit authorized  
471 by this section. Applications for issuance of the Breeders' Cup  
472 Permit shall be filed with the division on or before September  
473 1, 2011. Any holder of a horseracing permit issued by the  
474 division is eligible to apply. If only one eligible applicant  
475 applies for the Breeders' Cup Permit, then the division shall  
476 issue the Permit to that applicant no later than October 1,



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477 2011. If more than one application is submitted seeking issue of  
478 the Breeders' Cup permit, then the division shall determine  
479 which applicant shall be issued the Breeders' Cup Permit. In  
480 making its determination, the division shall issue the Breeders'  
481 Cup Permit to the applicant demonstrating superior capabilities  
482 to conduct an international racing event of the magnitude of the  
483 Breeders' Cup World Championship, as measured by the  
484 demonstrated ability of the applicant's facility to accommodate  
485 attendance in excess of 30,000 patrons, the capacity to add  
486 additional seating to accommodate the average attendance at the  
487 prior 5 Breeders' Cup World Championship events, adequate  
488 parking lot capacity, superior facility characteristics such as  
489 quality of the racing surfaces and amenities for the patrons,  
490 the historical significance of the applicant in the  
491 establishment of the horse racing industry in Florida, and  
492 superior public transportation servicing the applicant's  
493 facility. The division shall make a final determination with  
494 regard to the competing applications on or before December 31,  
495 2011. However, if, on or before October 1, 2011, any of the  
496 applicants requests that the division's determination be  
497 postponed until June 1, 2012 in order to give that applicant an  
498 opportunity to make the capital improvements to its facility  
499 necessary to achieve an attendance capacity equal to the average  
500 attendance at the prior 5 Breeders' Cup World Championship  
501 events and to construct other capital improvements otherwise  
502 applicable to the stated criteria, and such request is supported  
503 by executed construction contracts to accomplish the  
504 improvements, then the division shall postpone its determination  
505 until June 1, 2012, by which date the division shall make its



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506 final determination.

507 (3)~~(2)~~ The permitholder conducting the Breeders' Cup Meet  
508 is specifically authorized to create pari-mutuel pools during  
509 the Breeders' Cup Meet by accepting pari-mutuel wagers on the  
510 ~~thoroughbred~~ horse races run during said meet.

511 (4)~~(3)~~ If the permitholder has been selected to conduct  
512 ~~conducting~~ the Breeders' Cup World Championship and Meet is  
513 located within 35 miles of one or more permitholders scheduled  
514 to conduct a thoroughbred race meet on any of the 2 ~~3~~ days of  
515 the Breeders' Cup World Championship, Meet, then operation on  
516 any of those 2 ~~3~~ days by the other permitholders is prohibited.  
517 As compensation for the loss of racing days caused thereby, such  
518 operating permitholders shall receive a credit against the taxes  
519 otherwise due and payable to the state under ss. 550.0951 and  
520 550.09515. This credit shall be in an amount equal to the  
521 operating loss determined to have been suffered by the operating  
522 permitholders as a result of not operating on the prohibited  
523 racing days, but shall not exceed a total of \$950,000. The  
524 determination of the amount to be credited shall be made by the  
525 division upon application by the operating permitholder. The tax  
526 credits provided in this subsection shall not be available  
527 unless an operating permitholder is required to close a bona  
528 fide meet consisting in part of no fewer than 10 scheduled  
529 performances in the 15 days immediately preceding or 10  
530 scheduled performances in the 15 days immediately following the  
531 Breeders' Cup World Championship Meet. Such tax credit shall be  
532 in lieu of any other compensation or consideration for the loss  
533 of racing days. There shall be no replacement or makeup of any  
534 lost racing days.



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535           (5)-(4) Notwithstanding any provision of ss. 550.0951 and  
536 550.09515, if the permitholder has been selected to conduct  
537 ~~conducting~~ the Breeders' Cup World Championship, Meet the  
538 Breeders' Cup permitholder shall pay no taxes on the handle  
539 included within the pari-mutuel pools of said permitholder for  
540 the day or days upon which the races sponsored by the Breeders'  
541 Cup World Championship are conducted live at the facility of the  
542 holder of during the Breeders' Cup Permit Meet.

