



496100

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/23/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Galvano) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 24.103, Florida Statutes, is reordered
and amended to read:

24.103 Definitions.—As used in this act, the term:

(1) "Department" means the Department of the Lottery.

(6)~~(2)~~ "Secretary" means the secretary of the department.

(3) "Person" means any individual, firm, association, joint



496100

11 adventure, partnership, estate, trust, syndicate, fiduciary,
12 corporation, or other group or combination and includes an ~~shall~~
13 ~~include any~~ agency or political subdivision of the state.

14 (4) "Point-of-sale terminal" means an electronic device
15 used to process credit card, debit card, or other similar charge
16 card payments at retail locations which is supported by networks
17 that enable verification, payment, transfer of funds, and
18 logging of transactions.

19 (2)~~(4)~~ "Major procurement" means a procurement for a
20 contract for the printing of tickets for use in any lottery
21 game, consultation services for the startup of the lottery, any
22 goods or services involving the official recording for lottery
23 game play purposes of a player's selections in any lottery game
24 involving player selections, any goods or services involving the
25 receiving of a player's selection directly from a player in any
26 lottery game involving player selections, any goods or services
27 involving the drawing, determination, or generation of winners
28 in any lottery game, the security report services provided for
29 in this act, or any goods and services relating to marketing and
30 promotion which exceed a value of \$25,000.

31 (5) "Retailer" means a person who sells lottery tickets on
32 behalf of the department pursuant to a contract.

33 (7)~~(6)~~ "Vendor" means a person who provides or proposes to
34 provide goods or services to the department, but does not
35 include an employee of the department, a retailer, or a state
36 agency.

37 Section 2. Present subsections (19) and (20) of section
38 24.105, Florida Statutes, are redesignated as subsections (20)
39 and (21), respectively, and a new subsection (19) is added to



496100

40 that section, to read:

41 24.105 Powers and duties of department.—The department
42 shall:

43 (19) Have the authority to create a program that allows a
44 person who is at least 18 years of age to purchase a lottery
45 ticket at a point-of-sale terminal. The department may adopt
46 rules to administer the program. Such rules shall include, but
47 are not limited to, the following:

48 (a) Limiting the dollar amount of lottery tickets that a
49 person may purchase at point-of-sale terminals;

50 (b) Creating a process to enable a customer to restrict or
51 prevent his or her own access to lottery tickets; and

52 (c) Ensuring that the program is administered in a manner
53 that does not breach the exclusivity provisions of any Indian
54 gaming compact to which this state is a party.

55 Section 3. Section 24.112, Florida Statutes, is amended to
56 read:

57 24.112 Retailers of lottery tickets; ~~authorization of~~
58 ~~vending machines; point-of-sale terminals to dispense lottery~~
59 ~~tickets.—~~

60 (1) The department shall adopt ~~promulgate~~ rules specifying
61 the terms and conditions for contracting with retailers who will
62 best serve the public interest and promote the sale of lottery
63 tickets.

64 (2) In the selection of retailers, the department shall
65 consider factors such as financial responsibility, integrity,
66 reputation, accessibility of the place of business or activity
67 to the public, security of the premises, the sufficiency of
68 existing retailers to serve the public convenience, and the



496100

69 projected volume of the sales for the lottery game involved. In
70 the consideration of these factors, the department may require
71 the information it deems necessary of any person applying for
72 authority to act as a retailer. However, the department may not
73 establish a limitation upon the number of retailers and shall
74 make every effort to allow small business participation as
75 retailers. It is the intent of the Legislature that retailer
76 selections be based on business considerations and the public
77 convenience and that retailers be selected without regard to
78 political affiliation.

79 (3) The department may ~~shall~~ not contract with any person
80 as a retailer who:

81 (a) Is less than 18 years of age.

82 (b) Is engaged exclusively in the business of selling
83 lottery tickets; however, this paragraph may ~~shall~~ not preclude
84 the department from selling lottery tickets.

85 (c) Has been convicted of, or entered a plea of guilty or
86 nolo contendere to, a felony committed in the preceding 10
87 years, regardless of adjudication, unless the department
88 determines that:

89 1. The person has been pardoned or the person's civil
90 rights have been restored;

91 2. Subsequent to such conviction or entry of plea the
92 person has engaged in the kind of law-abiding commerce and good
93 citizenship that would reflect well upon the integrity of the
94 lottery; or

95 3. If the person is a firm, association, partnership,
96 trust, corporation, or other entity, the person has terminated
97 its relationship with the individual whose actions directly



496100

98 contributed to the person's conviction or entry of plea.

99 (4) The department shall issue a certificate of authority
100 to each person with whom it contracts as a retailer for purposes
101 of display pursuant to subsection (6). The issuance of the
102 certificate may ~~shall~~ not confer upon the retailer any right
103 apart from that specifically granted in the contract. The
104 authority to act as a retailer may ~~shall~~ not be assignable or
105 transferable.

106 (5) A ~~Any~~ contract executed by the department pursuant to
107 this section shall specify the reasons for any suspension or
108 termination of the contract by the department, including, but
109 not limited to:

110 (a) Commission of a violation of this act or rule adopted
111 pursuant thereto.

112 (b) Failure to accurately account for lottery tickets,
113 revenues, or prizes as required by the department.

114 (c) Commission of any fraud, deceit, or misrepresentation.

115 (d) Insufficient sale of tickets.

116 (e) Conduct prejudicial to public confidence in the
117 lottery.

118 (f) Any material change in any matter considered by the
119 department in executing the contract with the retailer.

120 (6) Each ~~Every~~ retailer shall post and keep conspicuously
121 displayed in a location on the premises accessible to the public
122 its certificate of authority and, with respect to each game, a
123 statement supplied by the department of the estimated odds of
124 winning a ~~some~~ prize for the game.

125 (7) A ~~No~~ contract with a retailer may not ~~shall~~ authorize
126 the sale of lottery tickets at more than one location, and a



127 retailer may sell lottery tickets only at the location stated on
128 the certificate of authority.

129 (8) With respect to any retailer whose rental payments for
130 premises are contractually computed, in whole or in part, on the
131 basis of a percentage of retail sales, and where such
132 computation of retail sales is not explicitly defined to include
133 sales of tickets in a state-operated lottery, the compensation
134 received by the retailer from the department shall be deemed to
135 be the amount of the retail sale for the purposes of such
136 contractual compensation.

137 (9) (a) The department may require each ~~every~~ retailer to
138 post an appropriate bond as determined by the department, using
139 an insurance company acceptable to the department, in an amount
140 not to exceed twice the average lottery ticket sales of the
141 retailer for the period within which the retailer is required to
142 remit lottery funds to the department. For the first 90 days of
143 sales of a new retailer, the amount of the bond may not exceed
144 twice the average estimated lottery ticket sales for the period
145 within which the retailer is required to remit lottery funds to
146 the department. This paragraph does ~~shall~~ not apply to lottery
147 tickets that ~~which~~ are prepaid by the retailer.

148 (b) In lieu of such bond, the department may purchase
149 blanket bonds covering all or selected retailers or may allow a
150 retailer to deposit and maintain with the Chief Financial
151 Officer securities that are interest bearing or accruing and
152 that, with the exception of those specified in subparagraphs 1.
153 and 2., are rated in one of the four highest classifications by
154 an established nationally recognized investment rating service.
155 Securities eligible under this paragraph shall be limited to:



496100

156 1. Certificates of deposit issued by solvent banks or
157 savings associations organized and existing under the laws of
158 this state or under the laws of the United States and having
159 their principal place of business in this state.
160 2. United States bonds, notes, and bills for which the full
161 faith and credit of the government of the United States is
162 pledged for the payment of principal and interest.
163 3. General obligation bonds and notes of any political
164 subdivision of the state.
165 4. Corporate bonds of any corporation that is not an
166 affiliate or subsidiary of the depositor.
167
168 Such securities shall be held in trust and shall have at all
169 times a market value at least equal to an amount required by the
170 department.
171 (10) Each ~~Every~~ contract entered into by the department
172 pursuant to this section shall contain a provision for payment
173 of liquidated damages to the department for any breach of
174 contract by the retailer.
175 (11) The department shall establish procedures by which
176 each retailer shall account for all tickets sold by the retailer
177 and account for all funds received by the retailer from such
178 sales. The contract with each retailer shall include provisions
179 relating to the sale of tickets, payment of moneys to the
180 department, reports, service charges, and interest and
181 penalties, if necessary, as the department shall deem
182 appropriate.
183 (12) ~~No~~ Payment by a retailer to the department for tickets
184 may not shall be in cash. All such payments shall be in the form



496100

185 of a check, bank draft, electronic fund transfer, or other
186 financial instrument authorized by the secretary.

187 (13) Each retailer shall provide accessibility for disabled
188 persons on habitable grade levels. This subsection does not
189 apply to a retail location that ~~which~~ has an entrance door
190 threshold more than 12 inches above ground level. As used in
191 ~~herein and for purposes of~~ this subsection only, the term
192 "accessibility for disabled persons on habitable grade levels"
193 means that retailers shall provide ramps, platforms, aisles and
194 pathway widths, turnaround areas, and parking spaces to the
195 extent these are required for the retailer's premises by the
196 particular jurisdiction where the retailer is located.
197 Accessibility shall be required to only one point of sale of
198 lottery tickets for each lottery retailer location. The
199 requirements of this subsection shall be deemed to have been met
200 if, in lieu of the foregoing, disabled persons can purchase
201 tickets from the retail location by means of a drive-up window,
202 provided the hours of access at the drive-up window are not less
203 than those provided at any other entrance at that lottery
204 retailer location. Inspections for compliance with this
205 subsection shall be performed by those enforcement authorities
206 responsible for enforcement pursuant to s. 553.80 in accordance
207 with procedures established by those authorities. Those
208 enforcement authorities shall provide to the Department of the
209 Lottery a certification of noncompliance for any lottery
210 retailer not meeting such requirements.

211 (14) The secretary may, after filing with the Department of
212 State his or her manual signature certified by the secretary
213 under oath, execute or cause to be executed contracts between



496100

214 the department and retailers by means of engraving, imprinting,
215 stamping, or other facsimile signature.

216 (15) A vending machine may be used to dispense online
217 lottery tickets, instant lottery tickets, or both online and
218 instant lottery tickets.

219 (a) The vending machine must:

220 1. Dispense a lottery ticket after a purchaser inserts a
221 coin or currency in the machine.

222 2. Be capable of being electronically deactivated for a
223 period of 5 minutes or more.

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

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

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

231 2. Ensure that at least one employee is on duty when the
232 vending machine is available for use. However, if the retailer
233 has previously violated s. 24.1055, at least two employees must
234 be on duty when the vending machine is available for use.

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

238 (d) The vending machine, or any machine or device linked to
239 the vending machine, may not include or make use of video reels
240 or mechanical reels or other video depictions of slot machine or
241 casino game themes or titles for game play. This does not
242 preclude the use of casino game themes or titles on such tickets



496100

243 or signage or advertising displays on the machines.

244 (16) The department, a retailer operating from one or more
245 locations, or a vendor approved by the department may use a
246 point-of-sale terminal to facilitate the sale of a lottery
247 ticket.

248 (a) A point-of-sale terminal must:

249 1. Dispense a paper lottery ticket with numbers selected by
250 the purchaser or selected randomly by the machine after the
251 purchaser uses a credit card, debit card, or other similar
252 charge card issued by a bank, savings association, credit union,
253 or charge card company or issued by a retailer pursuant to part
254 II of chapter 520 for payment;

255 2. Recognize a valid driver license or use another age
256 verification process approved by the department to ensure that
257 only persons at least 18 years of age may purchase a lottery
258 ticket;

259 3. Process a lottery transaction through a platform that is
260 certified or otherwise approved by the department; and

261 4. Be in compliance with all applicable department
262 requirements related to the lottery ticket offered for sale.

263 (b) A point-of-sale terminal does not reveal winning
264 numbers, which are selected at a subsequent time and different
265 location through a drawing by the state lottery.

266 (c) A point-of-sale terminal, or any machine or device
267 linked to the point-of-sale terminal, may not include or make
268 use of video reels or mechanical reels or other video depictions
269 of slot machine or casino game themes or titles for game play.
270 This does not preclude the use of casino game themes or titles
271 on a lottery ticket or game or on the signage or advertising



496100

272 displays on the terminal.

273 (d) A point-of-sale terminal may not be used to redeem a
274 winning ticket.

275 Section 4. Effective upon becoming a law, paragraph (a) of
276 subsection (1), subsection (3), and present subsections (9),
277 (11), and (14) of section 285.710, Florida Statutes, are
278 amended, present subsections (4) through (14) of that section
279 are redesignated as subsections (5) through (15), respectively,
280 and a new subsection (4) is added to that section, to read:

281 285.710 Compact authorization.—

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

283 (a) "Compact" means the Gaming Compact between the Seminole
284 Tribe of Florida and the State of Florida, ~~executed on April 7,~~
285 ~~2010.~~

286 (3) (a) A The gaming compact between the Seminole Tribe of
287 Florida and the State of Florida, executed by the Governor and
288 the Tribe on April 7, 2010, was is ratified and approved by
289 chapter 2010-29, Laws of Florida. The Governor shall cooperate
290 with the Tribe in seeking approval of the compact from the
291 United States Secretary of the Interior.

292 (b) The Gaming Compact between the Seminole Tribe of
293 Florida and the State of Florida, which was executed by the
294 Governor and the Tribe on December 7, 2015, shall be deemed
295 ratified and approved only if amended as specified in subsection
296 (4).

297 (c) Upon approval or deemed approval by the United States
298 Department of Interior and publication in the Federal Register,
299 the amended Gaming Compact supersedes the gaming compact
300 ratified and approved by chapter 2010-29, Laws of Florida. The



496100

301 Governor shall cooperate with the Tribe in seeking approval of
302 the amended Gaming Compact from the United States Secretary of
303 the Interior. The Secretary of the Department of Business and
304 Professional Regulation is directed to notify in writing the
305 Governor, the President of the Senate, the Speaker of the House
306 of Representatives, and the Division of Law Revision and
307 Information of the effective date of the compact, amended as
308 required by this act, which has been published in the Federal
309 Register by the Department of the Interior within 5 days after
310 such publication.

311 (4) The compact executed on December 7, 2015, shall be
312 amended by an agreement between the Governor and the Tribe to:

313 (a) Become effective after it is approved as a tribal-state
314 compact within the meaning of the Indian Gaming Regulatory Act
315 by action of the United States Secretary of the Interior or by
316 operation of law under 25 U.S.C. s. 2710(d)(8), and upon
317 publication of a notice of approval in the Federal Register
318 under 25 U.S.C. s. 2710(d)(8)(D);

319 (b) Require that the State of Florida and the Tribe
320 dismiss, with prejudice, any and all pending motions for
321 rehearing or any pending appeals arising from *State of Florida*
322 *v. Seminole Tribe of Florida* (Consolidated Case No. 4:15cv516-
323 RH/CAS; United States District Court in and for the Northern
324 District of Florida); and

325 (c) Incorporate the following exceptions to the exclusivity
326 provided to the Tribe under the gaming compact executed on
327 December 7, 2015:

328 1. Point-of-sale lottery ticket sales are permitted in
329 accordance with chapter 24, as amended by this act;



496100

330 2. Fantasy contests conducted in accordance with ss.
331 546.11-546.18, as created by this act;

332 3. Slot machines operated in accordance with chapter 551,
333 as amended by this act;

334 4. The game of blackjack, in accordance with s. 551.1044,
335 as created by this act;

336 5. Designated player games of poker conducted at cardrooms
337 in accordance with chapter 849, as amended by this act, and in
338 compliance with Rule Chapter 61D-11, Florida Administrative
339 Code;

340 6. Those activities claimed to be violations of the gaming
341 compact between the Seminole Tribe of Florida and the State of
342 Florida, executed by the Governor and the Tribe on April 7,
343 2010, in the legal actions consolidated and heard in State of
344 Florida v. Seminole Tribe of Florida (Consolidated Case No.
345 4:15cv516-RH/CAS; United States District Court in and for the
346 Northern District of Florida); and

347 7. All activities authorized and conducted pursuant to
348 Florida law, as amended by this act.

349

350 The incorporation of all such provisions may not impact or
351 change the payments required to the state under part XI of the
352 compact during the Guarantee Payment Period and the Regular
353 Payment Period and may not change or impact the Guaranteed
354 Minimum Compact Term Payment required to be paid to the state
355 under the compact or any other payment required to be paid by
356 the Tribe under the compact. The compact may not be amended to
357 prorate or reduce any amount required to be paid to the state
358 during the first fiscal year of the Guaranteed Payment Period or



496100

359 any other time during which the compact is effective, regardless
360 of the date on which the compact becomes effective. Part XI of
361 the compact shall be amended to delete provisions concerning
362 payments required to be paid to the state during the Initial
363 Payment Period.

364 (10) ~~(9)~~ The moneys paid by the Tribe to the state for the
365 benefit of exclusivity under the compact ratified by this
366 section shall be deposited into the General Revenue Fund. Three
367 percent of the amount paid by the Tribe to the state shall be
368 designated as the local government share and shall be
369 distributed as provided in subsections ~~(10)~~ and (11) and (12).

370 (12) ~~(11)~~ Upon receipt of the annual audited revenue figures
371 from the Tribe and completion of the calculations as provided in
372 subsection (11) ~~(10)~~, the state compliance agency shall certify
373 the results to the Chief Financial Officer and shall request the
374 distributions to be paid from the General Revenue Fund within 30
375 days after authorization of nonoperating budget authority
376 pursuant to s. 216.181(12).

377 (15) ~~(14)~~ Notwithstanding any other provision of state law,
378 it is not a crime for a person to participate in the games
379 specified in subsection (14) ~~(13)~~ at a tribal facility operating
380 under the compact entered into pursuant to this section.

381 Section 5. Subsection (14) of section 285.710, Florida
382 Statutes, as amended by this act, is amended to read:

383 285.710 Compact authorization.—

384 (14) For the purpose of satisfying the requirement in 25
385 U.S.C. s. 2710(d)(1)(B) that the gaming activities authorized
386 under an Indian gaming compact must be permitted in the state
387 for any purpose by any person, organization, or entity, the



496100

388 following class III games or other games specified in this
389 section are hereby authorized to be conducted by the Tribe
390 pursuant to the compact:

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

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

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

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

397 (e) ~~(e)~~ Raffles and drawings.

398 Section 6. Subsection (4) of section 285.712, Florida
399 Statutes, is amended to read:

400 285.712 Tribal-state gaming compacts.-

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

406 Section 7. Section 546.11, Florida Statutes, is created to
407 read:

408 546.11 Short title.-Sections 546.11-546.18 may be cited as
409 the "Fantasy Contest Amusement Act."

410 Section 8. Section 546.12, Florida Statutes, is created to
411 read:

412 546.12 Legislative intent.-It is the intent of the
413 Legislature to ensure public confidence in the integrity of
414 fantasy contests and fantasy contest operators. This act is
415 designed to strictly regulate the operators of fantasy contests
416 and individuals who participate in such contests and to adopt



496100

417 consumer protections related to fantasy contests. Furthermore,
418 the Legislature finds that fantasy contests, as that term is
419 defined in s. 546.13, involve the skill of contest participants.

420 Section 9. Section 546.13, Florida Statutes, is created to
421 read:

422 546.13 Definitions.—As used in ss. 546.11-546.18, the term:

423 (1) "Act" means ss. 546.11-546.18.

424 (2) "Confidential information" means information related to
425 the playing of fantasy contests by contest participants which is
426 obtained solely as a result of a person's employment with, or
427 work as an agent of, a contest operator.

428 (3) "Contest operator" means a person or entity that offers
429 fantasy contests for a cash prize to members of the public.

430 (4) "Contest participant" means a person who pays an entry
431 fee for the ability to participate in a fantasy contest offered
432 by a contest operator.

433 (5) "Entry fee" means the cash or cash equivalent amount
434 that is required to be paid by a person to a contest operator to
435 participate in a fantasy contest.

436 (6) "Fantasy contest" means a fantasy or simulation sports
437 game or contest offered by a contest operator or a noncommercial
438 contest operator in which a contest participant manages a
439 fantasy or simulation sports team composed of athletes from a
440 professional sports organization and which meets the following
441 conditions:

442 (a) All prizes and awards offered to winning contest
443 participants are established and made known to the contest
444 participants in advance of the game or contest and their value
445 is not determined by the number of contest participants or the



496100

446 amount of any fees paid by those contest participants.

447 (b) All winning outcomes reflect the relative knowledge and
448 skill of the contest participants and are determined
449 predominantly by accumulated statistical results of the
450 performance of the athletes participating in multiple real-world
451 sporting or other events. However, a winning outcome may not be
452 based:

453 1. On the score, point spread, or any performance or
454 performances of a single real-world team or any combination of
455 such teams;

456 2. Solely on any single performance of an individual
457 athlete in a single real-world sporting or other event;

458 3. On a live pari-mutuel event, as the term "pari-mutuel"
459 is defined in s. 550.002; or

460 4. On the performance of athletes participating in an
461 amateur sporting event.

462 (7) "Noncommercial contest operator" means a person who
463 organizes and conducts a fantasy contest in which contest
464 participants are charged entry fees for the right to
465 participate; entry fees are collected, maintained, and
466 distributed by the same person; and all entry fees are returned
467 to the contest participants in the form of prizes.

