

1 A bill to be entitled
2 An act relating to greyhound racing; amending s. 550.002,
3 F.S., which defines the term "full schedule of live racing
4 or games"; providing that a greyhound permitholder shall
5 not be required to conduct a minimum number of live
6 performances; amending s. 550.01215, F.S.; revising
7 requirements for an application for a license to conduct
8 performances; extending the period of time allowed to
9 amend certain applications; amending s. 550.054, F.S.;
10 removing a requirement for holders of certain converted
11 permits to conduct a full schedule of live racing to
12 qualify for certain tax credits; amending s. 550.0951,
13 F.S.; revising provisions for transfer by a permitholder
14 of a tax exemption or license fee credit to a greyhound
15 permitholder; establishing a tax credit pool; providing
16 for use of credits in the pool; amending s. 550.09514,
17 F.S.; revising purse requirements for greyhound racing and
18 provisions for payment of purses; amending s. 550.475,
19 F.S., relating to lease of pari-mutuel facilities by pari-
20 mutuel permitholders; revising terminology to conform to
21 changes made by the act; amending s. 550.615, F.S.;
22 revising provisions for intertrack wagering; amending ss.
23 550.26165 and 550.6305, F.S.; conforming cross-references
24 to changes made by the act; amending s. 551.104, F.S.;
25 revising a condition of licensure for the conduct of slot
26 machine gaming; amending s. 551.114, F.S.; revising
27 requirements for designated slot machine gaming areas;
28 amending s. 849.086, F.S.; revising requirements for

29 initial and renewal issuance of a cardroom license to a
 30 greyhound permitholder; providing that a minimum number of
 31 requested or conducted live performances is not required
 32 in order for a greyhound permitholder to maintain or renew
 33 a cardroom license; providing an effective date.

34

35 Be It Enacted by the Legislature of the State of Florida:

36

37 Section 1. Subsection (11) of section 550.002, Florida
 38 Statutes, is amended to read:

39 550.002 Definitions.—As used in this chapter, the term:

40 (11) "Full schedule of live racing or games" means, for a
 41 greyhound or jai alai permitholder, the conduct of a combination
 42 of at least 100 live evening or matinee performances during the
 43 preceding year; for a permitholder who has a converted permit or
 44 filed an application on or before June 1, 1990, for a converted
 45 permit, the conduct of a combination of at least 100 live
 46 evening and matinee wagering performances during either of the 2
 47 preceding years; for a jai alai permitholder who does not
 48 operate slot machines in its pari-mutuel facility, who has
 49 conducted at least 100 live performances per year for at least
 50 10 years after December 31, 1992, and whose handle on live jai
 51 alai games conducted at its pari-mutuel facility has been less
 52 than \$4 million per state fiscal year for at least 2 consecutive
 53 years after June 30, 1992, the conduct of a combination of at
 54 least 40 live evening or matinee performances during the
 55 preceding year; for a jai alai permitholder who operates slot
 56 machines in its pari-mutuel facility, the conduct of a

CS/CS/HB 1145

2011

57 combination of at least 150 performances during the preceding
58 year; for a harness permitholder, the conduct of at least 100
59 live regular wagering performances during the preceding year;
60 for a quarter horse permitholder at its facility unless an
61 alternative schedule of at least 20 live regular wagering
62 performances is agreed upon by the permitholder and either the
63 Florida Quarter Horse Racing Association or the horsemen's
64 association representing the majority of the quarter horse
65 owners and trainers at the facility and filed with the division
66 along with its annual date application, in the 2010-2011 fiscal
67 year, the conduct of at least 20 regular wagering performances,
68 in the 2011-2012 and 2012-2013 fiscal years, the conduct of at
69 least 30 live regular wagering performances, and for every
70 fiscal year after the 2012-2013 fiscal year, the conduct of at
71 least 40 live regular wagering performances; for a quarter horse
72 permitholder leasing another licensed racetrack, the conduct of
73 160 events at the leased facility; and for a thoroughbred
74 permitholder, the conduct of at least 40 live regular wagering
75 performances during the preceding year. For a permitholder which
76 is restricted by statute to certain operating periods within the
77 year when other members of its same class of permit are
78 authorized to operate throughout the year, the specified number
79 of live performances which constitute a full schedule of live
80 racing or games shall be adjusted pro rata in accordance with
81 the relationship between its authorized operating period and the
82 full calendar year and the resulting specified number of live
83 performances shall constitute the full schedule of live games
84 for such permitholder and all other permitholders of the same

85 class within 100 air miles of such permitholder. A live
 86 performance must consist of no fewer than eight races or games
 87 conducted live for each of a minimum of three performances each
 88 week at the permitholder's licensed facility under a single
 89 admission charge. Notwithstanding any other provision of law,
 90 beginning with the 2011-2012 fiscal year, there shall be no
 91 minimum requirement of live performances for greyhound
 92 permitholders.