543           (6)-(5) ~~If the~~ The permitholder is selected to conduct  
544 ~~conducting~~ the Breeders' Cup World Championship, Meet the  
545 permitholder shall receive a credit against the taxes otherwise  
546 due and payable to the state under ss. 550.0951 and 550.09515  
547 generated during the Breeders' Cup World Championship said  
548 ~~permitholder's next ensuing regular thoroughbred race meet.~~ This  
549 credit shall be in an amount not to exceed \$950,000 and shall be  
550 utilized by the permitholder to pay the purses offered by the  
551 permitholder during the Breeders' Cup World Championship Meet in  
552 excess of the purses which the permitholder is otherwise  
553 required by law to pay. The amount to be credited shall be  
554 determined by the division upon application of the permitholder  
555 which is subject to audit by the division.

556           (7)-(6) ~~If the~~ The permitholder is selected to conduct  
557 ~~conducting~~ the Breeders' Cup World Championship, Meet the  
558 permitholder shall receive a credit against the taxes otherwise  
559 due and payable to the state under ss. 550.0951 and 550.09515  
560 generated during the Breeders' Cup World Championship said  
561 ~~permitholder's next ensuing regular thoroughbred race meet.~~ This  
562 credit shall be in an amount not to exceed \$950,000 and shall be  
563 utilized by the permitholder for such capital improvements and



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564 extraordinary expenses as may be necessary for operation of the  
565 Breeders' Cup World Championship Meet. The amount to be credited  
566 shall be determined by the division upon application of the  
567 permitholder which is subject to audit by the division.

568 ~~(8)(7)~~ If the The permitholder is selected to conduct  
569 ~~conducting~~ the Breeders' Cup World Championship, Meet the  
570 permitholder shall be exempt from the payment of purses and  
571 other payments to horsemen on all on-track, intertrack,  
572 interstate, and international wagers or rights fees or payments  
573 arising therefrom for all races for which the purse is paid or  
574 supplied by Breeders' Cup World Championship Limited. The  
575 permitholder conducting the Breeders' Cup World Championship  
576 ~~Meet~~ shall not, however, be exempt from breeders' awards  
577 payments for on-track and intertrack wagers as provided in ss.  
578 550.2625(3) and 550.625(2) (a) for races in which the purse is  
579 paid or supplied by Breeders' Cup World Championship Limited.

580 ~~(9)(8)~~ (a) Pursuant to s. 550.3551(2), the permitholder  
581 conducting the Breeders' Cup World Championship Meet is  
582 authorized to transmit broadcasts of the races conducted during  
583 the Breeders' Cup World Championship Meet to locations outside  
584 of this state for wagering purposes. The division may approve  
585 broadcasts to pari-mutuel permitholders and other betting  
586 systems authorized under the laws of any other state or country.  
587 Wagers accepted by any out-of-state pari-mutuel permitholder or  
588 betting system on any races broadcast under this section may be,  
589 but are not required to be, commingled with the pari-mutuel  
590 pools of the permitholder conducting the Breeders' Cup World  
591 Championship Meet. The calculation of any payoff on national  
592 pari-mutuel pools with commingled wagers may be performed by the



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593 permitholder's totalisator contractor at a location outside of  
594 this state. Pool amounts from wagers placed at pari-mutuel  
595 facilities or other betting systems in foreign countries before  
596 being commingled with the pari-mutuel pool of the Florida  
597 permitholder conducting the Breeders' Cup World Championship  
598 ~~Meet~~ shall be calculated by the totalisator contractor and  
599 transferred to the commingled pool in United States currency in  
600 cycles customarily used by the permitholder. Pool amounts from  
601 wagers placed at any foreign pari-mutuel facility or other  
602 betting system shall not be commingled with a Florida pool until  
603 a determination is made by the division that the technology  
604 utilized by the totalisator contractor is adequate to assure  
605 commingled pools will result in the calculation of accurate  
606 payoffs to Florida bettors. Any totalisator contractor at a  
607 location outside of this state shall comply with the provisions  
608 of s. 550.495 relating to totalisator licensing.