468 (8) "Office" means the Office of Contest Amusements created
469 in s. 546.14.

470 Section 10. Section 546.14, Florida Statutes is created to
471 read:

472 546.14 Office of Contest Amusements.—

473 (1) The Office of Contest Amusements is created within the
474 Department of Business and Professional Regulation. The office



496100

475 shall operate under the supervision of a senior manager exempt
476 under s. 110.205 in the Senior Management Service appointed by
477 the Secretary of Business and Professional Regulation.

478 (2) The duties of the office include, but are not limited
479 to, administering and enforcing this act and any rules adopted
480 pursuant to this act. The office may work with department
481 personnel as needed to assist in fulfilling its duties.

482 (3) The office may:

483 (a) Conduct investigations and monitor the operation and
484 play of fantasy contests.

485 (b) Review the books, accounts, and records of any current
486 or former contest operator.

487 (c) Suspend or revoke any license issued under this act,
488 after a hearing, for any violation of state law or rule.

489 (d) Take testimony, issue summons and subpoenas for any
490 witness, and issue subpoenas duces tecum in connection with any
491 matter within its jurisdiction.

492 (e) Monitor and ensure the proper collection and
493 safeguarding of entry fees and the payment of contest prizes in
494 accordance with consumer protection procedures adopted pursuant
495 to s. 546.16.

496 (4) The office may adopt rules to implement and administer
497 this act.

498 Section 11. Section 546.15, Florida Statutes, is created to
499 read:

500 546.15 Licensing.—

501 (1) A contest operator that offers fantasy contests for
502 play by persons in this state must be licensed by the office to
503 conduct fantasy contests within this state. The initial license



496100

504 application fee is \$500,000, and the annual license renewal fee
505 is \$100,000; however, the respective fees may not exceed 10
506 percent of the difference between the amount of entry fees
507 collected by a contest operator from the operation of fantasy
508 contests in this state and the amount of cash or cash
509 equivalents paid to contest participants in this state. The
510 office shall require the contest operator to provide written
511 evidence of the proposed amount of entry fees and cash or cash
512 equivalents to be paid to contest participants during the annual
513 license period. Before renewing a license, the contest operator
514 shall provide written evidence to the office of the actual entry
515 fees collected and cash or cash equivalents paid to contest
516 participants during the previous period of licensure. The
517 contest operator shall remit to the office any difference in
518 license fee which results from the difference between the
519 proposed amount of entry fees and cash or cash equivalents paid
520 to contest participants and the actual amounts collected and
521 paid.

522 (2) The office shall grant or deny a completed application
523 within 120 days after receipt. A completed application that is
524 not acted upon by the office within 120 days after receipt is
525 deemed approved, and the office shall issue the license.
526 Applications for a contest operator's license are exempt from
527 the 90-day licensure timeframe imposed in s. 120.60(1).

528 (3) The application must include:

529 (a) The full name of the applicant.

530 (b) If the applicant is a corporation, the name of the
531 state in which the applicant is incorporated and the names and
532 addresses of the officers, directors, and shareholders who hold



496100

533 15 percent or more equity.

534 (c) If the applicant is a business entity other than a
535 corporation, the names and addresses of each principal, partner,
536 or shareholder who holds 15 percent or more equity.

537 (d) The names and addresses of the ultimate equitable
538 owners of the corporation or other business entity, if different
539 from those provided under paragraphs (b) and (c), unless the
540 securities of the corporation or entity are registered pursuant
541 to s. 12 of the Securities Exchange Act of 1934, 15 U.S.C. ss.
542 78a-78kk, and:

543 1. The corporation or entity files with the United States
544 Securities and Exchange Commission the reports required by s. 13
545 of that act; or

546 2. The securities of the corporation or entity are
547 regularly traded on an established securities market in the
548 United States.

549 (e) The estimated number of fantasy contests to be
550 conducted by the applicant annually.

551 (f) A statement of the assets and liabilities of the
552 applicant.

553 (g) If required by the office, the names and addresses of
554 the officers and directors of any creditor of the applicant and
555 of stockholders who hold more than 10 percent of the stock of
556 the creditor.

557 (h) For each individual listed in the application pursuant
558 to paragraph (a), paragraph (b), paragraph (c) or paragraph (d),
559 a full set of fingerprints to be submitted to the office or to a
560 vendor, entity, or agency authorized by s. 943.053(13).

561 1. The office, vendor, entity, or agency shall forward the



496100

562 fingerprints to the Department of Law Enforcement for state
563 processing, and the Department of Law Enforcement shall forward
564 the fingerprints to the Federal Bureau of Investigation for
565 national processing.

566 2. Fees for state and federal fingerprint processing and
567 retention shall be borne by the applicant. The state cost for
568 fingerprint processing shall be as provided in s. 943.053(3) (b)
569 for records provided to persons or entities other than those
570 specified as exceptions therein.

571 3. Fingerprints submitted to the Department of Law
572 Enforcement pursuant to this paragraph shall be retained by the
573 Department of Law Enforcement as provided in s. 943.05(2) (g) and
574 (h) and, when the Department of Law Enforcement begins
575 participation in the program, enrolled in the Federal Bureau of
576 Investigation's national retained print arrest notification
577 program. Any arrest record identified shall be reported to the
578 department.

579 (i) For each foreign national, such documents as necessary
580 to allow the office to conduct criminal history records checks
581 in the individual's home country. The applicant must pay the
582 full cost of processing fingerprints and required documentation.
583 The office also may charge a \$2 handling fee for each set of
584 fingerprints submitted.

585 (4) A person or entity is not eligible for licensure as a
586 contest operator or for licensure renewal if an individual
587 required to be listed pursuant to paragraph (3) (a), paragraph
588 (3) (b), paragraph (3) (c), or paragraph (3) (d) is determined by
589 the office, after investigation, not to be of good moral
590 character or is found to have been convicted of a felony in this



496100

591 state, any offense in another jurisdiction which would be
592 considered a felony if committed in this state, or a felony
593 under the laws of the United States. As used in this subsection,
594 the term "convicted" means having been found guilty, with or
595 without adjudication of guilt, as a result of a jury verdict,
596 nonjury trial, or entry of a plea of guilty or nolo contendere.

597 (5) The office may suspend, revoke, or deny the license of
598 a contest operator who fails to comply with this act or rules
599 adopted pursuant to this act.

600 Section 12. Section 546.16, Florida Statutes, is created to
601 read:

602 546.16 Consumer protection.-

603 (1) A contest operator that charges an entry fee to contest
604 participants shall implement procedures for fantasy contests
605 which:

606 (a) Prevent employees of the contest operator, and
607 relatives living in the same household as such employees, from
608 competing in a fantasy contest in which a cash prize is awarded.

609 (b) Prohibit the contest operator from being a contest
610 participant in a fantasy contest that he or she offers.

611 (c) Prevent employees or agents of the contest operator
612 from sharing with a third party confidential information that
613 could affect fantasy contest play until the information has been
614 made publicly available.

615 (d) Verify that contest participants are 18 years of age or
616 older.

617 (e) Restrict an individual who is a player, a game
618 official, or another participant in a real-world game or
619 competition from participating in a fantasy contest that is



496100

620 determined, in whole or in part, on the performance of that
621 individual, the individual's real-world team, or the accumulated
622 statistical results of the sport or competition in which he or
623 she is a player, game official, or other participant.

624 (f) Allow individuals to restrict or prevent their own
625 access to such a fantasy contest and take reasonable steps to
626 prevent those individuals from entering a fantasy contest.

627 (g) Limit the number of entries a single contest
628 participant may submit to each fantasy contest and take
629 reasonable steps to prevent participants from submitting more
630 than the allowable number of entries.

631 (h) Segregate contest participants' funds from operational
632 funds or maintain a reserve in the form of cash, cash
633 equivalents, payment processor reserves, payment processor
634 receivables, an irrevocable letter of credit, a bond, or a
635 combination thereof in the total amount of deposits in contest
636 participants' accounts for the benefit and protection of
637 authorized contest participants' funds held in fantasy contest
638 accounts.

639 (2) A contest operator that offers fantasy contests in this
640 state which require contest participants to pay an entry fee
641 shall annually contract with a third party to perform an
642 independent audit, consistent with the standards established by
643 the American Institute of Certified Public Accountants, to
644 ensure compliance with this act. The contest operator shall
645 submit the results of the independent audit to the office no
646 later than 90 days after the end of each annual licensing
647 period.

648 Section 13. Section 546.17, Florida Statutes, is created to



496100

649 read:

650 546.17 Records and reports.—Each contest operator shall
651 keep and maintain daily records of its operations and shall
652 maintain such records for at least 3 years. The records must
653 sufficiently detail all financial transactions to determine
654 compliance with the requirements of this act and must be
655 available for audit and inspection by the office or other law
656 enforcement agencies during the contest operator's regular
657 business hours. The office shall adopt rules to implement this
658 subsection.

659 Section 14. Section 546.18, Florida Statutes, is created to
660 read:

661 546.18 Penalties; applicability; exemption.—

662 (1) (a) A contest operator, or an employee or agent thereof,
663 who violates this act is subject to a civil penalty, not to
664 exceed \$5,000 for each violation and not to exceed \$100,000 in
665 the aggregate, which shall accrue to the state. An action to
666 recover such penalties may be brought by the office or the
667 Department of Legal Affairs in the circuit courts in the name
668 and on behalf of the state.

669 (b) The penalty provisions established in this subsection
670 do not apply to violations committed by a contest operator which
671 occurred prior to the issuance of a license under this act if
672 the contest operator applies for a license within 90 days after
673 the effective date of this section and receives a license within
674 240 days after the effective date of this section.

675 (2) Fantasy contests conducted by a contest operator or
676 noncommercial contest operator in accordance with this act are
677 not subject to s. 849.01, s. 849.08, s. 849.09, s. 849.11, s.



496100

678 849.14, or s. 849.25.

679 Section 15. The Division of Law Revision and Information is
680 directed to replace the phrase "the effective date of this
681 section" wherever it occurs in s. 546.18, Florida Statutes, with
682 the date that section becomes effective.

683 Section 16. Subsection (11) of section 550.002, Florida
684 Statutes, is amended to read:

685 550.002 Definitions.—As used in this chapter, the term:

686 (11) (a) "Full schedule of live racing or games" means: ~~;~~

687 1. For a greyhound racing permitholder or jai alai
688 permitholder, the conduct of a combination of at least 100 live
689 ~~evening or matinee~~ performances during the preceding year. ~~;~~ ~~for~~
690 ~~a permitholder who has a converted permit or filed an~~
691 ~~application on or before June 1, 1990, for a converted permit,~~
692 ~~the conduct of a combination of at least 100 live evening and~~
693 ~~matinee wagering performances during either of the 2 preceding~~
694 ~~years;~~

695 2. For a jai alai permitholder that ~~who~~ does not possess a
696 operate slot machine license machines in its pari-mutuel
697 facility, ~~who~~ has conducted at least 100 live performances per
698 year for at least 10 years after December 31, 1992, and has had
699 ~~whose~~ handle on live jai alai games conducted at its pari-mutuel
700 facility which was ~~has been~~ less than \$4 million per state
701 fiscal year for at least 2 consecutive years after June 30,
702 1992, the conduct of ~~a combination of~~ at least 40 live ~~evening~~
703 ~~or matinee~~ performances during the preceding year. ~~;~~

704 3. For a jai alai permitholder that possesses a ~~who~~
705 ~~operates~~ slot machine license machines in its pari-mutuel
706 facility, the conduct of ~~a combination of~~ at least 150



496100

707 performances during the preceding year.~~†~~

708 4. For a jai alai permitholder that does not possess a slot
709 machine license, the conduct of at least 58 live performances
710 during the preceding year, unless the permitholder meets the
711 requirements of subparagraph 2.

712 5. For a harness horse racing permitholder, the conduct of
713 at least 100 live regular wagering performances during the
714 preceding year.~~†~~

715 6. For a quarter horse racing permitholder at its facility,
716 unless an alternative schedule of at least 20 live regular
717 wagering performances each year is agreed upon by the
718 permitholder and either the Florida Quarter Horse Racing
719 Association or the horsemen ~~horsemen's~~ association representing
720 the majority of the quarter horse owners and trainers at the
721 facility and filed ~~with the division along~~ with its annual
722 operating license ~~date~~ application.~~†~~

723 a. In the 2010-2011 fiscal year, the conduct of at least 20
724 regular wagering performances.~~†~~

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

727 c. For every fiscal year after the 2012-2013 fiscal year,
728 the conduct of at least 40 live regular wagering performances.~~†~~

729 7. For a quarter horse racing permitholder leasing another
730 licensed racetrack, the conduct of 160 events at the leased
731 facility during the preceding year.~~†~~ ~~and~~

732 8. For a thoroughbred racing permitholder, the conduct of
733 at least 40 live regular wagering performances during the
734 preceding year.

735 (b) ~~For a permitholder which is restricted by statute to~~



496100

736 ~~ertain operating periods within the year when other members of~~
737 ~~its same class of permit are authorized to operate throughout~~
738 ~~the year, the specified number of live performances which~~
739 ~~constitute a full schedule of live racing or games shall be~~
740 ~~adjusted pro rata in accordance with the relationship between~~
741 ~~its authorized operating period and the full calendar year and~~
742 ~~the resulting specified number of live performances shall~~
743 ~~constitute the full schedule of live games for such permit holder~~
744 ~~and all other permit holders of the same class within 100 air~~
745 ~~miles of such permit holder. A live performance must consist of~~
746 no fewer than eight races or games conducted live for each of a
747 minimum of three performances each week at the permit holder's
748 licensed facility under a single admission charge.

749 Section 17. Subsections (1), (3), and (6) of section
750 550.01215, Florida Statutes, are amended, and subsection (7) is
751 added to that section, to read:

752 550.01215 License application; periods of operation; bond,
753 conversion of permit.-

754 (1) Each permit holder shall annually, during the period
755 between December 15 and January 4, file in writing with the
756 division its application for an operating a license to conduct
757 pari-mutuel wagering during the next fiscal year, including
758 intertrack and simulcast race wagering for greyhound racing
759 permit holders, jai alai permit holders, harness horse racing
760 permit holders, quarter horse racing permit holders, and
761 thoroughbred horse racing permit holders that do not ~~to~~ conduct
762 live performances during the next state fiscal year. Each
763 application for live performances must shall specify the number,
764 dates, and starting times of all live performances that which



496100

765 the permitholder intends to conduct. It must ~~shall~~ also specify
766 which performances will be conducted as charity or scholarship
767 performances.

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

770 1. For each permitholder, whether the permitholder intends
771 to accept wagers on intertrack or simulcast events. As a
772 condition on the ability to accept wagers on intertrack or
773 simulcast events, each permitholder accepting wagers on
774 intertrack or simulcast events must make available for wagering
775 to its patrons all available live races conducted by
776 thoroughbred horse permitholders.

777 2. For each permitholder that elects ~~which elects~~ to
778 operate a cardroom, the dates and periods of operation the
779 permitholder intends to operate the cardroom. ~~or,~~

780 3. For each thoroughbred racing permitholder that ~~which~~
781 elects to receive or rebroadcast out-of-state races after 7
782 p.m., the dates for all performances which the permitholder
783 intends to conduct.

784 (b) A greyhound racing permitholder that conducted a full
785 schedule of live racing for a period of at least 10 consecutive
786 state fiscal years after the 1996-1997 state fiscal year, or
787 that converted its permit to a permit to conduct greyhound
788 racing after the 1996-1997 state fiscal year, may specify in its
789 application for an operating license that it does not intend to
790 conduct live racing, or that it intends to conduct less than a
791 full schedule of live racing, in the next state fiscal year. A
792 greyhound racing permitholder may receive an operating license
793 to conduct pari-mutuel wagering activities at another



496100

794 permitholder's greyhound racing facility pursuant to s. 550.475.

795 (c)1. A thoroughbred horse racing permitholder that has
796 conducted live racing for at least 5 years may elect not to
797 conduct live racing, if such election is made within 30 days
798 after the effective date of this act. A thoroughbred horse
799 racing permitholder that makes such election may retain such
800 permit, must specify in future applications for an operating
801 license that it does not intend to conduct live racing, and is a
802 pari-mutuel facility as defined in s. 550.002(23).

803 2. If a thoroughbred horse racing permitholder makes such
804 election and if such permitholder holds a slot machine license
805 when such election is made, the facility where such permit is
806 located:

807 a. Remains an eligible facility pursuant to s. 551.102(4),
808 and continues to be eligible for a slot machine license;

809 b. Is exempt from ss. 550.5251, 551.104(3) and (4)(c)1.,
810 and 551.114(2) and (4);

811 c. Is eligible, but not required, to be a guest track for
812 purposes of intertrack wagering and simulcasting; and

813 d. Remains eligible for a cardroom license, notwithstanding
814 any requirement for the conduct of live racing pursuant to s.
815 849.086.

816 3. A thoroughbred horse racing permitholder that makes such
817 election shall comply with all contracts regarding contributions
818 by such permitholder to thoroughbred horse purse supplements or
819 breeders' awards entered into before the effective date of this
820 act pursuant to s. 551.104(10)(a). At the time of such election,
821 such permitholder shall file with the division an irrevocable
822 consent that such contributions shall be allowed to be used for



496100

823 purses and awards on live races at other thoroughbred horse
824 racing facilities in this state. This subparagraph and s.
825 551.104(10)(a) shall not apply after December 31, 2020, to a
826 thoroughbred horse racing permitholder that made such election.

827 (d) Any harness horse racing permitholder and any quarter
828 horse racing permitholder that has held an operating license for
829 at least 5 years is exempt from the live racing requirements of
830 this subsection and may specify in its annual application for an
831 operating license that it does not intend to conduct live
832 racing, or that it intends to conduct less than a full schedule
833 of live racing, in the next state fiscal year.

834 (e) A jai alai permitholder that has held an operating
835 license for at least 5 years is exempt from the live jai alai
836 requirements of this subsection and may specify in its annual
837 application for an operating license that it does not intend to
838 conduct live jai alai, or that it intends to conduct less than a
839 full schedule of live jai alai, in the next state fiscal year.

840
841 A permitholder described in paragraph (b), paragraph (d), or
842 paragraph (e) may retain its permit and is a pari-mutuel
843 facility as defined in s. 550.002(23). If such permitholder has
844 been issued a slot machine license, the facility where such
845 permit is located remains an eligible facility as defined in s.
846 551.102(4) and continues to be eligible for a slot machine
847 license; is exempt from s. 551.104(3) and (4)(c)1., and s.
848 551.114(2) and (4); is eligible, but not required, to be a guest
849 track or, if the permitholder is a harness horse racing
850 permitholder, a host track for purposes of intertrack wagering
851 and simulcasting pursuant to ss. 550.3551, 550.615, 550.625, and



496100

852 550.6305; and remains eligible for a cardroom license,
853 notwithstanding any requirement for the conduct of live racing
854 performances contained in s. 849.086.

855 (f) Permitholders may ~~shall be entitled to~~ amend their
856 applications through February 28.

857 (3) The division shall issue each license no later than
858 March 15. Each permitholder shall operate all performances at
859 the date and time specified on its license. The division shall
860 have the authority to approve minor changes in racing dates
861 after a license has been issued. The division may approve
862 changes in racing dates after a license has been issued when
863 there is no objection from any operating permitholder located
864 within 50 miles of the permitholder requesting the changes in
865 operating dates. In the event of an objection, the division
866 shall approve or disapprove the change in operating dates based
867 upon the impact on operating permitholders located within 50
868 miles of the permitholder requesting the change in operating
869 dates. In making the determination to change racing dates, the
870 division shall take into consideration the impact of such
871 changes on state revenues. Notwithstanding any other provision
872 of law, and for the 2017-2018 fiscal year only, the division may
873 approve changes in racing dates for permitholders if the request
874 for such changes is received before August 31, 2017.

875 (6) A summer jai alai permitholder may apply for an
876 operating license to operate a jai alai fronton only during the
877 summer season beginning May 1 and ending November 30 of each
878 year on such dates as may be selected by the permitholder. Such
879 permitholder is subject to the same taxes, rules, and provisions
880 of this chapter which apply to the operation of winter jai alai



496100

881 frontons. A summer jai alai permitholder is not eligible for
882 licensure to operate a slot machine facility. A summer jai alai
883 permitholder and a winter jai alai permitholder may not operate
884 on the same days or in competition with each other. This
885 subsection does not prevent a summer jai alai licensee from
886 leasing the facilities of a winter jai alai licensee for the
887 operation of a summer meet ~~Any permit which was converted from a~~
888 ~~jai alai permit to a greyhound permit may be converted to a jai~~
889 ~~alai permit at any time if the permitholder never conducted~~
890 ~~greyhound racing or if the permitholder has not conducted~~
891 ~~greyhound racing for a period of 12 consecutive months.~~

892 (7) In addition to seeking a license under any other
893 provision of this section, if any of the following conditions
894 exist on February 1 of any year, the holder of a limited
895 thoroughbred racing permit under s. 550.3345 which did not file
896 an application for live performances between December 15 and
897 January 31 may apply to conduct live performances, and such
898 application must be filed before March 31, with the resulting
899 license issued no later than April 15:

900 (a) All thoroughbred racing permitholders with slot machine
901 licenses have not collectively sought pari-mutuel wagering
902 licenses for at least 160 performances and a minimum of 1,760
903 races in the next state fiscal year.