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

95 550.01215 License application; periods of operation; bond,
 96 conversion of permit.—

97 (1) Each permitholder shall annually, during the period
 98 between December 15 and January 4, file in writing with the
 99 division its application for a license to conduct pari-mutuel
 100 wagering activities ~~performances~~ during the next state fiscal
 101 year. Each application requesting live performances, if any,
 102 shall specify the number, dates, and starting times of all
 103 performances which the permitholder intends to conduct. It shall
 104 also specify which performances will be conducted as charity or
 105 scholarship performances. In addition, each application for a
 106 license shall include, for each permitholder which elects to
 107 operate a cardroom, the dates and periods of operation the
 108 permitholder intends to operate the cardroom or, for each
 109 thoroughbred permitholder which elects to receive or rebroadcast
 110 out-of-state races after 7 p.m., the dates for all performances
 111 which the permitholder intends to conduct. Permitholders may
 112 ~~shall be entitled to~~ amend their applications through February

113 28 or, for applications by greyhound permitholders relating to
 114 the 2011-2012 fiscal year, through August 31, 2011.

115 Section 3. Paragraph (b) of subsection (14) of section
 116 550.054, Florida Statutes, is amended to read:

117 550.054 Application for permit to conduct pari-mutuel
 118 wagering.—

119 (14)

120 (b) The division, upon application from the holder of a
 121 jai alai permit meeting all conditions of this section, shall
 122 convert the permit and shall issue to the permitholder a permit
 123 to conduct greyhound racing. ~~A permitholder of a permit~~
 124 ~~converted under this section shall be required to apply for and~~
 125 ~~conduct a full schedule of live racing each fiscal year to be~~
 126 ~~eligible for any tax credit provided by this chapter.~~ The holder
 127 of a permit converted pursuant to this subsection or any holder
 128 of a permit to conduct greyhound racing located in a county in
 129 which it is the only permit issued pursuant to this section who
 130 operates at a leased facility pursuant to s. 550.475 may move
 131 the location for which the permit has been issued to another
 132 location within a 30-mile radius of the location fixed in the
 133 permit issued in that county, provided the move does not cross
 134 the county boundary and such location is approved under the
 135 zoning regulations of the county or municipality in which the
 136 permit is located, and upon such relocation may use the permit
 137 for the conduct of pari-mutuel wagering and the operation of a
 138 cardroom. The provisions of s. 550.6305(9) (d) and (f) shall
 139 apply to any permit converted under this subsection and shall
 140 continue to apply to any permit which was previously included

CS/CS/HB 1145

2011

141 under and subject to such provisions before a conversion
 142 pursuant to this section occurred.

143 Section 4. Paragraph (b) of subsection (1) of section
 144 550.0951, Florida Statutes, is amended to read:

145 550.0951 Payment of daily license fee and taxes;
 146 penalties.—

147 (1)

148 (b) Each permitholder that cannot utilize the full amount
 149 of the exemption of \$360,000 or \$500,000 provided in s.
 150 550.0951(1) or the daily license fee credit provided in this
 151 section may, at any time after notifying the division in
 152 writing, ~~elect once per state fiscal year~~ on a form provided by
 153 the division, ~~to~~ transfer such exemption or credit or any
 154 portion thereof to any greyhound permitholder which acts as a
 155 host track to such permitholder for the purpose of intertrack
 156 wagering. Notwithstanding any other provision of law, the
 157 exemption of \$360,000 or \$500,000 under s. 550.0951(1) for each
 158 greyhound permitholder that conducted live racing before July 1,
 159 2011, but subsequently elects not to conduct live racing during
 160 a fiscal year shall be pooled, and each greyhound permitholder
 161 conducting a full schedule of live racing during a fiscal year
 162 is entitled to an additional tax credit in an amount equal to
 163 the product of the respective permitholder's percentage share of
 164 live and intertrack wagering handle under subsection (3) during
 165 the preceding fiscal year and the total value of tax credits
 166 available in the pool. Once an election to transfer such
 167 exemption or credit is filed with the division, it shall not be
 168 rescinded. The division shall disapprove the transfer when the