609 (b) The permitholder conducting the Breeders' Cup Meet is  
610 authorized to transmit broadcasts of the races conducted during  
611 the Breeders' Cup Meet to other pari-mutuel facilities located  
612 in this state for wagering purposes; ~~however, the permitholder~~  
613 ~~conducting the Breeders' Cup Meet shall not be required to~~  
614 ~~transmit broadcasts to any pari-mutuel facility located within~~  
615 ~~25 miles of the facility at which the Breeders' Cup Meet is~~  
616 ~~conducted.~~

617 (c) The permitholder conducting the Breeders' Cup Meet and  
618 any other licensed thoroughbred permitholder within its market  
619 area is authorized at any time to receive broadcasts of the  
620 races from horse tracks located outside of this state for  
621 wagering purposes.



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622           ~~(10)-(9)~~ The ~~exemption from the~~ tax credits provided in  
623 subsections (4), (6), and (7) ~~(5) and (6)~~ shall not be granted and  
624 shall not be claimed by the affected permit holder until an audit  
625 is completed by the division. The division is required to  
626 complete the audit within 30 days of receipt of the necessary  
627 documentation from the permit holder to verify the permit holder's  
628 claim for tax credits. If the documentation submitted by the  
629 permit holder is incomplete or is insufficient to document the  
630 permit holder's claim for tax credits, the division may request  
631 such additional documentation as is necessary to complete the  
632 audit. Upon receipt of the division's written request for  
633 additional documentation, the 30-day time limitation will  
634 commence anew. The permit holder shall be entitled to apply the  
635 tax credits authorized in this section against the taxes  
636 otherwise due during the permit holder's next ensuing race meet  
637 or meets or other taxes otherwise payable by the permit holder to  
638 the division under chapters 550, 551, or 849, F.S., until the  
639 credit is fully applied.

640           ~~(11)-(10)~~ The division is authorized to adopt such rules as  
641 are necessary to facilitate the conduct of the Breeders' Cup  
642 Meet and Breeders' Cup World Championship events as authorized  
643 in this section. Included within this grant of authority shall  
644 be the adoption or waiver of rules regarding the overall conduct  
645 of racing during the Breeders' Cup World Championship Meet so as  
646 to ensure the integrity of the races, licensing for all  
647 participants, special stabling and training requirements for  
648 foreign horses, commingling of pari-mutuel pools, and audit  
649 requirements for tax credits and other benefits.

650           ~~(12)-(11)~~ Any dispute between the division and any



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651 permitholder regarding the tax credits authorized under  
652 subsections (4), (6), or (7) ~~(3), subsection (5), or subsection~~  
653 ~~(6)~~ shall be determined by a hearing officer of the Division of  
654 Administrative Hearings under the provisions of s. 120.57(1).

655 (13) Upon the issuance of the Breeders' Cup Permit, the  
656 permit shall not be subject to revocation, suspension, or  
657 escheatment, except as otherwise provided in this chapter for  
658 the revocation, suspension, or escheatment of thoroughbred  
659 permits generally.

660 (14) ~~(12)~~ The provisions of this section shall prevail over  
661 any conflicting provisions of this chapter.

662 Section 9. Section 550.475, Florida Statutes, is amended to  
663 read:

664 550.475 Lease of pari-mutuel facilities by pari-mutuel  
665 permitholders.—Holders of valid pari-mutuel permits for the  
666 conduct of any jai alai games, dogracing, or thoroughbred and  
667 standardbred horse racing in this state are entitled to lease  
668 any and all of their facilities to any other holder of a same  
669 class valid pari-mutuel permit for jai alai games, dogracing, or  
670 thoroughbred or standardbred horse racing, when located within a  
671 35-mile radius of each other; and such lessee is entitled to a  
672 ~~permit and~~ license to operate its race meet or jai alai games at  
673 the leased premises.

674 Section 10. Section 550.615, Florida Statutes, is amended  
675 to read:

676 550.615 Intertrack wagering.—

677 (1) Any horserace permitholder licensed under this chapter  
678 which has conducted a full schedule of live racing may, at any  
679 time, receive broadcasts of horseraces and accept wagers on





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680 horseraces conducted by horserace permitholders licensed under  
681 this chapter at its facility.