904 (b) All thoroughbred racing permitholders have not
905 collectively sought pari-mutuel wagering licenses for at least
906 200 performances or a minimum of 1,760 races in the next state
907 fiscal year.

908 (c) All thoroughbred racing permitholders did not
909 collectively run at least 1,760 races in the previous state



496100

910 fiscal year.

911 Section 18. Subsection (1) of section 550.0251, Florida
912 Statutes, is amended to read:

913 550.0251 The powers and duties of the Division of Pari-
914 mutuel Wagering of the Department of Business and Professional
915 Regulation.—The division shall administer this chapter and
916 regulate the pari-mutuel industry under this chapter and the
917 rules adopted pursuant thereto, and:

918 (1) The division shall make an annual report for the prior
919 fiscal year to the Governor, the President of the Senate, and
920 the Speaker of the House of Representatives. The report shall
921 include, at a minimum:

922 (a) Recent events in the gaming industry, including pending
923 litigation involving permitholders; pending permitholder,
924 facility, cardroom, slot, or operating license applications; and
925 new and pending rules.

926 (b) Actions of the department relating to the
927 implementation and administration of this chapter, and chapters
928 551 and 849.

929 (c) The state revenues and expenses associated with each
930 form of authorized gaming. Revenues and expenses associated with
931 pari-mutuel wagering must be further delineated by the class of
932 license.

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

935 (e) A summary of disciplinary actions taken by the
936 department.

937 (f) Any suggestions to more effectively achieve ~~showing its~~
938 ~~own actions, receipts derived under the provisions of this~~



496100

939 ~~chapter, the practical effects of the application of this~~
940 ~~chapter, and any suggestions it may approve for the more~~
941 ~~effectual accomplishments of the purposes of this chapter.~~

942 Section 19. Paragraphs (a) and (b) of subsection (9) of
943 section 550.054, Florida Statutes, is amended, and paragraphs
944 (c) through (g) are added to that subsection, and paragraph (a)
945 of subsection (11) and subsections (13) and (14) of that section
946 are amended, to read:

947 550.054 Application for permit to conduct pari-mutuel
948 wagering.—

949 (9) (a) After a permit has been granted by the division and
950 has been ratified and approved by the majority of the electors
951 participating in the election in the county designated in the
952 permit, the division shall grant to the lawful permitholder,
953 subject to the conditions of this chapter, a license to conduct
954 pari-mutuel operations under this chapter, and, ~~except as~~
955 ~~provided in s. 550.5251,~~ the division shall fix annually the
956 time, place, and number of days during which pari-mutuel
957 operations may be conducted by the permitholder at the location
958 fixed in the permit and ratified in the election. After the
959 first license has been issued to the holder of a ratified permit
960 for racing in any county, all subsequent annual applications for
961 a license by that permitholder must be accompanied by proof, in
962 such form as the division requires, that the ratified
963 permitholder still possesses all the qualifications prescribed
964 by this chapter and that the permit has not been recalled at a
965 later election held in the county.

966 (b) The division may revoke or suspend any permit or
967 license issued under this chapter upon a ~~the~~ willful violation



496100

968 by the permitholder or licensee ~~of any provision~~ of this
969 chapter, chapter 551, s. 849.086, or rules of any rule adopted
970 pursuant thereto under this chapter. With the exception of the
971 revocation of permits required in paragraphs (c), (d), (f), and
972 (g), In lieu of suspending or revoking a permit or license, the
973 division may, in lieu of suspending or revoking a permit or
974 license, impose a civil penalty against the permitholder or
975 licensee for a violation of this chapter, chapter 551, s.
976 849.086, or rules adopted pursuant thereto any rule adopted by
977 the division. The penalty so imposed may not exceed \$1,000 for
978 each count or separate offense. All penalties imposed and
979 collected must be deposited with the Chief Financial Officer to
980 the credit of the General Revenue Fund.

981 (c) Unless a failure to obtain an operating license and to
982 operate was the direct result of fire, strike, war, or other
983 disaster or event beyond the permitholder's control, the
984 division shall revoke the permit of any permitholder that has
985 not obtained an operating license in accordance with s.
986 550.01215 for a period of more than 24 consecutive months after
987 June 30, 2012. The division shall revoke the permit upon
988 adequate notice to the permitholder. Financial hardship to the
989 permitholder does not, in and of itself, constitute just cause
990 for failure to operate.

991 (d) The division shall revoke the permit of any
992 permitholder that fails to make payments that are due pursuant
993 to s. 550.0951 for more than 24 consecutive months unless such
994 failure to pay the tax due on handle was the direct result of
995 fire, strike, war, or other disaster or event beyond the
996 permitholder's control. Financial hardship to the permitholder



496100

997 does not, in and of itself, constitute just cause for failure to
998 pay tax on handle.

999 (e) Notwithstanding any other law, a new permit to conduct
1000 pari-mutuel wagering may not be approved or issued 30 days after
1001 the effective date of this act.

1002 (f) A permit revoked under this subsection is void and may
1003 not be reissued.

1004 (g) A permitholder may apply to the division to place the
1005 permit into inactive status for a period of 12 months pursuant
1006 to division rule. The division, upon good cause shown by the
1007 permitholder, may renew inactive status for a period of up to 12
1008 months, but a permit may not be in inactive status for a period
1009 of more than 24 consecutive months. Holders of permits in
1010 inactive status are not eligible for licensure for pari-mutuel
1011 wagering, slot machines, or cardrooms.

1012 (11) (a) A permit granted under this chapter may not be
1013 transferred or assigned except upon written approval by the
1014 division pursuant to s. 550.1815, ~~except that the holder of any~~
1015 ~~permit that has been converted to a jai alai permit may lease or~~
1016 ~~build anywhere within the county in which its permit is located.~~

1017 (13) ~~(a)~~ Notwithstanding any provision ~~provisions~~ of this
1018 chapter or chapter 551, a pari-mutuel ~~no thoroughbred horse~~
1019 ~~racine~~g permit or license issued under this chapter or chapter
1020 551 may not shall be transferred, or reissued when such
1021 reissuance is in the nature of a transfer so as to permit or
1022 authorize a licensee to change the location of a pari-mutuel
1023 facility, cardroom, or slot machine facility, except through the
1024 relocation of the pari-mutuel permit pursuant to s. 550.0555.
1025 ~~thoroughbred horse racetrack except upon proof in such form as~~



496100

1026 ~~the division may prescribe that a referendum election has been~~
1027 ~~held:~~

1028 ~~1. If the proposed new location is within the same county~~
1029 ~~as the already licensed location, in the county where the~~
1030 ~~licensee desires to conduct the race meeting and that a majority~~
1031 ~~of the electors voting on that question in such election voted~~
1032 ~~in favor of the transfer of such license.~~

1033 ~~2. If the proposed new location is not within the same~~
1034 ~~county as the already licensed location, in the county where the~~
1035 ~~licensee desires to conduct the race meeting and in the county~~
1036 ~~where the licensee is already licensed to conduct the race~~
1037 ~~meeting and that a majority of the electors voting on that~~
1038 ~~question in each such election voted in favor of the transfer of~~
1039 ~~such license.~~

1040 ~~(b) Each referendum held under the provisions of this~~
1041 ~~subsection shall be held in accordance with the electoral~~
1042 ~~procedures for ratification of permits, as provided in s.~~
1043 ~~550.0651. The expense of each such referendum shall be borne by~~
1044 ~~the licensee requesting the transfer.~~

1045 ~~(14) (a) Any holder of a permit to conduct jai alai may~~
1046 ~~apply to the division to convert such permit to a permit to~~
1047 ~~conduct greyhound racing in lieu of jai alai if:~~

1048 ~~1. Such permit is located in a county in which the division~~
1049 ~~has issued only two pari-mutuel permits pursuant to this~~
1050 ~~section;~~

1051 ~~2. Such permit was not previously converted from any other~~
1052 ~~class of permit; and~~

1053 ~~3. The holder of the permit has not conducted jai alai~~
1054 ~~games during a period of 10 years immediately preceding his or~~



496100

1055 ~~her application for conversion under this subsection.~~
1056 ~~(b) The division, upon application from the holder of a jai~~
1057 ~~alai permit meeting all conditions of this section, shall~~
1058 ~~convert the permit and shall issue to the permitholder a permit~~
1059 ~~to conduct greyhound racing. A permitholder of a permit~~
1060 ~~converted under this section shall be required to apply for and~~
1061 ~~conduct a full schedule of live racing each fiscal year to be~~
1062 ~~eligible for any tax credit provided by this chapter. The holder~~
1063 ~~of a permit converted pursuant to this subsection or any holder~~
1064 ~~of a permit to conduct greyhound racing located in a county in~~
1065 ~~which it is the only permit issued pursuant to this section who~~
1066 ~~operates at a leased facility pursuant to s. 550.475 may move~~
1067 ~~the location for which the permit has been issued to another~~
1068 ~~location within a 30-mile radius of the location fixed in the~~
1069 ~~permit issued in that county, provided the move does not cross~~
1070 ~~the county boundary and such location is approved under the~~
1071 ~~zoning regulations of the county or municipality in which the~~
1072 ~~permit is located, and upon such relocation may use the permit~~
1073 ~~for the conduct of pari-mutuel wagering and the operation of a~~
1074 ~~cardroom. The provisions of s. 550.6305(9) (d) and (f) shall~~
1075 ~~apply to any permit converted under this subsection and shall~~
1076 ~~continue to apply to any permit which was previously included~~
1077 ~~under and subject to such provisions before a conversion~~
1078 ~~pursuant to this section occurred.~~

1079 Section 20. Section 550.0555, Florida Statutes, is amended
1080 to read:

1081 550.0555 Permitholder Greyhound dogracing permits;
1082 relocation within a county; conditions.—

1083 (1) It is the finding of the Legislature that pari-mutuel



496100

1084 wagering on greyhound dogracing provides substantial revenues to
1085 the state. It is the further finding that, in some cases, this
1086 revenue-producing ability is hindered due to the lack of
1087 provisions allowing the relocation of existing dogracing
1088 operations. It is therefore declared that state revenues derived
1089 from greyhound dogracing will continue to be jeopardized if
1090 provisions allowing the relocation of such greyhound racing
1091 permits are not implemented. This enactment is made pursuant to,
1092 and for the purpose of, implementing such provisions.

1093 (2) The following permitholders are ~~Any holder of a valid~~
1094 ~~outstanding permit for greyhound dogracing in a county in which~~
1095 ~~there is only one dogracing permit issued, as well as any holder~~
1096 ~~of a valid outstanding permit for jai alai in a county where~~
1097 ~~only one jai alai permit is issued, is~~ authorized, without the
1098 necessity of an additional county referendum required under s.
1099 550.0651, to move the location for which the permit has been
1100 issued to another location within a 30-mile radius of the
1101 location fixed in the permit issued in that county, provided the
1102 move does not cross the county boundary, that such relocation is
1103 approved under the zoning regulations of the county or
1104 municipality in which the permit is to be located as a planned
1105 development use, consistent with the comprehensive plan, and
1106 that such move is approved by the department after it is
1107 determined that the new location is an existing pari-mutuel
1108 facility that has held an operating license for at least 5
1109 consecutive years since 2010 or is at least 10 miles from an
1110 existing pari-mutuel facility and, if within a county with three
1111 or more pari-mutuel permits, is at least 10 miles from the
1112 waters of the Atlantic Ocean:



496100

1113 (a) Any holder of a valid outstanding greyhound racing
1114 permit that was previously converted from a jai alai permit;

1115 (b) Any holder of a valid outstanding greyhound racing
1116 permit in a county in which there is only one greyhound racing
1117 permit issued; and

1118 (c) Any holder of a valid outstanding jai alai permit in a
1119 county in which there is only one jai alai permit issued. ~~at a~~
1120 ~~proceeding pursuant to chapter 120 in the county affected that~~
1121 ~~the move is necessary to ensure the revenue-producing capability~~
1122 ~~of the permittee without deteriorating the revenue-producing~~
1123 ~~capability of any other pari-mutuel permittee within 50 miles;~~

1124
1125 The distances ~~distance~~ shall be measured on a straight line from
1126 the nearest property line of one racing plant or jai alai
1127 fronton to the nearest property line of the other and the
1128 nearest mean high tide line of the Atlantic Ocean.

1129 Section 21. Section 550.0745, Florida Statutes, is
1130 repealed.

1131 Section 22. Section 550.0951, Florida Statutes, is amended
1132 to read:

1133 550.0951 Payment of daily license fee and taxes;
1134 penalties.—

1135 (1) ~~(a)~~ DAILY LICENSE FEE.—Each person engaged in the
1136 business of conducting race meetings or jai alai games under
1137 this chapter, hereinafter referred to as the "permitholder,"
1138 "licensee," or "permittee," shall pay ~~to the division, for the~~
1139 ~~use of the division,~~ a daily license fee on each live or
1140 simulcast pari-mutuel event of \$100 for each horserace, and \$80
1141 for each greyhound race, ~~dog race~~ and \$40 for each jai alai game,



496100

1142 any of which is conducted at a racetrack or fronton licensed
1143 under this chapter. ~~A In addition to the tax exemption specified~~
1144 ~~in s. 550.09514(1) of \$360,000 or \$500,000 per greyhound~~
1145 ~~permitholder per state fiscal year, each greyhound permitholder~~
1146 ~~shall receive in the current state fiscal year a tax credit~~
1147 ~~equal to the number of live greyhound races conducted in the~~
1148 ~~previous state fiscal year times the daily license fee specified~~
1149 ~~for each dograce in this subsection applicable for the previous~~
1150 ~~state fiscal year. This tax credit and the exemption in s.~~
1151 ~~550.09514(1) shall be applicable to any tax imposed by this~~
1152 ~~chapter or the daily license fees imposed by this chapter except~~
1153 ~~during any charity or scholarship performances conducted~~
1154 ~~pursuant to s. 550.0351. Each permitholder may not be required~~
1155 ~~to shall pay daily license fees in excess of ~~not to exceed~~ \$500~~
1156 ~~per day on any simulcast races or games on which such~~
1157 ~~permitholder accepts wagers, regardless of the number of out-of-~~
1158 ~~state events taken or the number of out-of-state locations from~~
1159 ~~which such events are taken. This license fee shall be deposited~~
1160 ~~with the Chief Financial Officer to the credit of the Pari-~~
1161 ~~mutuel Wagering Trust Fund.~~

1162 (b) ~~Each permitholder that cannot utilize the full amount~~
1163 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~
1164 ~~550.09514(1) or the daily license fee credit provided in this~~
1165 ~~section may, after notifying the division in writing, elect once~~
1166 ~~per state fiscal year on a form provided by the division to~~
1167 ~~transfer such exemption or credit or any portion thereof to any~~
1168 ~~greyhound permitholder which acts as a host track to such~~
1169 ~~permitholder for the purpose of intertrack wagering. Once an~~
1170 ~~election to transfer such exemption or credit is filed with the~~



496100

1171 ~~division, it shall not be rescinded. The division shall~~
1172 ~~disapprove the transfer when the amount of the exemption or~~
1173 ~~credit or portion thereof is unavailable to the transferring~~
1174 ~~permitholder or when the permitholder who is entitled to~~
1175 ~~transfer the exemption or credit or who is entitled to receive~~
1176 ~~the exemption or credit owes taxes to the state pursuant to a~~
1177 ~~deficiency letter or administrative complaint issued by the~~
1178 ~~division. Upon approval of the transfer by the division, the~~
1179 ~~transferred tax exemption or credit shall be effective for the~~
1180 ~~first performance of the next payment period as specified in~~
1181 ~~subsection (5). The exemption or credit transferred to such host~~
1182 ~~track may be applied by such host track against any taxes~~
1183 ~~imposed by this chapter or daily license fees imposed by this~~
1184 ~~chapter. The greyhound permitholder host track to which such~~
1185 ~~exemption or credit is transferred shall reimburse such~~
1186 ~~permitholder the exact monetary value of such transferred~~
1187 ~~exemption or credit as actually applied against the taxes and~~
1188 ~~daily license fees of the host track. The division shall ensure~~
1189 ~~that all transfers of exemption or credit are made in accordance~~
1190 ~~with this subsection and shall have the authority to adopt rules~~
1191 ~~to ensure the implementation of this section.~~

1192 (2) ADMISSION TAX.—

1193 (a) An admission tax equal to 15 percent of the admission
1194 charge for entrance to the permitholder's facility and
1195 grandstand area, or 10 cents, whichever is greater, is imposed
1196 on each person attending a horserace, greyhound race ~~degrace~~, or
1197 jai alai game. The permitholder is ~~shall be~~ responsible for
1198 collecting the admission tax.

1199 (b) The ~~No~~ admission tax imposed under this chapter and ~~or~~



496100

1200 chapter 212 may not ~~shall~~ be imposed on any free passes or
1201 complimentary cards issued to persons for which there is no cost
1202 to the person for admission to pari-mutuel events.

1203 (c) A permitholder may issue tax-free passes to its
1204 officers, officials, and employees and to ~~or~~ other persons
1205 actually engaged in working at the racetrack, including
1206 accredited media ~~press~~ representatives such as reporters and
1207 editors, and may also issue tax-free passes to other
1208 permitholders for the use of their officers and officials. The
1209 permitholder shall file with the division a list of all persons
1210 to whom tax-free passes are issued under this paragraph.

1211 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on
1212 contributions to pari-mutuel pools, the aggregate of which is
1213 hereinafter referred to as “handle,” on races or games conducted
1214 by the permitholder. The tax is imposed daily and is based on
1215 the total contributions to all pari-mutuel pools conducted
1216 during the daily performance. If a permitholder conducts more
1217 than one performance daily, the tax is imposed on each
1218 performance separately.

1219 (a) The tax on handle for quarter horse racing is 1.0
1220 percent of the handle.

1221 (b)1. The tax on handle for greyhound racing ~~dogracing~~ is
1222 1.28 ~~5.5~~ percent of the handle, ~~except that for live charity~~
1223 ~~performances held pursuant to s. 550.0351, and for intertrack~~
1224 ~~wagering on such charity performances at a guest greyhound track~~
1225 ~~within the market area of the host, the tax is 7.6 percent of~~
1226 ~~the handle.~~

1227 2. The tax on handle for jai alai is 7.1 percent of the
1228 handle.



496100

1229 (c)1. The tax on handle for intertrack wagering is:
1230 a. If the host track is a horse track, 2.0 percent of the
1231 handle.
1232 b. If the host track is a harness horse racetrack track,
1233 3.3 percent of the handle.
1234 c. If the host track is a greyhound racing harness track,
1235 1.28 5.5 percent of the handle, to be remitted by the guest
1236 track. if the host track is a dog track, and
1237 d. If the host track is a jai alai fronton, 7.1 percent of
1238 the handle if the host track is a jai alai fronton.
1239 e. The tax on handle for intertrack wagering is 0.5 percent
1240 If the host track and the guest track are thoroughbred racing
1241 permitholders or if the guest track is located outside the
1242 market area of a the host track that is not a greyhound racing
1243 track and within the market area of a thoroughbred racing
1244 permitholder currently conducting a live race meet, 0.5 percent
1245 of the handle.
1246 f. The tax on handle For intertrack wagering on
1247 rebroadcasts of simulcast thoroughbred horseraces, is 2.4
1248 percent of the handle and 1.5 percent of the handle for
1249 intertrack wagering on rebroadcasts of simulcast harness
1250 horseraces, 1.5 percent of the handle.
1251 2. The tax shall be deposited into the Pari-mutuel Wagering
1252 Trust Fund.
1253 3.2. The tax on handle for intertrack wagers accepted by
1254 any greyhound racing dog track located in an area of the state
1255 in which there are only three permitholders, all of which are
1256 greyhound racing permitholders, located in three contiguous
1257 counties, from any greyhound racing permitholder also located



496100

1258 within such area or any greyhound racing ~~dog~~ track or jai alai
1259 fronton located as specified in s. 550.615(7) ~~s. 550.615(6) or~~
1260 ~~(9)~~, on races or games received from any jai alai ~~the same class~~
1261 ~~of~~ permitholder located within the same market area is 1.28 ~~3.9~~
1262 percent of the handle if the host facility is a greyhound racing
1263 permitholder. ~~and~~, If the host facility is a jai alai
1264 permitholder, the tax is rate shall be 6.1 percent of the handle
1265 until ~~except that it shall be 2.3 percent on handle at~~ such time
1266 as the total tax on intertrack handle paid to the division by
1267 the permitholder during the current state fiscal year exceeds
1268 the total ~~tax on intertrack handle~~ paid to the division by the
1269 permitholder during the 1992-1993 state fiscal year, in which
1270 case the tax is 2.3 percent of the handle.

1271 (d) Notwithstanding any other provision of this chapter, in
1272 order to protect the Florida jai alai industry, effective July
1273 1, 2000, a jai alai permitholder may not be taxed on live handle
1274 at a rate higher than 2 percent.

