

1 A bill to be entitled
2 An act relating to gaming; amending s. 285.710, F.S.;
3 ratifying and approving the Gaming Compact between the
4 Seminole Tribe of Florida and the State of Florida
5 provided certain conditions are met; superseding a
6 prior compact; directing the Governor to cooperate
7 with the Tribe in seeking approval of the compact from
8 the United States Secretary of the Interior; expanding
9 the games authorized to be conducted and the counties
10 in which such games may be offered; providing for a
11 portion of the amount paid by the Tribe to the state
12 to be designated as the thoroughbred purse pool share;
13 directing the state compliance agency to determine
14 calculations for the thoroughbred purse pool share
15 distributions; amending s. 285.712, F.S.; correcting a
16 citation; creating s. 546.11, F.S.; providing a short
17 title; creating s. 546.12, F.S.; providing legislative
18 findings and intent; creating s. 546.13, F.S.;
19 providing definitions; creating s. 546.14, F.S.;
20 requiring contest operators to obtain licenses from
21 the Division of Regulation of the Department of
22 Business and Professional Regulation to conduct
23 fantasy contests in the state; providing an
24 application fee and annual license renewal fees;
25 providing application requirements; requiring the
26 division to approve or deny a license within a

27 | specified timeframe; providing that a complete
28 | application is deemed approved under certain
29 | circumstances; providing that persons or entities are
30 | not eligible for licensure under certain
31 | circumstances; requiring a contest operator to provide
32 | evidence of a surety bond; requiring the surety bond
33 | to be kept during the term of the license and any
34 | renewal term thereafter; creating s. 546.15, F.S.;
35 | requiring contest operators to implement certain
36 | procedures; requiring contest operators to contract
37 | for independent audits and to annually submit the
38 | results to the division; requiring contest operators
39 | to coordinate with a compulsive or addictive behavior
40 | prevention program and provide training to employees;
41 | requiring the division to contract for services
42 | related to the prevention of compulsive or addictive
43 | behavior; creating s. 546.16, F.S.; authorizing the
44 | division to adopt rules and perform certain duties;
45 | authorizing the division to suspend, revoke, or deny a
46 | license for certain violations; creating s. 546.17,
47 | F.S.; requiring contest operators to keep and maintain
48 | daily records and to make such records available for
49 | inspection; requiring contest operators to file a
50 | quarterly report; creating s. 546.18, F.S.; providing
51 | penalties; authorizing the division or the Department
52 | of Legal Affairs to bring certain civil actions;

53 creating s. 546.19, F.S.; providing that specified
54 provisions of chapter 849, F.S., relating to gambling
55 offenses, do not apply to fantasy contest operators
56 complying with certain requirements or to
57 noncommercial contest operators; prohibiting the
58 Division of Regulation from penalizing an unlicensed
59 contest operator for a specified period of time;
60 amending s. 550.002, F.S.; revising the definition of
61 the term "full schedule of live racing or games";
62 providing definitions for purposes of the Florida
63 Pari-mutuel Wagering Act; amending s. 550.01215, F.S.;
64 revising provisions for applications for pari-mutuel
65 operating licenses; authorizing a greyhound racing
66 permitholder to specify certain information on its
67 application; authorizing a greyhound racing
68 permitholder to receive an operating license to
69 conduct pari-mutuel wagering activities at another
70 permitholder's greyhound racing facility; authorizing
71 the Division of Pari-mutuel Wagering of the Department
72 of Business and Professional Regulation to approve
73 changes in racing dates for greyhound racing
74 permitholders under certain circumstances; exempting
75 certain permitholders from specified live racing
76 requirements; providing requirements for licensure of
77 certain jai alai permitholders; deleting a provision
78 for conversion of certain converted permits to jai

79 | alai permits; authorizing certain thoroughbred racing
80 | permitholders to apply to conduct live performances
81 | under certain conditions; amending s. 550.0251, F.S.;
82 | requiring the division to annually report to the
83 | Governor and the Legislature; specifying requirements
84 | for the content of the report; amending s. 550.054,
85 | F.S.; requiring the division to revoke a pari-mutuel
86 | wagering operating permit under certain circumstances;
87 | prohibiting issuance or approval of new pari-mutuel
88 | permits after a specified date; providing exceptions;
89 | authorizing a permitholder to apply to the division to
90 | place a permit in inactive status; revising provisions
91 | that prohibit transfer or assignment of a pari-mutuel
92 | permit; prohibiting transfer or assignment of a pari-
93 | mutuel permit or license under certain conditions;
94 | prohibiting relocation of a pari-mutuel facility,
95 | cardroom, or slot machine facility or conversion of
96 | pari-mutuel permits to a different class; providing
97 | for an exception; deleting provisions for certain
98 | converted permits; amending s. 550.0555, F.S.;
99 | revising provisions for the relocation of certain jai
100 | alai and greyhound racing permits; repealing s.
101 | 550.0745, F.S., relating to the conversion of pari-
102 | mutuel permits to summer jai alai permits; amending s.
103 | 550.0951, F.S.; deleting provisions for specified tax
104 | credits for a greyhound racing permitholder; revising

105 | the tax on handle for live greyhound racing and
106 | intertrack wagering if the host track is a greyhound
107 | track; amending s. 550.09512, F.S.; providing for the
108 | revocation of certain harness horse racing permits;
109 | specifying that a revoked permit may not be reissued;
110 | amending s. 550.09514, F.S.; deleting certain
111 | provisions that prohibit tax on handle until a
112 | specified amount of tax savings have resulted;
113 | revising purse requirements of a greyhound racing
114 | permitholder that conducts live racing; amending s.
115 | 550.09515, F.S.; providing for the revocation of
116 | certain thoroughbred racing permits; specifying that a
117 | revoked permit may not be reissued; removing an
118 | obsolete provision; amending s. 550.105, F.S.;
119 | providing for business, professional, and general
120 | occupational licenses for multijurisdictional
121 | simulcasting and interactive wagering totalisator
122 | hubs; amending s. 550.1625, F.S.; deleting the
123 | requirement that a greyhound racing permitholder pay
124 | the breaks tax; repealing s. 550.1647, F.S., relating
125 | to unclaimed tickets and breaks held by greyhound
126 | racing permitholders; amending s. 550.1648, F.S.;
127 | revising requirements for a greyhound racing
128 | permitholder to provide a greyhound adoption booth at
129 | its facility; requiring sterilization of greyhounds
130 | before adoption; authorizing the fee for such

131 sterilization to be included in the cost of adoption;
132 defining the term "bona fide organization that
133 promotes or encourages the adoption of greyhounds";
134 creating s. 550.1752, F.S.; providing for a
135 thoroughbred purse supplement program in the division;
136 providing for funding and distribution of such funds;
137 authorizing the division to adopt rules; creating s.
138 550.2416, F.S.; requiring injuries to racing
139 greyhounds to be reported within a certain timeframe
140 on a form adopted by the division; requiring such form
141 to be completed and signed under oath or affirmation
142 by certain individuals; providing penalties;
143 specifying information that must be included in the
144 form; requiring the division to maintain the forms as
145 public records for a specified time; specifying
146 disciplinary action that may be taken against a
147 licensee of the Department of Business and
148 Professional Regulation who fails to report an injury
149 or who makes false statements on an injury form;
150 exempting injuries to certain animals from reporting
151 requirements; requiring the division to adopt rules;
152 amending s. 550.26165, F.S.; conforming a cross-
153 reference; amending s. 550.334, F.S.; revising a
154 requirement for quarter horse racing permitholders to
155 conduct intertrack wagering; amending s. 550.3345,
156 F.S.; revising provisions for a permit previously

157 converted from a quarter horse racing permit to a
158 limited thoroughbred racing permit; amending s.
159 550.3551, F.S.; revising conditions for receiving and
160 accepting wagers on out-of-state broadcasts of races
161 and games; deleting a requirement that a harness
162 permitholder conduct a certain number of races;
163 deleting a provision that limits the number of out-of-
164 state races on which wagers are accepted by a
165 greyhound racing permitholder; amending s. 550.5251,
166 F.S.; revising the period within which a thoroughbred
167 racing permitholder must file its application to
168 conduct thoroughbred racing meetings; amending s.
169 550.615, F.S.; revising requirements for conducting
170 intertrack wagering; amending s. 550.6305, F.S.;
171 revising provisions requiring certain simulcast
172 signals be made available to certain permitholders;
173 providing for certain permitholders of a converted
174 permit to accept wagers on certain rebroadcasts;
175 amending s. 550.6308, F.S.; revising conditions for a
176 person licensed to conduct public sales of
177 thoroughbred horses to obtain a limited intertrack
178 wagering license; revising provisions for such
179 wagering; creating s. 550.6347, F.S.; directing the
180 division to develop and adopt rules to license and
181 regulate multijurisdictional simulcasting and
182 interactive wagering totalisator hubs; providing

183 definitions; providing requirements for operation of
184 such hubs; providing for fees and taxes; providing for
185 application of specified provisions; amending s.
186 551.101, F.S.; revising provisions that authorize slot
187 machine gaming at certain facilities; amending s.
188 551.102, F.S.; revising the definition of the terms
189 "eligible facility," "slot machine license," and "slot
190 machine licensee" for purposes of provisions relating
191 to slot machines; prohibiting locating eligible
192 facilities in certain areas; amending s. 551.104,
193 F.S.; revising provisions for approval of a license to
194 conduct slot machine gaming; specifying that certain
195 permitholders are not required to conduct a full
196 schedule of live racing to receive and maintain a
197 license to conduct slot machine gaming; conforming
198 provisions relating to payment of purses; creating s.
199 551.1041, F.S.; authorizing the division to grant one
200 additional slot machine license to a facility in a
201 specified county; providing for award of such license
202 if more than one permitholder applies; providing
203 procedures; authorizing the division to adopt
204 emergency rules; creating s. 551.1044, F.S.; providing
205 for certain pari-mutuel facilities to operate house-
206 banked blackjack table games; providing a tax;
207 providing for application of specified provisions;
208 amending s. 551.106, F.S.; revising the tax rate on

209 slot machine revenues; requiring a new facility
 210 guarantee fee to be paid by certain slot machine
 211 facilities; providing for calculation of the fee;
 212 amending s. 551.114, F.S.; revising the maximum number
 213 of slot machines that may be available; limiting the
 214 number of slot machines available for play at certain
 215 facilities; revising requirements for designated slot
 216 machine gaming areas; requiring certain greyhound
 217 racing permitholders to locate their slot machine
 218 gaming area in certain locations; amending s. 551.116,
 219 F.S.; revising the times that a slot machine gaming
 220 area may be open; amending s. 551.121, F.S.; removing
 221 a provision that prohibits complimentary or reduced-
 222 cost alcoholic beverages to be served to persons
 223 playing slot machines; removing a provision that
 224 prohibits automatic teller machines in the gaming
 225 area; amending s. 849.086, F.S.; revising definitions;
 226 defining the terms "designated player" and "designated
 227 player poker game"; exempting certain permitholders
 228 from a requirement that they conduct a minimum number
 229 of live races as a condition of cardroom licensure
 230 under certain conditions; requiring certain greyhound
 231 racing permitholders to conduct intertrack wagering on
 232 thoroughbred signals as a condition of cardroom
 233 licensure; revising times that a cardroom may operate;
 234 providing for the division to authorize designated

235 player poker games in certain cardrooms; providing
 236 requirements for such games; providing that such games
 237 may be authorized by the division only if they would
 238 not trigger a reduction in certain payments; revising
 239 provisions for use of cardroom receipts; requiring
 240 permitholders not conducting a full schedule of live
 241 racing or games to pay a portion of its cardroom
 242 receipts to the thoroughbred purse supplement program;
 243 removing a provision requiring an agreement between a
 244 permitholder and a horseracing association; directing
 245 the division to revoke certain pari-mutuel permits;
 246 specifying that the revoked permits may not be
 247 reissued; providing severability; providing an
 248 appropriation; providing a contingent effective date;
 249 providing effective dates.

250

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

252

253 Section 1. Paragraph (a) of subsection (1) and subsections
 254 (3), (9), and (13) of section 285.710, Florida Statutes, are
 255 amended, and subsection (15) is added to that section, to read:

256 285.710 Compact authorization.—

257 (1) As used in this section, the term:

258 (a) "Compact" means the Gaming Compact between the
 259 Seminole Tribe of Florida and the State of Florida, ~~executed on~~
 260 ~~April 7, 2010.~~

261 (3)(a) A ~~The~~ Gaming Compact between the Seminole Tribe of
 262 Florida and the State of Florida, executed by the Governor and
 263 the Tribe on April 7, 2010, was is ratified and approved by
 264 chapter 2010-29, Laws of Florida. ~~The Governor shall cooperate~~
 265 ~~with the Tribe in seeking approval of the compact from the~~
 266 ~~United States Secretary of the Interior.~~

267 (b) The Gaming Compact between the Seminole Tribe of
 268 Florida and the State of Florida, which was executed by the
 269 Governor and the Tribe on December 7, 2015, shall be deemed
 270 ratified and approved if it is amended by an agreement between
 271 the Governor and the Tribe to incorporate the terms specified in
 272 paragraphs (c)-(g). The amended Gaming Compact supersedes the
 273 Gaming Compact ratified and approved under paragraph (a). The
 274 Governor shall cooperate with the Tribe in seeking approval of
 275 the amended Gaming Compact from the United States Secretary of
 276 the Interior.

277 (c) The December 7, 2015, Gaming Compact shall become
 278 effective after it is approved as a tribal-state compact within
 279 the meaning of the Indian Gaming Regulatory Act by action of the
 280 United States Secretary of the Interior or by operation of law
 281 under 25 U.S.C. s. 2710(d)(8), and upon publication of a notice
 282 of approval in the Federal Register under 25 U.S.C. s.
 283 2710(d)(8)(D).

284 (d) The December 7, 2015, Gaming Compact must be amended
 285 to include provisions specifying that all amendments made to
 286 chapters 285, 546, 550, 551, and 849 by this act are authorized

287 under the Gaming Compact and do not impact the agreement's
288 revenue sharing payments, violate the Tribe's exclusivity, or
289 authorize the Tribe to conduct online gaming.

290 (e) The December 7, 2015, Gaming Compact must be amended
291 to include provisions specifying that the State of Florida shall
292 grant to the Tribe the exclusive rights to:

293 1. Operate slot machines in Glades, Hendry, and Collier
294 Counties and within that area of the state located within a 100-
295 mile radius of the Seminole Hard Rock Hotel and Casino-Tampa;

296 2. Operate banking or banked card games, including
297 blackjack or 21, baccarat, and chemin de fer in Glades, Hendry,
298 Collier, and Hillsborough Counties; and

299 3. Operate dice games, such as craps and sic-bo, and wheel
300 games, such as roulette and big six, in Broward, Glades, Hendry,
301 Collier, and Hillsborough Counties.

302 (f) The December 7, 2015, Gaming Compact must be amended
303 to include provisions specifying that the State of Florida
304 agrees that:

305 1. It will not approve any new pari-mutuel permits after
306 the effective date of the amended Gaming Compact;

307 2. It will not approve any card game for play at pari-
308 mutuel cardrooms not found in the 1974 edition of Hoyle's Modern
309 Encyclopedia of Card Games;

310 3. The maximum cumulative number of slot machines
311 available for play at pari-mutuel facilities located outside of
312 the concession radius established in subparagraph (e)1. will not

313 exceed a maximum of 16,000 machines, and a pari-mutuel
314 permitholder licensed to operate slot machines after the
315 effective date of this act may not be licensed to operate more
316 than 1,500 slot machines; and

317 4. A pari-mutuel facility may not operate slot machines
318 unless it is located outside of the area specified in
319 subparagraph (e)1. and has conducted a successful slot machine
320 referendum before or within 180 days after the effective date of
321 this act.

322 (g) The December 7, 2015, Gaming Compact must be amended
323 to state that relocation of a facility from one parcel of
324 current Indian lands to any other noncontiguous parcel of Indian
325 lands shall not be authorized. Any facility existing on Indian
326 lands may only be relocated within a 1-mile radius of the same
327 parcel of Indian lands on which it is currently located.
328 Expansion or replacement of a facility on the same parcel of
329 Indian lands on which it currently exists may be authorized.

330 (9) The moneys paid by the Tribe to the state for the
331 benefit of exclusivity under the compact ratified by this
332 section shall be deposited into the General Revenue Fund.

333 (a) Three percent of the annual amount paid by the Tribe
334 to the state shall be designated as the local government share
335 and shall be distributed as provided in subsections (10) and
336 (11).

337 (b) Ten million dollars of the annual amount paid by the
338 Tribe to the state shall be designated as the thoroughbred purse

339 pool share and shall be distributed as provided in subsection
 340 (15).

341 (11) Upon receipt of the annual audited revenue figures
 342 from the Tribe and completion of the calculations as provided in
 343 subsections (10) and (15) ~~subsection (10)~~, the state compliance
 344 agency shall certify the results to the Chief Financial Officer
 345 and shall request the distributions to be paid from the General
 346 Revenue Fund within 30 days after authorization of nonoperating
 347 budget authority pursuant to s. 216.181(12).

348 (13) For the purpose of satisfying the requirement in 25
 349 U.S.C. s. 2710(d)(1)(B) that the gaming activities authorized
 350 under an Indian gaming compact must be permitted in the state
 351 for any purpose by any person, organization, or entity, the
 352 following class III games or other games specified in this
 353 section are hereby authorized to be conducted by the Tribe
 354 pursuant to the compact:

355 (a) Slot machines, as defined in s. 551.102(8).

356 (b) Banking or banked card games, including baccarat,
 357 chemin de fer, and blackjack or 21 ~~at the tribal facilities in~~
 358 ~~Broward County, Collier County, and Hillsborough County.~~

359 (c) Dice games, such as craps and sic-bo.

360 (d) Wheel games, such as roulette and big six.

361 (e)-(e) Raffles and drawings.

362 (15) Effective July 1, 2016, the calculations necessary to
 363 determine the thoroughbred purse pool share distributions shall
 364 be made by the state compliance agency. The thoroughbred purse

365 pool share shall be distributed equally to any thoroughbred
366 racing permitholder that has conducted a full schedule of live
367 races for 15 consecutive years after June 30, 2000, has never
368 operated at a facility in which slot machines are located, has
369 never held a slot machine license, and is located in a county in
370 which class III gaming is conducted on Indian lands, as long as
371 the thoroughbred racing permitholder uses the allocation for
372 thoroughbred racing purses and the operations of the
373 permitholder's thoroughbred racing facility, with at least 75
374 percent allocated to thoroughbred racing purses.

375 Section 2. Subsection (4) of section 285.712, Florida
376 Statutes, is amended to read:

377 285.712 Tribal-state gaming compacts.—

378 (4) Upon receipt of an act ratifying a tribal-state
379 compact, the Secretary of State shall forward a copy of the
380 executed compact and the ratifying act to the United States
381 Secretary of the Interior for his or her review and approval, in
382 accordance with 25 U.S.C. s. 2710(d)(8) ~~2710(8)(d)~~.

383 Section 3. Section 546.11, Florida Statutes, is created to
384 read:

385 546.11 Short title.—Sections 546.11-546.19 may be cited as
386 the "Fantasy Contest Amusement Act."

387 Section 4. Section 546.12, Florida Statutes, is created to
388 read:

389 546.12 Legislative findings and intent.—It is the intent
390 of the Legislature to ensure public confidence in the integrity

391 of fantasy contests and fantasy contest operators. This act is
392 designed to regulate fantasy contest operators and persons who
393 participate in fantasy contests and to adopt consumer
394 protections related to such contests. The Legislature finds that
395 fantasy contests, as defined in s. 546.13, involve the skill of
396 contest participants and do not constitute gambling, gaming, or
397 games of chance.

398 Section 5. Section 546.13, Florida Statutes, is created to
399 read:

400 546.13 Definitions.—As used in ss. 546.11-546.19, the
401 term:

402 (1) "Confidential information" means information related
403 to participation in fantasy contests by contest participants
404 which is obtained solely as a result of a person's employment
405 with or work as an agent of a contest operator.

406 (2) "Contest operator" means a person or entity other than
407 a noncommercial contest operator that offers fantasy contests
408 that require an entry fee for a cash prize to members of the
409 public. Sections 546.11-546.19 apply solely to the specific
410 products, services, or offerings of a person or entity that
411 cause that person or entity to meet the definition of the term
412 "contest operator" and do not extend to any other product or
413 service offered by that person or entity.

414 (3) "Contest participant" means a person who pays an entry
415 fee for the right to participate in a fantasy contest offered by
416 a contest operator.

417 (4) "Division" means the Division of Regulation within the
418 Department of Business and Professional Regulation.

419 (5) "Entry fee" means the cash or cash equivalent required
420 to be paid by a contest participant to a contest operator for
421 the right to participate in a fantasy contest.

422 (6) "Fantasy contest" means a fantasy or simulation game
423 or contest in which a contest participant manages a fantasy or
424 simulated sports team consisting of athletes or players who are
425 members of an amateur or professional sports organization and
426 which meets the following conditions:

427 (a) All prizes offered to winning contest participants are
428 established and made known to the contest participants in
429 advance of the fantasy contest, and the value of such prizes is
430 not determined by the number of contest participants or the
431 amount of entry fees paid by such participants.

432 (b) All winning outcomes reflect the relative knowledge
433 and skill of contest participants and are determined
434 predominantly by accumulated statistical results of the
435 performance of the athletes participating in multiple real-world
436 sporting or other events. A winning outcome may not be based:

437 1. On the score, point spread, or performance of a single
438 real-world team or combination of such teams; or

439 2. Solely on the single performance of an individual
440 athlete in a single real-world sporting or other event.