682 (2) A ~~Any~~ track or fronton licensed under this chapter  
683 which conducted a full schedule of live racing or games ~~which~~ in  
684 the preceding year, any greyhound permitholder that has held an  
685 annual license to conduct pari-mutuel wagering activities in  
686 each of the preceding 10 years, or any greyhound permitholder  
687 converted pursuant to s. 550.054(14) ~~conducted a full schedule~~  
688 ~~of live racing~~ is qualified to, at any time, receive broadcasts  
689 of any class of pari-mutuel race or game and accept wagers on  
690 such races or games conducted by any class of permitholders  
691 licensed under this chapter.

692 (3) If a permitholder elects to broadcast its signal to any  
693 permitholder in this state, any permitholder that is eligible to  
694 conduct intertrack wagering under the provisions of ss. 550.615-  
695 550.6345 is entitled to receive the broadcast and conduct  
696 intertrack wagering under this section; provided, however, that  
697 the host track may require a guest track within 25 miles of  
698 another permitholder to receive in any week at least 60 percent  
699 of the live races that the host track is making available on the  
700 days that the guest track is otherwise operating live races or  
701 games. A host track may require a guest track not operating live  
702 races or games and within 25 miles of another permitholder to  
703 accept within any week at least 60 percent of the live races  
704 that the host track is making available. A person may not  
705 restrain or attempt to restrain any permitholder that is  
706 otherwise authorized to conduct intertrack wagering from  
707 receiving the signal of any other permitholder or sending its  
708 signal to any permitholder.



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709 (4) In no event shall any intertrack wager be accepted on  
710 the same class of live races or games of any permitholder  
711 without the written consent of such operating permitholders  
712 conducting the same class of live races or games if the guest  
713 track is within the market area of such operating permitholder.  
714 A greyhound permitholder that accepts intertrack wagers on live  
715 greyhound signals is not required to obtain such written consent  
716 from any operating greyhound permitholder within its market  
717 area.

718 (5) No permitholder within the market area of the host  
719 track shall take an intertrack wager on the host track without  
720 the consent of the host track.

721 (6) Notwithstanding the provisions of subsection (3), in  
722 any area of the state where there are three or more horserace  
723 permitholders within 25 miles of each other, intertrack wagering  
724 between permitholders in said area of the state shall only be  
725 authorized under the following conditions: Any permitholder,  
726 other than a thoroughbred permitholder, may accept intertrack  
727 wagers on races or games conducted live by a permitholder of the  
728 same class or any harness permitholder located within such area  
729 and any harness permitholder may accept wagers on games  
730 conducted live by any jai alai permitholder located within its  
731 market area and from a jai alai permitholder located within the  
732 area specified in this subsection when no jai alai permitholder  
733 located within its market area is conducting live jai alai  
734 performances; any greyhound or jai alai permitholder may receive  
735 broadcasts of and accept wagers on any permitholder of the other  
736 class provided that a permitholder, other than the host track,  
737 of such other class is not operating a contemporaneous live



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738 performance within the market area.

739 ~~(7) In any county of the state where there are only two~~  
740 ~~permits, one for dogracing and one for jai alai, no intertrack~~  
741 ~~wager may be taken during the period of time when a permitholder~~  
742 ~~is not licensed to conduct live races or games without the~~  
743 ~~written consent of the other permitholder that is conducting~~  
744 ~~live races or games. However, if neither permitholder is~~  
745 ~~conducting live races or games, either permitholder may accept~~  
746 ~~intertrack wagers on horseraces or on the same class of races or~~  
747 ~~games, or on both horseraces and the same class of races or~~  
748 ~~games as is authorized by its permit.~~

749 ~~(7)(8) In any three contiguous counties of the state where~~  
750 ~~there are only three permitholders, all of which are greyhound~~  
751 ~~permitholders, If any greyhound permitholder leases the facility~~  
752 ~~of another greyhound permitholder for the purpose of conducting~~  
753 ~~all or any portion of ~~the conduct of~~ its live race meet pursuant~~  
754 ~~to s. 550.475, such lessee may conduct intertrack wagering at~~  
755 ~~its pre-lease permitted facility throughout the entire year,~~  
756 ~~including while its race live meet is being conducted at the~~  
757 ~~leased facility, if such permitholder has conducted a full~~  
758 ~~schedule of live racing during the preceding fiscal year at its~~  
759 ~~pre-lease permitted facility or at a leased facility, or~~  
760 ~~combination thereof.~~

761 ~~(8)(9) In any two contiguous counties of the state in which~~  
762 ~~there are located only four active permits, one for thoroughbred~~  
763 ~~horse racing, two for greyhound dogracing, and one for jai alai~~  
764 ~~games, no intertrack wager may be accepted on the same class of~~  
765 ~~live races or games of any permitholder without the written~~  
766 ~~consent of such operating permitholders conducting the same~~



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767 class of live races or games if the guest track is within the  
768 market area of such operating permitholder.