CS/CS/HB 1145

2011

169 amount of the exemption or credit or portion thereof is
170 unavailable to the transferring permitholder for any reason,
171 including being unavailable because the transferring
172 permitholder did not conduct at least 100 live performances of
173 at least eight races during the fiscal year, or when the
174 permitholder who is entitled to transfer the exemption or credit
175 or who is entitled to receive the exemption or credit owes taxes
176 to the state pursuant to a deficiency letter or administrative
177 complaint issued by the division. Upon approval of the transfer
178 by the division, the transferred tax exemption or credit shall
179 be effective for the first performance of the next payment
180 period as specified in subsection (5). The exemption or credit
181 transferred to such host track may be applied by such host track
182 against any taxes imposed by this chapter or daily license fees
183 imposed by this chapter. The greyhound permitholder host track
184 to which such exemption or credit is transferred shall reimburse
185 such permitholder the exact monetary value of such transferred
186 exemption or credit as actually applied against the taxes and
187 daily license fees of the host track. The division shall ensure
188 that all transfers of exemption or credit are made in accordance
189 with this subsection and shall have the authority to adopt rules
190 to ensure the implementation of this section.

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

193 550.09514 Greyhound dogracing taxes; purse requirements.-

194 (2)

195 (b) Except as otherwise set forth herein, in addition to
196 the minimum purse percentage required by paragraph (a), each

197 | permitholder conducting live racing during a fiscal year shall
 198 | pay as purses an annual amount equal to 75 percent of the daily
 199 | license fees paid by each permitholder for the 1994-1995 fiscal
 200 | year. This purse supplement shall be disbursed weekly during the
 201 | permitholder's race meet in an amount determined by dividing the
 202 | annual purse supplement by the number of performances approved
 203 | for the permitholder pursuant to its annual license and
 204 | multiplying that amount by the number of performances conducted
 205 | each week. ~~For the greyhound permitholders in the county where~~
 206 | ~~there are two greyhound permitholders located as specified in s.~~
 207 | ~~550.615(6), such permitholders shall pay in the aggregate an~~
 208 | ~~amount equal to 75 percent of the daily license fees paid by~~
 209 | ~~such permitholders for the 1994-1995 fiscal year. These~~
 210 | ~~permitholders shall be jointly and severally liable for such~~
 211 | ~~purse payments.~~ The additional purses provided by this paragraph
 212 | must be used exclusively for purses other than stakes. The
 213 | division shall conduct audits necessary to ensure compliance
 214 | with this section.

215 | (c)1. Each greyhound permitholder when conducting at least
 216 | three live performances during any week shall pay purses in that
 217 | week on wagers it accepts as a guest track on intertrack and
 218 | simulcast greyhound races at the same rate as it pays on live
 219 | races. Each greyhound permitholder when conducting at least
 220 | three live performances during any week shall pay purses in that
 221 | week, at the same rate as it pays on live races, on wagers
 222 | accepted on greyhound races at a guest track which is not
 223 | conducting live racing and is located within the same market
 224 | area as the greyhound permitholder conducting at least three

225 | live performances during any week.

226 | 2. Each host greyhound permitholder shall pay purses on
 227 | its simulcast and intertrack broadcasts of greyhound races to
 228 | guest facilities that are located outside its market area in an
 229 | amount equal to one quarter of an amount determined by
 230 | subtracting the transmission costs of sending the simulcast or
 231 | intertrack broadcasts from an amount determined by adding the
 232 | fees received for greyhound simulcast races plus 3 percent of
 233 | the greyhound intertrack handle at guest facilities that are
 234 | located outside the market area of the host and that paid
 235 | contractual fees to the host for such broadcasts of greyhound
 236 | races. For guest greyhound permitholders not conducting live
 237 | racing during a fiscal year and not subject to the purse
 238 | requirements of subparagraph 1., 3 percent of the greyhound
 239 | intertrack handle shall be paid to the host greyhound
 240 | permitholder for payment of purses at the host track.