441 (c) Fantasy contests may not be based on the results of
442 college or high school sports teams, athletes, or players.

443 (d) Membership of a fantasy or simulation sports team may
444 not be based on the current membership, or on a majority of the
445 current membership, of an actual team that is a member of an
446 amateur or professional sports organization.

447 (7) "Net revenues" means an amount equal to the total
448 entry fees collected from contest participants in this state by
449 a contest operator during a 12-month period, less the total
450 amount of cash or cash equivalent paid to contest participants
451 in this state during the same period.

452 (8) "Noncommercial contest operator" means a person who
453 organizes and conducts a fantasy contest, or an entity who makes
454 available a fantasy contest software platform, whereby
455 participants may be charged fees for the right to participate;
456 the fees are collected, maintained, and distributed by the same
457 person; and all fees are returned to the participants in the
458 form of prizes or other equivalent.

459 Section 6. Section 546.14, Florida Statutes, is created to
460 read:

461 546.14 Licensing.—

462 (1) A contest operator offering fantasy contests with an
463 entry fee to persons in this state must complete and submit an
464 application to the division for a license to conduct such
465 fantasy contests.

466 (2) (a) At the time of initial application for license, the
467 contest operator shall provide the division with an estimate of
468 the application fee calculated pursuant to paragraph (b), in

469 addition to written evidence supporting the estimate, and shall
 470 pay the estimated fee to the division. A license may not be
 471 issued unless the application fee is paid.

472 (b) The application fee shall be the lesser of:

473 1. Five hundred thousand dollars; or

474 2. Ten percent of the contest operator's estimated net
 475 revenues for 12 months after the date the license is issued.

476 (c) Application fee revenues shall be deposited into the
 477 Professional Regulation Trust Fund for use by the division to
 478 pay for regulatory costs incurred in enforcing the provisions of
 479 ss. 546.11-546.19.

480 (3) (a) At the time of application for the annual renewal
 481 of a license, the contest operator shall provide the division
 482 with evidence of the actual net revenues collected during the
 483 previous licensure period, an estimate of the license renewal
 484 fee calculated pursuant to paragraph (b), and written evidence
 485 supporting the estimate. The contest operator shall pay to the
 486 division an amount equal to the difference between the actual
 487 application fee or renewal fee for the previous licensure period
 488 and the estimated application fee paid at the time of the
 489 previous application, plus the estimated license renewal fee for
 490 the upcoming licensure period. A license may not be renewed
 491 unless the application fee is paid.

492 (b) The annual license renewal fee shall be the lesser of:

493 1. One hundred thousand dollars; or

494 2. Ten percent of the contest operator's estimated net
495 revenues for 12 months after the date the license is renewed.

496 (c) License renewal fee revenues shall be deposited into
497 the Professional Regulation Trust Fund for use by the division
498 to pay for regulatory costs incurred in enforcing the provisions
499 of ss. 546.11-546.19 and to fund the compulsive or addictive
500 behavior prevention program pursuant to s. 546.15(3).

501 (4) An application for a contest operator's license is
502 exempt from the 90-day licensing requirement of s. 120.60.
503 Within 120 days after receipt of a complete application, the
504 division shall approve or deny the license. A complete
505 application that is not acted upon within 120 days after receipt
506 is deemed approved, and the division shall issue the license.

507 (5) An application for a contest operator's license must
508 include:

509 (a) The full name of the applicant.

510 (b) If the applicant is a corporation, the name of the
511 state in which it is incorporated and the names and addresses of
512 the officers, directors, and shareholders of the corporation who
513 hold 5 percent or more equity in the corporation. If the
514 applicant is a business entity other than a corporation, the
515 names and addresses of the principals, partners, or shareholders
516 who hold 5 percent or more equity in the entity.

517 (c) If the applicant is a corporation or other business
518 entity, the names and addresses of the ultimate equitable owners
519 of the corporation or entity, if different from those provided

520 under paragraph (b), unless the securities of the corporation or
521 entity are registered pursuant to s. 12 of the Securities
522 Exchange Act of 1934, 15 U.S.C. ss. 78a-78kk, and:

523 1. The corporation or entity files the reports required by
524 s. 13 of such federal act with the United States Securities and
525 Exchange Commission; or

526 2. The securities of the corporation or entity are
527 regularly traded on an established securities market in the
528 United States.

529 (d) The estimated number of fantasy contests that the
530 applicant will annually conduct.

531 (e) A statement of the applicant's assets and liabilities.

532 (f) If applicable and required by the division, the names
533 and addresses of the officers and directors of any debtor of the
534 applicant and the names and addresses of any stockholder who
535 holds more than 10 percent of the stock of the debtor.

536 (g) For each person listed in the application as an
537 officer or director, a complete set of fingerprints taken by an
538 authorized law enforcement officer. Such fingerprints must be
539 submitted to the Federal Bureau of Investigation for processing.
540 Foreign nationals shall submit such documents as necessary to
541 allow the division to conduct criminal history records checks in
542 the person's home country. The applicant must pay all costs of
543 fingerprint processing, and the division may charge a \$2
544 handling fee for each set of fingerprints.

545 (6) A person, corporation, or entity is not eligible for a

546 contest operator's license or the renewal of such license if the
547 person or an officer or a director of the corporation or entity
548 has been convicted of a felony in this state, a felony in
549 another state which would be a felony if committed in this
550 state, or a felony under the laws of the United States, or has
551 been determined by the division after investigation not to be of
552 good moral character. For purposes of this subsection, the term
553 "convicted" means having been found guilty, regardless of
554 adjudication of guilt, as a result of a jury verdict, nonjury
555 trial, or entry of a plea of guilty or nolo contendere.

556 (7) An applicant for a contest operator's license shall
557 provide evidence of a surety bond in the amount of \$1 million,
558 payable to the state, furnished by a corporate surety authorized
559 to do business in the state in such a form as established by
560 division rule. Such bond shall be kept in full force and effect
561 by the contest operator during the term of the license and any
562 renewal thereof.

563 Section 7. Section 546.15, Florida Statutes, is created to
564 read:

565 546.15 Consumer protection.—

566 (1) A contest operator that charges an entry fee to
567 contest participants shall implement commercially reasonable
568 procedures for its fantasy contests with an entry fee that are
569 intended to:

570 (a) Prevent an employee of the contest operator and
571 relatives of such employee residing in the same household as the

572 employee from participating in a fantasy contest which is open
573 to the public.

574 (b) Prohibit the contest operator from participating as a
575 contest participant in a fantasy contest offered by the contest
576 operator.

577 (c) Prevent an employee or agent of the contest operator
578 from sharing confidential information with third parties which
579 could affect fantasy contests until the information is made
580 publicly available.

581 (d) Verify that each contest participant is 18 years of
582 age or older.

583 (e) Restrict a person who is a player, game official, or
584 other participant in a real-world sporting or other event from
585 participating in a fantasy contest that is determined in whole
586 or in part on the person's performance, the performance of the
587 person's real-world team, or the accumulated statistical results
588 of the real-world sporting or other event in which the person is
589 a player, game official, or other participant.

590 (f) Allow a person to restrict or prevent his or her own
591 access to a fantasy contest and take reasonable steps to prevent
592 himself or herself from entering a fantasy contest.

593 (g) Disclose the number of entries that a single contest
594 participant may submit to each fantasy contest and take
595 reasonable steps to prevent contest participants from submitting
596 more than the allowable number of entries.

597 (h) Segregate contest participants' funds from operational

598 funds and maintain a reserve in the form of cash or cash
599 equivalent, an irrevocable letter of credit, a bond, or a
600 combination thereof, in the total amount of the deposits in
601 contest participants' accounts, for the benefit and protection
602 of authorized contest participants' funds held in the contest
603 participants' accounts.

604 (i) Prevent fantasy contests involving horseracing.

605 (2) For fantasy contests requiring an entry fee, a contest
606 operator must annually contract with a third party to perform an
607 independent audit, consistent with standards established by the
608 Public Company Accounting Oversight Board, to ensure the contest
609 operator's compliance with ss. 546.11-546.19. The contest
610 operator must annually submit the results of the independent
611 audit to the division.

612 (3) (a) A contest operator must provide training to
613 employees on responsible play and practices and coordinate with
614 the compulsive or addictive behavior prevention program
615 implemented pursuant to this subsection to recognize problem
616 situations, implement responsible play and practices, and
617 implement protections for underage participants.

618 (b) The division shall, subject to competitive bidding,
619 contract for services related to the prevention of compulsive or
620 addictive behavior related to fantasy contests. The contract
621 shall provide for an advertising program to encourage
622 responsible play and practices and to publicize a telephone help
623 line and shall include accountability standards that must be met

624 by any private provider. Failure of a private provider to meet
625 any material terms of the contract, including the accountability
626 standards, constitutes a breach of contract or grounds for
627 nonrenewal.

628 (c) The compulsive or addictive behavior prevention
629 program shall be funded by the allocation of 7.5 percent of
630 initial application fees and 7.5 percent of any subsequent
631 annual license renewal fees paid by contest operators to the
632 division.

633 Section 8. Section 546.16, Florida Statutes, is created to
634 read:

635 546.16 Authority of the division.—The division is
636 responsible for the administration and enforcement of ss.
637 546.11-546.19. The division is authorized to:

638 (1) Adopt rules for the administration and enforcement of
639 ss. 546.11-546.19. Such rules shall include, but need not be
640 limited to, procedures for the operation of fantasy contests,
641 recordkeeping and reporting requirements for contest operators,
642 and procedures for the collection of entry fees.

643 (2) Perform any other duties authorized by the Secretary
644 of Business and Professional Regulation.

645 (3) Conduct investigations and monitor the operation of
646 fantasy contests.

647 (4) Review the books, accounts, and records of any current
648 or former contest operator.

649 (5) Suspend, revoke, or deny, after hearing, the license

650 of a contest operator that violates ss. 546.11-546.19 or rules
651 adopted thereunder by the division.

652 (6) Take testimony and issue summons, subpoenas, and
653 subpoenas duces tecum in connection with any matter related to
654 the administration or enforcement of ss. 546.11-546.19.

655 (7) Monitor and enforce the collection and safeguard of
656 contest entry fees, the payment of contest prizes, and the
657 consumer protection provisions of s. 546.15.

658 (8) Coordinate with other department personnel as needed
659 to assist in the administration and enforcement of ss. 546.11-
660 546.19.

661 Section 9. Section 546.17, Florida Statutes, is created to
662 read:

663 546.17 Records and reports.—

664 (1) Each contest operator shall keep and maintain daily
665 records of its operations relevant to compliance with ss.
666 546.14-546.16 and shall maintain such records for at least 3
667 years. Such records shall include all financial transactions and
668 contain sufficient detail to determine compliance with the
669 requirements of this section. All records shall be available for
670 audit and inspection by the division or other law enforcement
671 agencies during the contest operator's regular business hours.
672 The information required in such records shall be determined by
673 division rule.

674 (2) Each contest operator shall file a quarterly report
675 with the division that includes such required records and any

676 additional information deemed necessary by the division. The
677 report shall be submitted in the format prescribed by the
678 division which, once filed, becomes a public record.

679 Section 10. Section 546.18, Florida Statutes, is created
680 to read:

681 546.18 Penalties.—In addition to other applicable civil,
682 administrative, and criminal penalties, a contest operator or an
683 employee or agent thereof that violates ss. 546.11-546.19 is
684 subject to a civil penalty not to exceed \$5,000 for each
685 violation, and not to exceed \$100,000 in the aggregate, which
686 shall accrue to the state and may be recovered in a civil action
687 brought by the division or the Department of Legal Affairs in
688 circuit court in the name and on behalf of the state; the same
689 to be applied when collected as all other penal forfeitures are
690 disposed of.

691 Section 11. Section 546.19, Florida Statutes, is created
692 to read:

693 546.19 Exemption.—Fantasy contests conducted in accordance
694 with ss. 546.11-546.19 by a contest operator licensed in
695 accordance with ss. 546.11-546.19, or by a noncommercial contest
696 operator, are not subject to ss. 849.01, 849.08, 849.09, 849.11,
697 849.14, or 849.25.

698 Section 12. The Division of Regulation of the Department
699 of Business and Professional Regulation may not penalize an
700 unlicensed contest operator for offering fantasy contests within
701 240 days after the effective date of this act, if the contest

702 operator applies for a license within 90 days after the
 703 effective date of this act and is issued such license within 240
 704 days after the effective date of this act.

705 Section 13. Subsections (11) through (39) of section
 706 550.002, Florida Statutes, are amended to read:

707 550.002 Definitions.—As used in this chapter, the term:

708 (11) (a) "Full schedule of live racing or games" means:⁷

709 1. For a greyhound racing permitholder or jai alai
 710 permitholder, the conduct of a combination of at least 100 live
 711 evening or matinee performances, provided that a greyhound
 712 racing permitholder may not perform more live races during a
 713 fiscal year than the permitholder performed during the 2015-2016
 714 fiscal year or 110 live races, whichever is greater. ~~during the~~
 715 ~~preceding year; for a permitholder who has a converted permit or~~
 716 ~~filed an application on or before June 1, 1990, for a converted~~
 717 ~~permit, the conduct of a combination of at least 100 live~~
 718 ~~evening and matinee wagering performances during either of the 2~~
 719 ~~preceding years;~~

720 2. For a jai alai permitholder that ~~who~~ does not operate
 721 slot machines in its pari-mutuel facility, ~~who~~ has conducted at
 722 least 100 live performances per year for at least 10 years after
 723 December 31, 1992, and has had ~~whose~~ handle on live jai alai
 724 games conducted at its pari-mutuel facility which was ~~has been~~
 725 less than \$4 million per state fiscal year for at least 2
 726 consecutive years after June 30, 1992, the conduct of ~~a~~
 727 ~~combination of~~ at least 40 live evening or matinee performances.

728 ~~during the preceding year;~~

729 3. For a jai alai permitholder that ~~who~~ operates slot
730 machines in its pari-mutuel facility, the conduct of a
731 ~~combination of~~ at least 150 performances. ~~during the preceding~~
732 ~~year;~~

733 4. For a summer jai alai permitholder, authorized pursuant
734 to former s. 550.0745, Florida Statutes, 2015, as created by s.
735 14, chapter 1992-348, Laws of Florida, the conduct of at least
736 58 live performances during the preceding year, unless the
737 permitholder meets the requirements of subparagraph 2.

738 5. For a harness racing permitholder, the conduct of at
739 least 100 live regular wagering performances. ~~during the~~
740 ~~preceding year;~~

741 6. For a quarter horse racing permitholder at its
742 facility, unless an alternative schedule of at least 20 live
743 regular wagering performances each year is agreed upon by the
744 permitholder and either the Florida Quarter Horse Racing
745 Association or the horsemen ~~horsemen's~~ association representing
746 the majority of the quarter horse owners and trainers at the
747 facility and filed ~~with the division along~~ with its annual
748 operating license ~~date~~ application;

749 a. In the 2010-2011 fiscal year, the conduct of at least
750 20 regular wagering performances.

751 b. In the 2011-2012 and 2012-2013 fiscal years, the
752 conduct of at least 30 live regular wagering performances. ~~and~~

753 c. For every fiscal year after the 2012-2013 fiscal year,

754 the conduct of at least 40 live regular wagering performances.~~;~~

755 7. For a quarter horse racing permitholder leasing another
756 licensed racetrack, the conduct of 160 events at the leased
757 facility during the preceding year.; and

758 8. For a thoroughbred racing permitholder, the conduct of
759 at least 40 live regular wagering performances ~~during the~~
760 ~~preceding year.~~

761 ~~(b) For a permitholder which is restricted by statute to~~
762 ~~certain operating periods within the year when other members of~~
763 ~~its same class of permit are authorized to operate throughout~~
764 ~~the year, the specified number of live performances which~~
765 ~~constitute a full schedule of live racing or games shall be~~
766 ~~adjusted pro rata in accordance with the relationship between~~
767 ~~its authorized operating period and the full calendar year and~~
768 ~~the resulting specified number of live performances shall~~
769 ~~constitute the full schedule of live games for such permitholder~~
770 ~~and all other permitholders of the same class within 100 air~~
771 ~~miles of such permitholder.~~ A live performance must consist of
772 no fewer than eight races or games conducted live for each of a
773 minimum of three performances each week at the permitholder's
774 licensed facility under a single admission charge.

775 (12) "Greyhound racing permitholder" means any entity
776 permitted under this chapter to conduct pari-mutuel wagering
777 meets of greyhound racing, regardless of whether the
778 permitholder indicates that it will conduct live racing on its
779 annual operating license application.

780 (13)~~(12)~~ "Guest track" means a track or fronton receiving
 781 or accepting an intertrack wager.

782 (14)~~(13)~~ "Handle" means the aggregate contributions to
 783 pari-mutuel pools.

784 (15)~~(14)~~ "Harness racing" means a type of horseracing
 785 which is limited to standardbred horses using a pacing or
 786 trotting gait in which each horse pulls a two-wheeled cart
 787 called a sulky guided by a driver.

788 (16) "Harness racing permitholder" means any entity
 789 permitted under this chapter to conduct pari-mutuel wagering
 790 meets of harness racing, regardless of whether the permitholder
 791 indicates that it will conduct live racing on its annual
 792 operating license application.

793 (17)~~(15)~~ "Horserace permitholder" means any thoroughbred
 794 entity permitted under the provisions of this chapter to conduct
 795 pari-mutuel wagering meets of thoroughbred racing; any harness
 796 entity permitted under this chapter to conduct pari-mutuel
 797 wagering meets of harness racing; or any quarter horse entity
 798 permitted under this chapter to conduct pari-mutuel wagering
 799 meets of quarter horse racing.

800 (18)~~(16)~~ "Host track" means a track or fronton conducting
 801 a live or simulcast race or game that is the subject of an
 802 intertrack wager.

803 (19)~~(17)~~ "Intertrack wager" means a particular form of
 804 pari-mutuel wagering in which wagers are accepted at a
 805 permitted, in-state track, fronton, or pari-mutuel facility on a

806 race or game transmitted from and performed live at, or
807 simulcast signal rebroadcast from, another in-state pari-mutuel
808 facility.

809 (20)~~(18)~~ "Jai alai" or "pelota" means a ball game of
810 Spanish origin played on a court with three walls.

811 (21) "Jai alai permitholder" means any entity permitted
812 under this chapter to conduct pari-mutuel wagering meets of jai
813 alai games, regardless of whether the permitholder indicates
814 that it will conduct live jai alai games on its annual operating
815 license.

816 (22)~~(19)~~ "Market area" means an area within 25 miles of a
817 permitholder's track or fronton.

818 (23)~~(20)~~ "Meet" or "meeting" means the conduct of live
819 racing or jai alai for any stake, purse, prize, or premium.

820 (24)~~(39)~~ "Net pool pricing" means a method of calculating
821 prices awarded to winning wagers relative to the contribution,
822 net of takeouts, to a pool by each participating jurisdiction
823 or, as applicable, site.

824 (25)~~(21)~~ "Operating day" means a continuous period of 24
825 hours starting with the beginning of the first performance of a
826 race or game, even though the operating day may start during one
827 calendar day and extend past midnight except that no greyhound
828 race or jai alai game may commence after 1:30 a.m.

829 (26)~~(22)~~ "Pari-mutuel" means a system of betting on races
830 or games in which the winners divide the total amount bet, after
831 deducting management expenses and taxes, in proportion to the

832 sums they have wagered individually and with regard to the odds
 833 assigned to particular outcomes.

834 ~~(27)-(23)~~ "Pari-mutuel facility" means a racetrack,
 835 fronton, or other facility used by a permitholder for the
 836 conduct of pari-mutuel wagering.

837 ~~(28)-(24)~~ "Pari-mutuel wagering pool" means the total
 838 amount wagered on a race or game for a single possible result.

839 ~~(29)-(25)~~ "Performance" means a series of events, races, or
 840 games performed consecutively under a single admission charge.

841 ~~(30)-(26)~~ "Post time" means the time set for the arrival at
 842 the starting point of the horses or greyhounds in a race or the
 843 beginning of a game in jai alai.

844 ~~(31)-(27)~~ "Purse" means the cash portion of the prize for
 845 which a race or game is contested.

846 ~~(32)-(28)~~ "Quarter horse" means a breed of horse developed
 847 in the western United States which is capable of high speed for
 848 a short distance and used in quarter horse racing registered
 849 with the American Quarter Horse Association.

850 (33) "Quarter horse racing permitholder" means any entity
 851 permitted under this chapter to conduct pari-mutuel wagering
 852 meets of quarter horse racing, regardless of whether the
 853 permitholder indicates that it will conduct live racing on its
 854 annual operating license application.

855 ~~(34)-(29)~~ "Racing greyhound" means a greyhound that is or
 856 was used, or is being bred, raised, or trained to be used, in
 857 racing at a pari-mutuel facility and is registered with the

858 National Greyhound Association.

859 (35)~~(30)~~ "Regular wagering" means contributions to pari-
860 mutuel pools involving wagering on a single entry in a single
861 race, or a single jai alai player or team in a single game, such
862 as the win pool, the place pool, or the show pool.

863 (36)~~(31)~~ "Same class of races, games, or permit" means,
864 with respect to a jai alai permitholder, jai alai games or other
865 jai alai permitholders; with respect to a greyhound
866 permitholder, greyhound races or other greyhound racing
867 permitholders; with respect to a thoroughbred racing
868 permitholder, thoroughbred races or other thoroughbred racing
869 permitholders; with respect to a harness racing permitholder,
870 harness races or other harness racing permitholders; with
871 respect to a quarter horse racing permitholder, quarter horse
872 races or other quarter horse racing permitholders.