1275 (4) BREAKS TAX.—Effective October 1, 1996, each
1276 permitholder conducting jai alai performances shall pay a tax
1277 equal to the breaks. As used in this subsection, the term
1278 "breaks" means the money that remains in each pari-mutuel pool
1279 after funds are ~~The "breaks" represents that portion of each~~
1280 ~~pari-mutuel pool which is not~~ redistributed to the contributors
1281 and commissions are ~~or~~ withheld by the permitholder ~~as~~
1282 ~~commission.~~

1283 (5) PAYMENT AND DISPOSITION OF FEES AND TAXES.—Payments
1284 imposed by this section shall be paid to the division. The
1285 division shall deposit such payments ~~these sums~~ with the Chief
1286 Financial Officer, to the credit of the Pari-mutuel Wagering



496100

1287 Trust Fund, hereby established. The permitholder shall remit to
1288 the division payment for the daily license fee, the admission
1289 tax, the tax on handle, and the breaks tax. Such payments must
1290 ~~shall~~ be remitted by 3 p.m. on Wednesday of each week for taxes
1291 imposed and collected for the preceding week ending on Sunday.
1292 Beginning on July 1, 2012, such payments must ~~shall~~ be remitted
1293 by 3 p.m. on the 5th day of each calendar month for taxes
1294 imposed and collected for the preceding calendar month. If the
1295 5th day of the calendar month falls on a weekend, payments must
1296 ~~shall~~ be remitted by 3 p.m. the first Monday following the
1297 weekend. Permitholders shall file a report under oath by the 5th
1298 day of each calendar month for all taxes remitted during the
1299 preceding calendar month. Such payments must ~~shall~~ be
1300 accompanied by a report under oath showing the total of all
1301 admissions, the pari-mutuel wagering activities for the
1302 preceding calendar month, and any ~~such~~ other information ~~as may~~
1303 ~~be~~ prescribed by the division.

1304 (6) PENALTIES.—

1305 (a) The failure of any permitholder to make payments as
1306 prescribed in subsection (5) is a violation of this section, and
1307 the ~~permitholder may be subjected by the division~~ may impose ~~to~~
1308 a civil penalty against the permitholder of up to \$1,000 for
1309 each day the tax payment is not remitted. All penalties imposed
1310 and collected shall be deposited in the General Revenue Fund. If
1311 a permitholder fails to pay penalties imposed by order of the
1312 division under this subsection, the division may suspend or
1313 revoke the license of the permitholder, cancel the permit of the
1314 permitholder, or deny issuance of any further license or permit
1315 to the permitholder.



496100

1316 (b) In addition to the civil penalty prescribed in
1317 paragraph (a), any willful or wanton failure by any permit holder
1318 to make payments of the daily license fee, admission tax, tax on
1319 handle, or breaks tax constitutes sufficient grounds for the
1320 division to suspend or revoke the license of the permit holder,
1321 to cancel the permit of the permit holder, or to deny issuance of
1322 any further license or permit to the permit holder.

1323 Section 23. Section 550.09512, Florida Statutes, is amended
1324 to read:

1325 550.09512 Harness horse racing taxes; abandoned interest in
1326 a permit for nonpayment of taxes.—

1327 (1) Pari-mutuel wagering at harness horse racetracks in
1328 this state is an important business enterprise, and taxes
1329 derived therefrom constitute a part of the tax structure which
1330 funds operation of the state. Harness horse racing permit holders
1331 should pay their fair share of these taxes to the state. This
1332 business interest should not be taxed to such an extent as to
1333 cause any racetrack which is operated under sound business
1334 principles to be forced out of business. Due to the need to
1335 protect the public health, safety, and welfare, the gaming laws
1336 of the state provide for the harness horse racing industry to be
1337 highly regulated and taxed. The state recognizes that there
1338 exist identifiable differences between harness horse racing
1339 permit holders based upon their ability to operate under such
1340 regulation and tax system.

1341 (2) (a) The tax on handle for live harness horse racing
1342 performances is 0.5 percent of handle per performance.

1343 (b) For purposes of this section, the term "handle" shall
1344 have the same meaning as in s. 550.0951, and does ~~shall~~ not



496100

1345 include handle from intertrack wagering.

1346 (3)~~(a)~~ The division shall revoke the permit of a harness
1347 horse racing permitholder that ~~who~~ does not pay the tax due on
1348 handle for live harness horse racing performances for a full
1349 schedule of live races for more than 24 consecutive months
1350 ~~during any 2 consecutive state fiscal years shall be void and~~
1351 ~~shall escheat to and become the property of the state unless~~
1352 such failure to operate and pay tax on handle was the direct
1353 result of fire, strike, war, or other disaster or event beyond
1354 the ability of the permitholder to control. Financial hardship
1355 to the permitholder does ~~shall~~ not, in and of itself, constitute
1356 just cause for failure to operate and pay tax on handle. A
1357 permit revoked under this subsection is void and may not be
1358 reissued.

1359 ~~(b) In order to maximize the tax revenues to the state, the~~
1360 ~~division shall reissue an escheated harness horse permit to a~~
1361 ~~qualified applicant pursuant to the provisions of this chapter~~
1362 ~~as for the issuance of an initial permit. However, the~~
1363 ~~provisions of this chapter relating to referendum requirements~~
1364 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
1365 ~~escheated harness horse permit. As specified in the application~~
1366 ~~and upon approval by the division of an application for the~~
1367 ~~permit, the new permitholder shall be authorized to operate a~~
1368 ~~harness horse facility anywhere in the same county in which the~~
1369 ~~escheated permit was authorized to be operated, notwithstanding~~
1370 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

1371 (4) In the event that a court of competent jurisdiction
1372 determines any of the provisions of this section to be
1373 unconstitutional, it is the intent of the Legislature that the



496100

1374 provisions contained in this section shall be null and void and
1375 that the provisions of s. 550.0951 shall apply to all harness
1376 horse racing permitholders beginning on the date of such
1377 judicial determination. To this end, the Legislature declares
1378 that it would not have enacted any of the provisions of this
1379 section individually and, to that end, expressly finds them not
1380 to be severable.

1381 Section 24. Section 550.09514, Florida Statutes, is amended
1382 to read:

1383 550.09514 Greyhound racing ~~degracing taxes,~~ purse
1384 requirements.-

1385 ~~(1) Wagering on greyhound racing is subject to a tax on~~
1386 ~~handle for live greyhound racing as specified in s. 550.0951(3).~~
1387 ~~However, each permitholder shall pay no tax on handle until such~~
1388 ~~time as this subsection has resulted in a tax savings per state~~
1389 ~~fiscal year of \$360,000. Thereafter, each permitholder shall pay~~
1390 ~~the tax as specified in s. 550.0951(3) on all handle for the~~
1391 ~~remainder of the permitholder's current race meet. For the three~~
1392 ~~permitholders that conducted a full schedule of live racing in~~
1393 ~~1995, and are closest to another state that authorizes greyhound~~
1394 ~~pari-mutuel wagering, the maximum tax savings per state fiscal~~
1395 ~~year shall be \$500,000. The provisions of this subsection~~
1396 ~~relating to tax exemptions shall not apply to any charity or~~
1397 ~~scholarship performances conducted pursuant to s. 550.0351.~~

1398 (1) (a) (2) (a) The division shall determine for each
1399 greyhound racing permitholder the annual purse percentage rate
1400 of live handle for the state fiscal year 1993-1994 by dividing
1401 total purses paid on live handle by the permitholder, exclusive
1402 of payments made from outside sources, during the 1993-1994



496100

1403 state fiscal year by the permitholder's live handle for the
1404 1993-1994 state fiscal year. A greyhound racing ~~Each~~
1405 permitholder conducting live racing during a fiscal year shall
1406 pay as purses for such live races conducted during its current
1407 race meet a percentage of its live handle not less than the
1408 percentage determined under this paragraph, exclusive of
1409 payments made by outside sources, for its 1993-1994 state fiscal
1410 year.

1411 (b) Except as otherwise set forth herein, in addition to
1412 the minimum purse percentage required by paragraph (a), each
1413 greyhound racing permitholder conducting live racing during a
1414 fiscal year shall pay as purses an annual amount of \$60 for each
1415 live race conducted ~~equal to 75 percent of the daily license~~
1416 ~~fees paid by the greyhound racing each permitholder in for the~~
1417 preceding 1994-1995 fiscal year. ~~These~~ This ~~purse supplement~~
1418 ~~shall be disbursed weekly during the permitholder's race meet in~~
1419 ~~an amount determined by dividing the annual purse supplement by~~
1420 ~~the number of performances approved for the permitholder~~
1421 ~~pursuant to its annual license and multiplying that amount by~~
1422 ~~the number of performances conducted each week. For the~~
1423 ~~greyhound permitholders in the county where there are two~~
1424 ~~greyhound permitholders located as specified in s. 550.615(6),~~
1425 ~~such permitholders shall pay in the aggregate an amount equal to~~
1426 ~~75 percent of the daily license fees paid by such permitholders~~
1427 ~~for the 1994-1995 fiscal year. These permitholders shall be~~
1428 ~~jointly and severally liable for such purse payments. The~~
1429 ~~additional purses provided by this paragraph must be used~~
1430 ~~exclusively for purses other than stakes~~ and disbursed weekly
1431 during the permitholder's race meet. The division shall conduct



496100

1432 audits necessary to ensure compliance with this section.

1433 (c)1. Each greyhound racing permitholder, when conducting
1434 at least three live performances during any week, shall pay
1435 purses in that week on wagers it accepts as a guest track on
1436 intertrack and simulcast greyhound races at the same rate as it
1437 pays on live races. Each greyhound racing permitholder, when
1438 conducting at least three live performances during any week,
1439 shall pay purses in that week, at the same rate as it pays on
1440 live races, on wagers accepted on greyhound races at a guest
1441 track that ~~which~~ is not conducting live racing and is located
1442 within the same market area as the greyhound racing permitholder
1443 conducting at least three live performances during any week.

1444 2. Each host greyhound racing permitholder shall pay purses
1445 on its simulcast and intertrack broadcasts of greyhound races to
1446 guest facilities that are located outside its market area in an
1447 amount equal to one quarter of an amount determined by
1448 subtracting the transmission costs of sending the simulcast or
1449 intertrack broadcasts from an amount determined by adding the
1450 fees received for greyhound simulcast races plus 3 percent of
1451 the greyhound intertrack handle at guest facilities that are
1452 located outside the market area of the host and that paid
1453 contractual fees to the host for such broadcasts of greyhound
1454 races.

1455 (d) The division shall require sufficient documentation
1456 from each greyhound racing permitholder regarding purses paid on
1457 live racing to assure that the annual purse percentage rates
1458 paid by each greyhound racing permitholder conducting ~~on the~~
1459 live races are not reduced below those paid during the 1993-1994
1460 state fiscal year. The division shall require sufficient



496100

1461 documentation from each greyhound racing permitholder to assure
1462 that the purses paid by each permitholder on the greyhound
1463 intertrack and simulcast broadcasts are in compliance with the
1464 requirements of paragraph (c).

1465 (e) In addition to the purse requirements of paragraphs
1466 (a)-(c), each greyhound racing permitholder conducting live
1467 races shall pay as purses an amount equal to one-third of the
1468 amount of the tax reduction on live and simulcast handle
1469 applicable to such permitholder as a result of the reductions in
1470 tax rates provided by s. 6, chapter 2000-354, Laws of Florida
1471 ~~this act through the amendments to s. 550.0951(3)~~. With respect
1472 to intertrack wagering when the host and guest tracks are
1473 greyhound racing permitholders not within the same market area,
1474 an amount equal to the tax reduction applicable to the guest
1475 track handle as a result of the reduction in tax rate provided
1476 by s. 6, chapter 2000-354, Laws of Florida, ~~this act through the~~
1477 ~~amendment to s. 550.0951(3)~~ shall be distributed to the guest
1478 track, one-third of which amount shall be paid as purses at the
1479 guest track. However, if the guest track is a greyhound racing
1480 permitholder within the market area of the host or if the guest
1481 track is not a greyhound racing permitholder, an amount equal to
1482 such tax reduction applicable to the guest track handle shall be
1483 retained by the host track, one-third of which amount shall be
1484 paid as purses at the host track. These purse funds shall be
1485 disbursed in the week received if the permitholder conducts at
1486 least one live performance during that week. If the permitholder
1487 does not conduct at least one live performance during the week
1488 in which the purse funds are received, the purse funds shall be
1489 disbursed weekly during the permitholder's next race meet in an



496100

1490 amount determined by dividing the purse amount by the number of
1491 performances approved for the permitholder pursuant to its
1492 annual license, and multiplying that amount by the number of
1493 performances conducted each week. The division shall conduct
1494 audits necessary to ensure compliance with this paragraph.

1495 (f) Each greyhound racing permitholder conducting live
1496 racing shall, during the permitholder's race meet, supply kennel
1497 operators and the Division of Pari-Mutuel Wagering with a weekly
1498 report showing purses paid on live greyhound races and all
1499 greyhound intertrack and simulcast broadcasts, including both as
1500 a guest and a host together with the handle or commission
1501 calculations on which such purses were paid and the transmission
1502 costs of sending the simulcast or intertrack broadcasts, so that
1503 the kennel operators may determine statutory and contractual
1504 compliance.

1505 (g) Each greyhound racing permitholder conducting live
1506 racing shall make direct payment of purses to the greyhound
1507 owners who have filed with such permitholder appropriate federal
1508 taxpayer identification information based on the percentage
1509 amount agreed upon between the kennel operator and the greyhound
1510 owner.

1511 (h) At the request of a majority of kennel operators under
1512 contract with a greyhound racing permitholder conducting live
1513 racing, the permitholder shall make deductions from purses paid
1514 to each kennel operator electing such deduction and shall make a
1515 direct payment of such deductions to the local association of
1516 greyhound kennel operators formed by a majority of kennel
1517 operators under contract with the permitholder. The amount of
1518 the deduction shall be at least 1 percent of purses, as



496100

1519 determined by the local association of greyhound kennel
1520 operators. ~~No~~ Deductions may not be taken pursuant to this
1521 paragraph without a kennel operator's specific approval before
1522 or after May 24, 1998 ~~the effective date of this act.~~

1523 ~~(2)(3)~~ As used in ~~For the purpose of~~ this section, the term
1524 "live handle" means the handle from wagers placed at the
1525 permitholder's establishment on the live greyhound races
1526 conducted at the permitholder's establishment.

1527 Section 25. Section 550.09515, Florida Statutes, is amended
1528 to read:

1529 550.09515 Thoroughbred racing ~~horse~~ taxes; abandoned
1530 interest in a permit for nonpayment of taxes.—

1531 (1) Pari-mutuel wagering at thoroughbred horse racetracks
1532 in this state is an important business enterprise, and taxes
1533 derived therefrom constitute a part of the tax structure which
1534 funds operation of the state. Thoroughbred horse permitholders
1535 should pay their fair share of these taxes to the state. This
1536 business interest should not be taxed to such an extent as to
1537 cause any racetrack which is operated under sound business
1538 principles to be forced out of business. Due to the need to
1539 protect the public health, safety, and welfare, the gaming laws
1540 of the state provide for the thoroughbred horse industry to be
1541 highly regulated and taxed. The state recognizes that there
1542 exist identifiable differences between thoroughbred horse
1543 permitholders based upon their ability to operate under such
1544 regulation and tax system and at different periods during the
1545 year.

1546 (2) (a) The tax on handle for live thoroughbred horserace
1547 performances shall be 0.5 percent.



496100

1548 (b) For purposes of this section, the term "handle" shall
1549 have the same meaning as in s. 550.0951, and does ~~shall~~ not
1550 include handle from intertrack wagering.

1551 (3)~~(a)~~ The division shall revoke the permit of a
1552 thoroughbred racing ~~horse~~ permitholder that ~~who~~ does not pay the
1553 tax due on handle for live thoroughbred horse performances for a
1554 full schedule of live races for more than 24 consecutive months
1555 ~~during any 2 consecutive state fiscal years shall be void and~~
1556 ~~shall escheat to and become the property of the state unless~~
1557 such failure to operate and pay tax on handle was the direct
1558 result of fire, strike, war, or other disaster or event beyond
1559 the ability of the permitholder to control. Financial hardship
1560 to the permitholder does ~~shall~~ not, in and of itself, constitute
1561 just cause for failure to operate and pay tax on handle. A
1562 permit revoked under this subsection is void and may not be
1563 reissued.

1564 ~~(b) In order to maximize the tax revenues to the state, the~~
1565 ~~division shall reissue an escheated thoroughbred horse permit to~~
1566 ~~a qualified applicant pursuant to the provisions of this chapter~~
1567 ~~as for the issuance of an initial permit. However, the~~
1568 ~~provisions of this chapter relating to referendum requirements~~
1569 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
1570 ~~escheated thoroughbred horse permit. As specified in the~~
1571 ~~application and upon approval by the division of an application~~
1572 ~~for the permit, the new permitholder shall be authorized to~~
1573 ~~operate a thoroughbred horse facility anywhere in the same~~
1574 ~~county in which the escheated permit was authorized to be~~
1575 ~~operated, notwithstanding the provisions of s. 550.054(2)~~
1576 ~~relating to mileage limitations.~~



496100

1577 (4) In the event that a court of competent jurisdiction
1578 determines any of the provisions of this section to be
1579 unconstitutional, it is the intent of the Legislature that the
1580 provisions contained in this section shall be null and void and
1581 that the provisions of s. 550.0951 shall apply to all
1582 thoroughbred racing ~~horse~~ permitholders beginning on the date of
1583 such judicial determination. To this end, the Legislature
1584 declares that it would not have enacted any of the provisions of
1585 this section individually and, to that end, expressly finds them
1586 not to be severable.

1587 (5) Notwithstanding the provisions of s. 550.0951(3)(c),
1588 the tax on handle for intertrack wagering on rebroadcasts of
1589 simulcast horseraces is 2.4 percent of the handle; provided
1590 however, that if the guest track is a thoroughbred track located
1591 more than 35 miles from the host track, the host track shall pay
1592 a tax of .5 percent of the handle, and additionally the host
1593 track shall pay to the guest track 1.9 percent of the handle to
1594 be used by the guest track solely for purses. The tax shall be
1595 deposited into the Pari-mutuel Wagering Trust Fund.

1596 (6) A credit equal to the amount of contributions made by a
1597 thoroughbred racing permitholder during the taxable year
1598 directly to the Jockeys' Guild or its health and welfare fund to
1599 be used to provide health and welfare benefits for active,
1600 disabled, and retired Florida jockeys and their dependents
1601 pursuant to reasonable rules of eligibility established by the
1602 Jockeys' Guild is allowed against taxes on live handle due for a
1603 taxable year under this section. A thoroughbred racing
1604 permitholder may not receive a credit greater than an amount
1605 equal to 1 percent of its paid taxes for the previous taxable



496100

1606 year.

1607 (7) If a thoroughbred racing permitholder fails to operate
1608 all performances on its 2001-2002 license, failure to pay tax on
1609 handle for a full schedule of live races for those performances
1610 in the 2001-2002 fiscal year does not constitute failure to pay
1611 taxes on handle for a full schedule of live races in a fiscal
1612 year for the purposes of subsection (3). This subsection may not
1613 be construed as forgiving a thoroughbred racing permitholder
1614 from paying taxes on performances conducted at its facility
1615 pursuant to its 2001-2002 license other than for failure to
1616 operate all performances on its 2001-2002 license. This
1617 subsection expires July 1, 2003.

1618 Section 26. Section 550.155, Florida Statutes, is amended
1619 to read:

1620 550.155 Pari-mutuel pool within track enclosure; takeouts;
1621 breaks; penalty for purchasing part of a pari-mutuel pool for or
1622 through another in specified circumstances; penalty for
1623 accepting wagers on horse races made outside of a pari-mutuel
1624 facility.-

1625 (1) Wagering on the results of a horserace, dograce, or on
1626 the scores or points of a jai alai game and the sale of tickets
1627 or other evidences showing an interest in or a contribution to a
1628 pari-mutuel pool are allowed within the enclosure of any pari-
1629 mutuel facility licensed and conducted under this chapter but
1630 are not allowed elsewhere in this state, must be supervised by
1631 the division, and are subject to such reasonable rules that the
1632 division prescribes.

1633 (2) The permitholder's share of the takeout is that portion
1634 of the takeout that remains after the pari-mutuel tax imposed



496100

1635 upon the contributions to the pari-mutuel pool is deducted from
1636 the takeout and paid by the permitholder. The takeout is
1637 deducted from all pari-mutuel pools but may be different
1638 depending on the type of pari-mutuel pool. The permitholder
1639 shall inform the patrons, either through the official program or
1640 via the posting of signs at conspicuous locations, as to the
1641 takeout currently being applied to handle at the facility. A
1642 capital improvement proposed by a permitholder licensed under
1643 this chapter to a pari-mutuel facility existing on June 23,
1644 1981, which capital improvement requires, pursuant to any
1645 municipal or county ordinance, resolution, or regulation, the
1646 qualification or approval of the municipality or county wherein
1647 the permitholder conducts its business operations, shall receive
1648 approval unless the municipality or county is able to show that
1649 the proposed improvement presents a justifiable and immediate
1650 hazard to the health and safety of municipal or county
1651 residents, provided the permitholder pays to the municipality or
1652 county the cost of a building permit and provided the capital
1653 improvement meets the following criteria:

1654 (a) The improvement does not qualify as a development of
1655 regional impact as defined in s. 380.06; and

1656 (b) The improvement is contiguous to or within the existing
1657 pari-mutuel facility site. To be contiguous, the site of the
1658 improvement must share a sufficient common boundary with the
1659 present pari-mutuel facility to allow full and free access
1660 without crossing a public roadway, public waterway, or similar
1661 barrier.