241 | (e) In addition to the purse requirements of paragraphs
 242 | (a)-(c), each greyhound permitholder shall pay as purses an
 243 | amount equal to one-third of the amount of the tax reduction on
 244 | live and simulcast handle applicable to such permitholder as a
 245 | result of the reductions in tax rates provided ~~by this act~~
 246 | through the amendments to s. 550.0951(3) by chapter 2000-354,
 247 | Laws of Florida. With respect to intertrack wagering when the
 248 | host and guest tracks are greyhound permitholders not within the
 249 | same market area, an amount equal to the tax reduction
 250 | applicable to the guest track handle as a result of the
 251 | reduction in tax rates ~~rate~~ provided ~~by this act~~ through the
 252 | amendments ~~amendment~~ to s. 550.0951(3) by chapter 2000-354, Laws

253 of Florida, shall be distributed to the guest track, one-third
 254 of which amount shall be paid as purses at those guest tracks
 255 conducting live racing ~~the guest track~~. However, if the guest
 256 track is a greyhound permitholder within the market area of the
 257 host or if the guest track is not a greyhound permitholder, an
 258 amount equal to such tax reduction applicable to the guest track
 259 handle shall be retained by the host track, one-third of which
 260 amount shall be paid as purses at the host track. These purse
 261 funds shall be disbursed in the week received if the
 262 permitholder conducts at least one live performance during that
 263 week. If the permitholder does not conduct at least one live
 264 performance during the week in which the purse funds are
 265 received, the purse funds shall be disbursed weekly during the
 266 permitholder's next race meet in an amount determined by
 267 dividing the purse amount by the number of performances approved
 268 for the permitholder pursuant to its annual license, and
 269 multiplying that amount by the number of performances conducted
 270 each week. The division shall conduct audits necessary to ensure
 271 compliance with this paragraph.

272 Section 6. Subsection (1) of section 550.26165, Florida
 273 Statutes, is amended to read:

274 550.26165 Breeders' awards.—

275 (1) The purpose of this section is to encourage the
 276 agricultural activity of breeding and training racehorses in
 277 this state. Moneys dedicated in this chapter for use as
 278 breeders' awards and stallion awards are to be used for awards
 279 to breeders of registered Florida-bred horses winning horseraces
 280 and for similar awards to the owners of stallions who sired

CS/CS/HB 1145

2011

281 Florida-bred horses winning stakes races, if the stallions are
282 registered as Florida stallions standing in this state. Such
283 awards shall be given at a uniform rate to all winners of the
284 awards, shall not be greater than 20 percent of the announced
285 gross purse, and shall not be less than 15 percent of the
286 announced gross purse if funds are available. In addition, no
287 less than 17 percent nor more than 40 percent, as determined by
288 the Florida Thoroughbred Breeders' Association, of the moneys
289 dedicated in this chapter for use as breeders' awards and
290 stallion awards for thoroughbreds shall be returned pro rata to
291 the permitholders that generated the moneys for special racing
292 awards to be distributed by the permitholders to owners of
293 thoroughbred horses participating in prescribed thoroughbred
294 stakes races, nonstakes races, or both, all in accordance with a
295 written agreement establishing the rate, procedure, and
296 eligibility requirements for such awards entered into by the
297 permitholder, the Florida Thoroughbred Breeders' Association,
298 and the Florida Horsemen's Benevolent and Protective
299 Association, Inc., except that the plan for the distribution by
300 any permitholder located in the area described in s.
301 550.615(8) ~~(9)~~ shall be agreed upon by that permitholder, the
302 Florida Thoroughbred Breeders' Association, and the association
303 representing a majority of the thoroughbred racehorse owners and
304 trainers at that location. Awards for thoroughbred races are to
305 be paid through the Florida Thoroughbred Breeders' Association,
306 and awards for standardbred races are to be paid through the
307 Florida Standardbred Breeders and Owners Association. Among
308 other sources specified in this chapter, moneys for thoroughbred

CS/CS/HB 1145

2011

309 breeders' awards will come from the 0.955 percent of handle for
 310 thoroughbred races conducted, received, broadcast, or simulcast
 311 under this chapter as provided in s. 550.2625(3). The moneys for
 312 quarter horse and harness breeders' awards will come from the
 313 breaks and uncashed tickets on live quarter horse and harness
 314 racing performances and 1 percent of handle on intertrack
 315 wagering. The funds for these breeders' awards shall be paid to
 316 the respective breeders' associations by the permitholders
 317 conducting the races.