769 (9)~~(10)~~ All costs of receiving the transmission of the  
770 broadcasts shall be borne by the guest track; and all costs of  
771 sending the broadcasts shall be borne by the host track.

772 Section 11. Paragraph (g) of subsection (9) of section  
773 550.6305, Florida Statutes, is amended to read:

774 550.6305 Intertrack wagering; guest track payments;  
775 accounting rules.—

776 (9) A host track that has contracted with an out-of-state  
777 horse track to broadcast live races conducted at such out-of-  
778 state horse track pursuant to s. 550.3551(5) may broadcast such  
779 out-of-state races to any guest track and accept wagers thereon  
780 in the same manner as is provided in s. 550.3551.

781 (g)1. Any thoroughbred permitholder which accepts wagers on  
782 a simulcast signal must make the signal available to any  
783 permitholder that is eligible to conduct intertrack wagering  
784 under the provisions of ss. 550.615-550.6345.

785 2. Any thoroughbred permitholder which accepts wagers on a  
786 simulcast signal received after 6 p.m. must make such signal  
787 available to any permitholder that is eligible to conduct  
788 intertrack wagering under the provisions of ss. 550.615-  
789 550.6345, including any permitholder located as specified in s.  
790 550.615(6). Such guest permitholders are authorized to accept  
791 wagers on such simulcast signal, notwithstanding any other  
792 provision of this chapter to the contrary.

793 3. Any thoroughbred permitholder which accepts wagers on a  
794 simulcast signal received after 6 p.m. must make such signal  
795 available to any permitholder that is eligible to conduct



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796 intertrack wagering under the provisions of ss. 550.615-  
797 550.6345, including any permitholder located as specified in s.  
798 550.615(8) ~~s. 550.615(9)~~. Such guest permitholders are  
799 authorized to accept wagers on such simulcast signals for a  
800 number of performances not to exceed that which constitutes a  
801 full schedule of live races for a quarter horse permitholder  
802 pursuant to s. 550.002(11), notwithstanding any other provision  
803 of this chapter to the contrary, except that the restrictions  
804 provided in s. 550.615(8)(a) ~~s. 550.615(9)(a)~~ apply to wagers on  
805 such simulcast signals.

806  
807 No thoroughbred permitholder shall be required to continue to  
808 rebroadcast a simulcast signal to any in-state permitholder if  
809 the average per performance gross receipts returned to the host  
810 permitholder over the preceding 30-day period were less than  
811 \$100. Subject to the provisions of s. 550.615(4), as a condition  
812 of receiving rebroadcasts of thoroughbred simulcast signals  
813 under this paragraph, a guest permitholder must accept  
814 intertrack wagers on all live races conducted by all then-  
815 operating thoroughbred permitholders.

816 Section 12. Subsection (1) of section 550.6308, Florida  
817 Statutes, is amended to read:

818 550.6308 Limited intertrack wagering license.—In  
819 recognition of the economic importance of the thoroughbred  
820 breeding industry to this state, its positive impact on tourism,  
821 and of the importance of a permanent thoroughbred sales facility  
822 as a key focal point for the activities of the industry, a  
823 limited license to conduct intertrack wagering is established to  
824 ensure the continued viability and public interest in



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825 thoroughbred breeding in Florida.