1662 (3) After deducting the takeout and the "breaks," a pari-
1663 mutuel pool must be redistributed to the contributors.



496100

1664 (4) Redistribution of funds otherwise distributable to the
1665 contributors of a pari-mutuel pool must be a sum equal to the
1666 next lowest multiple of 10 on all races and games.

1667 (5) A distribution of a pari-mutuel pool may not be made of
1668 the odd cents of any sum otherwise distributable, which odd
1669 cents constitute the "breaks."

1670 (6) A person or corporation may not directly or indirectly
1671 purchase pari-mutuel tickets or participate in the purchase of
1672 any part of a pari-mutuel pool for another for hire or for any
1673 gratuity. A person may not purchase any part of a pari-mutuel
1674 pool through another wherein she or he gives or pays directly or
1675 indirectly such other person anything of value. Any person who
1676 violates this subsection is guilty of a misdemeanor of the
1677 second degree, punishable as provided in s. 775.082 or s.
1678 775.083.

1679 (7) A person who accepts wagers on horseraces conducted at
1680 in-state and out-of-state pari-mutuel facilities, excluding the
1681 acceptance of wagers within the enclosure of a pari-mutuel
1682 facility in this state which are accepted through such pari-
1683 mutuel facility's ontrack totalisator, commits a felony of the
1684 third degree, punishable as provided in s. 775.082 or s.
1685 775.083. Each act of accepting a wager in violation of this
1686 subsection constitutes a separate offense.

1687 Section 27. Section 550.1625, Florida Statutes, is amended
1688 to read:

1689 550.1625 Greyhound racing ~~dog racing~~; taxes.—

1690 (1) The operation of a greyhound racing ~~dog~~ track and
1691 legalized pari-mutuel betting at greyhound racing ~~dog~~ tracks in
1692 this state is a privilege and is an operation that requires



496100

1693 strict supervision and regulation in the best interests of the
1694 state. Pari-mutuel wagering at greyhound racing ~~dog~~ tracks in
1695 this state is a substantial business, and taxes derived
1696 therefrom constitute part of the tax structures of the state and
1697 the counties. The operators of greyhound racing ~~dog~~ tracks
1698 should pay their fair share of taxes to the state; at the same
1699 time, this substantial business interest should not be taxed to
1700 such an extent as to cause a track that is operated under sound
1701 business principles to be forced out of business.

1702 (2) A permitholder that conducts a greyhound race ~~dograce~~
1703 meet under this chapter must pay the daily license fee, the
1704 admission tax, ~~the breaks tax,~~ and the tax on pari-mutuel handle
1705 as provided in s. 550.0951 and is subject to all penalties and
1706 sanctions provided in s. 550.0951(6).

1707 Section 28. Section 550.1647, Florida Statutes, is
1708 repealed.

1709 Section 29. Section 550.1648, Florida Statutes, is amended
1710 to read:

1711 550.1648 Greyhound adoptions.—

1712 ~~(1)~~ A greyhound racing ~~Each dogracing~~ permitholder that
1713 conducts live racing at ~~operating~~ a greyhound racing ~~dogracing~~
1714 facility in this state shall provide for a greyhound adoption
1715 booth to be located at the facility.

1716 (1) (a) The greyhound adoption booth must be operated on
1717 weekends by personnel or volunteers from a bona fide
1718 organization that promotes or encourages the adoption of
1719 greyhounds ~~pursuant to s. 550.1647.~~ Such bona fide organization,
1720 as a condition of adoption, must provide sterilization of
1721 greyhounds by a licensed veterinarian before relinquishing



496100

1722 custody of the greyhound to the adopter. The fee for
1723 sterilization may be included in the cost of adoption. As used
1724 in this section, the term "weekend" includes the hours during
1725 which live greyhound racing is conducted on Friday, Saturday, or
1726 Sunday, and the term "bona fide organization that promotes or
1727 encourages the adoption of greyhounds" means an organization
1728 that provides evidence of compliance with chapter 496 and
1729 possesses a valid exemption from federal taxation issued by the
1730 Internal Revenue Service. Information pamphlets and application
1731 forms shall be provided to the public upon request.

1732 (b) ~~In addition,~~ The kennel operator or owner shall notify
1733 the permitholder that a greyhound is available for adoption and
1734 the permitholder shall provide information concerning the
1735 adoption of a greyhound in each race program and shall post
1736 adoption information at conspicuous locations throughout the
1737 greyhound racing ~~degracing~~ facility. Any greyhound that is
1738 participating in a race and that will be available for future
1739 adoption must be noted in the race program. The permitholder
1740 shall allow greyhounds to be walked through the track facility
1741 to publicize the greyhound adoption program.

1742 (2) In addition to the charity days authorized under s.
1743 550.0351, a greyhound racing permitholder may fund the greyhound
1744 adoption program by holding a charity racing day designated as
1745 "Greyhound Adopt-A-Pet Day." All profits derived from the
1746 operation of the charity day must be placed into a fund used to
1747 support activities at the racing facility which promote the
1748 adoption of greyhounds. The division may adopt rules for
1749 administering the fund. ~~Proceeds from the charity day authorized~~
1750 ~~in this subsection may not be used as a source of funds for the~~



496100

1751 ~~purposes set forth in s. 550.1647.~~

1752 (3) (a) Upon a violation of this section by a permitholder
1753 or licensee, the division may impose a penalty as provided in s.
1754 550.0251(10) and require the permitholder to take corrective
1755 action.

1756 (b) A penalty imposed under s. 550.0251(10) does not
1757 exclude a prosecution for cruelty to animals or for any other
1758 criminal act.

1759 Section 30. Section 550.1752, Florida Statutes, is created
1760 to read:

1761 550.1752 Permit reduction program.-

1762 (1) The permit reduction program is created in the Division
1763 of Pari-mutuel Wagering for the purpose of purchasing and
1764 cancelling active pari-mutuel permits. The program shall be
1765 funded from revenue share payments made by the Seminole Tribe of
1766 Florida under the compact ratified by s. 285.710(3).

1767 (2) The division shall purchase pari-mutuel permits from
1768 pari-mutuel permitholders when sufficient moneys are available
1769 for such purchases. A pari-mutuel permitholder may not submit an
1770 offer to sell a permit unless it is actively conducting pari-
1771 mutuel racing or jai alai as required by law and satisfies all
1772 applicable requirements for the permit. The division shall adopt
1773 by rule the form to be used by a pari-mutuel permitholder for an
1774 offer to sell a permit and shall establish a schedule for the
1775 consideration of offers.

1776 (3) The division shall establish the value of a pari-mutuel
1777 permit based upon the valuation of one or more independent
1778 appraisers selected by the division. The valuation of a permit
1779 must be based on the permit's fair market value and may not



496100

1780 include the value of the real estate or personal property. The
1781 division may establish a value for the permit that is lower than
1782 the amount determined by an independent appraiser but may not
1783 establish a higher value.

1784 (4) The division must accept the offer or offers that best
1785 utilize available funding; however, the division may also accept
1786 the offers that it determines are most likely to reduce the
1787 incidence of gaming in this state. The division may not accept
1788 an offer to purchase a permit or execute a contract to purchase
1789 a permit if the sum of the purchase price for the permit under
1790 the offer or the contract and the total of the purchase prices
1791 under all previously executed contracts for the purchase of
1792 permits exceeds \$20 million.

1793 (5) Following the execution of a contract between a
1794 permitholder and the state for the acquisition of a permit owned
1795 by a permitholder, and not less than 30 days after the
1796 authorization of the nonoperating budget authority pursuant to
1797 s. 216.181(12) required to pay the purchase price for such
1798 permit, the division shall certify the executed contract to the
1799 Chief Financial Officer and shall request the distribution to be
1800 paid from the General Revenue Fund to the permitholder for the
1801 closing of the purchase. The total of all such distributions for
1802 all permit purchases may not exceed \$20 million in all fiscal
1803 years. Immediately after the closing of a purchase, the division
1804 shall cancel any permit purchased under this section.

1805 (6) This section expires on July 1, 2019, unless reenacted
1806 by the Legislature.

1807 Section 31. Section 550.1753, Florida Statutes, is created
1808 to read:



496100

1809 550.1753 Thoroughbred purse and awards supplement program.-

1810 (1) The thoroughbred purse and awards supplement program is
1811 created in the division for the purpose of maintaining an active
1812 and viable live thoroughbred racing, owning, and breeding
1813 industry in this state. The program shall be funded from revenue
1814 share payments made by the Seminole Tribe of Florida under the
1815 compact ratified by s. 285.710(3).

1816 (2) Beginning July 1, 2019, after the funds paid by the
1817 Seminole Tribe of Florida to the state during each state fiscal
1818 year exceed \$20 million, and not less than 30 days after the
1819 authorization of the nonoperating budget authority pursuant to
1820 s. 216.181(12) needed to pay purse and awards supplement funds,
1821 the division shall certify to the Chief Financial Officer the
1822 amount of the purse and awards supplement funds to be
1823 distributed to each eligible thoroughbred racing permitholder
1824 pursuant to subsection (3) and shall request the distribution
1825 from the General Revenue Fund to be paid to each thoroughbred
1826 racing permitholder. The total of all such distributions for all
1827 thoroughbred racing permitholders may not exceed \$20 million in
1828 any fiscal year.

1829 (3) (a) Purse and awards supplement funds are intended to
1830 enhance the purses and awards currently available on
1831 thoroughbred horse racing in this state. Such funds also may be
1832 used both to supplement thoroughbred horse racing purses and
1833 awards and to subsidize the operating costs of and capital
1834 improvements at permitted thoroughbred horse racing facilities
1835 eligible for funding under this section, in accordance with an
1836 agreement with the association representing a majority of the
1837 thoroughbred horse owners and trainers conducting racing at each



496100

1838 such thoroughbred horse racing permitholder's facility.

1839 (b) A thoroughbred horse racing permitholder may not
1840 receive purse and awards supplements under this section unless
1841 it provides the division with a copy of an agreement between the
1842 thoroughbred horse racing permitholder and the horsemen's
1843 association representing the majority of the thoroughbred
1844 racehorse owners and trainers racing at the thoroughbred horse
1845 racing permitholder's facility for purses to be paid during its
1846 upcoming meet. Ninety percent of all purse and awards supplement
1847 funds must be devoted to purses and ten percent must be devoted
1848 to breeders', stallion, and special racing awards under this
1849 chapter.

1850 (c) The division shall apportion the purse and awards
1851 supplement funds as follows:

1852 1. The first \$10 million shall be allocated to a
1853 thoroughbred horse racing permitholder that has conducted a full
1854 schedule of live racing for 15 consecutive years after June 30,
1855 2000, has never operated at a facility in which slot machines
1856 are located, and has never held a slot machine license, as long
1857 as the thoroughbred horse racing permitholder uses the
1858 allocation for thoroughbred horse racing purses and awards and
1859 operations at the thoroughbred horse racing permitholder's
1860 facility, with at least 50 percent of such funds allocated to
1861 thoroughbred horse racing purses. If more than one thoroughbred
1862 horse racing permitholder is eligible to participate in this
1863 allocation, the funds shall be allocated on a pro rata basis
1864 based on the number of live race days to be conducted by those
1865 eligible thoroughbred horse racing permitholders pursuant to
1866 their annual racing licenses.



1867 2. The balance of the funds shall be allocated on a pro
1868 rata basis based on the number of live race days to be conducted
1869 by thoroughbred horse racing permitholders pursuant to their
1870 annual racing licenses.

1871 3. If a thoroughbred horse racing permitholder fails to
1872 conduct a live race day, the permitholder must return the unused
1873 purse and awards supplement funds allocated for that day, and
1874 the division shall reapportion the allocation of purse and
1875 awards supplement funds to the remaining race days to be
1876 conducted by that thoroughbred horse racing permitholder.

1877 (d)1. In the event a limited thoroughbred racing
1878 permitholder receives a license as a result of the conditions
1879 set forth in s. 550.01215(7), it shall be allocated in its first
1880 year of licensure a pro rata share as if it were licensed for an
1881 additional 50 percent of its licensed racing days and may apply
1882 in the next 2 state fiscal years for racing days and receive
1883 funding under this section at the additional 50 percent rate
1884 described in subparagraph (c)2. Funding under this paragraph is
1885 conditioned upon the limited thoroughbred racing permitholder
1886 applying for no more performances than are necessary to make up
1887 the deficiency in the racing levels set forth in s.
1888 550.01215(7), with funding in the following 2 years conditioned
1889 upon applying for no more than this same number of performances
1890 or the number of performances necessary to make up the
1891 deficiency in the racing levels specified above at that point,
1892 whichever is greater.

1893 2. After three years of funding at the rate set forth in
1894 this paragraph, the limited thoroughbred permitholder shall be
1895 treated as other thoroughbred permitholders applying for funding



496100

1896 under this section.

1897 3. Notwithstanding paragraph (a), funds received under this
1898 paragraph may be used both to supplement purses and to subsidize
1899 operating costs and capital improvements for the pari-mutuel
1900 facility.

1901 (e) The division shall distribute 10 percent of all purse
1902 and awards supplement funds to the Florida Thoroughbred
1903 Breeders' Association, Inc., for the payment of breeders',
1904 stallion, and special racing awards, subject to s. 550.2625(3).
1905 Supplement funds received by the association may be returned at
1906 its discretion to thoroughbred horse racing permitholders for
1907 special racing awards to be distributed by the permitholders to
1908 owners of thoroughbred horses participating in prescribed
1909 thoroughbred stakes races, nonstakes races, or both, all in
1910 accordance with a written agreement establishing the rate,
1911 procedure, and eligibility requirements for such awards for the
1912 upcoming state fiscal year, entered into by the permitholder and
1913 the Florida Thoroughbred Breeders' Association, Inc., on or
1914 before June 30 of each year.

1915 (f) The division shall adopt by rule the form to be used by
1916 a permitholder for applying for to receive purse and awards
1917 supplement funds.

1918 (4) The division may adopt rules necessary to implement
1919 this section.

1920 (5) This section expires June 30, 2036.

1921 Section 32. Subsections (4) and (5) and paragraphs (a) and
1922 (c) of subsection (7) of section 550.2415, Florida Statutes, are
1923 amended to read:

1924 550.2415 Racing of animals under certain conditions



496100

1925 prohibited; penalties; exceptions.-

1926 (4) A prosecution pursuant to this section for a violation
1927 of this section must begin within 90 days after the violation
1928 was committed. Filing Service of an administrative complaint by
1929 the division or a notice of violation by the stewards marks the
1930 commencement of administrative action.

1931 (5) The division shall adopt rules related to the testing
1932 of racing animals which must include chain of custody procedures
1933 and implement a split sample ~~split-sample~~ procedure for testing
1934 animals under this section. The split sample procedure shall
1935 require drawing of at least two samples the first of which shall
1936 be tested by the state's testing laboratory and the second of
1937 which shall be retained in a separate secure location for
1938 testing at a later date in accordance with rules adopted by the
1939 division. The division shall only authorize testing by
1940 laboratories accredited by the Racing Medication and Testing
1941 Consortium.

1942 (a) The division shall notify the owner or trainer, the
1943 stewards, and the appropriate horsemen's association of all drug
1944 test results. If a drug test result is positive, and upon
1945 request by the affected trainer or owner of the animal from
1946 which the sample was obtained, the division shall send the split
1947 sample to an approved independent laboratory for analysis. The
1948 division shall establish standards and rules for uniform
1949 enforcement and shall maintain a list of at least five approved
1950 independent laboratories for an owner or trainer to select from
1951 if a drug test result is positive.

1952 (b) If the division laboratory's findings are not confirmed
1953 by the independent laboratory, no further administrative or



496100

1954 disciplinary action under this section may be pursued.

1955 (c) If the independent laboratory confirms the division
1956 laboratory's positive result, the division may commence
1957 administrative proceedings as prescribed in this chapter and
1958 consistent with chapter 120. For purposes of this subsection,
1959 the department shall in good faith attempt to obtain a
1960 sufficient quantity of the test fluid to allow both a primary
1961 test and a secondary test to be made.

1962 (d) For the testing of a racing greyhound, if there is an
1963 insufficient quantity of the secondary (split) sample for
1964 confirmation of the division laboratory's positive result, the
1965 division may commence administrative proceedings as prescribed
1966 in this chapter and consistent with chapter 120.

1967 (e) For the testing of a racehorse, if there is an
1968 insufficient quantity of the secondary (split) sample for
1969 confirmation of the division laboratory's positive result, the
1970 division may not take further action on the matter against the
1971 owner or trainer, and any resulting license suspension must be
1972 immediately lifted.

1973 (f) The division shall require its laboratory and the
1974 independent laboratories to annually participate in an
1975 externally administered quality assurance program designed to
1976 assess testing proficiency in the detection and appropriate
1977 quantification of medications, drugs, and naturally occurring
1978 substances that may be administered to racing animals. The
1979 administrator of the quality assurance program shall report its
1980 results and findings to the division and the Department of
1981 Agriculture and Consumer Services.

1982 (7) (a) In order to protect the safety and welfare of racing



496100

1983 animals and the integrity of the races in which the animals
1984 participate, the division shall adopt rules establishing the
1985 conditions of use and maximum concentrations of medications,
1986 drugs, and naturally occurring substances identified in the
1987 Controlled Therapeutic Medication Schedule, ~~Version 2.1, revised~~
1988 ~~April 17, 2014,~~ adopted by the Association of Racing
1989 Commissioners International, Inc. Controlled therapeutic
1990 medications include only the specific medications and
1991 concentrations allowed in biological samples which have been
1992 approved by the Association of Racing Commissioners
1993 International, Inc., as controlled therapeutic medications.

1994 (c) The division rules must include a classification and
1995 penalty system for the use of drugs, medications, and other
1996 foreign substances which incorporates the Uniform Classification
1997 Guidelines for Foreign Substances, Recommended Penalty
1998 Guidelines, and the Multiple Medication Violation Penalty System
1999 adopted and a corresponding penalty schedule for violations
2000 which incorporates the Uniform Classification Guidelines for
2001 Foreign Substances, Version 8.0, revised December 2014, by the
2002 Association of Racing Commissioners International, Inc. The
2003 division shall adopt laboratory screening limits approved by the
2004 Association of Racing Commissioners International, Inc., for
2005 drugs and medications that are not included as controlled
2006 therapeutic medications, the presence of which in a sample may
2007 result in a violation of this section.

2008 Section 33. Section 550.2416, Florida Statutes, is created
2009 to read:

2010 550.2416 Reporting of racing greyhound injuries.-

2011 (1) An injury to a racing greyhound which occurs while the



2012 greyhound is located in this state must be reported on a form
2013 adopted by the division within 7 days after the date on which
2014 the injury occurred or is believed to have occurred. The
2015 division may adopt rules defining the term "injury."

2016 (2) The form shall be completed and signed under oath or
2017 affirmation by the:

2018 (a) Racetrack veterinarian or director of racing, if the
2019 injury occurred at the racetrack facility; or

2020 (b) Owner, trainer, or kennel operator who had knowledge of
2021 the injury, if the injury occurred at a location other than the
2022 racetrack facility, including during transportation.

2023 (3) The division may fine, suspend, or revoke the license
2024 of any individual who knowingly violates this section.

2025 (4) The form must include the following:

2026 (a) The greyhound's registered name, right-ear and left-ear
2027 tattoo numbers, and, if any, the microchip manufacturer and
2028 number.

2029 (b) The name, business address, and telephone number of the
2030 greyhound owner, the trainer, and the kennel operator.

2031 (c) The color, weight, and sex of the greyhound.

2032 (d) The specific type and bodily location of the injury,
2033 the cause of the injury, and the estimated recovery time from
2034 the injury.

2035 (e) If the injury occurred when the greyhound was racing:

2036 1. The racetrack where the injury occurred;

2037 2. The distance, grade, race, and post position of the
2038 greyhound when the injury occurred; and

2039 3. The weather conditions, time, and track conditions when
2040 the injury occurred.



496100

2041 (f) If the injury occurred when the greyhound was not
2042 racing:

2043 1. The location where the injury occurred, including, but
2044 not limited to, a kennel, a training facility, or a
2045 transportation vehicle; and

2046 2. The circumstances surrounding the injury.

2047 (g) Other information that the division determines is
2048 necessary to identify injuries to racing greyhounds in this
2049 state.

2050 (5) An injury form created pursuant to this section must be
2051 maintained as a public record by the division for at least 7
2052 years after the date it was received.

2053 (6) A licensee of the department who knowingly makes a
2054 false statement concerning an injury or fails to report an
2055 injury is subject to disciplinary action under this chapter or
2056 chapters 455 and 474.

2057 (7) This section does not apply to injuries to a service
2058 animal, personal pet, or greyhound that has been adopted as a
2059 pet.

2060 (8) The division shall adopt rules to implement this
2061 section.