318 Section 7. Section 550.475, Florida Statutes, is amended
 319 to read:

320 550.475 Lease of pari-mutuel facilities by pari-mutuel
 321 permitholders.—Holders of valid pari-mutuel permits for the
 322 conduct of any jai alai games, dogracing, or thoroughbred and
 323 standardbred horse racing in this state are entitled to lease
 324 any and all of their facilities to any other holder of a same
 325 class valid pari-mutuel permit for jai alai games, dogracing, or
 326 thoroughbred or standardbred horse racing, when located within a
 327 35-mile radius of each other; and such lessee is entitled to a
 328 permit and license to operate its pari-mutuel wagering
 329 activities ~~race meet~~ or jai alai games at the leased premises.

330 Section 8. Section 550.615, Florida Statutes, is amended
 331 to read:

332 550.615 Intertrack wagering.—

333 (1) Any horserace permitholder licensed under this chapter
 334 which has conducted a full schedule of live racing may, at any
 335 time, receive broadcasts of horseraces and accept wagers on
 336 horseraces conducted by horserace permitholders licensed under

337 | this chapter at its facility.

338 | (2) A ~~Any~~ track or fronton licensed under this chapter
339 | that conducted a full schedule of live racing or games which in
340 | the preceding year, or any greyhound permitholder that has held
341 | an annual license to conduct pari-mutuel wagering activities in
342 | each of the preceding 10 years or was converted pursuant to s.
343 | 550.054(14), ~~conducted a full schedule of live racing~~ is
344 | qualified to, at any time, receive broadcasts of any class of
345 | pari-mutuel race or game and accept wagers on such races or
346 | games conducted by any class of permitholders licensed under
347 | this chapter.

348 | (3) If a permitholder elects to broadcast its signal to
349 | any permitholder in this state, any permitholder that is
350 | eligible to conduct intertrack wagering under the provisions of
351 | ss. 550.615-550.6345 is entitled to receive the broadcast and
352 | conduct intertrack wagering under this section; provided,
353 | however, that the host track may require a guest track within 25
354 | miles of another permitholder to receive in any week at least 60
355 | percent of the live races that the host track is making
356 | available on the days that the guest track is otherwise
357 | operating live races or games. A host track may require a guest
358 | track not operating live races or games and within 25 miles of
359 | another permitholder to accept within any week at least 60
360 | percent of the live races that the host track is making
361 | available. A person may not restrain or attempt to restrain any
362 | permitholder that is otherwise authorized to conduct intertrack
363 | wagering from receiving the signal of any other permitholder or
364 | sending its signal to any permitholder.

365 (4) In no event shall any intertrack wager be accepted on
366 the same class of live races or games of any permitholder
367 without the written consent of such operating permitholders
368 conducting the same class of live races or games if the guest
369 track is within the market area of such operating permitholder.
370 A greyhound permitholder situated in an area described in
371 subsection (6) that accepts intertrack wagers on live greyhound
372 signals is not required to obtain the written consent required
373 by this subsection from any operating greyhound permitholder
374 within its market area.

375 (5) No permitholder within the market area of the host
376 track shall take an intertrack wager on the host track without
377 the consent of the host track.

378 (6) Notwithstanding the provisions of subsection (3), in
379 any area of the state where there are three or more horserace
380 permitholders within 25 miles of each other, intertrack wagering
381 between permitholders in said area of the state shall only be
382 authorized under the following conditions: Any permitholder,
383 other than a thoroughbred permitholder, may accept intertrack
384 wagers on races or games conducted live by a permitholder of the
385 same class or any harness permitholder located within such area
386 and any harness permitholder may accept wagers on games
387 conducted live by any jai alai permitholder located within its
388 market area and from a jai alai permitholder located within the
389 area specified in this subsection when no jai alai permitholder
390 located within its market area is conducting live jai alai
391 performances; any greyhound or jai alai permitholder may receive
392 broadcasts of and accept wagers on any permitholder of the other

393 class provided that a permitholder, other than the host track,
 394 of such other class is not operating a contemporaneous live
 395 performance within the market area.