826 (1) Upon application to the division on or before January  
827 31 of each year, any person that is licensed to conduct public  
828 sales of thoroughbred horses pursuant to s. 535.01, that has  
829 conducted at least 10 ~~15~~ days of thoroughbred horse sales at a  
830 permanent sales facility in this state for at least 3  
831 consecutive years, and that has conducted at least 1 day of  
832 nonwagering thoroughbred racing in this state, with a purse  
833 structure of at least \$250,000 per year for 2 consecutive years  
834 before such application, shall be issued a license, subject to  
835 the conditions set forth in this section, to conduct intertrack  
836 wagering at such a permanent sales facility during the following  
837 periods:

838 (a) Up to 21 days in connection with thoroughbred sales;

839 (b) Between November 1 and May 8;

840 (c) Between May 9 and October 31 at such times and on such  
841 days as any thoroughbred, jai alai, or a greyhound permitholder  
842 in the same county is not conducting live performances; provided  
843 that any such permitholder may waive this requirement, in whole  
844 or in part, and allow the licensee under this section to conduct  
845 intertrack wagering during one or more of the permitholder's  
846 live performances; and

847 (d) During the weekend of the Kentucky Derby, the  
848 Preakness, the Belmont, and a Breeders' Cup Meet that is  
849 conducted before November 1 and after May 8.

850  
851 No more than one such license may be issued, and no such license  
852 may be issued for a facility located within 50 miles of any  
853 track for which a thoroughbred permitholder's track has



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854 submitted a timely and valid application for a license to  
855 conduct live performances during the year, unless that  
856 permitholder consents to issuance of the license under this  
857 section.

858 Section 13. Subsection (3) of section 550.3345, Florida  
859 Statutes, is amended to read:

860 550.3345 Conversion of quarter horse permit to a limited  
861 thoroughbred permit.—

862 (3) Unless otherwise provided in this section, after  
863 conversion, the permit and the not-for-profit corporation shall  
864 be treated under the laws of this state as a thoroughbred permit  
865 and as a thoroughbred permitholder, respectively, with the  
866 exception of s. 550.09515(3); provided however, a full schedule  
867 of live racing for a not-for-profit thoroughbred permitholder  
868 shall be 5 live regular wagering performances.

869 Section 14. Subsection (2) of section 550.5251, Florida  
870 Statutes, is amended to read:

871 550.5251 Florida thoroughbred racing; certain permits;  
872 operating days.—

873 (2) A thoroughbred racing permitholder may not begin any  
874 race later than 9 7 p.m. Any thoroughbred permitholder in a  
875 county in which the authority for cardrooms has been approved by  
876 the board of county commissioners may operate a cardroom and,  
877 when conducting live races during its current race meet, may  
878 receive and rebroadcast out-of-state races ~~after the hour of 7~~  
879 ~~p.m. on any day during which the permitholder conducts live~~  
880 ~~races.~~

881 Section 15. Paragraph (c) of subsection (4) of section  
882 551.104, Florida Statutes, is amended to read:



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883 551.104 License to conduct slot machine gaming.-

884 (4) As a condition of licensure and to maintain continued  
885 authority for the conduct of slot machine gaming, the slot  
886 machine licensee shall:

887 (c) Conduct no fewer than a full schedule of live racing or  
888 games as defined in s. 550.002(11), except for holders of  
889 greyhound permits that do not have a live racing requirement. A  
890 permitholder's responsibility to conduct such number of live  
891 races or games shall be reduced by the number of races or games  
892 that could not be conducted due to the direct result of fire,  
893 war, hurricane, or other disaster or event beyond the control of  
894 the permitholder.

895 Section 16. Subsections (2) and (4) of section 551.114,  
896 Florida Statutes, are amended to read:

897 551.114 Slot machine gaming areas.-

898 (2) The slot machine licensee shall display pari-mutuel  
899 races or games within the designated slot machine gaming areas  
900 and offer patrons within the designated slot machine gaming  
901 areas the ability to engage in pari-mutuel wagering on any live,  
902 intertrack, and simulcast races conducted or offered to patrons  
903 of the licensed facility.

904 (4) Designated slot machine gaming areas may be located  
905 within the current live gaming facility or in an existing  
906 building that must be contiguous and connected to the live  
907 gaming facility, if applicable. If a designated slot machine  
908 gaming area is to be located in a building that is to be  
909 constructed, that new building must be contiguous and connected  
910 to the live gaming facility.

911 Section 17. Paragraphs (a) and (b) of subsection (5) and





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912 paragraph (d) of subsection (13) of section 849.086, Florida  
913 Statutes, are amended to read:

914 849.086 Cardrooms authorized.—

915 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may  
916 operate a cardroom in this state unless such person holds a  
917 valid cardroom license issued pursuant to this section.