2062 Section 34. Subsection (1) of section 550.26165, Florida
2063 Statutes, is amended to read:

2064 550.26165 Breeders' awards.—

2065 (1) The purpose of this section is to encourage the
2066 agricultural activity of breeding and training racehorses in
2067 this state. Moneys dedicated in this chapter for use as
2068 breeders' awards and stallion awards are to be used for awards
2069 to breeders of registered Florida-bred horses winning horseraces



496100

2070 and for similar awards to the owners of stallions who sired
2071 Florida-bred horses winning stakes races, if the stallions are
2072 registered as Florida stallions standing in this state. Such
2073 awards shall be given at a uniform rate to all winners of the
2074 awards, may ~~shall~~ not be greater than 20 percent of the
2075 announced gross purse, and may ~~shall~~ not be less than 15 percent
2076 of the announced gross purse if funds are available. In
2077 addition, at least ~~no less than~~ 17 percent, but not ~~not~~ more
2078 than 40 percent, as determined by the Florida Thoroughbred
2079 Breeders' Association, of the moneys dedicated in this chapter
2080 for use as breeders' awards and stallion awards for
2081 thoroughbreds shall be returned pro rata to the permitholders
2082 that generated the moneys for special racing awards to be
2083 distributed by the permitholders to owners of thoroughbred
2084 horses participating in prescribed thoroughbred stakes races,
2085 nonstakes races, or both, all in accordance with a written
2086 agreement establishing the rate, procedure, and eligibility
2087 requirements for such awards entered into by the permitholder,
2088 the Florida Thoroughbred Breeders' Association, and the Florida
2089 Horsemen's Benevolent and Protective Association, Inc., except
2090 that the plan for the distribution by any permitholder located
2091 in the area described in s. 550.615(7) ~~s. 550.615(9)~~ shall be
2092 agreed upon by that permitholder, the Florida Thoroughbred
2093 Breeders' Association, and the association representing a
2094 majority of the thoroughbred racehorse owners and trainers at
2095 that location. Awards for thoroughbred races are to be paid
2096 through the Florida Thoroughbred Breeders' Association, and
2097 awards for standardbred races are to be paid through the Florida
2098 Standardbred Breeders and Owners Association. Among other



496100

2099 sources specified in this chapter, moneys for thoroughbred
2100 breeders' awards will come from the 0.955 percent of handle for
2101 thoroughbred races conducted, received, broadcast, or simulcast
2102 under this chapter as provided in s. 550.2625(3). The moneys for
2103 quarter horse and harness breeders' awards will come from the
2104 breaks and uncashed tickets on live quarter horse and harness
2105 horse racing performances and 1 percent of handle on intertrack
2106 wagering. The funds for these breeders' awards shall be paid to
2107 the respective breeders' associations by the permitholders
2108 conducting the races.

2109 Section 35. Section 550.3345, Florida Statutes, is amended
2110 to read:

2111 550.3345 ~~Conversion of quarter horse permit to a~~ Limited
2112 thoroughbred racing permit.-

2113 (1) In recognition of the important and long-standing
2114 economic contribution of the thoroughbred horse breeding
2115 industry to this state and the state's vested interest in
2116 promoting the continued viability of this agricultural activity,
2117 the state intends to provide a limited opportunity for the
2118 conduct of live thoroughbred horse racing with the net revenues
2119 from such racing dedicated to the enhancement of thoroughbred
2120 purses and breeders', stallion, and special racing awards under
2121 this chapter; the general promotion of the thoroughbred horse
2122 breeding industry; and the care in this state of thoroughbred
2123 horses retired from racing.

2124 (2) A limited thoroughbred racing permit previously
2125 converted from ~~Notwithstanding any other provision of law, the~~
2126 ~~holder of a quarter horse racing permit pursuant to chapter~~
2127 2010-29, Laws of Florida, issued under s. 550.334 may only be



496100

2128 ~~held by, within 1 year after the effective date of this section,~~
2129 ~~apply to the division for a transfer of the quarter horse racing~~
2130 ~~permit to a not-for-profit corporation formed under state law to~~
2131 ~~serve the purposes of the state as provided in subsection (1).~~
2132 ~~The board of directors of the not-for-profit corporation must be~~
2133 ~~composed~~ comprised of 11 members, 4 of whom shall be designated
2134 by the applicant, 4 of whom shall be designated by the Florida
2135 Thoroughbred Breeders' Association, and 3 of whom shall be
2136 designated by the other 8 directors, with at least 1 of these 3
2137 members being an authorized representative of another
2138 thoroughbred racing permitholder in this state. A limited
2139 thoroughbred racing ~~The not-for-profit corporation shall submit~~
2140 ~~an application to the division for review and approval of the~~
2141 ~~transfer in accordance with s. 550.054. Upon approval of the~~
2142 ~~transfer by the division, and notwithstanding any other~~
2143 ~~provision of law to the contrary, the not-for-profit corporation~~
2144 ~~may, within 1 year after its receipt of the permit, request that~~
2145 ~~the division convert the quarter horse racing permit to a permit~~
2146 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~
2147 ~~thoroughbred racing. Neither the transfer of the quarter horse~~
2148 ~~racing permit nor its conversion to a limited thoroughbred~~
2149 ~~permit shall be subject to the mileage limitation or the~~
2150 ~~ratification election as set forth under s. 550.054(2) or s.~~
2151 ~~550.0651. Upon receipt of the request for such conversion, the~~
2152 ~~division shall timely issue a converted permit. The converted~~
2153 ~~permit and the not-for-profit corporation~~ are ~~shall be~~ subject
2154 to the following requirements:

2155 (a) All net revenues derived by the not-for-profit
2156 corporation under the thoroughbred ~~horse~~ racing permit, after



2157 the funding of operating expenses and capital improvements,
2158 shall be dedicated to the enhancement of thoroughbred purses and
2159 breeders', stallion, and special racing awards under this
2160 chapter; the general promotion of the thoroughbred horse
2161 breeding industry; and the care in this state of thoroughbred
2162 horses retired from racing.

2163 (b) From December 1 through April 30, ~~no~~ live thoroughbred
2164 racing may not be conducted under the permit on any day during
2165 which another thoroughbred racing permitholder is conducting
2166 live thoroughbred racing within 125 air miles of the not-for-
2167 profit corporation's pari-mutuel facility unless the other
2168 thoroughbred racing permitholder gives its written consent.

2169 (c) After ~~the conversion of the quarter horse racing permit~~
2170 ~~and~~ the issuance of its initial license to conduct pari-mutuel
2171 wagering meets of thoroughbred racing, the not-for-profit
2172 corporation shall annually apply to the division for a license
2173 pursuant to s. 550.01215(7) ~~s. 550.5251~~.

2174 (d) Racing under the permit may take place ~~only~~ at the
2175 location for which the original quarter horse racing permit was
2176 issued, which may be leased, notwithstanding s. 550.475, by the
2177 not-for-profit corporation for that purpose; however, the not-
2178 for-profit corporation may, without the conduct of any
2179 ratification election pursuant to ~~s. 550.054(13)~~ ~~or~~ s. 550.0651,
2180 move the location of the permit to another location in the same
2181 county or counties, if a permit is situated in such a manner
2182 that it is located in more than one county, provided that such
2183 relocation is approved under the zoning and land use regulations
2184 of the applicable county or municipality.

2185 (e) A limited thoroughbred racing ~~no~~ permit may not be



496100

2186 ~~transferred converted under this section is eligible for~~
2187 ~~transfer~~ to another person or entity.

2188 (3) Unless otherwise provided in this section, ~~after~~
2189 ~~conversion~~, the permit and the not-for-profit corporation shall
2190 be treated under the laws of this state as a thoroughbred racing
2191 permit and as a thoroughbred racing permitholder, respectively,
2192 with the exception of ss. 550.054(9)(c) and (d) and s.
2193 550.09515(3).

2194 (4) Notwithstanding any other law, the holder of a limited
2195 thoroughbred racing permit under this section which is not
2196 licensed to conduct a full schedule of live racing may, at any
2197 time, apply for and be issued an operating license under this
2198 chapter to receive broadcasts of horseraces and conduct
2199 intertrack wagering on such races as a guest track.

2200 Section 36. Subsection (6) of section 550.3551, Florida
2201 Statutes, is amended to read:

2202 550.3551 Transmission of racing and jai alai information;
2203 commingling of pari-mutuel pools.—

2204 (6) (a) ~~A maximum of 20 percent of the total number of races~~
2205 ~~on which wagers are accepted by a greyhound permitholder not~~
2206 ~~located as specified in s. 550.615(6) may be received from~~
2207 ~~locations outside this state.~~ A permitholder may not conduct
2208 fewer than eight live races or games on any authorized race day
2209 except as provided in this subsection. A thoroughbred racing
2210 permitholder may not conduct fewer than eight live races on any
2211 race day without the written approval of the Florida
2212 Thoroughbred Breeders' Association and the Florida Horsemen's
2213 Benevolent and Protective Association, Inc., unless it is
2214 determined by the department that another entity represents a



496100

2215 majority of the thoroughbred racehorse owners and trainers in
2216 the state. A harness horse racing permitholder may conduct fewer
2217 than eight live races on any authorized race day, except that
2218 such permitholder must conduct a full schedule of live racing
2219 during its race meet consisting of at least eight live races per
2220 authorized race day for at least 100 days. ~~Any harness horse~~
2221 ~~permitholder that during the preceding racing season conducted a~~
2222 ~~full schedule of live racing may, at any time during its current~~
2223 ~~race meet, receive full-card broadcasts of harness horse races~~
2224 ~~conducted at harness racetracks outside this state at the~~
2225 ~~harness track of the permitholder and accept wagers on such~~
2226 ~~harness races.~~ With specific authorization from the division for
2227 special racing events, a permitholder may conduct fewer than
2228 eight live races or games when the permitholder also broadcasts
2229 out-of-state races or games. The division may not grant more
2230 than two such exceptions a year for a permitholder in any 12-
2231 month period, and those two exceptions may not be consecutive.

2232 (b) Notwithstanding any other provision of this chapter,
2233 any harness horse racing permitholder accepting broadcasts of
2234 out-of-state harness horse races when such permitholder is not
2235 conducting live races must make the out-of-state signal
2236 available to all permitholders eligible to conduct intertrack
2237 wagering and shall pay to guest tracks located as specified in
2238 ~~ss. 550.615(6) and s.~~ 550.6305(9) (d) 50 percent of the net
2239 proceeds after taxes and fees to the out-of-state host track on
2240 harness horse race wagers which they accept. A harness horse
2241 racing permitholder shall be required to pay into its purse
2242 account 50 percent of the net income retained by the
2243 permitholder on account of wagering on the out-of-state



496100

2244 broadcasts received pursuant to this subsection. Nine-tenths of
2245 a percent of all harness horse race wagering proceeds on the
2246 broadcasts received pursuant to this subsection shall be paid to
2247 the Florida Standardbred Breeders and Owners Association under
2248 the provisions of s. 550.2625(4) for the purposes provided
2249 therein.

2250 Section 37. Section 550.475, Florida Statutes, is amended
2251 to read:

2252 550.475 Lease of pari-mutuel facilities by pari-mutuel
2253 permitholders.—Holders of valid pari-mutuel permits for the
2254 conduct of any jai alai games, dogracing, or thoroughbred and
2255 standardbred horse racing in this state are entitled to lease
2256 any and all of their facilities to any other holder of a same
2257 class, valid pari-mutuel permit for jai alai games, dogracing,
2258 or thoroughbred or standardbred horse racing, when they are
2259 located within a 35-mile radius of each other, ~~and~~ and such lessee
2260 is entitled to a permit and license to operate its race meet or
2261 jai alai games at the leased premises. A permitholder may not
2262 lease facilities from a pari-mutuel permitholder that is not
2263 conducting a full schedule of live racing.

2264 Section 38. Section 550.5251, Florida Statutes, is amended
2265 to read:

2266 550.5251 Florida thoroughbred racing; certain permits;
2267 operating days.—

2268 ~~(1) Each thoroughbred permitholder shall annually, during~~
2269 ~~the period commencing December 15 of each year and ending~~
2270 ~~January 4 of the following year, file in writing with the~~
2271 ~~division its application to conduct one or more thoroughbred~~
2272 ~~racing meetings during the thoroughbred racing season commencing~~



496100

2273 ~~on the following July 1. Each application shall specify the~~
2274 ~~number and dates of all performances that the permitholder~~
2275 ~~intends to conduct during that thoroughbred racing season. On or~~
2276 ~~before March 15 of each year, the division shall issue a license~~
2277 ~~authorizing each permitholder to conduct performances on the~~
2278 ~~dates specified in its application. Up to February 28 of each~~
2279 ~~year, each permitholder may request and shall be granted changes~~
2280 ~~in its authorized performances; but thereafter, as a condition~~
2281 ~~precedent to the validity of its license and its right to retain~~
2282 ~~its permit, each permitholder must operate the full number of~~
2283 ~~days authorized on each of the dates set forth in its license.~~

2284 ~~(2) A thoroughbred racing permitholder may not begin any~~
2285 ~~race later than 7 p.m. Any thoroughbred permitholder in a county~~
2286 ~~in which the authority for cardrooms has been approved by the~~
2287 ~~board of county commissioners may operate a cardroom and, when~~
2288 ~~conducting live races during its current race meet, may receive~~
2289 ~~and rebroadcast out-of-state races after the hour of 7 p.m. on~~
2290 ~~any day during which the permitholder conducts live races.~~

2291 ~~(1)~~ ~~(3)~~ ~~(a)~~ Each licensed thoroughbred permitholder in this
2292 state must run an average of one race per racing day in which
2293 horses bred in this state and duly registered with the Florida
2294 Thoroughbred Breeders' Association have preference as entries
2295 over non-Florida-bred horses, unless otherwise agreed to in
2296 writing by the permitholder, the Florida Thoroughbred Breeders'
2297 Association, and the association representing a majority of the
2298 thoroughbred racehorse owners and trainers at that location. All
2299 licensed thoroughbred racetracks shall write the conditions for
2300 such races in which Florida-bred horses are preferred so as to
2301 assure that all Florida-bred horses available for racing at such



496100

2302 tracks are given full opportunity to run in the class of races
2303 for which they are qualified. The opportunity of running must be
2304 afforded to each class of horses in the proportion that the
2305 number of horses in this class bears to the total number of
2306 Florida-bred horses available. A track is not required to write
2307 conditions for a race to accommodate a class of horses for which
2308 a race would otherwise not be run at the track during its meet.

2309 (2) ~~(b)~~ Each licensed thoroughbred permitholder in this
2310 state may run one additional race per racing day composed
2311 exclusively of Arabian horses registered with the Arabian Horse
2312 Registry of America. Any licensed thoroughbred permitholder that
2313 elects to run one additional race per racing day composed
2314 exclusively of Arabian horses registered with the Arabian Horse
2315 Registry of America is not required to provide stables for the
2316 Arabian horses racing under this subsection ~~paragraph~~.

2317 (3) ~~(e)~~ Each licensed thoroughbred permitholder in this
2318 state may run up to three additional races per racing day
2319 composed exclusively of quarter horses registered with the
2320 American Quarter Horse Association.

2321 Section 39. Subsections (2), (4), (6), and (7) of section
2322 550.615, Florida Statutes, are amended, present subsections (8),
2323 (9), and (10) of that section are redesignated as subsections
2324 (6), (7), and (8), respectively, present subsection (9) of that
2325 section is amended, and a new subsection (9) is added to that
2326 section, to read:

2327 550.615 Intertrack wagering.—

2328 (2) A ~~Any~~ track or fronton licensed under this chapter
2329 which has conducted a full schedule of live racing or games for
2330 at least 5 consecutive calendar years since 2010 ~~in the~~



496100

2331 ~~preceding year conducted a full schedule of live racing is~~
2332 qualified to, at any time, receive broadcasts of any class of
2333 pari-mutuel race or game and accept wagers on such races or
2334 games conducted by any class of permitholders licensed under
2335 this chapter.

2336 (4) ~~An In no event shall any~~ intertrack wager may not be
2337 accepted on the same class of live races or games of any
2338 permitholder without the written consent of such operating
2339 permitholders conducting the same class of live races or games
2340 if the guest track is within the market area of such operating
2341 permitholder. A greyhound racing permitholder licensed under
2342 this chapter which accepts intertrack wagers on live greyhound
2343 signals is not required to obtain the written consent required
2344 by this subsection from any operating greyhound racing
2345 permitholder within its market area.

2346 ~~(6) Notwithstanding the provisions of subsection (3), in~~
2347 ~~any area of the state where there are three or more horserace~~
2348 ~~permitholders within 25 miles of each other, intertrack wagering~~
2349 ~~between permitholders in said area of the state shall only be~~
2350 ~~authorized under the following conditions: Any permitholder,~~
2351 ~~other than a thoroughbred permitholder, may accept intertrack~~
2352 ~~wagers on races or games conducted live by a permitholder of the~~
2353 ~~same class or any harness permitholder located within such area~~
2354 ~~and any harness permitholder may accept wagers on games~~
2355 ~~conducted live by any jai alai permitholder located within its~~
2356 ~~market area and from a jai alai permitholder located within the~~
2357 ~~area specified in this subsection when no jai alai permitholder~~
2358 ~~located within its market area is conducting live jai alai~~
2359 ~~performances; any greyhound or jai alai permitholder may receive~~



496100

2360 ~~broadcasts of and accept wagers on any permitholder of the other~~
2361 ~~class provided that a permitholder, other than the host track,~~
2362 ~~of such other class is not operating a contemporaneous live~~
2363 ~~performance within the market area.~~

2364 ~~(7) In any county of the state where there are only two~~
2365 ~~permits, one for dogracing and one for jai alai, no intertrack~~
2366 ~~wager may be taken during the period of time when a permitholder~~
2367 ~~is not licensed to conduct live races or games without the~~
2368 ~~written consent of the other permitholder that is conducting~~
2369 ~~live races or games. However, if neither permitholder is~~
2370 ~~conducting live races or games, either permitholder may accept~~
2371 ~~intertrack wagers on horseraces or on the same class of races or~~
2372 ~~games, or on both horseraces and the same class of races or~~
2373 ~~games as is authorized by its permit.~~

2374 ~~(7)-(9)~~ (9) In any two contiguous counties of the state in which
2375 there are located only four active permits, one for thoroughbred
2376 horse racing, two for greyhound racing ~~dogracing~~, and one for
2377 jai alai games, an ~~no~~ intertrack wager may not be accepted on
2378 the same class of live races or games of any permitholder
2379 without the written consent of such operating permitholders
2380 conducting the same class of live races or games if the guest
2381 track is within the market area of such operating permitholder.

2382 (9) A greyhound racing permitholder that is eligible to
2383 receive broadcasts pursuant to subsection (2) and is operating
2384 pursuant to a current year operating license that specifies that
2385 no live performances will be conducted may accept wagers on live
2386 races conducted at out-of-state greyhound tracks only on the
2387 days when the permitholder receives all live races that any
2388 greyhound host track in this state makes available.



496100

2389 Section 40. Subsections (1), (4), and (5) of section
2390 550.6308, Florida Statutes, are amended to read:

2391 550.6308 Limited intertrack wagering license.—In
2392 recognition of the economic importance of the thoroughbred
2393 breeding industry to this state, its positive impact on tourism,
2394 and of the importance of a permanent thoroughbred sales facility
2395 as a key focal point for the activities of the industry, a
2396 limited license to conduct intertrack wagering is established to
2397 ensure the continued viability and public interest in
2398 thoroughbred breeding in Florida.

2399 (1) Upon application to the division on or before January
2400 31 of each year, any person that is licensed to conduct public
2401 sales of thoroughbred horses pursuant to s. 535.01 and, that has
2402 conducted at least 8 ~~15~~ days of thoroughbred horse sales at a
2403 permanent sales facility in this state for at least 3
2404 consecutive years, ~~and that has conducted at least 1 day of~~
2405 ~~nonwagering thoroughbred racing in this state, with a purse~~
2406 ~~structure of at least \$250,000 per year for 2 consecutive years~~
2407 before such application, shall be issued a license, subject to
2408 the conditions set forth in this section, to conduct intertrack
2409 wagering at such a permanent sales facility ~~during the following~~
2410 ~~periods:~~

- 2411 ~~(a) Up to 21 days in connection with thoroughbred sales;~~
2412 ~~(b) Between November 1 and May 8;~~
2413 ~~(c) Between May 9 and October 31 at such times and on such~~
2414 ~~days as any thoroughbred, jai alai, or a greyhound permitholder~~
2415 ~~in the same county is not conducting live performances; provided~~
2416 ~~that any such permitholder may waive this requirement, in whole~~
2417 ~~or in part, and allow the licensee under this section to conduct~~



496100

2418 ~~intertrack wagering during one or more of the permitholder's~~
2419 ~~live performances; and~~

2420 ~~(d) During the weekend of the Kentucky Derby, the~~
2421 ~~Preakness, the Belmont, and a Breeders' Cup Meet that is~~
2422 ~~conducted before November 1 and after May 8.~~

2423
2424 ~~Only~~ No more than one such license may be issued, and no such
2425 license may be issued for a facility located within 50 miles of
2426 any for-profit thoroughbred permitholder's track.

2427 ~~(4) Intertrack wagering under this section may be conducted~~
2428 ~~only on thoroughbred horse racing, except that intertrack~~
2429 ~~wagering may be conducted on any class of pari-mutuel race or~~
2430 ~~game conducted by any class of permitholders licensed under this~~
2431 ~~chapter if all thoroughbred, jai alai, and greyhound~~
2432 ~~permitholders in the same county as the licensee under this~~
2433 ~~section give their consent.~~

2434 ~~(4)(5)~~ The licensee shall be considered a guest track under
2435 this chapter. The licensee shall pay 2.5 percent of the total
2436 contributions to the daily pari-mutuel pool on wagers accepted
2437 at the licensee's facility on greyhound races or jai alai games
2438 to the thoroughbred permitholder that is conducting live races
2439 for purses to be paid during its current racing meet. If more
2440 than one thoroughbred permitholder is conducting live races on a
2441 day during which the licensee is conducting intertrack wagering
2442 on greyhound races or jai alai games, the licensee shall
2443 allocate these funds between the operating thoroughbred
2444 permitholders on a pro rata basis based on the total live handle
2445 at the operating permitholders' facilities.