873 (37)~~(32)~~ "Simulcasting" means broadcasting events
874 occurring live at an in-state location to an out-of-state
875 location, or receiving at an in-state location events occurring
876 live at an out-of-state location, by the transmittal,
877 retransmittal, reception, and rebroadcast of television or radio
878 signals by wire, cable, satellite, microwave, or other
879 electrical or electronic means for receiving or rebroadcasting
880 the events.

881 (38)~~(33)~~ "Standardbred horse" means a pacing or trotting
882 horse that is used in harness racing and that has been
883 registered as a standardbred by the United States Trotting

884 Association or by a foreign registry whose stud book is
885 recognized by the United States Trotting Association.

886 ~~(39)-(34)~~ "Takeout" means the percentage of the pari-mutuel
887 pools deducted by the permitholder prior to the distribution of
888 the pool.

889 ~~(40)-(35)~~ "Thoroughbred" means a purebred horse whose
890 ancestry can be traced back to one of three foundation sires and
891 whose pedigree is registered in the American Stud Book or in a
892 foreign stud book that is recognized by the Jockey Club and the
893 International Stud Book Committee.

894 (41) "Thoroughbred racing permitholder" means any entity
895 permitted under this chapter to conduct pari-mutuel wagering
896 meets of thoroughbred racing, regardless of whether the
897 permitholder indicates that it will conduct live racing on its
898 annual operating license application.

899 ~~(42)-(36)~~ "Totalisator" means the computer system used to
900 accumulate wagers, record sales, calculate payoffs, and display
901 wagering data on a display device that is located at a pari-
902 mutuel facility.

903 ~~(43)-(37)~~ "Ultimate equitable owner" means a natural person
904 who, directly or indirectly, owns or controls 5 percent or more
905 of an ownership interest in a corporation, foreign corporation,
906 or alien business organization, regardless of whether such
907 person owns or controls such ownership through one or more
908 natural persons or one or more proxies, powers of attorney,
909 nominees, corporations, associations, partnerships, trusts,

910 joint stock companies, or other entities or devices, or any
 911 combination thereof.

912 ~~(44)-(38)~~ "Year," for purposes of determining a full
 913 schedule of live racing, means the state fiscal year.

914 Section 14. Subsections (1), (3), and (6) of section
 915 550.01215, Florida Statutes, are amended, and subsection (7) is
 916 added to that section, to read:

917 550.01215 License application; periods of operation; bond,
 918 conversion of permit.—

919 (1) Each permitholder shall annually, during the period
 920 between December 15 and January 31 ~~4~~, file in writing with the
 921 division its application for an operating a license for ~~to~~
 922 ~~conduct performances during~~ the next state fiscal year. Each
 923 application for live performances must ~~shall~~ specify the number,
 924 and dates, ~~and starting times~~ of all live performances that
 925 ~~which~~ the permitholder intends to conduct. It must ~~shall~~ also
 926 specify which performances will be conducted as charity or
 927 scholarship performances.

928 ~~(a) In addition,~~ Each application for an operating a
 929 license must also ~~shall~~ include:7

930 1. Whether the ~~For each~~ permitholder ~~which~~ elects to
 931 accept wagers on broadcast events.

932 2. For each permitholder that elects to operate a
 933 cardroom, the dates and periods of operation the permitholder
 934 intends to operate the cardroom. ~~or~~7

935 3. For each thoroughbred racing permitholder that ~~which~~

936 elects to receive or rebroadcast out-of-state races after 7
937 p.m., the dates for all performances which the permitholder
938 intends to conduct.

939 4. Whether the permitholder intends to conduct live
940 racing.

941 5. Whether the permitholder wants to place the permit into
942 inactive status for a period of 12 months pursuant to division
943 rule.

944 (b)1. A greyhound racing permitholder that conducted a
945 full schedule of live racing for a period of at least 10
946 consecutive state fiscal years after the 1996-1997 state fiscal
947 year, or that converted its permit to a permit to conduct
948 greyhound racing after the 1996-1997 state fiscal year, may
949 specify in its annual application for an operating license that
950 it does not intend to conduct live racing, or that it intends to
951 conduct less than a full schedule of live racing, in the next
952 state fiscal year. A greyhound racing permitholder may receive
953 an operating license to conduct pari-mutuel wagering activities
954 at another permitholder's greyhound racing facility pursuant to
955 s. 550.475.

956 2. Any harness racing permitholder and any quarter horse
957 racing permitholder that has held an operating license for at
958 least 5 years and a cardroom license for at least 2 years is
959 exempt from the live racing requirements of this subsection and
960 may specify in its annual application for an operating license
961 that it does not intend to conduct live racing, or that it

962 intends to conduct less than a full schedule of live racing, in
963 the next state fiscal year.

964 3. A thoroughbred racing permitholder that has had an
965 operating license for at least 25 years, operated a slot machine
966 facility, and held a slot machine license for at least 5 years
967 is exempt from the live racing requirements of this subsection
968 and may specify in its annual application for an operating
969 license that it does not intend to conduct live racing, or that
970 it intends to conduct less than a full schedule of live racing,
971 in the next state fiscal year.

972 4. A jai alai permitholder that has held an operating
973 license for at least 5 years and is not authorized to conduct
974 cardroom operations pursuant to s. 849.086(17) is exempt from
975 the live jai alai requirements of this subsection and may
976 specify in its annual application for an operating license that
977 it does not intend to conduct live jai alai, or that it intends
978 to conduct less than a full schedule of live jai alai, in the
979 next state fiscal year.

980 (c) Permitholders may ~~shall be entitled to~~ amend their
981 applications through February 28.

982 (3) The division shall issue each license no later than
983 March 15. Each permitholder shall operate all performances at
984 the date and time specified on its license. The division shall
985 have the authority to approve minor changes in racing dates
986 after a license has been issued. The division may approve
987 changes in racing dates after a license has been issued when

988 | there is no objection from any operating permitholder located
989 | within 50 miles of the permitholder requesting the changes in
990 | operating dates. In the event of an objection, the division
991 | shall approve or disapprove the change in operating dates based
992 | upon the impact on operating permitholders located within 50
993 | miles of the permitholder requesting the change in operating
994 | dates. In making the determination to change racing dates, the
995 | division shall take into consideration the impact of such
996 | changes on state revenues. Notwithstanding any other provision
997 | of law, and for the 2016-2017 fiscal year only, the division may
998 | approve changes in racing dates for permitholders if the request
999 | for such changes is received before August 31, 2016.

1000 | (6) A summer jai alai permitholder, authorized pursuant to
1001 | former s. 550.0745, Florida Statutes, 2015, as created by s. 14,
1002 | chapter 1992-348, Laws of Florida, may apply for a operating
1003 | license to operate a jai alai fronton only during the summer
1004 | season beginning May 1 and ending November 30 of each year on
1005 | the dates selected by the permitholder. Such permitholder is
1006 | subject to the same taxes, rules, and provisions of this chapter
1007 | which apply to the operation of winter jai alai frontons. A
1008 | summer jai alai permitholder is not eligible for licensure as a
1009 | slot machine facility. A summer jai alai permitholder and a
1010 | winter jai alai permitholder may not operate on the same days or
1011 | in competition with each other. This subsection does not prevent
1012 | a summer jai alai licensee from leasing the facilities of a
1013 | winter jai alai licensee for the operation of a summer meet Any

1014 ~~permit which was converted from a jai alai permit to a greyhound~~
1015 ~~permit may be converted to a jai alai permit at any time if the~~
1016 ~~permitholder never conducted greyhound racing or if the~~
1017 ~~permitholder has not conducted greyhound racing for a period of~~
1018 ~~12 consecutive months.~~

1019 (7) If any of the following conditions exist on February 1
1020 of any year, the holder of a limited thoroughbred racing permit
1021 that did not file an application for live performances between
1022 December 15 and January 31 may apply to conduct live
1023 performances, and such application must be filed before February
1024 15:

1025 (a) All thoroughbred racing permitholders with slot
1026 machine licenses have not collectively sought pari-mutuel
1027 wagering licenses for at least 160 performances and a minimum of
1028 1,760 races in the next state fiscal year;

1029 (b) All thoroughbred racing permitholders have not
1030 collectively sought pari-mutuel wagering licenses for at least
1031 200 performances or a minimum of 1,760 races in the next state
1032 fiscal year; or

1033 (c) All thoroughbred racing permitholders did not
1034 collectively run at least 1,760 races in the previous state
1035 fiscal year.

1036 Section 15. Subsection (1) of section 550.0251, Florida
1037 Statutes, is amended to read:

1038 550.0251 The powers and duties of the Division of Pari-
1039 mutuel Wagering of the Department of Business and Professional

1040 Regulation.—The division shall administer this chapter and
 1041 regulate the pari-mutuel industry under this chapter and the
 1042 rules adopted pursuant thereto, and:

1043 (1) The division shall make an annual report to the
 1044 Governor, the President of the Senate, and the Speaker of the
 1045 House of Representatives. The report shall include, at a
 1046 minimum:

1047 (a) Recent events in the gaming industry occurring since
 1048 the last annual report, including administrative complaints
 1049 filed against permitholders; consent orders entered into with
 1050 permitholders; litigation between the division and a
 1051 permitholder; the approval, revocation, or suspension of any
 1052 permit or operating, slot machine, or cardroom license; and new
 1053 and approved or proposed rules.

1054 (b) Actions of the department relating to the
 1055 implementation and administration of this chapter, chapter 551,
 1056 and s. 849.086.

1057 (c) The state revenues associated with each form of
 1058 authorized gaming. Revenues associated with pari-mutuel wagering
 1059 must be further delineated by the class of license.

1060 (d) The performance of each pari-mutuel wagering licensee,
 1061 cardroom licensee, and slot machine licensee.

1062 (e) A summary of disciplinary actions taken by the
 1063 department.

1064 (f) A summary of each permitholder's licensing history
 1065 from the date of issuance of the permit to the present or the

1066 most recent 25 years, whichever is less, including each year an
 1067 operating, cardroom, or slot machine license was issued, the
 1068 address of the operation of each, and the number of races or
 1069 games actually completed during the fiscal year.

1070 (g) Any recommendations to more effectively achieve
 1071 showing its own actions, receipts derived under the provisions
 1072 of this chapter, the practical effects of the application of
 1073 this chapter, and any suggestions it may approve for the more
 1074 effectual accomplishments of the purposes of this chapter,
 1075 chapter 551, and s. 849.086.

1076 Section 16. Paragraph (b) of subsection (9), paragraph (a)
 1077 of subsection (11), and subsections (13) and (14) of section
 1078 550.054, Florida Statutes, are amended, and paragraphs (c)
 1079 through (f) are added to subsection (9) of that section, to
 1080 read:

1081 550.054 Application for permit to conduct pari-mutuel
 1082 wagering.—

1083 (9)

1084 (b) The division may revoke or suspend any permit or
 1085 license issued under this chapter upon a the willful violation
 1086 by the permitholder or licensee of any provision of chapter 551,
 1087 chapter 849, or this chapter or rules of any rule adopted
 1088 pursuant thereto under this chapter. With the exception of the
 1089 revocation of permits required in paragraphs (c) and (f) In lieu
 1090 of suspending or revoking a permit or license, the division, in
 1091 lieu of suspending or revoking a permit or license, may impose a

1092 civil penalty against the permit holder or licensee for a
1093 violation of this chapter or rules adopted pursuant thereto ~~any~~
1094 ~~rule adopted by the division~~. The penalty so imposed may not
1095 exceed \$1,000 for each count or separate offense. All penalties
1096 imposed and collected must be deposited with the Chief Financial
1097 Officer to the credit of the General Revenue Fund.

1098 (c)1. The division shall revoke the permit of any
1099 permit holder that fails to make payments due pursuant to chapter
1100 550, chapter 551, or s. 849.086 for more than 24 consecutive
1101 months unless such failure was the direct result of fire,
1102 strike, war, or other disaster or event beyond the
1103 permit holder's control. Financial hardship to the permit holder
1104 does not, in and of itself, constitute just cause for failure to
1105 operate or pay tax on handle.

1106 2. The division shall revoke the permit of any
1107 permit holder that has not obtained an operating license in
1108 accordance with s. 550.01215 for a period of more than 24
1109 consecutive months after June 30, 2012. The division shall
1110 revoke the permit upon adequate notice to the permit holder.
1111 Financial hardship to the permit holder does not, in and of
1112 itself, constitute just cause for failure to operate.

1113 (d) A new permit to conduct pari-mutuel wagering may not
1114 be approved or issued after July 1, 2016.

1115 (e) A permit revoked under this subsection is void and may
1116 not be reissued.

1117 (f) A permit holder may apply to the division to place the

1118 permit into inactive status for a period of 12 months, if such
1119 application is made pursuant to s. 550.01215 and division rule.
1120 The permitholder may renew inactive status for up to 12
1121 additional months, but a permit may not be in inactive status
1122 for a period of more than 24 consecutive months. Permitholders
1123 in inactive status are not eligible for an operating license or
1124 licensure for pari-mutuel wagering, slot machines, or cardrooms.
1125 Inactive status shall be removed upon approval of an application
1126 for an operating license. The division shall revoke any
1127 permitholder that is in inactive status for more than 24 months.

1128 (11) (a) A permit granted under this chapter may not be
1129 transferred or assigned except upon written approval by the
1130 division pursuant to s. 550.1815, ~~except that the holder of any~~
1131 ~~permit that has been converted to a jai alai permit may lease or~~
1132 ~~build anywhere within the county in which its permit is located.~~

1133 (13) ~~(a)~~ Notwithstanding any provision ~~provisions~~ of this
1134 chapter or chapter 551, a pari-mutuel ~~no thoroughbred horse~~
1135 ~~rac~~ing permit or license issued under this chapter may not ~~shall~~
1136 ~~be transferred, or reissued when such reissuance is in the~~
1137 ~~nature of a transfer so as to permit or authorize a licensee to~~
1138 ~~change the location of a thoroughbred horse racetrack except~~
1139 ~~upon proof in such form as the division may prescribe that a~~
1140 ~~referendum election has been held:~~

1141 1. ~~If the proposed new location is within the same county~~
1142 ~~as the already licensed location, in the county where the~~
1143 ~~licensee desires to conduct the race meeting and that a majority~~

1144 ~~of the electors voting on that question in such election voted~~
 1145 ~~in favor of the transfer of such license.~~

1146 ~~2. If the proposed new location is not within the same~~
 1147 ~~county as the already licensed location, in the county where the~~
 1148 ~~licensee desires to conduct the race meeting and in the county~~
 1149 ~~where the licensee is already licensed to conduct the race~~
 1150 ~~meeting and that a majority of the electors voting on that~~
 1151 ~~question in each such election voted in favor of the transfer of~~
 1152 ~~such license.~~

1153 ~~(b) Each referendum held under the provisions of this~~
 1154 ~~subsection shall be held in accordance with the electoral~~
 1155 ~~procedures for ratification of permits, as provided in s.~~
 1156 ~~550.0651. The expense of each such referendum shall be borne by~~
 1157 ~~the licensee requesting the transfer.~~

1158 ~~(14)(a) Notwithstanding any other provision of law, a~~
 1159 ~~pari-mutuel permit, cardroom, or slot machine facility may not~~
 1160 ~~be relocated except as provided ss. 550.0555 and 550.3345, and a~~
 1161 ~~pari-mutuel permit may not be converted to another class of~~
 1162 ~~permit. Any holder of a permit to conduct jai alai may apply to~~
 1163 ~~the division to convert such permit to a permit to conduct~~
 1164 ~~greyhound racing in lieu of jai alai if:~~

1165 ~~1. Such permit is located in a county in which the~~
 1166 ~~division has issued only two pari-mutuel permits pursuant to~~
 1167 ~~this section;~~

1168 ~~2. Such permit was not previously converted from any other~~
 1169 ~~class of permit; and~~

1170 ~~3. The holder of the permit has not conducted jai alai~~
1171 ~~games during a period of 10 years immediately preceding his or~~
1172 ~~her application for conversion under this subsection.~~

1173 ~~(b) The division, upon application from the holder of a~~
1174 ~~jai alai permit meeting all conditions of this section, shall~~
1175 ~~convert the permit and shall issue to the permitholder a permit~~
1176 ~~to conduct greyhound racing. A permitholder of a permit~~
1177 ~~converted under this section shall be required to apply for and~~
1178 ~~conduct a full schedule of live racing each fiscal year to be~~
1179 ~~eligible for any tax credit provided by this chapter. The holder~~
1180 ~~of a permit converted pursuant to this subsection or any holder~~
1181 ~~of a permit to conduct greyhound racing located in a county in~~
1182 ~~which it is the only permit issued pursuant to this section who~~
1183 ~~operates at a leased facility pursuant to s. 550.475 may move~~
1184 ~~the location for which the permit has been issued to another~~
1185 ~~location within a 30-mile radius of the location fixed in the~~
1186 ~~permit issued in that county, provided the move does not cross~~
1187 ~~the county boundary and such location is approved under the~~
1188 ~~zoning regulations of the county or municipality in which the~~
1189 ~~permit is located, and upon such relocation may use the permit~~
1190 ~~for the conduct of pari-mutuel wagering and the operation of a~~
1191 ~~cardroom. The provisions of s. 550.6305(9)(d) and (f) shall~~
1192 ~~apply to any permit converted under this subsection and shall~~
1193 ~~continue to apply to any permit which was previously included~~
1194 ~~under and subject to such provisions before a conversion~~
1195 ~~pursuant to this section occurred.~~

1196 Section 17. Subsection (2) of section 550.0555, Florida
 1197 Statutes, is amended to read:

1198 550.0555 Permitholder ~~Greyhound dogracing permits;~~
 1199 relocation within a county; conditions.—

1200 (2) The following permitholders are ~~Any holder of a valid~~
 1201 ~~outstanding permit for greyhound dogracing in a county in which~~
 1202 ~~there is only one dogracing permit issued, as well as any holder~~
 1203 ~~of a valid outstanding permit for jai alai in a county where~~
 1204 ~~only one jai alai permit is issued,~~ is authorized, without the
 1205 necessity of an additional county referendum required under s.
 1206 550.0651, to move the location for which the permit has been
 1207 issued to another location within a 30-mile radius of the
 1208 location fixed in the permit issued in that county, provided the
 1209 move does not cross the county boundary, that such relocation is
 1210 approved under the zoning regulations of the county or
 1211 municipality in which the permit is to be located as a planned
 1212 development use, consistent with the comprehensive plan, and
 1213 that such move is approved by the department after it is
 1214 determined that the new location is at least 10 miles from an
 1215 existing pari-mutuel facility and, if within a county with three
 1216 or more pari-mutuel permits, is at least 10 miles from the
 1217 waters of the Atlantic Ocean:

1218 (a) Any holder of a valid outstanding greyhound racing
 1219 permit that was previously converted from a jai alai permit;

1220 (b) Any holder of a valid outstanding greyhound racing
 1221 permit in a county in which there is only one greyhound racing

1222 permit issued; and

1223 (c) Any holder of a valid outstanding jai alai permit in a
 1224 county where only one jai alai permit is issued. at a proceeding
 1225 ~~pursuant to chapter 120 in the county affected that the move is~~
 1226 ~~necessary to ensure the revenue-producing capability of the~~
 1227 ~~permittee without deteriorating the revenue-producing capability~~
 1228 ~~of any other pari-mutuel permittee within 50 miles;~~

1229

1230 The distances ~~distance~~ shall be measured on a straight line from
 1231 the nearest property line of one racing plant or jai alai
 1232 fronton to the nearest property line of the other and the
 1233 nearest mean high tide line of the Atlantic Ocean.

1234 Section 18. Section 550.0745, Florida Statutes, is
 1235 repealed.

1236 Section 19. Section 550.0951, Florida Statutes, is amended
 1237 to read:

1238 550.0951 Payment of daily license fee and taxes;
 1239 penalties.—

1240 (1) ~~(a)~~ DAILY LICENSE FEE.—Each person engaged in the
 1241 business of conducting race meetings or jai alai games under
 1242 this chapter, hereinafter referred to as the "permitholder,"
 1243 "licensee," or "permittee," shall pay ~~to the division, for the~~
 1244 ~~use of the division,~~ a daily license fee on each live or
 1245 simulcast pari-mutuel event of \$100 for each horserace, and \$80
 1246 for each greyhound race, ~~dog race~~ and \$40 for each jai alai game,
 1247 any of which is conducted at a racetrack or fronton licensed

1248 under this chapter. A ~~In addition to the tax exemption specified~~
1249 ~~in s. 550.09514(1) of \$360,000 or \$500,000 per greyhound~~
1250 ~~permitholder per state fiscal year, each greyhound permitholder~~
1251 ~~shall receive in the current state fiscal year a tax credit~~
1252 ~~equal to the number of live greyhound races conducted in the~~
1253 ~~previous state fiscal year times the daily license fee specified~~
1254 ~~for each dograce in this subsection applicable for the previous~~
1255 ~~state fiscal year. This tax credit and the exemption in s.~~
1256 ~~550.09514(1) shall be applicable to any tax imposed by this~~
1257 ~~chapter or the daily license fees imposed by this chapter except~~
1258 ~~during any charity or scholarship performances conducted~~
1259 ~~pursuant to s. 550.0351. Each permitholder may not be required~~
1260 ~~to shall~~ pay daily license fees in excess of ~~not to exceed~~ \$500
1261 per day on any simulcast races or games on which such
1262 permitholder accepts wagers, regardless of the number of out-of-
1263 state events taken or the number of out-of-state locations from
1264 which such events are taken. This license fee shall be deposited
1265 with the Chief Financial Officer to the credit of the Pari-
1266 mutuel Wagering Trust Fund.

