

By Senator Jones

13-00763A-12

2012902

1                   A bill to be entitled  
2           An act relating to the Department of the Lottery;  
3           amending s. 24.105, F.S.; deleting provisions  
4           authorizing the use of player-activated machines that  
5           dispense instant lottery game tickets; amending s.  
6           24.111, F.S.; requiring the department to lease  
7           vending machines that dispense online lottery tickets  
8           or instant lottery tickets; amending s. 24.112, F.S.;  
9           authorizing the use of vending machines to dispense  
10          online lottery tickets or instant lottery tickets;  
11          specifying requirements for the vending machines;  
12          specifying requirements for retailers that use the  
13          vending machines; providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17           Section 1. Paragraph (a) of subsection (9) of section  
18           24.105, Florida Statutes, is amended to read:

19           24.105 Powers and duties of department.—The department  
20           shall:

21           (9) Adopt rules governing the establishment and operation  
22           of the state lottery, including:

23           (a) The type of lottery games to be conducted, except that:

24           1. The ~~No~~ name of an elected official may not ~~shall~~ appear  
25           on the ticket or play slip of any lottery game or on any prize  
26           or on any instrument used for the payment of prizes, unless such  
27           prize is in the form of a state warrant.

28           2. ~~No~~ Coins or currency may not ~~shall~~ be dispensed from any  
29           electronic computer terminal or device used in any lottery game.

13-00763A-12

2012902\_\_

30           3. Other than as expressly provided in s. 24.112(15)  
31 ~~subparagraph 4.~~, a ~~no~~ terminal or device may not be used for any  
32 lottery game which may be operated solely by the player without  
33 the assistance of the retailer.

34           ~~4. The only player-activated machine which may be utilized~~  
35 ~~is a machine which dispenses instant lottery game tickets~~  
36 ~~following the insertion of a coin or currency by a ticket~~  
37 ~~purchaser. To be authorized a machine must: be under the~~  
38 ~~supervision and within the direct line of sight of the lottery~~  
39 ~~retailer to ensure that the machine is monitored and only~~  
40 ~~operated by persons at least 18 years of age; be capable of~~  
41 ~~being electronically deactivated by the retailer to prohibit use~~  
42 ~~by persons less than 18 years of age through the use of a~~  
43 ~~lockout device that maintains the machine's deactivation for a~~  
44 ~~period of no less than 5 minutes; and be designed to prevent its~~  
45 ~~use or conversion for use in any manner other than the~~  
46 ~~dispensing of instant lottery tickets. Authorized machines may~~  
47 ~~dispense change to players purchasing tickets but may not be~~  
48 ~~utilized for paying the holders of winning tickets of any kind.~~  
49 ~~At least one clerk must be on duty at the lottery retailer while~~  
50 ~~the machine is in operation. However, at least two clerks must~~  
51 ~~be on duty at any lottery location which has violated s.~~  
52 ~~24.1055.~~

53           Section 2. Paragraph (h) of subsection (2) of section  
54 24.111, Florida Statutes, is amended to read:

55           24.111 Vendors; disclosure and contract requirements.—

56           (2) The department shall investigate the financial  
57 responsibility, security, and integrity of each vendor with  
58 which it intends to negotiate a contract for major procurement.

13-00763A-12

2012902

59 Such investigation may include an investigation of the financial  
60 responsibility, security, and integrity of any or all persons  
61 whose names and addresses are required to be disclosed pursuant  
62 to paragraph (a). Any person who submits a bid, proposal, or  
63 offer as part of a major procurement must, at the time of  
64 submitting such bid, proposal, or offer, provide the following:

65 (h) The department shall lease all ~~instant ticket~~ vending  
66 machines that dispense online lottery tickets or instant lottery  
67 tickets.

68  
69 The department shall not contract with any vendor who fails to  
70 make the disclosures required by this subsection, and any  
71 contract with a vendor who has failed to make the required  
72 disclosures shall be unenforceable. Any contract with any vendor  
73 who does not comply with such requirements for periodically  
74 updating such disclosures during the tenure of such contract as  
75 may be specified in such contract may be terminated by the  
76 department. This subsection shall be construed broadly and  
77 liberally to achieve the ends of full disclosure of all  
78 information necessary to allow for a full and complete  
79 evaluation by the department of the competence, integrity,  
80 background, and character of vendors for major procurements.

81 Section 3. Subsection (15) is added to section 24.112,  
82 Florida Statutes, to read:

83 24.112 Retailers of lottery tickets.—

84 (15) A vending machine may be used to dispense online  
85 lottery tickets, instant lottery tickets, or both online and  
86 instant lottery tickets.

87 (a) The vending machine must:

13-00763A-12

2012902

88       1. Dispense a lottery ticket after a purchaser inserts a  
89 coin or currency in the machine.

90       2. Be capable of being electronically deactivated for a  
91 period of 5 minutes or more.

92       3. Be designed to prevent its use for any purpose other  
93 than dispensing a lottery ticket.

94       (b) In order to be authorized to use a vending machine to  
95 dispense lottery tickets, a retailer must:

96       1. Locate the vending machine in the retailer's direct line  
97 of sight to ensure that purchases are made only by persons at  
98 least 18 years of age.

99       2. Ensure that at least one employee is on duty when the  
100 vending machine is available for use. However, if the retailer  
101 has previously violated s. 24.1055, at least two employees must  
102 be on duty when the vending machine is available for use.

103       (c) A vending machine that dispenses a lottery ticket may  
104 dispense change to a purchaser but may not be used to redeem any  
105 type of winning lottery ticket.

106       (d) The vending machine, or any machine or device linked to  
107 the vending machine, may not include or make use of video reels  
108 or mechanical reels or other video depictions of slot machine or  
109 casino game themes or titles for game play. This does not  
110 preclude the use of casino game themes or titles on such tickets  
111 or signage or advertising displays on the machines.

112       Section 4. This act shall take effect July 1, 2012.