2446 Section 41. Section 551.101, Florida Statutes, is amended



496100

2447 to read:

2448 551.101 Slot machine gaming authorized.—~~A Any licensed~~
2449 ~~eligible pari-mutuel facility located in Miami-Dade County or~~
2450 ~~Broward County existing at the time of adoption of s. 23, Art. X~~
2451 ~~of the State Constitution that has conducted live racing or~~
2452 ~~games during calendar years 2002 and 2003~~ may possess slot
2453 machines and conduct slot machine gaming at the location where
2454 the pari-mutuel permitholder is authorized to conduct pari-
2455 mutuel wagering activities pursuant to such permitholder's valid
2456 pari-mutuel permit or at the location where a licensee is
2457 authorized to conduct slot machine gaming pursuant to s.
2458 551.1043 ~~provided that a majority of voters in a countywide~~
2459 ~~referendum have approved slot machines at such facility in the~~
2460 ~~respective county.~~ Notwithstanding any other ~~provision of law,~~
2461 it is not a crime for a person to participate in slot machine
2462 gaming at a pari-mutuel facility licensed to possess slot
2463 machines and conduct slot machine gaming or to participate in
2464 slot machine gaming described in this chapter.

2465 Section 42. Subsections (4), (10), and (11) of section
2466 551.102, Florida Statutes, are amended to read:

2467 551.102 Definitions.—As used in this chapter, the term:

2468 (4) "Eligible facility" means any licensed pari-mutuel
2469 facility or any facility authorized to conduct slot machine
2470 gaming pursuant to s. 551.1043, which meets the requirements of
2471 s. 551.104(2) located in Miami-Dade County or Broward County
2472 ~~existing at the time of adoption of s. 23, Art. X of the State~~
2473 ~~Constitution that has conducted live racing or games during~~
2474 ~~calendar years 2002 and 2003 and has been approved by a majority~~
2475 ~~of voters in a countywide referendum to have slot machines at~~



496100

2476 ~~such facility in the respective county; any licensed pari-mutuel~~
2477 ~~facility located within a county as defined in s. 125.011,~~
2478 ~~provided such facility has conducted live racing for 2~~
2479 ~~consecutive calendar years immediately preceding its application~~
2480 ~~for a slot machine license, pays the required license fee, and~~
2481 ~~meets the other requirements of this chapter; or any licensed~~
2482 ~~pari-mutuel facility in any other county in which a majority of~~
2483 ~~voters have approved slot machines at such facilities in a~~
2484 ~~countywide referendum held pursuant to a statutory or~~
2485 ~~constitutional authorization after the effective date of this~~
2486 ~~section in the respective county, provided such facility has~~
2487 ~~conducted a full schedule of live racing for 2 consecutive~~
2488 ~~calendar years immediately preceding its application for a slot~~
2489 ~~machine license, pays the required licensed fee, and meets the~~
2490 ~~other requirements of this chapter.~~

2491 (10) "Slot machine license" means a license issued by the
2492 division authorizing a pari-mutuel permitholder or a licensee
2493 authorized pursuant to s. 551.1043 to place and operate slot
2494 machines as provided in by s. 23, Art. X of the State
2495 Constitution, the provisions of this chapter, and by division
2496 rule rules.

2497 (11) "Slot machine licensee" means a pari-mutuel
2498 permitholder or a licensee authorized pursuant to s. 551.1043
2499 which ~~who~~ holds a license issued by the division pursuant to
2500 this chapter which ~~that~~ authorizes such person to possess a slot
2501 machine ~~within facilities specified in s. 23, Art. X of the~~
2502 ~~State Constitution~~ and allows slot machine gaming.

2503 Section 43. Subsections (1) and (2), paragraph (c) of
2504 subsection (4), and paragraphs (a) and (c) of subsection (10) of



496100

2505 section 551.104, Florida Statutes, are amended to read:

2506 551.104 License to conduct slot machine gaming.—

2507 (1) Upon application, and a finding by the division, after
2508 investigation, that the application is complete and that the
2509 applicant is qualified, and payment of the initial license fee,
2510 the division may issue a license to conduct slot machine gaming
2511 in the designated slot machine gaming area of the eligible
2512 facility. Once licensed, slot machine gaming may be conducted
2513 subject to ~~the requirements of~~ this chapter and rules adopted
2514 pursuant thereto. The division may not issue a slot machine
2515 license to any pari-mutuel permitholder that includes, or
2516 previously included within its ownership group, an ultimate
2517 equitable owner that was also an ultimate equitable owner of a
2518 pari-mutuel permitholder whose permit was voluntarily or
2519 involuntarily surrendered, suspended, or revoked by the division
2520 within 10 years before the date of permitholder's filing of an
2521 application for a slot machine license.

2522 (2) An application may be approved by the division only if:

2523 (a) The facility at which the applicant seeks to operate
2524 slot machines is:

2525 1. A licensed pari-mutuel facility located in Miami-Dade
2526 County or Broward County existing at the time of adoption of s.
2527 23, Art. X of the State Constitution which conducted live racing
2528 or games during calendar years 2002 and 2003, if such
2529 permitholder pays the required license fee and meets the other
2530 requirements of this chapter, including a facility that
2531 relocates pursuant to s. 550.0555;

2532 2. A licensed pari-mutuel facility in any county in which a
2533 majority of voters have approved slot machines in a countywide



496100

2534 referendum, if such permitholder has conducted a full schedule
2535 of live racing or games as defined in s. 550.002(11) for 2
2536 consecutive calendar years immediately preceding its initial
2537 application for a slot machine license, pays the required
2538 license fee, and meets the other requirements of this chapter;

2539 3. A facility at which a licensee is authorized to conduct
2540 slot machine gaming pursuant to s. 551.1043, if such licensee
2541 pays the required license fee and meets the other requirements
2542 of this chapter; or

2543 4. A licensed pari-mutuel facility, except for a pari-
2544 mutuel facility described in subparagraph 1., located on or
2545 contiguous with property of the qualified project of a public-
2546 private partnership consummated between the permitholder and a
2547 responsible public entity in accordance with s. 255.065 in a
2548 county in which the referendum required pursuant to paragraph
2549 (b) is conducted on or after January 1, 2018, and concurrently
2550 with a general election, if such permitholder has conducted a
2551 full schedule of live racing or games as defined in s.
2552 550.002(11) for 2 consecutive calendar years immediately
2553 preceding its initial application for a slot machine license;
2554 provided that a license may be issued under this subparagraph
2555 only after a comprehensive agreement has been executed pursuant
2556 to s. 255.065(7).

2557 (b) ~~after~~ The voters of the county where the applicant's
2558 facility is located have authorized by referendum slot machines
2559 within pari-mutuel facilities in that county ~~as specified in s.~~
2560 ~~23, Art. X of the State Constitution.~~

2561 (4) As a condition of licensure and to maintain continued
2562 authority for the conduct of slot machine gaming, ~~a the~~ slot



496100

2563 machine licensee shall:

2564 (c)1. If conducting live racing or games, conduct no fewer
2565 than a full schedule of live racing or games as defined in s.
2566 550.002(11). A permitholder's responsibility to conduct a full
2567 schedule ~~such number~~ of live races or games as defined in s.
2568 550.002(11) shall be reduced by the number of races or games
2569 that could not be conducted due to the direct result of fire,
2570 war, hurricane, or other disaster or event beyond the control of
2571 the permitholder. A permitholder may conduct live races or games
2572 at another pari-mutuel facility pursuant to s. 550.475 if such
2573 permitholder has operated its live races or games by lease for
2574 at least 5 consecutive years immediately prior to the
2575 permitholder's application for a slot machine license; or

2576 2. If not licensed to conduct a full schedule of live
2577 racing or games as defined in s. 550.002(11), remit for the
2578 payment of purses and awards on live races an amount equal to
2579 the lesser of \$2 million or 3 percent of its slot machine
2580 revenues from the previous state fiscal year to a slot machine
2581 licensee licensed to conduct not fewer than 160 days of
2582 thoroughbred racing. A slot machine licensee receiving funds
2583 under this subparagraph shall remit, within 10 days of receipt,
2584 10 percent of those funds to the Florida Thoroughbred Breeders'
2585 Association, Inc., for the payment of breeders', stallion, and
2586 special racing awards, subject to the fee authorized in s.
2587 550.2625(3). If no slot machine licensee is licensed for at
2588 least 160 days of live thoroughbred racing, no payments for
2589 purses are required. A slot machine licensee that meets the
2590 requirements of subsection (10) shall receive a dollar-for-
2591 dollar credit to be applied toward the payments required under



496100

2592 this subparagraph which are made pursuant to the binding
2593 agreement after the effective date of this act. This
2594 subparagraph expires July 1, 2036.

2595 (10) (a) ~~1. A~~ A ~~Ne~~ slot machine license or renewal thereof may
2596 not shall be issued to an applicant holding a permit under
2597 chapter 550 to conduct pari-mutuel wagering meets of
2598 thoroughbred racing unless the applicant has on file with the
2599 division a binding written agreement between the applicant and
2600 the Florida Horsemen's Benevolent and Protective Association,
2601 Inc., governing the payment of purses on live thoroughbred races
2602 conducted at the licensee's pari-mutuel facility. In addition, a
2603 ~~ne~~ slot machine license or renewal thereof may not shall be
2604 issued to such an applicant unless the applicant has on file
2605 with the division a binding written agreement between the
2606 applicant and the Florida Thoroughbred Breeders' Association,
2607 Inc., governing the payment of breeders', stallion, and special
2608 racing awards on live thoroughbred races conducted at the
2609 licensee's pari-mutuel facility. The agreement governing purses
2610 and the agreement governing awards may direct the payment of
2611 such purses and awards from revenues generated by any wagering
2612 or gaming the applicant is authorized to conduct under Florida
2613 law. All purses and awards are shall be subject to the terms of
2614 chapter 550. All sums for breeders', stallion, and special
2615 racing awards shall be remitted monthly to the Florida
2616 Thoroughbred Breeders' Association, Inc., for the payment of
2617 awards subject to the administrative fee authorized in s.
2618 550.2625(3). This paragraph does not apply to a summer
2619 thoroughbred racing permitholder.

2620 ~~2. No slot machine license or renewal thereof shall be~~



496100

2621 ~~issued to an applicant holding a permit under chapter 550 to~~
2622 ~~conduct pari-mutuel wagering meets of quarter horse racing~~
2623 ~~unless the applicant has on file with the division a binding~~
2624 ~~written agreement between the applicant and the Florida Quarter~~
2625 ~~Horse Racing Association or the association representing a~~
2626 ~~majority of the horse owners and trainers at the applicant's~~
2627 ~~eligible facility, governing the payment of purses on live~~
2628 ~~quarter horse races conducted at the licensee's pari-mutuel~~
2629 ~~facility. The agreement governing purses may direct the payment~~
2630 ~~of such purses from revenues generated by any wagering or gaming~~
2631 ~~the applicant is authorized to conduct under Florida law. All~~
2632 ~~purses shall be subject to the terms of chapter 550.~~

2633 (c)1. If an agreement required under paragraph (a) cannot
2634 be reached prior to the initial issuance of the slot machine
2635 license, either party may request arbitration or, in the case of
2636 a renewal, if an agreement required under paragraph (a) is not
2637 in place 120 days prior to the scheduled expiration date of the
2638 slot machine license, the applicant shall immediately ask the
2639 American Arbitration Association to furnish a list of 11
2640 arbitrators, each of whom shall have at least 5 years of
2641 commercial arbitration experience and no financial interest in
2642 or prior relationship with any of the parties or their
2643 affiliated or related entities or principals. Each required
2644 party to the agreement shall select a single arbitrator from the
2645 list provided by the American Arbitration Association within 10
2646 days of receipt, and the individuals so selected shall choose
2647 one additional arbitrator from the list within the next 10 days.

2648 2. If an agreement required under paragraph (a) is not in
2649 place 60 days after the request under subparagraph 1. in the



496100

2650 case of an initial slot machine license or, in the case of a
2651 renewal, 60 days prior to the scheduled expiration date of the
2652 slot machine license, the matter shall be immediately submitted
2653 to mandatory binding arbitration to resolve the disagreement
2654 between the parties. The three arbitrators selected pursuant to
2655 subparagraph 1. shall constitute the panel that shall arbitrate
2656 the dispute between the parties pursuant to the American
2657 Arbitration Association Commercial Arbitration Rules and chapter
2658 682.

2659 3. At the conclusion of the proceedings, which shall be no
2660 later than 90 days after the request under subparagraph 1. in
2661 the case of an initial slot machine license or, in the case of a
2662 renewal, 30 days prior to the scheduled expiration date of the
2663 slot machine license, the arbitration panel shall present to the
2664 parties a proposed agreement that the majority of the panel
2665 believes equitably balances the rights, interests, obligations,
2666 and reasonable expectations of the parties. The parties shall
2667 immediately enter into such agreement, which shall satisfy the
2668 requirements of paragraph (a) and permit issuance of the pending
2669 annual slot machine license or renewal. The agreement produced
2670 by the arbitration panel under this subparagraph shall be
2671 effective until the last day of the license or renewal period or
2672 until the parties enter into a different agreement. Each party
2673 shall pay its respective costs of arbitration and shall pay one-
2674 half of the costs of the arbitration panel, unless the parties
2675 otherwise agree. If the agreement produced by the arbitration
2676 panel under this subparagraph remains in place 120 days prior to
2677 the scheduled issuance of the next annual license renewal, then
2678 the arbitration process established in this paragraph will begin



496100

2679 again.

2680 4. In the event that ~~neither of the agreements required~~
2681 ~~under paragraph (a) subparagraph (a)1. or the agreement required~~
2682 ~~under subparagraph (a)2.~~ are not in place by the deadlines
2683 established in this paragraph, arbitration regarding each
2684 agreement will proceed independently, with separate lists of
2685 arbitrators, arbitration panels, arbitration proceedings, and
2686 resulting agreements.

2687 5. With respect to the agreements required under paragraph
2688 (a) governing the payment of purses, the arbitration and
2689 resulting agreement called for under this paragraph shall be
2690 limited to the payment of purses from slot machine revenues
2691 only.

2692 Section 44. Section 551.1042, Florida Statutes, is created
2693 to read:

2694 551.1042 Transfer or relocation of slot machine license
2695 prohibited.—A slot machine license issued under this chapter may
2696 not be transferred or reissued when such reissuance is in the
2697 nature of a transfer so as to permit or authorize a licensee to
2698 change the location of a slot machine facility, except through
2699 the relocation of the pari-mutuel permit pursuant to s.
2700 550.0555.

2701 Section 45. Section 551.1043, Florida Statutes, is created
2702 to read:

2703 551.1043 Slot machine license to enhance live pari-mutuel
2704 activity.—In recognition of the important and long-standing
2705 economic contribution of the pari-mutuel industry to this state
2706 and the state's vested interest in the revenue generated from
2707 that industry and in the interest of promoting the continued



2708 viability of the important statewide agricultural activities
2709 that the industry supports, the Legislature finds that it is in
2710 the state's interest to provide a limited opportunity for the
2711 establishment of two additional slot machine licenses to be
2712 awarded and renewed annually and located within Broward County
2713 or a county as defined in s. 125.011.

2714 (1) (a) Within 120 days after the effective date of this
2715 act, any person who is not a slot machine licensee may apply to
2716 the division pursuant to s. 551.104(1) for one of the two slot
2717 machine licenses created by this section to be located in
2718 Broward County or a county as defined in s. 125.011. No more
2719 than one of such licenses may be awarded in each of those
2720 counties. An applicant shall submit an application to the
2721 division which satisfies the requirements of s. 550.054(3). Any
2722 person prohibited from holding any horseracing or dogracing
2723 permit or jai alai fronton permit pursuant to s. 550.1815 is
2724 ineligible to apply for the additional slot machine license
2725 created by this section.

2726 (b) The application shall be accompanied by a nonrefundable
2727 license application fee of \$2 million. The license application
2728 fee shall be deposited into the Pari-mutuel Wagering Trust Fund
2729 of the Department of Business and Professional Regulation to be
2730 used by the division and the Department of Law Enforcement for
2731 investigations, the regulation of slot machine gaming, and the
2732 enforcement of slot machine gaming under this chapter. In the
2733 event of a successful award, the license application fee shall
2734 be credited toward the license application fee required by s.
2735 551.106.

2736 (2) If there is more than one applicant for an additional



496100

2737 slot machine license, the division shall award such license to
2738 the applicant that receives the highest score based on the
2739 following criteria:

2740 (a) The amount of slot machine revenues the applicant will
2741 agree to dedicate to the enhancement of pari-mutuel purses and
2742 breeders', stallion, and special racing or player awards to be
2743 awarded to pari-mutuel activities conducted pursuant to chapter
2744 550, in addition to those required pursuant to ss.
2745 551.104(4)(c)2. and 849.086(14)(d)2.;

2746 (b) The amount of slot machine revenues the applicant will
2747 agree to dedicate to the general promotion of the state's pari-
2748 mutuel industry;

2749 (c) The amount of slot machine revenues the applicant will
2750 agree to dedicate to care provided in this state to injured or
2751 retired animals, jockeys, or jai alai players;

2752 (d) The projected amount by which the proposed slot machine
2753 facility will increase tourism, generate jobs, provide revenue
2754 to the local economy, and provide revenue to the state. The
2755 applicant and its partners shall document their previous
2756 experience in constructing premier facilities with high-quality
2757 amenities which complement a local tourism industry;

2758 (e) The financial history of the applicant and its
2759 partners, including, but not limited to, any capital investments
2760 in slot machine gaming and pari-mutuel facilities, and its bona
2761 fide plan for future community involvement and financial
2762 investment;

2763 (f) The history of investment by the applicant and its
2764 partners in the communities in which its previous developments
2765 have been located;



496100

2766 (g) The ability to purchase and maintain a surety bond in
2767 an amount established by the division to represent the projected
2768 annual state revenues expected to be generated by the proposed
2769 slot machine facility;

2770 (h) The ability to demonstrate the financial wherewithal to
2771 adequately capitalize, develop, construct, maintain, and operate
2772 a proposed slot machine facility. The applicant must demonstrate
2773 the ability to commit at least \$100 million for hard costs
2774 related to construction and development of the facility,
2775 exclusive of the purchase price and costs associated with the
2776 acquisition of real property and any impact fees. The applicant
2777 must also demonstrate the ability to meet any projected secured
2778 and unsecured debt obligations and to complete construction
2779 within 2 years after receiving the award of the slot machine
2780 license;

2781 (i) The ability to implement a program to train and employ
2782 residents of South Florida to work at the facility and contract
2783 with local business owners for goods and services; and

2784 (j) The ability of the applicant to generate, with its
2785 partners, substantial gross gaming revenue following the award
2786 of gaming licenses through a competitive process.

2787
2788 The division shall award additional points in the evaluation of
2789 the applications for proposed projects located within a half
2790 mile of two forms of public transportation in a designated
2791 community redevelopment area or district.

2792 (3) (a) Notwithstanding the timeframes established in s.
2793 120.60, the division shall complete its evaluations at least 120
2794 days after the submission of applications and shall notice its



2795 intent to award each of the licenses within that timeframe.
2796 Within 30 days after the submission of an application, the
2797 division shall issue, if necessary, requests for additional
2798 information or notices of deficiency to the applicant, who must
2799 respond within 15 days. Failure to timely and sufficiently
2800 respond to such requests or to correct identified deficiencies
2801 is grounds for denial of the application.

2802 (b) Any protest of an intent to award a license shall be
2803 forwarded to the Division of Administrative Hearings, which
2804 shall conduct an administrative hearing on the matter before an
2805 administrative law judge at least 30 days after the notice of
2806 intent to award. The administrative law judge shall issue a
2807 proposed recommended order at least 30 days after the completion
2808 of the final hearing. The division shall issue a final order at
2809 least 15 days after receipt of the proposed recommended order.

2810 (c) Any appeal of a license denial shall be made to the
2811 First District Court of Appeal and must be accompanied by the
2812 posting of a supersedeas bond in favor of the state in an amount
2813 determined by the division to be equal to the amount of
2814 projected annual slot machine revenue expected to be generated
2815 for the state by the successful licensee which shall be payable
2816 to the state if the state prevails in the appeal.

2817 (4) The division is authorized to adopt emergency rules
2818 pursuant to s. 120.54 to implement this section. The Legislature
2819 finds that such emergency rulemaking power is necessary for the
2820 preservation of the rights and welfare of the people in order to
2821 provide additional funds to benefit the public. The Legislature
2822 further finds that the unique nature of the competitive award of
2823 the slot machine licenses under this section requires that the



496100

2824 department respond as quickly as is practicable to implement
2825 this section. Therefore, in adopting such emergency rules, the
2826 division is exempt from s. 120.54(4)(a). Emergency rules adopted
2827 under this section are exempt from s. 120.54(4)(c) and shall
2828 remain in effect until replaced by other emergency rules or by
2829 rules adopted pursuant to chapter 120.