1267 ~~(b) Each permitholder that cannot utilize the full amount~~
1268 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~
1269 ~~550.09514(1) or the daily license fee credit provided in this~~
1270 ~~section may, after notifying the division in writing, elect once~~
1271 ~~per state fiscal year on a form provided by the division to~~
1272 ~~transfer such exemption or credit or any portion thereof to any~~
1273 ~~greyhound permitholder which acts as a host track to such~~

1274 ~~permitholder for the purpose of intertrack wagering. Once an~~
 1275 ~~election to transfer such exemption or credit is filed with the~~
 1276 ~~division, it shall not be rescinded. The division shall~~
 1277 ~~disapprove the transfer when the amount of the exemption or~~
 1278 ~~credit or portion thereof is unavailable to the transferring~~
 1279 ~~permitholder or when the permitholder who is entitled to~~
 1280 ~~transfer the exemption or credit or who is entitled to receive~~
 1281 ~~the exemption or credit owes taxes to the state pursuant to a~~
 1282 ~~deficiency letter or administrative complaint issued by the~~
 1283 ~~division. Upon approval of the transfer by the division, the~~
 1284 ~~transferred tax exemption or credit shall be effective for the~~
 1285 ~~first performance of the next payment period as specified in~~
 1286 ~~subsection (5). The exemption or credit transferred to such host~~
 1287 ~~track may be applied by such host track against any taxes~~
 1288 ~~imposed by this chapter or daily license fees imposed by this~~
 1289 ~~chapter. The greyhound permitholder host track to which such~~
 1290 ~~exemption or credit is transferred shall reimburse such~~
 1291 ~~permitholder the exact monetary value of such transferred~~
 1292 ~~exemption or credit as actually applied against the taxes and~~
 1293 ~~daily license fees of the host track. The division shall ensure~~
 1294 ~~that all transfers of exemption or credit are made in accordance~~
 1295 ~~with this subsection and shall have the authority to adopt rules~~
 1296 ~~to ensure the implementation of this section.~~

1297 (2) ADMISSION TAX.—

1298 (a) An admission tax equal to 15 percent of the admission
 1299 charge for entrance to the permitholder's facility and

1300 grandstand area, or 10 cents, whichever is greater, is imposed
 1301 on each person attending a horserace, greyhound race ~~dog race~~, or
 1302 jai alai game. The permitholder is ~~shall be~~ responsible for
 1303 collecting the admission tax.

1304 (b) The ~~No~~ admission tax imposed under this chapter and ~~or~~
 1305 chapter 212 may not ~~shall~~ be imposed on any free passes or
 1306 complimentary cards issued to persons for which there is no cost
 1307 to the person for admission to pari-mutuel events.

1308 (c) A permitholder may issue tax-free passes to its
 1309 officers, officials, and employees and to ~~or~~ other persons
 1310 actually engaged in working at the racetrack, including
 1311 accredited media ~~press~~ representatives such as reporters and
 1312 editors, and may also issue tax-free passes to other
 1313 permitholders for the use of their officers and officials. The
 1314 permitholder shall file with the division a list of all persons
 1315 to whom tax-free passes are issued under this paragraph.

1316 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on
 1317 contributions to pari-mutuel pools, the aggregate of which is
 1318 hereinafter referred to as "handle," on races or games conducted
 1319 by the permitholder. The tax is imposed daily and is based on
 1320 the total contributions to all pari-mutuel pools conducted
 1321 during the daily performance. If a permitholder conducts more
 1322 than one performance daily, the tax is imposed on each
 1323 performance separately.

1324 (a) The tax on handle for quarter horse racing is 1.0
 1325 percent of the handle.

1326 (b)1. The tax on handle for greyhound racing ~~dogracing~~ is
 1327 1.28 ~~5.5~~ percent of the handle, ~~except that for live charity~~
 1328 ~~performances held pursuant to s. 550.0351, and for intertrack~~
 1329 ~~wagering on such charity performances at a guest greyhound track~~
 1330 ~~within the market area of the host, the tax is 7.6 percent of~~
 1331 ~~the handle.~~

1332 2. The tax on handle for jai alai is 7.1 percent of the
 1333 handle.

1334 (c)1. The tax on handle for intertrack wagering is:

1335 a. If the host track is a horse track, 2.0 percent of the
 1336 handle.

1337 b. If the host track is a harness ~~horse~~ track, 3.3 percent
 1338 of the handle.

1339 c. If the host track is a greyhound ~~harness~~ track, 1.28
 1340 ~~5.5~~ percent of the handle, to be remitted by the guest track. ~~if~~
 1341 ~~the host track is a dog track, and~~

1342 d. If the host track is a jai alai fronton, 7.1 percent of
 1343 the handle ~~if the host track is a jai alai fronton.~~

1344 e. ~~The tax on handle for intertrack wagering is 0.5~~
 1345 ~~percent~~ If the host track and the guest track are thoroughbred
 1346 racing permitholders or if the guest track is located outside
 1347 the market area of a ~~the~~ host track that is not a greyhound
 1348 racing track and within the market area of a thoroughbred racing
 1349 permitholder currently conducting a live race meet, 0.5 percent
 1350 of the handle.

1351 f. ~~The tax on handle~~ For intertrack wagering on

CS/HB 7109

2016

1352 rebroadcasts of simulcast thoroughbred horseraces, ~~is~~ 2.4
1353 percent of the handle and ~~1.5 percent of the handle~~ for
1354 intertrack wagering on rebroadcasts of simulcast harness
1355 horseraces, 1.5 percent of the handle.

1356 2. The tax shall be deposited into the Pari-mutuel
1357 Wagering Trust Fund.

1358 ~~3.2.~~ The tax on handle for intertrack wagers accepted by
1359 any greyhound ~~dog~~ track located in an area of the state in which
1360 there are only three permitholders, all of which are greyhound
1361 racing permitholders, located in three contiguous counties, from
1362 any greyhound racing permitholder also located within such area
1363 or any greyhound ~~dog~~ track or jai alai fronton located as
1364 specified in s. 550.615(7) ~~550.615(6) or (9)~~, on races or games
1365 received from any jai alai the same class of permitholder
1366 located within the same market area is 1.28 ~~3.9~~ percent of the
1367 handle if the host facility is a greyhound racing permitholder.
1368 ~~and,~~ If the host facility is a jai alai permitholder, the tax is
1369 ~~rate shall be 6.1 percent of the handle until except that it~~
1370 ~~shall be 2.3 percent on handle at~~ such time as the total tax on
1371 intertrack handle paid to the division by the permitholder
1372 during the current state fiscal year exceeds the total ~~tax on~~
1373 ~~intertrack handle~~ paid to the division by the permitholder
1374 during the 1992-1993 state fiscal year, in which case the tax is
1375 2.3 percent of the handle.

1376 (d) Notwithstanding any other provision of this chapter,
1377 in order to protect the Florida jai alai industry, effective

1378 July 1, 2000, a jai alai permitholder may not be taxed on live
 1379 handle at a rate higher than 2 percent.

1380 (4) BREAKS TAX.—Effective October 1, 1996, each
 1381 permitholder conducting jai alai performances shall pay a tax
 1382 equal to the breaks. As used in this subsection, the term
 1383 "breaks" means the money that remains in each pari-mutuel pool
 1384 after funds are ~~The "breaks" represents that portion of each~~
 1385 ~~pari-mutuel pool which is not~~ redistributed to the contributors
 1386 and commissions are ~~or~~ withheld by the permitholder ~~as~~
 1387 ~~commission.~~

1388 (5) PAYMENT AND DISPOSITION OF FEES AND TAXES.—Payments
 1389 imposed by this section shall be paid to the division. The
 1390 division shall deposit such payments ~~these sums~~ with the Chief
 1391 Financial Officer, to the credit of the Pari-mutuel Wagering
 1392 Trust Fund, hereby established. The permitholder shall remit to
 1393 the division payment for the daily license fee, the admission
 1394 tax, the tax on handle, and the breaks tax. Such payments must
 1395 ~~shall~~ be remitted by 3 p.m. on Wednesday of each week for taxes
 1396 imposed and collected for the preceding week ending on Sunday.
 1397 Beginning on July 1, 2012, such payments must ~~shall~~ be remitted
 1398 by 3 p.m. on the 5th day of each calendar month for taxes
 1399 imposed and collected for the preceding calendar month. If the
 1400 5th day of the calendar month falls on a weekend, payments must
 1401 ~~shall~~ be remitted by 3 p.m. on the first Monday following the
 1402 weekend. Permitholders shall file a report under oath by the 5th
 1403 day of each calendar month for all taxes remitted during the

1404 preceding calendar month. Such payments must ~~shall~~ be
 1405 accompanied by a report under oath showing the total of all
 1406 admissions, the pari-mutuel wagering activities for the
 1407 preceding calendar month, and any ~~such~~ other information ~~as may~~
 1408 ~~be~~ prescribed by the division.

1409 (6) PENALTIES.—

1410 (a) The failure of any permitholder to make payments as
 1411 prescribed in subsection (5) is a violation of this section, and
 1412 the ~~permitholder may be subjected by the division~~ may impose ~~to~~
 1413 a civil penalty against the permitholder of up to \$1,000 for
 1414 each day the tax payment is not remitted. All penalties imposed
 1415 and collected shall be deposited in the General Revenue Fund. If
 1416 a permitholder fails to pay penalties imposed by order of the
 1417 division under this subsection, the division may suspend or
 1418 revoke the license of the permitholder, cancel the permit of the
 1419 permitholder, or deny issuance of any further license or permit
 1420 to the permitholder.

1421 (b) In addition to the civil penalty prescribed in
 1422 paragraph (a), any willful or wanton failure by any permitholder
 1423 to make payments of the daily license fee, admission tax, tax on
 1424 handle, or breaks tax constitutes sufficient grounds for the
 1425 division to suspend or revoke the license of the permitholder,
 1426 to cancel the permit of the permitholder, or to deny issuance of
 1427 any further license or permit to the permitholder.

1428 Section 20. Section 550.09512, Florida Statutes, is
 1429 amended to read:

1430 550.09512 Harness horse racing taxes; abandoned interest
 1431 in a permit for nonpayment of taxes.—

1432 (1) Pari-mutuel wagering at harness horse racetracks in
 1433 this state is an important business enterprise, and taxes
 1434 derived therefrom constitute a part of the tax structure which
 1435 funds operation of the state. Harness racing ~~horse~~ permitholders
 1436 should pay their fair share of these taxes to the state. This
 1437 business interest should not be taxed to such an extent as to
 1438 cause any racetrack which is operated under sound business
 1439 principles to be forced out of business. Due to the need to
 1440 protect the public health, safety, and welfare, the gaming laws
 1441 of the state provide for the harness horse industry to be highly
 1442 regulated and taxed. The state recognizes that there exist
 1443 identifiable differences between harness racing ~~horse~~
 1444 permitholders based upon their ability to operate under such
 1445 regulation and tax system.

1446 (2) (a) The tax on handle for live harness horse
 1447 performances is 0.5 percent of handle per performance.

1448 (b) For purposes of this section, the term "handle" shall
 1449 have the same meaning as in s. 550.0951, and shall not include
 1450 handle from intertrack wagering.

1451 (3) ~~(a)~~ The division shall revoke the permit of a harness
 1452 horse racing permitholder that fails to make payments due
 1453 pursuant to this chapter, chapter 551, or s. 849.086 for more
 1454 than 24 consecutive months ~~who does not pay tax on handle for~~
 1455 ~~live harness horse performances for a full schedule of live~~

1456 ~~racers during any 2 consecutive state fiscal years shall be void~~
1457 ~~and shall escheat to and become the property of the state unless~~
1458 ~~such failure to operate and pay tax ~~on handle~~ was the direct~~
1459 ~~result of fire, strike, war, or other disaster or event beyond~~
1460 ~~the ability of the permitholder to control. Financial hardship~~
1461 ~~to the permitholder does shall not, in and of itself, constitute~~
1462 ~~just cause for failure to operate and pay tax ~~on handle~~. A~~
1463 ~~permit revoked under this subsection is void and may not be~~
1464 ~~reissued.~~

1465 ~~(b) In order to maximize the tax revenues to the state,~~
1466 ~~the division shall reissue an escheated harness horse permit to~~
1467 ~~a qualified applicant pursuant to the provisions of this chapter~~
1468 ~~as for the issuance of an initial permit. However, the~~
1469 ~~provisions of this chapter relating to referendum requirements~~
1470 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
1471 ~~escheated harness horse permit. As specified in the application~~
1472 ~~and upon approval by the division of an application for the~~
1473 ~~permit, the new permitholder shall be authorized to operate a~~
1474 ~~harness horse facility anywhere in the same county in which the~~
1475 ~~escheated permit was authorized to be operated, notwithstanding~~
1476 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

1477 (4) In the event that a court of competent jurisdiction
1478 determines any of the provisions of this section to be
1479 unconstitutional, it is the intent of the Legislature that the
1480 provisions contained in this section shall be null and void and
1481 that the provisions of s. 550.0951 shall apply to all harness

1482 racing ~~horse~~ permitholders beginning on the date of such
 1483 judicial determination. To this end, the Legislature declares
 1484 that it would not have enacted any of the provisions of this
 1485 section individually and, to that end, expressly finds them not
 1486 to be severable.

1487 Section 21. Section 550.09514, Florida Statutes, is
 1488 amended to read:

1489 550.09514 Greyhound racing ~~degracing~~ taxes; purse
 1490 requirements.-

1491 ~~(1) Wagering on greyhound racing is subject to a tax on~~
 1492 ~~handle for live greyhound racing as specified in s. 550.0951(3).~~
 1493 ~~However, each permitholder shall pay no tax on handle until such~~
 1494 ~~time as this subsection has resulted in a tax savings per state~~
 1495 ~~fiscal year of \$360,000. Thereafter, each permitholder shall pay~~
 1496 ~~the tax as specified in s. 550.0951(3) on all handle for the~~
 1497 ~~remainder of the permitholder's current race meet. For the three~~
 1498 ~~permitholders that conducted a full schedule of live racing in~~
 1499 ~~1995, and are closest to another state that authorizes greyhound~~
 1500 ~~pari-mutuel wagering, the maximum tax savings per state fiscal~~
 1501 ~~year shall be \$500,000. The provisions of this subsection~~
 1502 ~~relating to tax exemptions shall not apply to any charity or~~
 1503 ~~scholarship performances conducted pursuant to s. 550.0351.~~

1504 (1)~~(2)~~(a) The division shall determine for each greyhound
 1505 racing permitholder the annual purse percentage rate of live
 1506 handle for the state fiscal year 1993-1994 by dividing total
 1507 purses paid on live handle by the permitholder, exclusive of

1508 payments made from outside sources, during the 1993-1994 state
 1509 fiscal year by the permitholder's live handle for the 1993-1994
 1510 state fiscal year. A greyhound racing ~~Each~~ permitholder
 1511 conducting live racing during a fiscal year shall pay as purses
 1512 for such live races conducted during its current race meet a
 1513 percentage of its live handle not less than the percentage
 1514 determined under this paragraph, exclusive of payments made by
 1515 outside sources, for its 1993-1994 state fiscal year.

1516 (b) Except as otherwise set forth herein, in addition to
 1517 the minimum purse percentage required by paragraph (a), each
 1518 greyhound racing permitholder conducting live racing during a
 1519 fiscal year shall pay as purses an annual amount of \$60 for each
 1520 live race conducted ~~equal to 75 percent of the daily license~~
 1521 ~~fees paid by the greyhound racing each permitholder in for the~~
 1522 ~~preceding 1994-1995~~ fiscal year. These ~~This~~ ~~purse~~ ~~supplement~~
 1523 ~~shall be disbursed weekly during the permitholder's race meet in~~
 1524 ~~an amount determined by dividing the annual purse supplement by~~
 1525 ~~the number of performances approved for the permitholder~~
 1526 ~~pursuant to its annual license and multiplying that amount by~~
 1527 ~~the number of performances conducted each week. For the~~
 1528 ~~greyhound permitholders in the county where there are two~~
 1529 ~~greyhound permitholders located as specified in s. 550.615(6),~~
 1530 ~~such permitholders shall pay in the aggregate an amount equal to~~
 1531 ~~75 percent of the daily license fees paid by such permitholders~~
 1532 ~~for the 1994-1995 fiscal year. These permitholders shall be~~
 1533 ~~jointly and severally liable for such purse payments. The~~

1534 ~~additional purses provided by this paragraph~~ must be used
1535 exclusively for purses other than stakes and must be disbursed
1536 weekly during the permitholder's race meet. The division shall
1537 conduct audits necessary to ensure compliance with this section.

1538 (c)1. Each greyhound racing permitholder, when conducting
1539 at least three live performances during any week, shall pay
1540 purses in that week on wagers it accepts as a guest track on
1541 intertrack and simulcast greyhound races at the same rate as it
1542 pays on live races. Each greyhound racing permitholder, when
1543 conducting at least three live performances during any week,
1544 shall pay purses in that week, at the same rate as it pays on
1545 live races, on wagers accepted on greyhound races at a guest
1546 track that ~~which~~ is not conducting live racing and is located
1547 within the same market area as the greyhound racing permitholder
1548 conducting at least three live performances during any week.

1549 2. Each host greyhound racing permitholder shall pay
1550 purses on its simulcast and intertrack broadcasts of greyhound
1551 races to guest facilities that are located outside its market
1552 area in an amount equal to one quarter of an amount determined
1553 by subtracting the transmission costs of sending the simulcast
1554 or intertrack broadcasts from an amount determined by adding the
1555 fees received for greyhound simulcast races plus 3 percent of
1556 the greyhound intertrack handle at guest facilities that are
1557 located outside the market area of the host and that paid
1558 contractual fees to the host for such broadcasts of greyhound
1559 races.

1560 (d) The division shall require sufficient documentation
1561 from each greyhound racing permitholder regarding purses paid on
1562 live racing to assure that the annual purse percentage rates
1563 paid by each greyhound racing permitholder conducting ~~on the~~
1564 live races are not reduced below those paid during the 1993-1994
1565 state fiscal year. The division shall require sufficient
1566 documentation from each greyhound racing permitholder to assure
1567 that the purses paid by each permitholder on the greyhound
1568 intertrack and simulcast broadcasts are in compliance with the
1569 requirements of paragraph (c).

1570 (e) In addition to the purse requirements of paragraphs
1571 (a)-(c), each greyhound racing permitholder conducting live
1572 races shall pay as purses an amount equal to one-third of the
1573 amount of the tax reduction on live and simulcast handle
1574 applicable to such permitholder as a result of the reductions in
1575 tax rates provided by s. 6, chapter 2000-354, Laws of Florida
1576 ~~this act through the amendments to s. 550.0951(3)~~. With respect
1577 to intertrack wagering when the host and guest tracks are
1578 greyhound racing permitholders not within the same market area,
1579 an amount equal to the tax reduction applicable to the guest
1580 track handle as a result of the reduction in tax rate provided
1581 by s. 6, chapter 2000-354, Laws of Florida, ~~this act through the~~
1582 ~~amendment to s. 550.0951(3)~~ shall be distributed to the guest
1583 track, one-third of which amount shall be paid as purses at the
1584 guest track. However, if the guest track is a greyhound racing
1585 permitholder within the market area of the host or if the guest

1586 track is not a greyhound racing permitholder, an amount equal to
1587 such tax reduction applicable to the guest track handle shall be
1588 retained by the host track, one-third of which amount shall be
1589 paid as purses at the host track. These purse funds shall be
1590 disbursed in the week received if the permitholder conducts at
1591 least one live performance during that week. If the permitholder
1592 does not conduct at least one live performance during the week
1593 in which the purse funds are received, the purse funds shall be
1594 disbursed weekly during the permitholder's next race meet in an
1595 amount determined by dividing the purse amount by the number of
1596 performances approved for the permitholder pursuant to its
1597 annual license, and multiplying that amount by the number of
1598 performances conducted each week. The division shall conduct
1599 audits necessary to ensure compliance with this paragraph.

1600 (f) Each greyhound racing permitholder conducting live
1601 racing shall, during the permitholder's race meet, supply kennel
1602 operators and the Division of Pari-Mutuel Wagering with a weekly
1603 report showing purses paid on live greyhound races and all
1604 greyhound intertrack and simulcast broadcasts, including both as
1605 a guest and a host together with the handle or commission
1606 calculations on which such purses were paid and the transmission
1607 costs of sending the simulcast or intertrack broadcasts, so that
1608 the kennel operators may determine statutory and contractual
1609 compliance.

1610 (g) Each greyhound racing permitholder conducting live
1611 racing shall make direct payment of purses to the greyhound

1612 owners who have filed with such permitholder appropriate federal
 1613 taxpayer identification information based on the percentage
 1614 amount agreed upon between the kennel operator and the greyhound
 1615 owner.

1616 (h) At the request of a majority of kennel operators under
 1617 contract with a greyhound racing permitholder conducting live
 1618 racing, the permitholder shall make deductions from purses paid
 1619 to each kennel operator electing such deduction and shall make a
 1620 direct payment of such deductions to the local association of
 1621 greyhound kennel operators formed by a majority of kennel
 1622 operators under contract with the permitholder. The amount of
 1623 the deduction shall be at least 1 percent of purses, as
 1624 determined by the local association of greyhound kennel
 1625 operators. ~~No~~ Deductions may not be taken pursuant to this
 1626 paragraph without a kennel operator's specific approval before
 1627 or after the effective date of this act.

1628 ~~(2)-(3)~~ For the purpose of this section, the term "live
 1629 handle" means the handle from wagers placed at the
 1630 permitholder's establishment on the live greyhound races
 1631 conducted at the permitholder's establishment.