918 (a) Only those persons holding a valid cardroom license  
919 issued by the division may operate a cardroom. A cardroom  
920 license may only be issued to a licensed pari-mutuel  
921 permitholder and an authorized cardroom may only be operated at  
922 the same facility at which the permitholder is authorized under  
923 its valid pari-mutuel wagering permit to conduct pari-mutuel  
924 wagering activities. An initial cardroom license shall be issued  
925 to a pari-mutuel permitholder only after its facilities are in  
926 place and after it conducts its first day of live racing or  
927 games or, for a greyhound permitholder, only after it has  
928 conducted a full schedule of live racing in each of the  
929 preceding 10 years or after it was converted pursuant to s.  
930 550.054(14). A new cardroom license may not be issued in an area  
931 unless the local government has approved of such activity within  
932 its boundaries in accordance with subsection (16).

933 (b) After the initial cardroom license is granted, the  
934 application for the annual license renewal shall be made in  
935 conjunction with the applicant's annual application for its  
936 pari-mutuel license. If a permitholder has operated a cardroom  
937 during any of the 3 previous fiscal years and fails to include a  
938 renewal request for the operation of the cardroom in its annual  
939 application for license renewal, the permitholder may amend its  
940 annual application to include operation of the cardroom. Except



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941 for greyhound permitholders, in order for a cardroom license to  
942 be renewed the applicant must have requested, as part of its  
943 pari-mutuel annual license application, to conduct at least 90  
944 percent of the total number of live performances conducted by  
945 such permitholder during either the state fiscal year in which  
946 its initial cardroom license was issued or the state fiscal year  
947 immediately prior thereto if the permitholder ran at least a  
948 full schedule of live racing or games in the prior year. If the  
949 application is for a thoroughbred permitholder, the applicant  
950 must have requested to conduct at least 80 percent of the total  
951 number of live performances conducted by such a permitholder in  
952 the 2010-2011 state fiscal year or a lesser amount which has  
953 been agreed upon in writing by both the Florida Thoroughbred  
954 Breeders' Association and the association representing a  
955 majority of the horse owners and trainers at the applicant's  
956 facility. If the application is for a harness permitholder  
957 cardroom, the applicant must have requested authorization to  
958 conduct a minimum of 140 live performances during the state  
959 fiscal year immediately prior thereto. If more than one  
960 permitholder is operating at a facility, each permitholder must  
961 have applied for a license to conduct a full schedule of live  
962 racing. However, a minimum number of requested or conducted live  
963 performances is not required for a greyhound permitholder to  
964 maintain or renew a cardroom license.

965 (13) TAXES AND OTHER PAYMENTS.—

966 (d)1. Each greyhound and jai alai permitholder that  
967 operates a cardroom facility shall use at least 4 percent of  
968 such permitholder's cardroom monthly gross receipts to  
969 supplement greyhound purses if live racing is conducted during a



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970 fiscal year, or jai alai prize money, respectively, during the  
971 permitholder's current or next ensuing pari-mutuel meet.

972 2. Each thoroughbred and harness horse racing permitholder  
973 that operates a cardroom facility shall use at least 50 percent  
974 of such permitholder's cardroom monthly net proceeds as follows:  
975 47 percent to supplement purses and 3 percent to supplement  
976 breeders' awards during the permitholder's next ensuing racing  
977 meet.

978 3. No cardroom license or renewal thereof shall be issued  
979 to an applicant holding a permit under chapter 550 to conduct  
980 pari-mutuel wagering meets of quarter horse racing unless the  
981 applicant has on file with the division a binding written  
982 agreement between the applicant and the Florida Quarter Horse  
983 Racing Association or the association representing a majority of  
984 the horse owners and trainers at the applicant's eligible  
985 facility, governing the payment of purses on live quarter horse  
986 races conducted at the licensee's pari-mutuel facility. The  
987 agreement governing purses may direct the payment of such purses  
988 from revenues generated by any wagering or gaming the applicant  
989 is authorized to conduct under Florida law. All purses shall be  
990 subject to the terms of chapter 550.