396 ~~(7) In any county of the state where there are only two~~
 397 ~~permits, one for dogracing and one for jai alai, no intertrack~~
 398 ~~wager may be taken during the period of time when a permitholder~~
 399 ~~is not licensed to conduct live races or games without the~~
 400 ~~written consent of the other permitholder that is conducting~~
 401 ~~live races or games. However, if neither permitholder is~~
 402 ~~conducting live races or games, either permitholder may accept~~
 403 ~~intertrack wagers on horseraces or on the same class of races or~~
 404 ~~games, or on both horseraces and the same class of races or~~
 405 ~~games as is authorized by its permit.~~

406 ~~(7)(8) In any three contiguous counties of the state where~~
 407 ~~there are only three permitholders, all of which are greyhound~~
 408 ~~permitholders, If any greyhound permitholder leases the facility~~
 409 ~~of another greyhound permitholder for the purpose of conducting~~
 410 ~~all or any portion of ~~the conduct of~~ its live race meet pursuant~~
 411 ~~to s. 550.475, such lessee may conduct intertrack wagering at~~
 412 ~~its pre-lease permitted facility throughout the entire year,~~
 413 ~~including while its race live meet is being conducted at the~~
 414 ~~leased facility, if such permitholder has conducted a full~~
 415 ~~schedule of live racing during the preceding fiscal year at its~~
 416 ~~pre-lease permitted facility or at a leased facility, or~~
 417 ~~combination thereof.~~

418 ~~(8)(9) In any two contiguous counties of the state in~~
 419 ~~which there are located only four active permits, one for~~
 420 ~~thoroughbred horse racing, two for greyhound dogracing, and one~~

CS/CS/HB 1145

2011

421 for jai alai games, no intertrack wager may be accepted on the
422 same class of live races or games of any permitholder without
423 the written consent of such operating permitholders conducting
424 the same class of live races or games if the guest track is
425 within the market area of such operating permitholder.

426 (9)~~(10)~~ All costs of receiving the transmission of the
427 broadcasts shall be borne by the guest track; and all costs of
428 sending the broadcasts shall be borne by the host track.

429 Section 9. Paragraph (g) of subsection (9) of section
430 550.6305, Florida Statutes, is amended to read:

431 550.6305 Intertrack wagering; guest track payments;
432 accounting rules.—

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

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

442 2. Any thoroughbred permitholder which accepts wagers on a
443 simulcast signal received after 6 p.m. must make such signal
444 available to any permitholder that is eligible to conduct
445 intertrack wagering under the provisions of ss. 550.615-
446 550.6345, including any permitholder located as specified in s.
447 550.615(6). Such guest permitholders are authorized to accept
448 wagers on such simulcast signal, notwithstanding any other

449 provision of this chapter to the contrary.

450 3. Any thoroughbred permitholder which accepts wagers on a
451 simulcast signal received after 6 p.m. must make such signal
452 available to any permitholder that is eligible to conduct
453 intertrack wagering under the provisions of ss. 550.615-
454 550.6345, including any permitholder located as specified in s.
455 550.615(8)~~(9)~~. Such guest permitholders are authorized to accept
456 wagers on such simulcast signals for a number of performances
457 not to exceed that which constitutes a full schedule of live
458 races for a quarter horse permitholder pursuant to s.
459 550.002(11), notwithstanding any other provision of this chapter
460 to the contrary, except that the restrictions provided in s.
461 550.615(8)~~(9)~~(a) apply to wagers on such simulcast signals.

462
463 No thoroughbred permitholder shall be required to continue to
464 rebroadcast a simulcast signal to any in-state permitholder if
465 the average per performance gross receipts returned to the host
466 permitholder over the preceding 30-day period were less than
467 \$100. Subject to the provisions of s. 550.615(4), as a condition
468 of receiving rebroadcasts of thoroughbred simulcast signals
469 under this paragraph, a guest permitholder must accept
470 intertrack wagers on all live races conducted by all then-
471 operating thoroughbred permitholders.

472 Section 10. Paragraph (c) of subsection (4) of section
473 551.104, Florida Statutes, is amended to read:

474 551.104 License to conduct slot machine gaming.—

475 (4) As a condition of licensure and to maintain continued
476 authority for the conduct of slot machine gaming, the slot

477 machine licensee shall:

478 (c) Conduct no fewer than a full schedule of live racing
 479 or games as defined in s. 550.002(11), except for holders of
 480 greyhound permits, which have no live racing requirement. A
 481 permitholder's responsibility to conduct such number of live
 482 races or games shall be reduced by the number of races or games
 483 that could not be conducted due to the direct result of fire,
 484 war, hurricane, or other disaster or event beyond the control of
 485 the permitholder.