1632 Section 22. Section 550.09515, Florida Statutes, is
 1633 amended to read:

1634 550.09515 Thoroughbred racing ~~horse~~ taxes; abandoned
 1635 interest in a permit for nonpayment of taxes.—

1636 (1) Pari-mutuel wagering at thoroughbred horse racetracks
 1637 in this state is an important business enterprise, and taxes

1638 derived therefrom constitute a part of the tax structure which
 1639 funds operation of the state. Thoroughbred horse permitholders
 1640 should pay their fair share of these taxes to the state. This
 1641 business interest should not be taxed to such an extent as to
 1642 cause any racetrack which is operated under sound business
 1643 principles to be forced out of business. Due to the need to
 1644 protect the public health, safety, and welfare, the gaming laws
 1645 of the state provide for the thoroughbred horse industry to be
 1646 highly regulated and taxed. The state recognizes that there
 1647 exist identifiable differences between thoroughbred horse
 1648 permitholders based upon their ability to operate under such
 1649 regulation and tax system and at different periods during the
 1650 year.

1651 (2) (a) The tax on handle for live thoroughbred horserace
 1652 performances shall be 0.5 percent.

1653 (b) For purposes of this section, the term "handle" shall
 1654 have the same meaning as in s. 550.0951, and shall not include
 1655 handle from intertrack wagering.

1656 (3) ~~(a)~~ The division shall revoke the permit of a
 1657 thoroughbred racing horse permitholder that fails to make
 1658 payments due pursuant to this chapter, chapter 551, or s.
 1659 849.086 for more than 24 consecutive months ~~who does not pay tax~~
 1660 ~~on handle for live thoroughbred horse performances for a full~~
 1661 ~~schedule of live races during any 2 consecutive state fiscal~~
 1662 ~~years shall be void and shall escheat to and become the property~~
 1663 ~~of the state unless such failure to operate and pay tax on~~

1664 ~~handle~~ was the direct result of fire, strike, war, or other
1665 disaster or event beyond the ability of the permitholder to
1666 control. Financial hardship to the permitholder does ~~shall~~ not,
1667 in and of itself, constitute just cause for failure to operate
1668 and pay tax ~~on handle~~. A permit revoked under this subsection is
1669 void and may not be reissued.

1670 ~~(b) In order to maximize the tax revenues to the state,~~
1671 ~~the division shall reissue an escheated thoroughbred horse~~
1672 ~~permit to a qualified applicant pursuant to the provisions of~~
1673 ~~this chapter as for the issuance of an initial permit. However,~~
1674 ~~the provisions of this chapter relating to referendum~~
1675 ~~requirements for a pari-mutuel permit shall not apply to the~~
1676 ~~reissuance of an escheated thoroughbred horse permit. As~~
1677 ~~specified in the application and upon approval by the division~~
1678 ~~of an application for the permit, the new permitholder shall be~~
1679 ~~authorized to operate a thoroughbred horse facility anywhere in~~
1680 ~~the same county in which the escheated permit was authorized to~~
1681 ~~be operated, notwithstanding the provisions of s. 550.054(2)~~
1682 ~~relating to mileage limitations.~~

1683 (4) In the event that a court of competent jurisdiction
1684 determines any of the provisions of this section to be
1685 unconstitutional, it is the intent of the Legislature that the
1686 provisions contained in this section shall be null and void and
1687 that the provisions of s. 550.0951 shall apply to all
1688 thoroughbred horse permitholders beginning on the date of such
1689 judicial determination. To this end, the Legislature declares

CS/HB 7109

2016

1690 that it would not have enacted any of the provisions of this
1691 section individually and, to that end, expressly finds them not
1692 to be severable.

1693 (5) Notwithstanding the provisions of s. 550.0951(3)(c),
1694 the tax on handle for intertrack wagering on rebroadcasts of
1695 simulcast horseraces is 2.4 percent of the handle; provided
1696 however, that if the guest track is a thoroughbred track located
1697 more than 35 miles from the host track, the host track shall pay
1698 a tax of .5 percent of the handle, and additionally the host
1699 track shall pay to the guest track 1.9 percent of the handle to
1700 be used by the guest track solely for purses. The tax shall be
1701 deposited into the Pari-mutuel Wagering Trust Fund.

1702 (6) A credit equal to the amount of contributions made by
1703 a thoroughbred racing permitholder during the taxable year
1704 directly to the Jockeys' Guild or its health and welfare fund to
1705 be used to provide health and welfare benefits for active,
1706 disabled, and retired Florida jockeys and their dependents
1707 pursuant to reasonable rules of eligibility established by the
1708 Jockeys' Guild is allowed against taxes on live handle due for a
1709 taxable year under this section. A thoroughbred racing
1710 permitholder may not receive a credit greater than an amount
1711 equal to 1 percent of its paid taxes for the previous taxable
1712 year.

1713 ~~(7) If a thoroughbred permitholder fails to operate all~~
1714 ~~performances on its 2001-2002 license, failure to pay tax on~~
1715 ~~handle for a full schedule of live races for those performances~~

1716 ~~in the 2001-2002 fiscal year does not constitute failure to pay~~
1717 ~~taxes on handle for a full schedule of live races in a fiscal~~
1718 ~~year for the purposes of subsection (3). This subsection may not~~
1719 ~~be construed as forgiving a thoroughbred permitholder from~~
1720 ~~paying taxes on performances conducted at its facility pursuant~~
1721 ~~to its 2001-2002 license other than for failure to operate all~~
1722 ~~performances on its 2001-2002 license. This subsection expires~~
1723 ~~July 1, 2003.~~

1724 Section 23. Paragraph (a) of subsection (2) of section
1725 550.105, Florida Statutes, is amended to read:

1726 550.105 Occupational licenses of racetrack employees;
1727 fees; denial, suspension, and revocation of license; penalties
1728 and fines.—

1729 (2) (a) The following licenses shall be issued to persons
1730 or entities with access to the backside, racing animals, jai
1731 alai players' room, jockeys' room, drivers' room, totalisator
1732 room, the mutuels, or money room, or to persons who, by virtue
1733 of the position they hold, might be granted access to these
1734 areas or to any other person or entity in one of the following
1735 categories and with fees not to exceed the following amounts for
1736 any 12-month period:

1737 1. Business licenses: any business such as a vendor,
1738 contractual concessionaire, contract kennel, business owning
1739 racing animals, trust or estate, totalisator company, stable
1740 name, multijurisdictional simulcasting and interactive wagering
1741 totalisator hub, or other fictitious name: \$50.

1742 2. Professional occupational licenses: professional
1743 persons with access to the backside of a racetrack or players'
1744 quarters in jai alai such as trainers, officials, veterinarians,
1745 doctors, nurses, EMT's, jockeys and apprentices, drivers, jai
1746 alai players, owners, trustees, directors of a
1747 multijurisdictional simulcasting and interactive wagering
1748 totalisator hub or any management or officer or director or
1749 shareholder or any other professional-level person who might
1750 have access to the jockeys' room, the drivers' room, the
1751 backside, racing animals, kennel compound, or managers or
1752 supervisors requiring access to mutuels machines, the money
1753 room, or totalisator equipment: \$40.

1754 3. General occupational licenses: general employees with
1755 access to the jockeys' room, the drivers' room, racing animals,
1756 the backside of a racetrack or players' quarters in jai alai,
1757 such as grooms, kennel helpers, leadouts, pelota makers, cesta
1758 makers, or ball boys, or a practitioner of any other occupation
1759 who would have access to the animals, the backside, or the
1760 kennel compound, or who would provide the security or
1761 maintenance of these areas, or mutuel employees, totalisator
1762 employees, money-room employees, or any employee with access to
1763 mutuels machines, the money room, or totalisator equipment or
1764 who would provide the security or maintenance of these areas, or
1765 any employees of a multijurisdictional simulcasting and
1766 interactive wagering totalisator hub: \$10.

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1768 The individuals and entities that are licensed under this
 1769 paragraph require heightened state scrutiny, including the
 1770 submission by the individual licensees or persons associated
 1771 with the entities described in this chapter of fingerprints for
 1772 a Federal Bureau of Investigation criminal records check.

1773 Section 24. Section 550.1625, Florida Statutes, is amended
 1774 to read:

1775 550.1625 Greyhound racing ~~dogracing~~; taxes.—

1776 (1) The operation of a greyhound ~~dog~~ track and legalized
 1777 pari-mutuel betting at greyhound ~~dog~~ tracks in this state is a
 1778 privilege and is an operation that requires strict supervision
 1779 and regulation in the best interests of the state. Pari-mutuel
 1780 wagering at greyhound ~~dog~~ tracks in this state is a substantial
 1781 business, and taxes derived therefrom constitute part of the tax
 1782 structures of the state and the counties. The operators of
 1783 greyhound ~~dog~~ tracks should pay their fair share of taxes to the
 1784 state; at the same time, this substantial business interest
 1785 should not be taxed to such an extent as to cause a track that
 1786 is operated under sound business principles to be forced out of
 1787 business.

1788 (2) A permitholder that conducts a greyhound race ~~dograce~~
 1789 meet under this chapter must pay the daily license fee, the
 1790 admission tax, ~~the breaks tax,~~ and the tax on pari-mutuel handle
 1791 as provided in s. 550.0951 and is subject to all penalties and
 1792 sanctions provided in s. 550.0951(6).

1793 Section 25. Section 550.1647, Florida Statutes, is

1794 repealed.

1795 Section 26. Section 550.1648, Florida Statutes, is amended
1796 to read:

1797 550.1648 Greyhound adoptions.—

1798 ~~(1)~~ A greyhound racing ~~Each dogracing~~ permitholder that
1799 conducts live racing at ~~operating a~~ greyhound racing ~~dogracing~~
1800 facility in this state shall provide for a greyhound adoption
1801 booth to be located at the facility.

1802 (1)(a) The greyhound adoption booth must be operated on
1803 weekends by personnel or volunteers from a bona fide
1804 organization that promotes or encourages the adoption of
1805 greyhounds ~~pursuant to s. 550.1647.~~ Such bona fide organization,
1806 as a condition of adoption, must provide sterilization of
1807 greyhounds by a licensed veterinarian before relinquishing
1808 custody of the greyhound to the adopter. The fee for
1809 sterilization may be included in the cost of adoption. As used
1810 in this section, the term "weekend" includes the hours during
1811 which live greyhound racing is conducted on Friday, Saturday, or
1812 Sunday, and the term "bona fide organization that promotes or
1813 encourages the adoption of greyhounds" means an organization
1814 that provides evidence of compliance with chapter 496 and
1815 possesses a valid exemption from federal taxation issued by the
1816 Internal Revenue Service. Information pamphlets and application
1817 forms shall be provided to the public upon request.

1818 (b) ~~In addition,~~ The kennel operator or owner shall notify
1819 the permitholder that a greyhound is available for adoption and

CS/HB 7109

2016

1820 the permitholder shall provide information concerning the
1821 adoption of a greyhound in each race program and shall post
1822 adoption information at conspicuous locations throughout the
1823 greyhound racing ~~degracing~~ facility. Any greyhound that is
1824 participating in a race and that will be available for future
1825 adoption must be noted in the race program. The permitholder
1826 shall allow greyhounds to be walked through the track facility
1827 to publicize the greyhound adoption program.

1828 (2) In addition to the charity days authorized under s.
1829 550.0351, a greyhound racing permitholder may fund the greyhound
1830 adoption program by holding a charity racing day designated as
1831 "Greyhound Adopt-A-Pet Day." All profits derived from the
1832 operation of the charity day must be placed into a fund used to
1833 support activities at the racing facility which promote the
1834 adoption of greyhounds. The division may adopt rules for
1835 administering the fund. Proceeds from the charity day authorized
1836 in this subsection may not be used as a source of funds for the
1837 purposes set forth in s. 550.1647.

1838 (3) (a) Upon a violation of this section by a permitholder
1839 or licensee, the division may impose a penalty as provided in s.
1840 550.0251(10) and require the permitholder to take corrective
1841 action.

1842 (b) A penalty imposed under s. 550.0251(10) does not
1843 exclude a prosecution for cruelty to animals or for any other
1844 criminal act.

1845 Section 27. Section 550.1752, Florida Statutes, is created

1846 to read:

1847 550.1752 Thoroughbred purse supplement program.—

1848 (1) The thoroughbred purse supplement program is created
1849 within the Division of Pari-mutuel Wagering for the purpose of
1850 maintaining an active and viable live thoroughbred racing,
1851 owning, and breeding industry in this state. The program shall
1852 be funded by cardroom net proceeds contributed pursuant to s.
1853 849.086(14). Payments available for the program shall be
1854 calculated on a monthly basis until such time as the division
1855 determines that sufficient funds are available for allocation.

1856 (2) The division shall adopt by rule the form to be used
1857 by a thoroughbred racing permitholder for applying to receive
1858 funds from the program to be used to supplement purses for its
1859 live racing meet.

1860 (3) The division shall apportion the purse supplement
1861 funds to all applicants on a pro rata basis based upon the
1862 number of days of live performances to be conducted by
1863 applicants pursuant to their annual racing licenses.

1864 (4) If a day of live performances is not conducted by a
1865 thoroughbred racing permitholder that has received funds
1866 pursuant to this section for that day of live performances, the
1867 thoroughbred racing permitholder failing to conduct the day of
1868 live performances shall return the purse supplement fund
1869 allocated for that day to the division, and the division shall
1870 reapportion such amount based on the number of remaining days of
1871 live performances to be conducted during the state fiscal year.

1872 (5) Purse supplement funds under this section are intended
1873 to enhance the total purses paid per race day in comparison to
1874 the purses paid by a permitholder in the previous state fiscal
1875 year and to encourage live thoroughbred racing in this state
1876 from May through November of each year. A thoroughbred racing
1877 permitholder may not receive purse supplement funds under this
1878 section unless it has an agreement to this effect with the
1879 Florida Horsemen's Benevolent and Protective Association, Inc.,
1880 or the association representing a majority of the horse owners
1881 and trainers conducting racing at the permitholder's pari-mutuel
1882 facility, for purses to be paid in its upcoming licensed meet.

1883 (6) The division may adopt rules necessary to implement
1884 this section.

1885 Section 28. Section 550.2416, Florida Statutes, is created
1886 to read:

1887 550.2416 Reporting of racing greyhound injuries.—

1888 (1) An injury to a racing greyhound which occurs while the
1889 greyhound is located in this state must be reported on a form
1890 adopted by the division within 7 days after the date on which
1891 the injury occurred or is believed to have occurred. The
1892 presence of cocaine found in a racing greyhound is considered an
1893 injury under this section. The division may adopt rules defining
1894 the term "injury."

1895 (2) The form shall be completed and signed under oath or
1896 affirmation by the:

1897 (a) Racetrack veterinarian or director of racing, if the

1898 injury occurred at the racetrack facility; or
 1899 (b) Owner, trainer, or kennel operator who had knowledge
 1900 of the injury, if the injury occurred at a location other than
 1901 the racetrack facility, including during transportation.
 1902 (3) The division shall fine, suspend, or revoke the
 1903 license of any individual who knowingly violates this section or
 1904 who intentionally causes an injury to a racing greyhound.
 1905 (4) The form must include the following:
 1906 (a) The greyhound's registered name, right-ear and left-
 1907 ear tattoo numbers, and, if any, the microchip manufacturer and
 1908 number.
 1909 (b) The name, business address, and telephone number of
 1910 the greyhound owner, the trainer, and the kennel operator.
 1911 (c) The color, weight, and sex of the greyhound.
 1912 (d) The specific type and bodily location of the injury,
 1913 the cause of the injury, and the estimated recovery time from
 1914 the injury.
 1915 (e) If the injury occurred when the greyhound was racing:
 1916 1. The racetrack where the injury occurred;
 1917 2. The distance, grade, race, and post position of the
 1918 greyhound when the injury occurred; and
 1919 3. The weather conditions, time, and track conditions when
 1920 the injury occurred.
 1921 (f) If the injury occurred when the greyhound was not
 1922 racing:
 1923 1. The location where the injury occurred; and

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2. The circumstances surrounding the injury.

(g) Other information that the division determines is necessary to identify injuries to racing greyhounds in this state.

(5) An injury form created pursuant to this section must be maintained as a public record by the division for at least 7 years after the date it was received.

(6) A licensee of the department who knowingly makes a false statement concerning an injury or fails to report an injury is subject to disciplinary action under this chapter or chapters 455 and 474.

(7) This section does not apply to injuries to a service animal, personal pet, or greyhound that has been adopted as a pet.

(8) The division shall adopt rules to implement this section.

Section 29. Subsection (1) of section 550.26165, Florida Statutes, is amended to read:

550.26165 Breeders' awards.—

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

1950 registered as Florida stallions standing in this state. Such
 1951 awards shall be given at a uniform rate to all winners of the
 1952 awards, may ~~shall~~ not be greater than 20 percent of the
 1953 announced gross purse, and may ~~shall~~ not be less than 15 percent
 1954 of the announced gross purse if funds are available. In
 1955 addition, at least ~~no less than~~ 17 percent, but not ~~nor~~ more
 1956 than 40 percent, as determined by the Florida Thoroughbred
 1957 Breeders' Association, of the moneys dedicated in this chapter
 1958 for use as breeders' awards and stallion awards for
 1959 thoroughbreds shall be returned pro rata to the permitholders
 1960 that generated the moneys for special racing awards to be
 1961 distributed by the permitholders to owners of thoroughbred
 1962 horses participating in prescribed thoroughbred stakes races,
 1963 nonstakes races, or both, all in accordance with a written
 1964 agreement establishing the rate, procedure, and eligibility
 1965 requirements for such awards entered into by the permitholder,
 1966 the Florida Thoroughbred Breeders' Association, and the Florida
 1967 Horsemen's Benevolent and Protective Association, Inc., except
 1968 that the plan for the distribution by any permitholder located
 1969 in the area described in s. 550.615(7) ~~550.615(9)~~ shall be
 1970 agreed upon by that permitholder, the Florida Thoroughbred
 1971 Breeders' Association, and the association representing a
 1972 majority of the thoroughbred racehorse owners and trainers at
 1973 that location. Awards for thoroughbred races are to be paid
 1974 through the Florida Thoroughbred Breeders' Association, and
 1975 awards for standardbred races are to be paid through the Florida

1976 Standardbred Breeders and Owners Association. Among other
 1977 sources specified in this chapter, moneys for thoroughbred
 1978 breeders' awards will come from the 0.955 percent of handle for
 1979 thoroughbred races conducted, received, broadcast, or simulcast
 1980 under this chapter as provided in s. 550.2625(3). The moneys for
 1981 quarter horse and harness breeders' awards will come from the
 1982 breaks and uncashed tickets on live quarter horse and harness
 1983 horse racing performances and 1 percent of handle on intertrack
 1984 wagering. The funds for these breeders' awards shall be paid to
 1985 the respective breeders' associations by the permitholders
 1986 conducting the races.

1987 Section 30. Subsection (8) of section 550.334, Florida
 1988 Statutes, is amended to read:

1989 550.334 Quarter horse racing; substitutions.—

1990 (8) To be eligible to conduct intertrack wagering, a
 1991 quarter horse racing permitholder must have conducted a full
 1992 schedule of live racing in accordance with an operating license
 1993 in the 2015-2016 fiscal ~~preceding~~ year.

1994 Section 31. Section 550.3345, Florida Statutes, is amended
 1995 to read:

1996 550.3345 ~~Conversion of quarter horse permit to a Limited~~
 1997 thoroughbred racing permit.—

1998 (1) In recognition of the important and long-standing
 1999 economic contribution of the thoroughbred horse breeding
 2000 industry to this state and the state's vested interest in
 2001 promoting the continued viability of this agricultural activity,

2002 | the state intends to provide a limited opportunity for the
 2003 | conduct of live thoroughbred horse racing with the net revenues
 2004 | from such racing dedicated to the enhancement of thoroughbred
 2005 | purses and breeders', stallion, and special racing awards under
 2006 | this chapter; the general promotion of the thoroughbred horse
 2007 | breeding industry; and the care in this state of thoroughbred
 2008 | horses retired from racing.

2009 | (2) A limited thoroughbred racing permit previously
 2010 | converted from ~~Notwithstanding any other provision of law, the~~
 2011 | ~~holder of a quarter horse racing permit pursuant to chapter~~
 2012 | 2010-29, Laws of Florida, issued under s. 550.334 may only be
 2013 | held by, ~~within 1 year after the effective date of this section,~~
 2014 | ~~apply to the division for a transfer of the quarter horse racing~~
 2015 | ~~permit to~~ a not-for-profit corporation formed under state law to
 2016 | serve the purposes of the state as provided in subsection (1).
 2017 | The board of directors of the not-for-profit corporation must be
 2018 | composed ~~comprised~~ of 11 members, 4 of whom shall be designated
 2019 | by the applicant, 4 of whom shall be designated by the Florida
 2020 | Thoroughbred Breeders' Association, and 3 of whom shall be
 2021 | designated by the other 8 directors, with at least 1 of these 3
 2022 | members being an authorized representative of another
 2023 | thoroughbred racing permitholder in this state. A limited
 2024 | thoroughbred racing ~~The not-for-profit corporation shall submit~~
 2025 | ~~an application to the division for review and approval of the~~
 2026 | ~~transfer in accordance with s. 550.054. Upon approval of the~~
 2027 | ~~transfer by the division, and notwithstanding any other~~

2028 ~~provision of law to the contrary, the not-for-profit corporation~~
 2029 ~~may, within 1 year after its receipt of the permit, request that~~
 2030 ~~the division convert the quarter horse racing permit to a permit~~
 2031 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~
 2032 ~~thoroughbred racing. Neither the transfer of the quarter horse~~
 2033 ~~racing permit nor its conversion to a limited thoroughbred~~
 2034 ~~permit shall be subject to the mileage limitation or the~~
 2035 ~~ratification election as set forth under s. 550.054(2) or s.~~
 2036 ~~550.0651. Upon receipt of the request for such conversion, the~~
 2037 ~~division shall timely issue a converted permit. The converted~~
 2038 ~~permit and the not-for-profit corporation are ~~shall be~~ subject~~
 2039 ~~to the following requirements:~~

2040 (a) All net revenues derived by the not-for-profit
 2041 corporation under the thoroughbred ~~horse~~ racing permit, after
 2042 the funding of operating expenses and capital improvements,
 2043 shall be dedicated to the enhancement of thoroughbred purses and
 2044 breeders', stallion, and special racing awards under this
 2045 chapter; the general promotion of the thoroughbred horse
 2046 breeding industry; and the care in this state of thoroughbred
 2047 horses retired from racing.