991 Section 18. The Office of Program Policy and Governmental  
992 Accountability shall conduct a study on advance deposit wagering  
993 on thoroughbred races. The purpose of the study is to determine  
994 the extent of advance deposit wagering activity originating in  
995 Florida and its impact, if any, on wagering activity at licensed  
996 pari-mutuel facilities in this state. The study shall determine  
997 the capacity of account wagering systems to identify the  
998 location of account holders when the system is accessed for



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999 wagering purposes; how many persons use advance deposit wagering  
1000 accounts to make advance deposit wagers originating in Florida;  
1001 how many of these accounts are ascribed to Florida residents;  
1002 how much money is wagered through these accounts on thoroughbred  
1003 aces conducted at Florida thoroughbred tracks and on  
1004 thoroughbred races conducted at racetracks in other  
1005 jurisdictions; and the impact of advance deposit wagering on  
1006 thoroughbred purses and breeders' awards in this state. The  
1007 Office of Program Policy and Governmental Accountability shall  
1008 report its findings to the Legislature no later than December  
1009 15, 2011.

1010 Section 19. This act shall take effect upon becoming a law.

1011

1012

1013 ===== T I T L E A M E N D M E N T =====

1014 And the title is amended as follows:

1015 Delete everything before the enacting clause  
1016 and insert:

1017 A bill to be entitled

1018 An act relating to pari-mutuel permitholders; amending  
1019 s. 550.002, F.S.; revising the definition of the term  
1020 "full schedule of live racing or games"; prohibiting a  
1021 minimum requirement of live performances for greyhound  
1022 permitholders; amending s. 550.01215, F.S.; revising  
1023 the requirements for an application for a license to  
1024 conduct performances; extending the period of time  
1025 allowed to amend certain applications; amending s.  
1026 550.054, F.S.; removing a requirement for holders of  
1027 certain converted permits to conduct a full schedule



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1028 of live racing to qualify for certain tax credits;  
1029 amending s. 550.0951, F.S.; revising provisions  
1030 relating to a transfer by a permitholder of a tax  
1031 exemption or license fee credit to a greyhound  
1032 permitholder; revising provisions relating to the tax  
1033 on handle for dogracing and intertrack wagering;  
1034 conforming a cross-reference; amending s. 550.09514,  
1035 F.S.; revising provisions relating to the purse  
1036 requirements for greyhound racing and for the payment  
1037 of purses; amending s. 550.105, F.S.; revising  
1038 provisions relating to municipal taxes for dogracing  
1039 facilities; amending s. 550.26165, F.S.; conforming a  
1040 cross-reference to changes made by the act; amending  
1041 s. 550.26352, F.S.; providing findings; revising  
1042 provisions regarding the Breeders' Cup World  
1043 Championship; creating a Breeders' Cup Permit;  
1044 providing for the application for the permit;  
1045 exempting the permit from certain provisions;  
1046 providing deadlines for the application; providing  
1047 criteria; clarifying certain tax credits for the  
1048 Breeders' Cup World Championship; providing for out-  
1049 of-state broadcasts of races; providing for  
1050 revocation, suspension, or escheatment of permit;  
1051 amending s. 550.475, F.S.; revising provisions  
1052 relating to the leasing of pari-mutuel facilities by  
1053 pari-mutuel permitholders; amending s. 550.615, F.S.;  
1054 revising provisions relating to intertrack wagering;  
1055 amending s. 550.6305, F.S.; conforming cross-  
1056 references; amending s. 550.6308, F.S.; revising



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1057 provisions relating to limited intertrack wagering  
1058 license; amending s. 550.5251, F.S.; revising  
1059 thoroughbred racing hours of operation; amending s.  
1060 551.104, F.S.; revising a condition of licensure for  
1061 the conduct of slot machine gaming; amending s.  
1062 551.114, F.S.; revising the requirements for  
1063 designated slot machine gaming areas; amending s.  
1064 849.086, F.S.; revising the requirements for initial  
1065 and renewal issuance of a cardroom license to a  
1066 greyhound permitholder; providing that a corresponding  
1067 pari-mutuel license application or a minimum number of  
1068 live performances is not required for a greyhound  
1069 permitholder to maintain or renew a cardroom license;  
1070 revising the requirements for renewal issuance of a  
1071 cardroom license to a thoroughbred permitholder;  
1072 providing for a study of advance deposit wagering on  
1073 thoroughbred races by the Office of Program Policy and  
1074 Governmental Accountability; providing an effective  
1075 date.