486 Section 11. Subsections (2) and (4) of section 551.114,
 487 Florida Statutes, are amended to read:

488 551.114 Slot machine gaming areas.—

489 (2) The slot machine licensee shall display pari-mutuel
 490 races or games within the designated slot machine gaming areas
 491 and offer patrons within the designated slot machine gaming
 492 areas the ability to engage in pari-mutuel wagering on any live,
 493 intertrack, and simulcast races conducted or offered to patrons
 494 of the licensed facility.

495 (4) Designated slot machine gaming areas may be located
 496 within the current live gaming facility or in an existing
 497 building that must be contiguous and connected to the live
 498 gaming facility, if applicable. If a designated slot machine
 499 gaming area is to be located in a building that is to be
 500 constructed, that new building must be contiguous and connected
 501 to the live gaming facility.

502 Section 12. Paragraphs (a) and (b) of subsection (5) and
 503 paragraph (d) of subsection (13) of section 849.086, Florida
 504 Statutes, are amended to read:

505 849.086 Cardrooms authorized.—

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

509 (a) Only those persons holding a valid cardroom license
510 issued by the division may operate a cardroom. A cardroom
511 license may only be issued to a licensed pari-mutuel
512 permitholder and an authorized cardroom may only be operated at
513 the same facility at which the permitholder is authorized under
514 its valid pari-mutuel wagering permit to conduct pari-mutuel
515 wagering activities. An initial cardroom license shall be issued
516 to a pari-mutuel permitholder only after its facilities are in
517 place and after it conducts its first day of live racing or
518 games or, for a greyhound permitholder, only after it has
519 conducted a full schedule of live racing in each of the
520 preceding 10 years or after it was converted pursuant to s.
521 550.054(14).

522 (b) After the initial cardroom license is granted, the
523 application for the annual license renewal shall be made in
524 conjunction with the applicant's annual application for its
525 pari-mutuel license. If a permitholder has operated a cardroom
526 during any of the 3 previous fiscal years and fails to include a
527 renewal request for the operation of the cardroom in its annual
528 application for license renewal, the permitholder may amend its
529 annual application to include operation of the cardroom. Except
530 for greyhound permitholders, in order for a cardroom license to
531 be renewed the applicant must have requested, as part of its
532 pari-mutuel annual license application, to conduct at least 90

CS/CS/HB 1145

2011

533 percent of the total number of live performances conducted by
 534 such permitholder during either the state fiscal year in which
 535 its initial cardroom license was issued or the state fiscal year
 536 immediately prior thereto if the permitholder ran at least a
 537 full schedule of live racing or games in the prior year. If the
 538 application is for a harness permitholder cardroom, the
 539 applicant must have requested authorization to conduct a minimum
 540 of 140 live performances during the state fiscal year
 541 immediately prior thereto. If more than one permitholder is
 542 operating at a facility, each permitholder must have applied for
 543 a license to conduct a full schedule of live racing. However, a
 544 minimum number of requested or conducted live performances is
 545 not required in order for a greyhound permitholder to maintain
 546 or renew a cardroom license.

547 (13) TAXES AND OTHER PAYMENTS.—

548 (d)1. Each greyhound and jai alai permitholder that
 549 operates a cardroom facility shall use at least 4 percent of
 550 such permitholder's cardroom monthly gross receipts to
 551 supplement greyhound purses if live racing is conducted during a
 552 fiscal year, or jai alai prize money, respectively, during the
 553 permitholder's current or next ensuing pari-mutuel meet.

554 2. Each thoroughbred and harness horse racing permitholder
 555 that operates a cardroom facility shall use at least 50 percent
 556 of such permitholder's cardroom monthly net proceeds as follows:
 557 47 percent to supplement purses and 3 percent to supplement
 558 breeders' awards during the permitholder's next ensuing racing
 559 meet.

560 3. No cardroom license or renewal thereof shall be issued

CS/CS/HB 1145

2011

561 | to an applicant holding a permit under chapter 550 to conduct
562 | pari-mutuel wagering meets of quarter horse racing unless the
563 | applicant has on file with the division a binding written
564 | agreement between the applicant and the Florida Quarter Horse
565 | Racing Association or the association representing a majority of
566 | the horse owners and trainers at the applicant's eligible
567 | facility, governing the payment of purses on live quarter horse
568 | races conducted at the licensee's pari-mutuel facility. The
569 | agreement governing purses may direct the payment of such purses
570 | from revenues generated by any wagering or gaming the applicant
571 | is authorized to conduct under Florida law. All purses shall be
572 | subject to the terms of chapter 550.

573 | Section 13. This act shall take effect July 1, 2011.