2048 (b) From December 1 through April 30, ~~no~~ live thoroughbred
 2049 racing may not be conducted under the permit on any day during
 2050 which another thoroughbred racing permitholder is conducting
 2051 live thoroughbred racing within 125 air miles of the not-for-
 2052 profit corporation's pari-mutuel facility unless the other
 2053 thoroughbred racing permitholder gives its written consent.

2054 (c) After ~~the conversion of the quarter horse racing~~
 2055 ~~permit and~~ the issuance of its initial license to conduct pari-
 2056 mutuel wagering meets of thoroughbred racing, the not-for-profit
 2057 corporation shall annually apply to the division for a license
 2058 pursuant to s. 550.5251.

2059 (d) Racing under the permit may take place only at the
 2060 location for which the original quarter horse racing permit was
 2061 issued, which may be leased by the not-for-profit corporation
 2062 for that purpose; however, the not-for-profit corporation may,
 2063 without the conduct of any ratification election pursuant to s.
 2064 550.054(13) or s. 550.0651, move the location of the permit to
 2065 another location in the same county or counties, if the
 2066 permitholder's location is situated in such a manner that it is
 2067 located in more than one county, provided that such relocation
 2068 is approved under the zoning and land use regulations of the
 2069 applicable county or municipality.

2070 (e) A limited thoroughbred racing ~~no~~ permit may not be
 2071 transferred ~~converted under this section is eligible for~~
 2072 ~~transfer~~ to another person or entity.

2073 (3) Unless otherwise provided in this section, ~~after~~
 2074 ~~conversion,~~ the permit and the not-for-profit corporation shall
 2075 be treated under the laws of this state as a thoroughbred racing
 2076 permit and as a thoroughbred racing permitholder, respectively,
 2077 ~~with the exception of s. 550.09515(3).~~

2078 Section 32. Subsection (6) of section 550.3551, Florida
 2079 Statutes, is amended to read:

2080 550.3551 Transmission of racing and jai alai information;
2081 commingling of pari-mutuel pools.-

2082 (6) (a) ~~A maximum of 20 percent of the total number of~~
2083 ~~races on which wagers are accepted by a greyhound permitholder~~
2084 ~~not located as specified in s. 550.615(6) may be received from~~
2085 ~~locations outside this state. A jai alai permitholder may not~~
2086 ~~conduct fewer than eight live races or games on any authorized~~
2087 ~~race day except as provided in this subsection. A thoroughbred~~
2088 ~~racing permitholder may not conduct fewer than eight live races~~
2089 ~~on any race day without the written approval of the Florida~~
2090 ~~Thoroughbred Breeders' Association and the Florida Horsemen's~~
2091 ~~Benevolent and Protective Association, Inc., unless it is~~
2092 ~~determined by the department that another entity represents a~~
2093 ~~majority of the thoroughbred racehorse owners and trainers in~~
2094 ~~the state. A harness permitholder may conduct fewer than eight~~
2095 ~~live races on any authorized race day, except that such~~
2096 ~~permitholder must conduct a full schedule of live racing during~~
2097 ~~its race meet consisting of at least eight live races per~~
2098 ~~authorized race day for at least 100 days. Any harness racing~~
2099 ~~horse permitholder that during the preceding racing season~~
2100 ~~conducted a full schedule of live racing and any harness racing~~
2101 ~~permitholder that has held an operating license for at least 5~~
2102 ~~years and a slot machine license for at least 5 years may, at~~
2103 ~~any time ~~during its current race meet~~, receive full-card~~
2104 ~~broadcasts of harness horse races conducted at harness~~
2105 ~~racetracks outside this state at the harness track of the~~

CS/HB 7109

2016

2106 | permitholder and accept wagers on such harness races. With
2107 | specific authorization from the division for special racing
2108 | events, a permitholder may conduct fewer than eight live races
2109 | or games when the permitholder also broadcasts out-of-state
2110 | races or games. The division may not grant more than two such
2111 | exceptions a year for a permitholder in any 12-month period, and
2112 | those two exceptions may not be consecutive.

2113 | (b) Notwithstanding any other provision of this chapter,
2114 | any harness racing ~~horse~~ permitholder accepting broadcasts of
2115 | out-of-state harness horse races when such permitholder is not
2116 | conducting live races must make the out-of-state signal
2117 | available to all permitholders eligible to conduct intertrack
2118 | wagering and shall pay to guest tracks located as specified in
2119 | s. ss. 550.615(6) and 550.6305(9) (d) 50 percent of the net
2120 | proceeds after taxes and fees to the out-of-state host track on
2121 | harness race wagers which they accept. If conducting live
2122 | racing, a harness racing ~~horse~~ permitholder shall be required to
2123 | pay into its purse account 50 percent of the net income retained
2124 | by the permitholder on account of wagering on the out-of-state
2125 | broadcasts received pursuant to this subsection. Nine-tenths of
2126 | a percent of all harness wagering proceeds on the broadcasts
2127 | received pursuant to this subsection shall be paid to the
2128 | Florida Standardbred Breeders and Owners Association under the
2129 | provisions of s. 550.2625(4) for the purposes provided therein.

2130 | Section 33. Subsection (1) of section 550.5251, Florida
2131 | Statutes, is amended to read:

2132 550.5251 Florida thoroughbred racing; certain permits;
 2133 operating days.—

2134 (1) Each thoroughbred racing permitholder shall annually,
 2135 during the period commencing December 15 of each year and ending
 2136 January 31 ~~4~~ of the following year, file in writing with the
 2137 division its application pursuant to s. 550.01215 ~~to conduct one~~
 2138 ~~or more thoroughbred racing meetings during the thoroughbred~~
 2139 ~~racing season commencing on the following July 1. Each~~
 2140 ~~application shall specify the number and dates of all~~
 2141 ~~performances that the permitholder intends to conduct during~~
 2142 ~~that thoroughbred racing season. On or before March 15 of each~~
 2143 year, the division shall issue a license authorizing each
 2144 permitholder to conduct performances on the dates specified in
 2145 its application, if any. Up to February 28 of each year, each
 2146 permitholder may request and shall be granted changes in its
 2147 authorized performances; but thereafter, as a condition
 2148 precedent to the validity of its license and its right to retain
 2149 its permit, each permitholder must operate the full number of
 2150 days authorized on each of the dates set forth in its license,
 2151 if any.

2152 Section 34. Subsections (2), (4), and (6) through (10) of
 2153 section 550.615, Florida Statutes, are amended, and a new
 2154 subsection (9) is added to that section, to read:

2155 550.615 Intertrack wagering.—

2156 (2) (a) Any track ~~or fronton~~ licensed under this chapter
 2157 may ~~which in the preceding year conducted a full schedule of~~

2158 ~~live racing is qualified to~~, at any time, receive broadcasts of
 2159 any class of pari-mutuel race or game and accept wagers on such
 2160 races or games conducted by any class of permitholders licensed
 2161 under this chapter.

2162 (b) Any fronton licensed under this chapter which in the
 2163 preceding year conducted a full schedule of live games or was
 2164 licensed pursuant to s. 550.01215(1)(b)4. may, at any time,
 2165 receive broadcasts of any class of pari-mutuel race or game and
 2166 accept wagers on such races or games conducted by any class of
 2167 permitholders licensed under this chapter.

2168 (4) ~~An In no event shall any~~ intertrack wager may not be
 2169 accepted on the same class of live races or games of any
 2170 permitholder without the written consent of such operating
 2171 permitholders conducting the same class of live races or games
 2172 if the guest track is within the market area of such operating
 2173 permitholder. A greyhound racing permitholder licensed under
 2174 this chapter which accepts intertrack wagers on live greyhound
 2175 signals is not required to obtain the written consent required
 2176 by this subsection from any operating greyhound racing
 2177 permitholder within its market area.

2178 ~~(6) Notwithstanding the provisions of subsection (3), in~~
 2179 ~~any area of the state where there are three or more horserace~~
 2180 ~~permitholders within 25 miles of each other, intertrack wagering~~
 2181 ~~between permitholders in said area of the state shall only be~~
 2182 ~~authorized under the following conditions: Any permitholder,~~
 2183 ~~other than a thoroughbred permitholder, may accept intertrack~~

2184 ~~wagers on races or games conducted live by a permitholder of the~~
 2185 ~~same class or any harness permitholder located within such area~~
 2186 ~~and any harness permitholder may accept wagers on games~~
 2187 ~~conducted live by any jai alai permitholder located within its~~
 2188 ~~market area and from a jai alai permitholder located within the~~
 2189 ~~area specified in this subsection when no jai alai permitholder~~
 2190 ~~located within its market area is conducting live jai alai~~
 2191 ~~performances; any greyhound or jai alai permitholder may receive~~
 2192 ~~broadcasts of and accept wagers on any permitholder of the other~~
 2193 ~~class provided that a permitholder, other than the host track,~~
 2194 ~~of such other class is not operating a contemporaneous live~~
 2195 ~~performance within the market area.~~

2196 ~~(7) In any county of the state where there are only two~~
 2197 ~~permits, one for dogracing and one for jai alai, no intertrack~~
 2198 ~~wager may be taken during the period of time when a permitholder~~
 2199 ~~is not licensed to conduct live races or games without the~~
 2200 ~~written consent of the other permitholder that is conducting~~
 2201 ~~live races or games. However, if neither permitholder is~~
 2202 ~~conducting live races or games, either permitholder may accept~~
 2203 ~~intertrack wagers on horseraces or on the same class of races or~~
 2204 ~~games, or on both horseraces and the same class of races or~~
 2205 ~~games as is authorized by its permit.~~

2206 ~~(6)-(8)~~ (6) In any three contiguous counties of the state where
 2207 there are only three permitholders, all of which are greyhound
 2208 racing permitholders, if a greyhound racing ~~any~~ permitholder
 2209 leases the facility of another greyhound racing permitholder for

2210 the purpose of conducting all or any portion of ~~the conduct of~~
 2211 its live race meet pursuant to s. 550.475, such lessee may
 2212 conduct intertrack wagering at its pre-lease permitted facility
 2213 throughout the entire year, including while its live race meet
 2214 is being conducted at the leased facility, ~~if such permitholder~~
 2215 ~~has conducted a full schedule of live racing during the~~
 2216 ~~preceding fiscal year at its pre-lease permitted facility or at~~
 2217 ~~a leased facility, or combination thereof.~~

2218 (7)~~(9)~~ In any two contiguous counties of the state in
 2219 which there are located only four active permits, one for
 2220 thoroughbred horse racing, two for greyhound racing ~~degracing~~,
 2221 and one for jai alai games, an ~~no~~ intertrack wager may not be
 2222 accepted on the same class of live races or games of any
 2223 permitholder without the written consent of such operating
 2224 permitholders conducting the same class of live races or games
 2225 if the guest track is within the market area of such operating
 2226 permitholder.

2227 (8)~~(10)~~ All costs of receiving the transmission of the
 2228 broadcasts shall be borne by the guest track; and all costs of
 2229 sending the broadcasts shall be borne by the host track.

2230 (9) A greyhound racing permitholder operating pursuant to
 2231 a current year's operating license, regardless of whether the
 2232 permitholder specifies a full schedule of live performances, no
 2233 live performances, or less than a full schedule of live
 2234 performances, may accept wagers on live races conducted at out-
 2235 of-state greyhound tracks only on the days when such

2236 permitholder receives all live races that any host track in this
 2237 state makes available.

2238 Section 35. Paragraphs (d), (f), and (g) of subsection (9)
 2239 of section 550.6305, Florida Statutes, are amended to read:

2240 550.6305 Intertrack wagering; guest track payments;
 2241 accounting rules.—

2242 (9) A host track that has contracted with an out-of-state
 2243 horse track to broadcast live races conducted at such out-of-
 2244 state horse track pursuant to s. 550.3551(5) may broadcast such
 2245 out-of-state races to any guest track and accept wagers thereon
 2246 in the same manner as is provided in s. 550.3551.

2247 (d) Any permitholder located in any area of the state
 2248 where there are only two permits, one for greyhound racing
 2249 ~~dogracing~~ and one for jai alai, and any permitholder that
 2250 converted its permit to conduct jai alai to a permit to conduct
 2251 greyhound racing in lieu of jai alai under s. 550.054(14),
 2252 Florida Statutes 2014, as created by s. 6, chapter 2009-170,
 2253 Laws of Florida, may accept wagers on rebroadcasts of out-of-
 2254 state thoroughbred horse races from an in-state thoroughbred
 2255 ~~horse~~ racing permitholder and is ~~shall~~ not ~~be~~ subject to the
 2256 provisions of paragraph (b) if such thoroughbred ~~horse~~ racing
 2257 permitholder located within the area specified in this paragraph
 2258 is both conducting live races and accepting wagers on out-of-
 2259 state horseraces. In such case, the guest permitholder is ~~shall~~
 2260 ~~be~~ entitled to 45 percent of the net proceeds on wagers accepted
 2261 at the guest facility. The remaining proceeds shall be

2262 distributed as follows: one-half shall be retained by the host
 2263 facility and one-half shall be paid by the host facility as
 2264 purses at the host facility.

2265 (f) Any permitholder located in any area of the state
 2266 where there are only two permits, one for greyhound racing
 2267 ~~dogracing~~ and one for jai alai, and any permitholder that
 2268 converted its permit to conduct jai alai to a permit to conduct
 2269 greyhound racing in lieu of jai alai under s. 550.054(14),
 2270 Florida Statutes 2014, as created by s. 6, chapter 2009-170,
 2271 Laws of Florida, may accept wagers on rebroadcasts of out-of-
 2272 state harness horse races from an in-state harness horse racing
 2273 permitholder and may ~~shall~~ not be subject to ~~the provisions of~~
 2274 paragraph (b) if such harness horse racing permitholder located
 2275 within the area specified in this paragraph is conducting live
 2276 races. In such case, the guest permitholder is ~~shall be~~ entitled
 2277 to 45 percent of the net proceeds on wagers accepted at the
 2278 guest facility. The remaining proceeds shall be distributed as
 2279 follows: one-half shall be retained by the host facility and
 2280 one-half shall be paid by the host facility as purses at the
 2281 host facility.

2282 (g)1.a. Any thoroughbred racing permitholder that ~~which~~
 2283 accepts wagers on a simulcast signal must make the signal
 2284 available to any permitholder that is eligible to conduct
 2285 intertrack wagering under the provisions of ss. 550.615-
 2286 550.6345.

2287 ~~b.2.~~ Any thoroughbred racing permitholder that ~~which~~

2288 accepts wagers on a simulcast signal received after 6 p.m. must
2289 make such signal available to any permitholder that is eligible
2290 to conduct intertrack wagering under the provisions of ss.
2291 550.615-550.6345, ~~including any permitholder located as~~
2292 ~~specified in s. 550.615(6)~~. Such guest permitholders are
2293 authorized to accept wagers on such simulcast signal,
2294 notwithstanding any other provision of this chapter to the
2295 contrary.

2296 ~~c.3.~~ Any thoroughbred racing permitholder that ~~which~~
2297 accepts wagers on a simulcast signal received after 6 p.m. must
2298 make such signal available to any permitholder that is eligible
2299 to conduct intertrack wagering under ~~the provisions of~~ ss.
2300 550.615-550.6345, ~~including any permitholder located as~~
2301 ~~specified in s. 550.615(9)~~. Such guest permitholders are
2302 authorized to accept wagers on such simulcast signals for a
2303 number of performances not to exceed that which constitutes a
2304 full schedule of live races for a quarter horse racing
2305 permitholder pursuant to s. 550.002(11), notwithstanding any
2306 other provision of this chapter to the contrary, ~~except that the~~
2307 ~~restrictions provided in s. 550.615(9)(a) apply to wagers on~~
2308 ~~such simulcast signals.~~

2309 2. A ~~No~~ thoroughbred racing permitholder is not ~~shall be~~
2310 required to continue to rebroadcast a simulcast signal to any
2311 in-state permitholder if the average per performance gross
2312 receipts returned to the host permitholder over the preceding
2313 30-day period were less than \$100. Subject to the provisions of

2314 s. 550.615(4), as a condition of receiving rebroadcasts of
 2315 thoroughbred simulcast signals under this paragraph, a guest
 2316 permitholder must accept intertrack wagers on all live races
 2317 conducted by all then-operating thoroughbred racing
 2318 permitholders.

2319 Section 36. Section 550.6308, Florida Statutes, is amended
 2320 to read:

2321 550.6308 Limited intertrack wagering license.—In
 2322 recognition of the economic importance of the thoroughbred
 2323 breeding industry to this state, its positive impact on tourism,
 2324 and of the importance of a permanent thoroughbred sales facility
 2325 as a key focal point for the activities of the industry, a
 2326 limited license to conduct intertrack wagering is established to
 2327 ensure the continued viability and public interest in
 2328 thoroughbred breeding in Florida.

2329 (1) (a) Upon application to the division on or before
 2330 January 31 of each year, any person who ~~that~~ is licensed to
 2331 conduct public sales of thoroughbred horses pursuant to s.
 2332 535.01 and, ~~that~~ has conducted at least 8 ~~15~~ days of
 2333 thoroughbred horse sales at a permanent sales facility in this
 2334 state for at least 3 consecutive years, ~~and that has conducted~~
 2335 ~~at least 1 day of nonwagering thoroughbred racing in this state,~~
 2336 ~~with a purse structure of at least \$250,000 per year for 2~~
 2337 ~~consecutive years before such application,~~ shall be issued a
 2338 license, subject to the conditions set forth in this section, to
 2339 conduct intertrack wagering at such a permanent sales facility

2340 on any day on which intertrack wagering is authorized pursuant
 2341 to s. 550.615. during the following periods:

2342 ~~(a) Up to 21 days in connection with thoroughbred sales;~~

2343 ~~(b) Between November 1 and May 8;~~

2344 ~~(c) Between May 9 and October 31 at such times and on such~~
 2345 ~~days as any thoroughbred, jai alai, or a greyhound permitholder~~
 2346 ~~in the same county is not conducting live performances; provided~~
 2347 ~~that any such permitholder may waive this requirement, in whole~~
 2348 ~~or in part, and allow the licensee under this section to conduct~~
 2349 ~~intertrack wagering during one or more of the permitholder's~~
 2350 ~~live performances; and~~

2351 ~~(d) During the weekend of the Kentucky Derby, the~~
 2352 ~~Preakness, the Belmont, and a Breeders' Cup Meet that is~~
 2353 ~~conducted before November 1 and after May 8.~~

2354 (b) Only ~~No more than~~ one such license may be issued, and
 2355 the no ~~such~~ license may not be issued for a facility located
 2356 within 50 miles of any for-profit thoroughbred racing
 2357 permitholder's licensed track.

2358 (2) If more than one application is submitted for such
 2359 license, the division shall determine which applicant shall be
 2360 granted the license. In making its determination, the division
 2361 shall grant the license to the applicant demonstrating superior
 2362 capabilities, as measured by the length of time the applicant
 2363 has been conducting thoroughbred sales within this state or
 2364 elsewhere, the applicant's total volume of thoroughbred horse
 2365 sales, within this state or elsewhere, the length of time the

2366 applicant has maintained a permanent thoroughbred sales facility
 2367 in this state, and the quality of the facility.

2368 (3) The applicant must comply with the provisions of ss.
 2369 550.125 and 550.1815.

2370 ~~(4) Intertrack wagering under this section may be~~
 2371 ~~conducted only on thoroughbred horse racing, except that~~
 2372 ~~intertrack wagering may be conducted on any class of pari-mutuel~~
 2373 ~~race or game conducted by any class of permitholders licensed~~
 2374 ~~under this chapter if all thoroughbred, jai alai, and greyhound~~
 2375 ~~permitholders in the same county as the licensee under this~~
 2376 ~~section give their consent.~~

2377 (4)~~(5)~~ The licensee shall be considered a guest track
 2378 under this chapter. ~~The licensee shall pay 2.5 percent of the~~
 2379 ~~total contributions to the daily pari-mutuel pool on wagers~~
 2380 ~~accepted at the licensee's facility on greyhound races or jai~~
 2381 ~~alai games to the thoroughbred permitholder that is conducting~~
 2382 ~~live races for purses to be paid during its current racing meet.~~
 2383 ~~If more than one thoroughbred permitholder is conducting live~~
 2384 ~~races on a day during which the licensee is conducting~~
 2385 ~~intertrack wagering on greyhound races or jai alai games, the~~
 2386 ~~licensee shall allocate these funds between the operating~~
 2387 ~~thoroughbred permitholders on a pro rata basis based on the~~
 2388 ~~total live handle at the operating permitholders' facilities.~~

2389 Section 37. Section 550.6347, Florida Statutes, is created
 2390 to read:

2391 550.6347 Multijurisdictional simulcasting and wagering;

2392 fees; rules; distribution of moneys paid to commission.—
2393 (1) Notwithstanding any other provision of this chapter,
2394 the division shall develop and adopt rules to license and
2395 regulate all phases of operation of multijurisdictional
2396 simulcasting and interactive wagering totalisator hubs located
2397 in this state.
2398 (2) As used in this chapter, the term:
2399 (a) "Multijurisdictional simulcasting and interactive
2400 wagering totalisator hub" or "hub" means a business that,
2401 through a qualified subscriber-based service, conducts pari-
2402 mutuel wagering on the races that it simulcasts and other races
2403 that it carries in its wagering menu.
2404 (b) "Qualified subscriber-based service" means any
2405 information service or system that uses:
2406 1. A device or combination of devices authorized and
2407 operated for placing, receiving, or otherwise making a wager,
2408 and to which a person must subscribe in order to be able to
2409 place, receive, or otherwise make a bet or wager;
2410 2. An effective customer verification and age verification
2411 system; and
2412 3. Appropriate security standards to prevent unauthorized
2413 access by any person who has not subscribed or who is a minor.
2414 (3) The following requirements must be met before
2415 commencement of business by or employment at a
2416 multijurisdictional simulcasting and interactive wagering
2417 totalisator hub located or conducting business in this state:

2418 (a) Each hub must obtain a business license pursuant to s.
2419 550.105(2)(a)1.;

2420 (b) Each officer of a hub must obtain an occupational
2421 license pursuant to s. 550.105(2)(a)2.; and

2422 (c) Each employee of a hub located in this state must
2423 obtain an occupational license pursuant to s. 550.105(2)(a)3.

2424 (4) A multijurisdictional simulcasting and interactive
2425 wagering totalisator hub conducting business in the state shall
2426 pay a daily license fee of \$100 per operating day.

2427 (5) In addition to the daily license fee under subsection
2428 (4), a multijurisdictional simulcasting and interactive wagering
2429 totalisator hub conducting business in the state shall pay a tax
2430 equal to one-half of 1 percent of total handle recorded by the
2431 totalisator system for wagers placed on pari-mutuel performances
2432 in this state. Such tax shall be paid to the division pursuant
2433 to s. 550.0951(5) and in accordance with rules established by
2434 the division and shall be subject to the payment schedules and
2435 penalties set forth in s. 550.0951.

2436 (6) Pari-mutuel wagers placed through a hub may only be
2437 made within the enclosure of a pari-mutuel facility licensed
2438 under this chapter or through a device owned or leased for a
2439 period of at least 12 months by the person making the wager.

2440 (7) Except as otherwise provided in this section, pari-
2441 mutuel wagering through a hub is subject to the provisions of s.
2442 849.01.

2443 Section 38. Section 551.101, Florida Statutes, is amended

2444 to read:

2445 551.101 Slot machine gaming authorized.—Any licensed
 2446 eligible facility ~~pari-mutuel facility located in Miami-Dade~~
 2447 ~~County or Broward County existing at the time of adoption of s.~~
 2448 ~~23, Art. X of the State Constitution that has conducted live~~
 2449 ~~racing or games during calendar years 2002 and 2003~~ may possess
 2450 slot machines and conduct slot machine gaming at the location
 2451 where the pari-mutuel permitholder is authorized to conduct
 2452 pari-mutuel wagering activities pursuant to such permitholder's
 2453 valid pari-mutuel permit or as otherwise authorized by law
 2454 ~~provided that a majority of voters in a countywide referendum~~
 2455 ~~have approved slot machines at such facility in the respective~~
 2456 ~~county.~~ Notwithstanding any other ~~provision of law,~~ it is not a
 2457 crime for a person to participate in slot machine gaming at a
 2458 pari-mutuel facility licensed to possess slot machines and
 2459 conduct slot machine gaming or to participate in slot machine
 2460 gaming described in this chapter.

2461 Section 39. Subsections (4), (10), and (11) of section
 2462 551.102, Florida Statutes, are amended to read:

2463 551.102 Definitions.—As used in this chapter, the term:

2464 (4) "Eligible facility" means a ~~any~~ licensed pari-mutuel
 2465 facility located in Miami-Dade County or Broward County existing
 2466 at the time of adoption of s. 23, Art. X of the State
 2467 Constitution that has conducted live racing or games during
 2468 calendar years 2002 and 2003 and has been approved by a majority
 2469 of voters in a countywide referendum to have slot machines at

2470 such facility in the respective county, provided that such
 2471 facility may, without the necessity of an additional county
 2472 referendum or further live racing, relocate pursuant to s.
 2473 550.0555 within such county; ~~any licensed pari-mutuel facility~~
 2474 ~~located within a county as defined in s. 125.011, provided such~~
 2475 ~~facility has conducted live racing for 2 consecutive calendar~~
 2476 ~~years immediately preceding its application for a slot machine~~
 2477 ~~license, pays the required license fee, and meets the other~~
 2478 ~~requirements of this chapter;~~ or any licensed pari-mutuel
 2479 facility in any ~~other~~ county in which a majority of voters have
 2480 approved slot machines ~~at such facilities~~ in a countywide
 2481 referendum which was held before the effective date of this act
 2482 or before January 1, 2017 held pursuant to a statutory or
 2483 constitutional authorization after the effective date of this
 2484 section in the respective county, provided the permitholder at
 2485 such facility has conducted a full schedule of live racing for 2
 2486 consecutive calendar years immediately preceding its application
 2487 for a slot machine license, pays the required license ~~licensed~~
 2488 fee, and meets the other requirements of this chapter. An
 2489 eligible facility may not be located within 100 miles of the
 2490 Seminole Hard Rock Hotel and Casino-Tampa located at 5223 Orient
 2491 Road, Tampa, Florida.

2492 (10) "Slot machine license" means a license issued by the
 2493 division authorizing a pari-mutuel permitholder to place and
 2494 operate slot machines as provided by ~~s. 23, Art. X of the State~~
 2495 ~~Constitution, the provisions of this chapter,~~ and division

2496 rules.

2497 (11) "Slot machine licensee" means a pari-mutuel
 2498 permitholder that ~~who~~ holds a slot machine license ~~issued by the~~
 2499 ~~division pursuant to this chapter that authorizes such person to~~
 2500 ~~possess a slot machine within facilities specified in s. 23,~~
 2501 ~~Art. X of the State Constitution and allows slot machine gaming.~~

2502 Section 40. Subsections (2) and (3), paragraph (c) of
 2503 subsection (4), and paragraph (a) of subsection (10) of section
 2504 551.104, Florida Statutes, are amended to read:

2505 551.104 License to conduct slot machine gaming.—

2506 (2) An application may be approved by the division only:

2507 (a) After the voters of the county where the applicant's
 2508 facility is located have authorized by referendum slot machines
 2509 within pari-mutuel facilities in that county; or

2510 (b) Pursuant to s. 551.1041 as specified in s. 23, Art. X
 2511 ~~of the State Constitution.~~

2512 (3) (a) A slot machine license may be issued only to a
 2513 licensed pari-mutuel permitholder, and slot machine gaming may
 2514 be conducted only at the eligible facility at which the
 2515 permitholder is authorized under its valid pari-mutuel wagering
 2516 permit to conduct pari-mutuel wagering activities.

2517 (b) The division may not issue a slot machine license to
 2518 any pari-mutuel permitholder if issuance of the license would
 2519 trigger a reduction in revenue-sharing payments under the Gaming
 2520 Compact between the Seminole Tribe of Florida and the State of
 2521 Florida authorized pursuant to s. 285.710(3)(b).

2522 (c) The division may not issue a slot machine license to
2523 any pari-mutuel permitholder that includes, or previously
2524 included within its ownership group, an ultimate equitable owner
2525 that was also an ultimate equitable owner of a pari-mutuel
2526 permitholder whose permit was voluntarily or involuntarily
2527 surrendered, suspended, or revoked by the division within 10
2528 years before the date of the permitholder's filing an
2529 application for a slot machine license.

2530 (4) As a condition of licensure and to maintain continued
2531 authority for the conduct of slot machine gaming, the slot
2532 machine licensee shall:

2533 (c)1. For slot machines licensees conducting live racing
2534 or games, conduct no fewer than a full schedule of live racing
2535 or games as defined in s. 550.002(11). A permitholder's
2536 responsibility to conduct such number of live races or games
2537 shall be reduced by the number of races or games that could not
2538 be conducted due to the direct result of fire, war, hurricane,
2539 or other disaster or event beyond the control of the
2540 permitholder. The races or games may be conducted at the
2541 facility of the slot machine licensee or at another pari-mutuel
2542 facility leased pursuant to s. 550.3345.

2543 2. A greyhound racing permitholder is exempt from the live
2544 racing requirement of this subsection if the permitholder
2545 conducted a full schedule of live racing for a period of at
2546 least 10 consecutive state fiscal years after the 2002-2003
2547 state fiscal year.

2548 3. Harness racing and quarter horse racing permitholders
2549 that have held an operating license for at least 5 years and
2550 either a slot machine license for at least 5 years or a cardroom
2551 license for at least 2 years are exempt from the live racing
2552 requirements of this subsection.

2553 4. Thoroughbred racing permitholders that have had an
2554 operating license for at least 25 years and that operated a slot
2555 machine facility and held a slot machine license for at least 5
2556 years are exempt from the live racing requirements of this
2557 subsection.

2558 (10)(a)1. Unless no live thoroughbred races are conducted
2559 at a licensee's pari-mutuel facility, a ~~no~~ slot machine license
2560 or renewal thereof may not ~~shall~~ be issued to an applicant
2561 holding a permit under chapter 550 to conduct pari-mutuel
2562 wagering meets of thoroughbred racing unless the applicant has
2563 on file with the division a binding written agreement between
2564 the applicant and the Florida Horsemen's Benevolent and
2565 Protective Association, Inc., governing the payment of purses on
2566 live thoroughbred races conducted at the licensee's pari-mutuel
2567 facility. In addition, no slot machine license or renewal
2568 thereof shall be issued to such an applicant unless the
2569 applicant has on file with the division a binding written
2570 agreement between the applicant and the Florida Thoroughbred
2571 Breeders' Association, Inc., governing the payment of breeders',
2572 stallion, and special racing awards on live thoroughbred races
2573 conducted at the licensee's pari-mutuel facility. The agreement

2574 governing purses and the agreement governing awards may direct
 2575 the payment of such purses and awards from revenues generated by
 2576 any wagering or gaming the applicant is authorized to conduct
 2577 under Florida law. All purses and awards shall be subject to the
 2578 terms of chapter 550. All sums for breeders', stallion, and
 2579 special racing awards shall be remitted monthly to the Florida
 2580 Thoroughbred Breeders' Association, Inc., for the payment of
 2581 awards subject to the administrative fee authorized in s.
 2582 550.2625(3).

2583 2. Unless no live quarter horse races are conducted at a
 2584 licensee's pari-mutuel facility, a ~~no~~ slot machine license or
 2585 renewal thereof may not ~~shall~~ be issued to an applicant holding
 2586 a permit under chapter 550 to conduct pari-mutuel wagering meets
 2587 of quarter horse racing unless the applicant has on file with
 2588 the division a binding written agreement between the applicant
 2589 and the Florida Quarter Horse Racing Association or the
 2590 association representing a majority of the horse owners and
 2591 trainers at the applicant's eligible facility, governing the
 2592 payment of purses on live quarter horse races conducted at the
 2593 licensee's pari-mutuel facility. The agreement governing purses
 2594 may direct the payment of such purses from revenues generated by
 2595 any wagering or gaming the applicant is authorized to conduct
 2596 under Florida law. All purses shall be subject to the terms of
 2597 chapter 550.

2598 Section 41. Section 551.1041, Florida Statutes, is created
 2599 to read:

2600 551.1041 Slot machine license.—In recognition of the
 2601 important and long-standing economic contribution of the pari-
 2602 mutuel industry to this state as a whole and the state's vested
 2603 interest in the revenue generated therefrom and promoting the
 2604 continued viability of the important statewide agricultural
 2605 activities it supports, the Legislature finds that it is in the
 2606 state's interest to provide a limited opportunity for the
 2607 establishment of an additional slot machine license to be
 2608 awarded and renewed annually to a pari-mutuel permitholder
 2609 located within a county as defined in s. 125.011.

2610 (1) (a) Within 120 days after the effective date of this
 2611 section, any pari-mutuel permitholder that is located within a
 2612 county as defined in s. 125.011 and is not a slot machine
 2613 licensee may apply pursuant to s. 551.104 to the division for
 2614 the slot machine license created by this section.

2615 (b) The application shall be accompanied by a license
 2616 application fee of \$2 million, which shall be nonrefundable. The
 2617 license application fee shall be deposited into the Pari-mutuel
 2618 Wagering Trust Fund of the Department of Business and
 2619 Professional Regulation to be used by the division and the
 2620 Department of Law Enforcement for investigations, regulation of
 2621 slot machine gaming, and enforcement of the slot machine gaming
 2622 provisions of this chapter. If the applicant is awarded the
 2623 license created pursuant to this section, the license
 2624 application fee shall be credited to the license fee required
 2625 pursuant to s. 551.106.

2626 (2) If there is more than one applicant for the slot
2627 machine license created pursuant to this section, the division
2628 shall award the license to the applicant that best meets the
2629 selection criteria, as demonstrated in the application. The
2630 selection criteria include:

2631 (a) The extent to which the proposed slot machine facility
2632 will increase tourism, generate jobs, provide revenue to the
2633 local economy, and provide revenue to the state as evidenced by
2634 an evaluation by the applicant and its partners of their history
2635 in constructing premier facilities with high-quality amenities
2636 that complement the local tourism industry.

2637 (b) The financial history of the applicant and its
2638 partners in making capital investments in slot machine gaming
2639 and pari-mutuel facilities and its bona fide plan for future
2640 community involvement and financial investment.

2641 (c) The history of investment by the applicant and its
2642 partners in the communities in which its previous developments
2643 have been located.

2644 (d) The applicant's ability to purchase and maintain a
2645 surety bond in an amount established by the division, to
2646 represent the projected annual revenues generated by the
2647 proposed slot machine facility.

2648 (e) The applicant's ability to demonstrate the financial
2649 wherewithal to adequately capitalize, develop, construct,
2650 maintain, and operate a proposed slot machine facility, which
2651 shall cost at least \$100 million in costs related to

2652 construction and development of the facility, excluding purchase
2653 price and costs associated with acquisition of real property and
2654 any impact fees. This shall include the ability to meet any
2655 projected secured and unsecured debt obligations and complete
2656 construction within 2 years after the awarding of the slot
2657 machine license.

2658 (f) The applicant's ability to implement a program to
2659 train and employ residents of South Florida at the facility and
2660 contract with local business owners for goods and services.

2661 (g) The ability of the applicant and its partners to
2662 generate substantial gross gaming revenue after the award of
2663 gaming licenses.

2664 (3) (a) Notwithstanding the timelines set forth in s.
2665 120.60, the division shall complete its evaluation within 120
2666 days after the submission of applications and notice its intent
2667 to award the license within that timeframe. Within 30 days after
2668 the submission of an application, the division shall issue, if
2669 necessary, requests for additional information or any notices of
2670 deficiency to the license applicant. The applicant shall have 15
2671 days to respond to such requests or notices. Failure to properly
2672 respond and provide sufficient information or correct identified
2673 deficiencies shall serve as grounds for denial of the
2674 application.

2675 (b) Any protest of the intent to award the license must be
2676 submitted within 3 business days after the issuance of the
2677 notice of intent to award and shall be forwarded to the Division

2678 of Administrative Hearings which shall conduct an administrative
2679 hearing before an administrative law judge regarding the protest
2680 within 30 days after the notice of intent to award. The
2681 administrative law judge shall issue a proposed recommended
2682 order not more than 30 days after the completion of the final
2683 hearing. The division shall issue a final order within 15 days
2684 after receipt of the proposed recommended order.

2685 (c) Any appeal of a license denial shall be made to the
2686 First District Court of Appeal.

2687 (4) The division may adopt emergency rules pursuant to s.
2688 120.54 to implement this section. The Legislature finds that
2689 such emergency rulemaking power is necessary for the
2690 preservation of the rights and welfare of the people in order to
2691 provide additional funds to benefit the public. The Legislature
2692 further finds that the unique nature of the competitive award of
2693 the slot machine license under this section requires that the
2694 department respond as quickly as is practicable to implement
2695 these provisions. Therefore, in adopting such emergency rules,
2696 the division need not make the findings required by s.
2697 120.54(4)(a). Emergency rules adopted under this section are
2698 exempt from s. 120.54(4)(c) and shall remain in effect until
2699 replaced by other emergency rules or by rules adopted under the
2700 nonemergency rulemaking procedures of the Administrative
2701 Procedure Act.

2702 Section 42. Section 551.1044, Florida Statutes, is created
2703 to read:

2704 551.1044 House banked blackjack table games authorized.—

2705 (1) Notwithstanding the provisions of s. 849.086(13) (a),
2706 the pari-mutuel permitholder of each of the following pari-
2707 mutuel wagering facilities may operate up to 25 house banked
2708 blackjack table games at the permitholder's facility:

2709 (a) A licensed pari-mutuel facility at which live racing
2710 or games were conducted during calendar years 2002 and 2003,
2711 located in Miami-Dade County or Broward County, and authorized
2712 for slot machine licensure pursuant to s. 23, Art. X of the
2713 State Constitution.

2714 (b) A licensed pari-mutuel facility where a full schedule
2715 of live racing has been conducted for 2 consecutive calendar
2716 years immediately preceding its application for a slot machine
2717 license and located within a county as defined in s. 125.011.

2718 (2) Wagers on authorized house banked blackjack table
2719 games may not exceed \$25 for each initial two card wager.
2720 Subsequent wagers on splits or double downs are allowed but may
2721 not exceed the initial two card wager. Single side bets of not
2722 more than \$5 are allowed.

2723 (3) Each pari-mutuel permitholder offering banked
2724 blackjack pursuant to this section shall pay a tax to the state
2725 of 10 percent of the blackjack operation's monthly gross
2726 receipts. All provisions of s. 849.086(14), except s.
2727 849.086(14) (b), shall apply to taxes owed pursuant to this
2728 section.

2729 Section 43. Subsections (3) through (5) of section

2730 551.106, Florida Statutes, are renumbered as subsections (4)
 2731 through (6), respectively, paragraph (a) of subsection (2) is
 2732 amended, and a new subsection (3) is added to that section, to
 2733 read:

2734 551.106 License fee; tax rate; penalties.—

2735 (2) TAX ON SLOT MACHINE REVENUES.—

2736 (a) The tax rate on slot machine revenues at each facility
 2737 shall be 35 percent. Effective January 1, 2017, the tax rate on
 2738 slot machine revenues at each facility shall be 30 percent.

2739 However, notwithstanding s. 551.114(1), a slot machine licensee
 2740 offering slot machines for play that agrees and elects to
 2741 permanently reduce its authorized total number of slot machines
 2742 to up to 1,700 and attests to do so in its annual license
 2743 renewal application approved by the division on or before July
 2744 1, 2017, shall have a tax rate on slot machine revenues at such
 2745 facility of 25 percent effective July 1, 2017. Slot machine
 2746 licensees licensed after the effective date of this act shall
 2747 have a tax rate on slot machine revenues at such facility of 25
 2748 percent effective July 1, 2017. If, during any state fiscal
 2749 year, the aggregate amount of tax paid to the state by all slot
 2750 machine licensees in Broward and Miami-Dade Counties is less
 2751 than the aggregate amount of tax paid to the state by all slot
 2752 machine licensees in the 2008-2009 fiscal year, each slot
 2753 machine licensee shall pay to the state within 45 days after the
 2754 end of the state fiscal year a surcharge equal to its pro rata
 2755 share of an amount equal to the difference between the aggregate

2756 ~~amount of tax paid to the state by all slot machine licensees in~~
2757 ~~the 2008-2009 fiscal year and the amount of tax paid during the~~
2758 ~~fiscal year. Each licensee's pro rata share shall be an amount~~
2759 ~~determined by dividing the number 1 by the number of facilities~~
2760 ~~licensed to operate slot machines during the applicable fiscal~~
2761 ~~year, regardless of whether the facility is operating such~~
2762 ~~machines.~~

2763 (3) NEW FACILITY GUARANTEE FEE.—

2764 (a) For any slot machine licensee located within a county
2765 that has conducted a successful slot machine referendum after
2766 January 1, 2012, the following aggregate tax payment guarantee
2767 shall apply in a pro rata amount pursuant to paragraph (b):

2768 1. Thirty-four million seven hundred fifty thousand
2769 dollars for the 2018-2019 fiscal year;

2770 2. Sixty-nine million five hundred thousand dollars for
2771 the 2019-2020 fiscal year; and

2772 3. One hundred twenty-one million four hundred thousand
2773 dollars for the 2020-2021 fiscal year and for every fiscal year
2774 thereafter.

2775 (b) Each slot machine licensee located within a county
2776 that has conducted a successful slot machine referendum after
2777 January 1, 2012, shall pay to the state within 45 days after the
2778 end of the state fiscal year a surcharge equal to its pro rata
2779 share of an amount equal to the difference between the tax
2780 payment guarantee in paragraph (a) and the aggregate amount of
2781 tax paid during the immediately preceding fiscal year by all

2782 slot machine licensees located within counties which conducted a
 2783 successful slot machine referendum after January 1, 2012. No
 2784 such slot machine licensee is responsible for a pro rata share
 2785 of more than 25 percent of the aggregate difference, if
 2786 applicable, in any fiscal year.

2787 Section 44. Subsections (1), (2), and (4) of section
 2788 551.114, Florida Statutes, are amended to read:

2789 551.114 Slot machine gaming areas.—

2790 (1) (a) The cumulative total of slot machines made
 2791 available for play by all slot machine licensees in this state
 2792 may not exceed 16,000 machines. If the division determines that
 2793 the statewide cumulative total exceeds 16,000 machines, no
 2794 licensee may add any additional slot machines at its facility;
 2795 however, no facility shall be required to remove any slot
 2796 machines already located in the facility. The division may adopt
 2797 rules to administer this paragraph.

2798 (b) Except as provided in paragraph (c) or s.
 2799 551.106(2) (a), a slot machine licensee may make available for
 2800 play up to 1,850 ~~2,000~~ slot machines within the property of the
 2801 facilities of the slot machine licensee.

2802 (c) Effective January 1, 2017, a slot machine licensee
 2803 operating at a facility authorized after the effective date of
 2804 this act may make available for play up to 1,000 slot machines.
 2805 Effective October 1, 2018, such licensee may make available for
 2806 play up to 1,500 slot machines.

2807 (2) The slot machine licensee shall display pari-mutuel

2808 races or games within the designated slot machine gaming areas
2809 and offer patrons within the designated slot machine gaming
2810 areas the ability to engage in pari-mutuel wagering on any live,
2811 intertrack, and simulcast races conducted or offered to patrons
2812 of the licensed facility.

2813 (4) Designated slot machine gaming areas may be located
2814 within the current live gaming facility or in an existing
2815 building that is ~~must be~~ contiguous and connected to the live
2816 gaming facility. If a designated slot machine gaming area is to
2817 be located in a building that is to be constructed, that new
2818 building must be contiguous and connected to the live gaming
2819 facility. For any permit holder licensed to conduct pari-mutuel
2820 activities pursuant to a current year's operating license that
2821 does not require live performances, designated slot machine
2822 gaming areas may be located only within the eligible facility
2823 licensed pursuant to s. 551.104.

2824 Section 45. Section 551.116, Florida Statutes, is amended
2825 to read:

2826 551.116 Days and hours of operation.—Slot machine gaming
2827 areas may be open daily throughout the year. The slot machine
2828 gaming areas may be open ~~a cumulative amount of 18 hours per day~~
2829 ~~on Monday through Friday and 24 hours per day on Saturday and~~
2830 ~~Sunday and on those holidays specified in s. 110.117(1).~~

2831 Section 46. Section 551.121, Florida Statutes, is amended
2832 to read:

2833 551.121 Prohibited activities and devices; exceptions.—

2834 ~~(1) Complimentary or reduced-cost alcoholic beverages may~~
 2835 ~~not be served to persons playing a slot machine. Alcoholic~~
 2836 ~~beverages served to persons playing a slot machine shall cost at~~
 2837 ~~least the same amount as alcoholic beverages served to the~~
 2838 ~~general public at a bar within the facility.~~

2839 (1)~~(2)~~ A slot machine licensee may not make any loan,
 2840 provide credit, or advance cash in order to enable a person to
 2841 play a slot machine. This subsection shall not prohibit
 2842 automated ticket redemption machines that dispense cash
 2843 resulting from the redemption of tickets from being located in
 2844 the designated slot machine gaming area of the slot machine
 2845 licensee.

2846 ~~(3) A slot machine licensee may not allow any automated~~
 2847 ~~teller machine or similar device designed to provide credit or~~
 2848 ~~dispense cash to be located within the designated slot machine~~
 2849 ~~gaming areas of a facility of a slot machine licensee.~~

2850 (2)~~(4)~~(a) A slot machine licensee may not accept or cash
 2851 any check from any person within the designated slot machine
 2852 gaming areas of a facility of a slot machine licensee.

2853 (b) Except as provided in paragraph (c) for employees of
 2854 the facility, a slot machine licensee or operator shall not
 2855 accept or cash for any person within the property of the
 2856 facility any government-issued check, third-party check, or
 2857 payroll check made payable to an individual.

2858 (c) Outside the designated slot machine gaming areas, a
 2859 slot machine licensee or operator may accept or cash a check for

2860 an employee of the facility who is prohibited from wagering on a
 2861 slot machine under s. 551.108(5), a check made directly payable
 2862 to a person licensed by the division, or a check made directly
 2863 payable to the slot machine licensee or operator from:

- 2864 1. A pari-mutuel patron; or
- 2865 2. A pari-mutuel facility in this state or in another
 2866 state.

2867 (d) Unless accepting or cashing a check is prohibited by
 2868 this subsection, nothing shall prohibit a slot machine licensee
 2869 or operator from accepting and depositing in its accounts checks
 2870 received in the normal course of business.

2871 (3)~~(5)~~ A slot machine, or the computer operating system
 2872 linking the slot machine, may be linked by any means to any
 2873 other slot machine or computer operating system within the
 2874 facility of a slot machine licensee. A progressive system may be
 2875 used in conjunction with slot machines between licensed
 2876 facilities in Florida or in other jurisdictions.

2877 (4)~~(6)~~ A slot machine located within a licensed facility
 2878 shall accept only tickets or paper currency or an electronic
 2879 payment system for wagering and return or deliver payouts to the
 2880 player in the form of tickets that may be exchanged for cash,
 2881 merchandise, or other items of value. The use of coins, credit
 2882 or debit cards, tokens, or similar objects is specifically
 2883 prohibited. However, an electronic credit system may be used for
 2884 receiving wagers and making payouts.

2885 Section 47. Subsections (9) through (17) of section

2886 849.086, Florida Statutes, are renumbered as subsections (10)
 2887 through (18), respectively, a new subsection (9) is added to
 2888 that section, and subsection (2), paragraphs (a) and (b) of
 2889 subsection (5), paragraph (b) of subsection (7), paragraphs (d)
 2890 and (h) of present subsection (13), and present subsections (16)
 2891 and (17) of that section are amended, to read:

2892 849.086 Cardrooms authorized.—

2893 (2) DEFINITIONS.—As used in this section:

2894 (a) "Authorized game" means a game or series of games of
 2895 poker, including designated player poker games, or dominoes
 2896 which are played in conformance with this section and in which
 2897 hands are ranked consistent with the definition of traditional
 2898 poker hand rankings provided in the 1974 edition of Hoyle's
 2899 Modern Encyclopedia of Card Games ~~a nonbanking manner.~~

2900 (b) "Banking game" means a game in which the house is a
 2901 participant in the game, taking on players, paying winners, and
 2902 collecting from losers or in which the cardroom establishes a
 2903 bank against which participants play. The term does not include
 2904 a designated player poker game if played in accordance with this
 2905 chapter and if hands are ranked consistent with the definition
 2906 of traditional poker hand rankings provided in the 1974 edition
 2907 of Hoyle's Modern Encyclopedia of Card Games.

2908 (c) "Cardroom" means a facility where authorized games are
 2909 played for money or anything of value and to which the public is
 2910 invited to participate in such games and charged a fee for
 2911 participation by the operator of such facility. Authorized games

2912 and cardrooms do not constitute casino gaming operations.

2913 (d) "Cardroom management company" means any individual not
 2914 an employee of the cardroom operator, any proprietorship,
 2915 partnership, corporation, or other entity that enters into an
 2916 agreement with a cardroom operator to manage, operate, or
 2917 otherwise control the daily operation of a cardroom.

2918 (e) "Cardroom distributor" means any business that
 2919 distributes cardroom paraphernalia such as card tables, betting
 2920 chips, chip holders, dominoes, dominoes tables, drop boxes,
 2921 banking supplies, playing cards, card shufflers, and other
 2922 associated equipment to authorized cardrooms.

2923 (f) "Cardroom operator" means a licensed pari-mutuel
 2924 permitholder which holds a valid permit and license issued by
 2925 the division pursuant to chapter 550 and which also holds a
 2926 valid cardroom license issued by the division pursuant to this
 2927 section which authorizes such person to operate a cardroom and
 2928 to conduct authorized games in such cardroom.

2929 (g) "Designated player" means the player identified as the
 2930 player in the dealer position, seated at a traditional player
 2931 position in a designated player poker game, who pays winning
 2932 players and collects from losing players, but is not required to
 2933 cover all wagers.

2934 (h) "Designated player poker game" means a game consisting
 2935 of at least three cards in which the players compare their cards
 2936 only to the cards of the designated player, and in which hands
 2937 are ranked consistent with the definition of traditional poker

2938 hand rankings provided in the 1974 edition of Hoyle's Modern
2939 Encyclopedia of Card Games.

2940 (i)~~(g)~~ "Division" means the Division of Pari-mutuel
2941 Wagering of the Department of Business and Professional
2942 Regulation.

2943 (j)~~(h)~~ "Dominoes" means a game of dominoes typically
2944 played with a set of 28 flat rectangular blocks, called "bones,"
2945 which are marked on one side and divided into two equal parts,
2946 with zero to six dots, called "pips," in each part. The term
2947 also includes larger sets of blocks that contain a
2948 correspondingly higher number of pips. The term also means the
2949 set of blocks used to play the game.

2950 (k)~~(i)~~ "Gross receipts" means the total amount of money
2951 received by a cardroom from any person for participation in
2952 authorized games.

2953 (l)~~(j)~~ "House" means the cardroom operator and all
2954 employees of the cardroom operator.

2955 (m)~~(k)~~ "Net proceeds" means the total amount of gross
2956 receipts received by a cardroom operator from cardroom
2957 operations less direct operating expenses related to cardroom
2958 operations, including labor costs, admission taxes only if a
2959 separate admission fee is charged for entry to the cardroom
2960 facility, gross receipts taxes imposed on cardroom operators by
2961 this section, the annual cardroom license fees imposed by this
2962 section on each table operated at a cardroom, and reasonable
2963 promotional costs excluding officer and director compensation,

2964 interest on capital debt, legal fees, real estate taxes, bad
2965 debts, contributions or donations, or overhead and depreciation
2966 expenses not directly related to the operation of the cardrooms.

2967 (n)~~(l)~~ "Rake" means a set fee or percentage of the pot
2968 assessed by a cardroom operator for providing the services of a
2969 dealer, table, or location for playing the authorized game.

2970 (o)~~(m)~~ "Tournament" means a series of games that have more
2971 than one betting round involving one or more tables and where
2972 the winners or others receive a prize or cash award.

2973 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
2974 operate a cardroom in this state unless such person holds a
2975 valid cardroom license issued pursuant to this section.

2976 (a) Only those persons holding a valid cardroom license
2977 issued by the division may operate a cardroom. A cardroom
2978 license may only be issued to a licensed pari-mutuel
2979 permitholder and an authorized cardroom may only be operated at
2980 the same facility at which the permitholder is authorized under
2981 its valid pari-mutuel wagering permit to conduct pari-mutuel
2982 wagering activities. An initial cardroom license shall be issued
2983 to a pari-mutuel permitholder only after its facilities are in
2984 place and after it conducts its first day of live racing or
2985 games, except for a summer jai alai permitholder receiving its
2986 initial cardroom license.

2987 (b)1. After the initial cardroom license is granted, the
2988 application for the annual license renewal shall be made in
2989 conjunction with the applicant's annual application for its

2990 pari-mutuel operating license. Except as provided in
2991 subparagraphs 2., 3., and 4., and except for any facility
2992 licensed in accordance with s. 551.1041, ~~If a permitholder has~~
2993 ~~operated a cardroom during any of the 3 previous fiscal years~~
2994 ~~and fails to include a renewal request for the operation of the~~
2995 ~~cardroom in its annual application for license renewal, the~~
2996 ~~permitholder may amend its annual application to include~~
2997 ~~operation of the cardroom.~~ in order for a cardroom license to be
2998 renewed the applicant must have requested, as part of its pari-
2999 mutuel annual operating license application, to conduct at least
3000 90 percent of the total number of live performances conducted by
3001 such permitholder during either the state fiscal year in which
3002 its initial cardroom license was issued or the state fiscal year
3003 immediately prior thereto if the permitholder ran at least a
3004 full schedule of live racing or games in the prior year. Except
3005 as provided in subparagraphs 2., 3., and 4. and except for any
3006 facility licensed in accordance with s. 551.1041, ~~If the~~
3007 ~~application is for a harness permitholder cardroom, the~~
3008 ~~applicant must have requested authorization to conduct a minimum~~
3009 ~~of 140 live performances during the state fiscal year~~
3010 ~~immediately prior thereto.~~ if more than one permitholder is
3011 operating at a facility, each permitholder must have applied for
3012 a license to conduct a full schedule of live racing.

3013 2. A greyhound racing permitholder is exempt from the live
3014 racing requirements of this subsection if it conducted a full
3015 schedule of live racing for a period of at least 10 consecutive

3016 state fiscal years after the 1996-1997 state fiscal year, or if
 3017 it converted its permit to a permit to conduct greyhound racing
 3018 after that fiscal year. However, as a condition of cardroom
 3019 licensure, greyhound racing permitholders who are not conducting
 3020 a full schedule of live racing must conduct intertrack wagering
 3021 on thoroughbred signals, to the extent available, on each day of
 3022 cardroom operation.

3023 3. Harness racing and quarter horse racing permitholders
 3024 that have held an operating license for at least 5 years and a
 3025 cardroom license for at least 2 years are exempt from the live
 3026 racing requirements of this subsection.

3027 4. Thoroughbred racing permitholders that have had an
 3028 operating license for at least 25 years, and that operated a
 3029 slot machine facility and held a slot machine license for at
 3030 least 5 years are exempt from the live racing requirements of
 3031 this subsection.

3032 (7) CONDITIONS FOR OPERATING A CARDROOM.—

3033 (b) Any cardroom operator may operate a cardroom at the
 3034 pari-mutuel facility daily throughout the year, if the
 3035 permitholder meets the requirements under paragraph (5) (b). The
 3036 cardroom may be open ~~a cumulative amount of 18 hours per day on~~
 3037 ~~Monday through Friday and 24 hours per day on Saturday and~~
 3038 ~~Sunday and on the holidays specified in s. 110.117(1).~~

3039 (9) DESIGNATED PLAYER POKER GAMES AUTHORIZED.—

3040 (a) The division may authorize a cardroom operator to
 3041 offer designated player poker games as defined in this section.

CS/HB 7109

2016

3042 (b) The designated player must occupy a playing position
 3043 at the table and may not be required to cover all wagers for
 3044 players seated during a single game.

3045 (c) The cardroom operator may not serve as a designated
 3046 player in any game. The cardroom operator may not have any
 3047 direct or indirect financial or pecuniary interest in a
 3048 designated player in any game.

3049 (d) Designated player poker games offered by a cardroom
 3050 operator may not make up more than 50 percent of the total
 3051 authorized game tables at the cardroom.

3052 (e) The division may only authorize cardroom operators to
 3053 conduct designated player poker games if such games would not
 3054 trigger a reduction in revenue-sharing payments under the Gaming
 3055 Compact between the Seminole Tribe of Florida and the State of
 3056 Florida.

3057 (14)~~(13)~~ TAXES AND OTHER PAYMENTS.—

3058 (d)1. Each ~~greyhound and jai alai~~ permitholder that
 3059 operates a cardroom facility and is licensed to conduct at least
 3060 a full schedule of live racing or games shall use at least 4
 3061 percent of such permitholder's cardroom monthly gross receipts
 3062 to supplement ~~greyhound~~ purses or jai alai prize money,
 3063 respectively, during the permitholder's current or next ensuing
 3064 pari-mutuel meet.

3065 2. Each ~~thoroughbred and harness horse racing~~ permitholder
 3066 that operates a cardroom facility and is not licensed to conduct
 3067 at least a full schedule of live racing or games shall pay 4

3068 percent of such permitholder's cardroom monthly gross receipts
3069 to the division for use in the thoroughbred purse supplement
3070 program established by s. 550.1752 shall use at least 50 percent
3071 of such permitholder's cardroom monthly net proceeds as follows:
3072 47 percent to supplement purses and 3 percent to supplement
3073 breeders' awards during the permitholder's next ensuing racing
3074 meet.

3075 ~~3. No cardroom license or renewal thereof shall be issued~~
3076 ~~to an applicant holding a permit under chapter 550 to conduct~~
3077 ~~pari-mutuel wagering meets of quarter horse racing unless the~~
3078 ~~applicant has on file with the division a binding written~~
3079 ~~agreement between the applicant and the Florida Quarter Horse~~
3080 ~~Racing Association or the association representing a majority of~~
3081 ~~the horse owners and trainers at the applicant's eligible~~
3082 ~~facility, governing the payment of purses on live quarter horse~~
3083 ~~races conducted at the licensee's pari-mutuel facility. The~~
3084 ~~agreement governing purses may direct the payment of such purses~~
3085 ~~from revenues generated by any wagering or gaming the applicant~~
3086 ~~is authorized to conduct under Florida law. All purses shall be~~
3087 ~~subject to the terms of chapter 550.~~

3088 (h) One-quarter of the moneys deposited into the Pari-
3089 mutuel Wagering Trust Fund pursuant to paragraph (g) shall, by
3090 October 1 of each year, be distributed to the local government
3091 that approved the cardroom under subsection (17) ~~(16)~~; however,
3092 if two or more pari-mutuel racetracks are located within the
3093 same incorporated municipality, the cardroom funds shall be

3094 distributed to the municipality. If a pari-mutuel facility is
 3095 situated in such a manner that it is located in more than one
 3096 county, the site of the cardroom facility shall determine the
 3097 location for purposes of disbursement of tax revenues under this
 3098 paragraph. The division shall, by September 1 of each year,
 3099 determine: the amount of taxes deposited into the Pari-mutuel
 3100 Wagering Trust Fund pursuant to this section from each cardroom
 3101 licensee; the location by county of each cardroom; whether the
 3102 cardroom is located in the unincorporated area of the county or
 3103 within an incorporated municipality; and, the total amount to be
 3104 distributed to each eligible county and municipality.

3105 (17)~~(16)~~ LOCAL GOVERNMENT APPROVAL.—The Division of Pari-
 3106 mutuel Wagering may ~~shall~~ not issue any initial license under
 3107 this section except upon proof in such form as the division may
 3108 prescribe that the local government where the applicant for such
 3109 license desires to conduct cardroom gaming has voted to approve
 3110 such activity by a majority vote of the governing body of the
 3111 municipality or the governing body of the county if the facility
 3112 is not located in a municipality.

3113 (18)~~(17)~~ CHANGE OF LOCATION; ~~REFERENDUM~~.—

3114 ~~(a)~~ Notwithstanding any provisions of this section, a ~~no~~
 3115 cardroom gaming license issued under this section may not ~~shall~~
 3116 be transferred, or reissued when such reissuance is in the
 3117 nature of a transfer, so as to permit or authorize a licensee to
 3118 change the location of the cardroom, except that a permitholder
 3119 that relocated pursuant to s. 550.0555(2)(a), s. 550.0555(2)(b),

3120 or s. 550.3345 is entitled to a cardroom license at the new
3121 location. ~~except upon proof in such form as the division may~~
3122 ~~prescribe that a referendum election has been held:~~

3123 ~~1. If the proposed new location is within the same county~~
3124 ~~as the already licensed location, in the county where the~~
3125 ~~licensee desires to conduct cardroom gaming and that a majority~~
3126 ~~of the electors voting on the question in such election voted in~~
3127 ~~favor of the transfer of such license. However, the division~~
3128 ~~shall transfer, without requirement of a referendum election,~~
3129 ~~the cardroom license of any permit holder that relocated its~~
3130 ~~permit pursuant to s. 550.0555.~~

3131 ~~2. If the proposed new location is not within the same~~
3132 ~~county as the already licensed location, in the county where the~~
3133 ~~licensee desires to conduct cardroom gaming and that a majority~~
3134 ~~of the electors voting on that question in each such election~~
3135 ~~voted in favor of the transfer of such license.~~

3136 ~~(b) The expense of each referendum held under the~~
3137 ~~provisions of this subsection shall be borne by the licensee~~
3138 ~~requesting the transfer.~~

3139 Section 48. The Division of Pari-mutuel Wagering of the
3140 Department of Business and Professional Regulation shall revoke
3141 any permit to conduct pari-mutuel wagering if a permit holder has
3142 not conducted live events within the 24 months immediately
3143 preceding the effective date of this act, unless the permit was
3144 issued on or after July 1, 2015. A permit revoked under this
3145 section may not be reissued.

3146 Section 49. If any provision of this act or its
3147 application to any person or circumstance is held invalid, the
3148 invalidity does not affect other provisions or applications of
3149 this act which can be given effect without the invalid provision
3150 or application, and to this end the provisions of this act are
3151 severable.

3152 Section 50. For the 2016-2017 fiscal year, the sum of
3153 \$150,000 in recurring funds from the Pari-Mutuel Wagering Trust
3154 Fund is appropriated to the Department of Business and
3155 Professional Regulation, and the associated salary rate of
3156 45,000 is authorized, for the purpose of implementing the state
3157 oversight responsibilities of this act.

3158 Section 51. Except for the amendments made by this act to
3159 ss. 285.710(1) and 285.710(3), Florida Statutes, which shall
3160 take effect upon this act becoming a law, the amendments made by
3161 this act to chapters 285, 546, 550, 551, and 849, Florida
3162 Statutes, are contingent upon the December 7, 2015, Gaming
3163 Compact becoming effective pursuant to s. 285.710(3)(c), Florida
3164 Statutes, as amended by this act, and shall not take effect if
3165 such Gaming Compact does not become effective.

3166 Section 52. Except as otherwise expressly provided in this
3167 act, this act shall take effect July 1, 2016, or upon approval
3168 by the United States Department of the Interior of the December
3169 7, 2015, Gaming Compact ratified pursuant to s. 285.710, Florida
3170 Statutes, as amended by this act, whichever occurs later.