2830 (5) A licensee authorized pursuant to this section to
2831 conduct slot machine gaming is:

2832 (a) Authorized to operate a cardroom pursuant to s.
2833 849.086, notwithstanding that the licensee does not have a pari-
2834 mutuel permit and does not have an operating license, pursuant
2835 to chapter 550;

2836 (b) Authorized to operate up to 25 house banked blackjack
2837 table games at its facility pursuant to s. 551.1044(2) and is
2838 subject to s. 551.1044(3), notwithstanding that the licensee
2839 does not have a pari-mutuel permit and does not have an
2840 operating license, pursuant to chapter 550;

2841 (c) Exempt from compliance with chapter 550; and

2842 (d) Exempt from s. 551.104(3), (4)(b) and (c)1., (5), and
2843 (10) and from s. 551.114(4).

2844 Section 46. Section 551.1044, Florida Statutes, is created
2845 to read:

2846 551.1044 House banked blackjack table games authorized.—

2847 (1) The pari-mutuel permitholder of each of the following
2848 pari-mutuel wagering facilities may operate up to 25 house
2849 banked blackjack table games at the permitholder's facility:

2850 (a) A licensed pari-mutuel facility where live racing or
2851 games were conducted during calendar years 2002 and 2003,
2852 located in Miami-Dade County or Broward County, and authorized



496100

2853 for slot machine licensure pursuant to s. 23, Art. X of the
2854 State Constitution; and

2855 (b) A licensed pari-mutuel facility where a full schedule
2856 of live horseracing has been conducted for 2 consecutive
2857 calendar years immediately preceding its initial application for
2858 a slot machine license which is located within a county as
2859 defined in s. 125.011.

2860 (2) Wagers on authorized house banked blackjack table games
2861 may not exceed \$100 for each initial two-card wager. Subsequent
2862 wagers on splits or double downs are allowed but may not exceed
2863 the initial two-card wager. Single side bets of not more than \$5
2864 are also allowed.

2865 (3) Each pari-mutuel permitholder offering house banked
2866 blackjack pursuant to this section shall pay a tax to the state
2867 of 25 percent of the blackjack operator's monthly gross
2868 receipts. All provisions of s. 849.086(14), except s.
2869 849.086(14) (a) or (b), apply to taxes owed pursuant to this
2870 section.

2871 Section 47. Subsections (1) and (2) and present subsection
2872 (4) of section 551.106, Florida Statutes, are amended,
2873 subsections (3) and (5) of that section are redesignated as new
2874 subsection (4) and subsection (6), respectively, and a new
2875 subsection (3) is added to that section, to read:

2876 551.106 License fee; tax rate; penalties.-

2877 (1) LICENSE FEE.-

2878 ~~(a)~~ Upon submission of the initial application for a slot
2879 machine license, and annually thereafter, on the anniversary
2880 date of the issuance of the initial license, the licensee must
2881 pay to the division a nonrefundable license fee of ~~\$3 million~~



496100

2882 ~~for the succeeding 12 months of licensure. In the 2010-2011~~
2883 ~~fiscal year, the licensee must pay the division a nonrefundable~~
2884 ~~license fee of \$2.5 million for the succeeding 12 months of~~
2885 ~~licensure. In the 2011-2012 fiscal year and for every fiscal~~
2886 ~~year thereafter, the licensee must pay the division a~~
2887 ~~nonrefundable license fee of \$2 million for the succeeding 12~~
2888 months of licensure. The license fee shall be deposited into the
2889 Pari-mutuel Wagering Trust Fund of the Department of Business
2890 and Professional Regulation to be used by the division and the
2891 Department of Law Enforcement for investigations, regulation of
2892 slot machine gaming, and enforcement of slot machine gaming
2893 provisions under this chapter. These payments shall be accounted
2894 for separately from taxes or fees paid pursuant to the
2895 provisions of chapter 550.

2896 ~~(b) Prior to January 1, 2007, the division shall evaluate~~
2897 ~~the license fee and shall make recommendations to the President~~
2898 ~~of the Senate and the Speaker of the House of Representatives~~
2899 ~~regarding the optimum level of slot machine license fees in~~
2900 ~~order to adequately support the slot machine regulatory program.~~

2901 (2) TAX ON SLOT MACHINE REVENUES.—

2902 (a) The tax rate on slot machine revenues at each facility
2903 is shall be 35 percent. Effective January 1, 2018, the tax rate
2904 on slot machine revenues at each facility is 30 percent.
2905 Effective July 1, 2019, the tax rate on slot machine revenues at
2906 each facility is 25 percent. If, during any state fiscal year,
2907 the aggregate amount of tax paid to the state by ~~all~~ slot
2908 machine licensees in Broward and Miami-Dade Counties which were
2909 licensed before January 1, 2017, is less than the aggregate
2910 amount of tax paid to the state by ~~all slot machine~~ licensees in



496100

2911 those counties that were licensed before January 1, 2017, in the
2912 2017-2018 ~~2008-2009~~ fiscal year, any each slot machine licensee
2913 that was licensed before January 1, 2017, that paid less in that
2914 year than it paid in the 2017-2018 fiscal year shall pay to the
2915 state within 45 days after the end of the state fiscal year a
2916 surcharge equal to ~~its pro rata share of an amount equal to the~~
2917 difference between the ~~aggregate~~ amount of tax that it paid to
2918 the state by all slot machine licensees in the 2017-2018 ~~2008-~~
2919 2009 fiscal year and the amount of tax paid during the
2920 applicable state fiscal year. Each licensee's pro rata share
2921 shall be an amount determined by dividing the number 1 by the
2922 number of facilities licensed to operate slot machines during
2923 the applicable fiscal year, regardless of whether the facility
2924 is operating such machines.

2925 (b) The slot machine revenue tax imposed by this section on
2926 facilities licensed pursuant to s. 551.104(2) (a)1.-3. shall be
2927 paid to the division for deposit into the Pari-mutuel Wagering
2928 Trust Fund for immediate transfer by the Chief Financial Officer
2929 for deposit into the Educational Enhancement Trust Fund of the
2930 Department of Education. Any interest earnings on the tax
2931 revenues shall also be transferred to the Educational
2932 Enhancement Trust Fund. The slot machine revenue tax imposed by
2933 this section on facilities licensed pursuant to s.
2934 551.104(2) (a)4. shall be paid to the division for deposit into
2935 the Pari-mutuel Wagering Trust Fund. The division shall transfer
2936 90 percent of such funds to be deposited by the Chief Financial
2937 Officer into the Educational Enhancement Trust Fund of the
2938 Department of Education and shall transfer 10 percent of such
2939 funds to the responsible public entity for the public-private



496100

2940 partnership of the slot machine licensee pursuant to ss.
2941 551.104(2)(a)4. and 255.065.

2942 (c)1. Funds transferred to the Educational Enhancement
2943 Trust Fund under paragraph (b) shall be used to supplement
2944 public education funding statewide. Funds transferred to a
2945 responsible public entity pursuant to paragraph (b) shall be
2946 used in accordance with s. 255.065 to finance the qualifying
2947 project of such entity and the slot machine licensee which
2948 established the licensee's eligibility for initial licensure
2949 pursuant to s. 551.104(2)(a)4.

2950 2. If necessary to comply with any covenant established
2951 pursuant to s. 1013.68(4), s. 1013.70(1), or s. 1013.737(3),
2952 funds transferred to the Educational Enhancement Trust Fund
2953 under paragraph (b) shall first be available to pay debt service
2954 on lottery bonds issued to fund school construction in the event
2955 lottery revenues are insufficient for such purpose or to satisfy
2956 debt service reserve requirements established in connection with
2957 lottery bonds. Moneys available pursuant to this subparagraph
2958 are subject to annual appropriation by the Legislature.

2959 (3) SLOT MACHINE GUARANTEE FEE; SURCHARGE.-

2960 (a) If a permitholder located within a county that has
2961 conducted a successful slot machine referendum after January 1,
2962 2012, or a holder of a slot machine license awarded pursuant to
2963 s. 551.1043 does not pay at least \$11 million in total slot
2964 machine taxes and license fees to the state in state fiscal year
2965 2018-2019, the permitholder shall pay to the state within 45
2966 days after the end of the state fiscal year a surcharge equal to
2967 the difference between the aggregate amount of slot machine
2968 taxes and license fees paid to the state in the fiscal year and



496100

2969 \$11 million, regardless of whether the permitholder or licensee
2970 operated slot machines during the fiscal year.

2971 (b) If a permitholder located within a county that has
2972 conducted a successful slot machine referendum after January 1,
2973 2012, or a holder of a slot machine license awarded pursuant to
2974 s. 551.1043 does not pay at least \$21 million in total slot
2975 machine taxes and license fees to the state in state fiscal year
2976 2019-2020 and any subsequent state fiscal year, the permitholder
2977 shall pay to the state within 45 days after the end of the state
2978 fiscal year a surcharge equal to the difference between the
2979 aggregate amount of slot machine taxes and license fees paid to
2980 the state in the fiscal year and \$21 million, regardless of
2981 whether the permitholder or licensee operated slot machines
2982 during the fiscal year.

2983 (5)~~(4)~~ TO PAY TAX; PENALTIES.—A slot machine licensee or
2984 pari-mutuel permitholder who fails to make tax and any
2985 applicable surcharge payments as required under this section is
2986 subject to an administrative penalty of up to \$10,000 for each
2987 day the tax payment is not remitted. All administrative
2988 penalties imposed and collected shall be deposited into the
2989 Pari-mutuel Wagering Trust Fund of the Department of Business
2990 and Professional Regulation. If any slot machine licensee or
2991 pari-mutuel permitholder fails to pay penalties imposed by order
2992 of the division under this subsection, the division may deny,
2993 suspend, revoke, or refuse to renew the license of the
2994 permitholder or slot machine licensee.

2995 Section 48. Subsection (2) of section 551.108, Florida
2996 Statutes, is amended to read:

2997 551.108 Prohibited relationships.—



496100

2998 (2) A manufacturer or distributor of slot machines may not
2999 enter into any contract with a slot machine licensee that
3000 provides for any revenue sharing of any kind or nature that is
3001 directly or indirectly calculated on the basis of a percentage
3002 of slot machine revenues. Any maneuver, shift, or device whereby
3003 this subsection is violated is a violation of this chapter and
3004 renders any such agreement void. This subsection does not apply
3005 to contracts related to a progressive system used in conjunction
3006 with slot machines.

3007 Section 49. Subsections (2) and (4) of section 551.114,
3008 Florida Statutes, are amended to read:

3009 551.114 Slot machine gaming areas.—

3010 (2) If such races or games are available to the slot
3011 machine licensee, the slot machine licensee shall display pari-
3012 mutuel races or games within the designated slot machine gaming
3013 areas and offer patrons within the designated slot machine
3014 gaming areas the ability to engage in pari-mutuel wagering on
3015 any live, intertrack, and simulcast races conducted or offered
3016 to patrons of the licensed facility.

3017 (4) Designated slot machine gaming areas shall ~~may~~ be
3018 located anywhere within the property described in a slot machine
3019 licensee's pari-mutuel permit ~~within the current live gaming~~
3020 ~~facility or in an existing building that must be contiguous and~~
3021 ~~connected to the live gaming facility. If a designated slot~~
3022 ~~machine gaming area is to be located in a building that is to be~~
3023 ~~constructed, that new building must be contiguous and connected~~
3024 ~~to the live gaming facility.~~

3025 Section 50. Section 551.116, Florida Statutes, is amended
3026 to read:



496100

3027 551.116 Days and hours of operation.—Slot machine gaming
3028 areas may be open 24 hours per day, 7 days a week daily
3029 throughout the year. ~~The slot machine gaming areas may be open a~~
3030 ~~cumulative amount of 18 hours per day on Monday through Friday~~
3031 ~~and 24 hours per day on Saturday and Sunday and on those~~
3032 ~~holidays specified in s. 110.117(1).~~

3033 Section 51. Subsections (1) and (3) of section 551.121,
3034 Florida Statutes, are amended to read:

3035 551.121 Prohibited activities and devices; exceptions.—

3036 (1) Complimentary or reduced-cost alcoholic beverages may
3037 ~~not~~ be served to a person ~~persons~~ playing a slot machine.

3038 ~~Alcoholic beverages served to persons playing a slot machine~~
3039 ~~shall cost at least the same amount as alcoholic beverages~~
3040 ~~served to the general public at a bar within the facility.~~

3041 (3) A slot machine licensee may ~~not~~ allow any automated
3042 teller machine or similar device designed to provide credit or
3043 dispense cash to be located within the designated slot machine
3044 gaming areas of a facility of a slot machine licensee.

3045 Section 52. Present subsections (9) through (17) of section
3046 849.086, Florida Statutes, are redesignated as subsections (10)
3047 through (18), respectively, and a new subsection (9) is added to
3048 that section, subsections (1) and (2) of that section are
3049 amended, paragraph (g) is added to subsection (4) of that
3050 section, and paragraph (b) of subsection (5), paragraphs (a),
3051 (b), and (c) of subsection (7), paragraphs (a) and (b) of
3052 subsection (8), present subsection (12), paragraphs (d) and (h)
3053 of present subsection (13), and present subsection (17) of
3054 section 849.086, Florida Statutes, are amended, to read:

3055 849.086 Cardrooms authorized.—



496100

3056 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
3057 to provide additional entertainment choices for the residents of
3058 and visitors to the state, promote tourism in the state, provide
3059 revenues to support the continuation of live pari-mutuel
3060 activity, and provide additional state revenues through the
3061 authorization of the playing of certain games in the state at
3062 facilities known as cardrooms which are to be located at
3063 licensed pari-mutuel facilities. To ensure the public confidence
3064 in the integrity of authorized cardroom operations, this act is
3065 designed to strictly regulate the facilities, persons, and
3066 procedures related to cardroom operations. Furthermore, the
3067 Legislature finds that authorized games of poker and dominoes ~~as~~
3068 ~~herein defined~~ are considered to be pari-mutuel style games and
3069 not casino gaming because the participants play against each
3070 other instead of against the house.

3071 (2) DEFINITIONS.—As used in this section:

3072 (a) "Authorized game" means a game or series of games of
3073 poker or dominoes which are played in conformance with this
3074 section ~~a nonbanking manner~~.

3075 (b) "Banking game" means a game in which the house is a
3076 participant in the game, taking on players, paying winners, and
3077 collecting from losers ~~or in which the cardroom establishes a~~
3078 ~~bank against which participants play~~. A designated player game
3079 is not a banking game.

3080 (c) "Cardroom" means a facility where authorized games are
3081 played for money or anything of value and to which the public is
3082 invited to participate in such games and charged a fee for
3083 participation by the operator of such facility. Authorized games
3084 and cardrooms do not constitute casino gaming operations if



496100

3085 conducted at an eligible facility.

3086 (d) "Cardroom management company" means any individual not
3087 an employee of the cardroom operator, any proprietorship,
3088 partnership, corporation, or other entity that enters into an
3089 agreement with a cardroom operator to manage, operate, or
3090 otherwise control the daily operation of a cardroom.

3091 (e) "Cardroom distributor" means any business that
3092 distributes cardroom paraphernalia such as card tables, betting
3093 chips, chip holders, dominoes, dominoes tables, drop boxes,
3094 banking supplies, playing cards, card shufflers, and other
3095 associated equipment to authorized cardrooms.

3096 (f) "Cardroom operator" means a licensed pari-mutuel
3097 permitholder that ~~which~~ holds a valid permit and license issued
3098 by the division pursuant to chapter 550 and which also holds a
3099 valid cardroom license issued by the division pursuant to this
3100 section which authorizes such person to operate a cardroom and
3101 to conduct authorized games in such cardroom.

3102 (g) "Designated player" means the player identified as the
3103 player in the dealer position and seated at a traditional player
3104 position in a designated player game who pays winning players
3105 and collects from losing players.

3106 (h) "Designated player game" means a game in which the
3107 players compare their cards only to the cards of the designated
3108 player or to a combination of cards held by the designated
3109 player and cards common and available for play by all players.

3110 (i) ~~(g)~~ "Division" means the Division of Pari-mutuel
3111 Wagering of the Department of Business and Professional
3112 Regulation.

3113 (j) ~~(h)~~ "Dominoes" means a game of dominoes typically played



496100

3114 with a set of 28 flat rectangular blocks, called "bones," which
3115 are marked on one side and divided into two equal parts, with
3116 zero to six dots, called "pips," in each part. The term also
3117 includes larger sets of blocks that contain a correspondingly
3118 higher number of pips. The term also means the set of blocks
3119 used to play the game.

3120 (k)~~(i)~~ "Gross receipts" means the total amount of money
3121 received by a cardroom from any person for participation in
3122 authorized games.

3123 (l)~~(j)~~ "House" means the cardroom operator and all
3124 employees of the cardroom operator.

3125 (m)~~(k)~~ "Net proceeds" means the total amount of gross
3126 receipts received by a cardroom operator from cardroom
3127 operations less direct operating expenses related to cardroom
3128 operations, including labor costs, admission taxes only if a
3129 separate admission fee is charged for entry to the cardroom
3130 facility, gross receipts taxes imposed on cardroom operators by
3131 this section, the annual cardroom license fees imposed by this
3132 section on each table operated at a cardroom, and reasonable
3133 promotional costs excluding officer and director compensation,
3134 interest on capital debt, legal fees, real estate taxes, bad
3135 debts, contributions or donations, or overhead and depreciation
3136 expenses not directly related to the operation of the cardrooms.

3137 (n)~~(l)~~ "Rake" means a set fee or percentage of the pot
3138 assessed by a cardroom operator for providing the services of a
3139 dealer, table, or location for playing the authorized game.

3140 (o)~~(m)~~ "Tournament" means a series of games that have more
3141 than one betting round involving one or more tables and where
3142 the winners or others receive a prize or cash award.



496100

3143 (4) AUTHORITY OF DIVISION.—The Division of Pari-mutuel
3144 Wagering of the Department of Business and Professional
3145 Regulation shall administer this section and regulate the
3146 operation of cardrooms under this section and the rules adopted
3147 pursuant thereto, and is hereby authorized to:

3148 (g) Establish a reasonable period to respond to requests
3149 from a licensed cardroom; provided however, the division has a
3150 maximum of 45 days to approve:

3151 1. A cardroom's internal controls or provide the cardroom
3152 with a list of deficiencies as to the internal controls.

3153 2. Rules for a new authorized game submitted by a licensed
3154 cardroom or provide the cardroom with a list of deficiencies as
3155 to those rules.

3156
3157 Not later than 10 days after the submission of revised internal
3158 controls or revised rules addressing the deficiencies identified
3159 by the division, the division must review and approve or reject
3160 the revised internal controls or revised rules.

3161 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
3162 operate a cardroom in this state unless such person holds a
3163 valid cardroom license issued pursuant to this section.

3164 (b) After the initial cardroom license is granted, the
3165 application for the annual license renewal shall be made in
3166 conjunction with the applicant's annual application for its
3167 pari-mutuel license. ~~If a permitholder has operated a cardroom~~
3168 ~~during any of the 3 previous fiscal years and fails to include a~~
3169 ~~renewal request for the operation of the cardroom in its annual~~
3170 ~~application for license renewal, the permitholder may amend its~~
3171 ~~annual application to include operation of the cardroom. In~~



496100

3172 ~~order for a cardroom license to be renewed the applicant must~~
3173 ~~have requested, as part of its pari-mutuel annual license~~
3174 ~~application, to conduct at least 90 percent of the total number~~
3175 ~~of live performances conducted by such permitholder during~~
3176 ~~either the state fiscal year in which its initial cardroom~~
3177 ~~license was issued or the state fiscal year immediately prior~~
3178 ~~thereto if the permitholder ran at least a full schedule of live~~
3179 ~~racing or games in the prior year. If the application is for a~~
3180 ~~harness permitholder cardroom, the applicant must have requested~~
3181 ~~authorization to conduct a minimum of 140 live performances~~
3182 ~~during the state fiscal year immediately prior thereto. If more~~
3183 ~~than one permitholder is operating at a facility, each~~
3184 ~~permitholder must have applied for a license to conduct a full~~
3185 ~~schedule of live racing.~~

3186 (7) CONDITIONS FOR OPERATING A CARDROOM.—

3187 (a) A cardroom may be operated only at the location
3188 specified on the cardroom license issued by the division, and
3189 such location may only be the location at which the pari-mutuel
3190 permitholder is authorized to conduct pari-mutuel wagering
3191 activities pursuant to such permitholder's valid pari-mutuel
3192 permit or as otherwise authorized by law. ~~Cardroom operations~~
3193 ~~may not be allowed beyond the hours provided in paragraph (b)~~
3194 ~~regardless of the number of cardroom licenses issued for~~
3195 ~~permitholders operating at the pari-mutuel facility.~~

3196 (b) Any cardroom operator may operate a cardroom at the
3197 pari-mutuel facility daily throughout the year, if the
3198 permitholder meets the requirements under paragraph (5) (b). The
3199 cardroom may be open ~~a cumulative amount of 18 hours per day on~~
3200 ~~Monday through Friday and 24 hours per day on Saturday and~~



496100

3201 ~~Sunday and on the holidays specified in s. 110.117(1).~~

3202 (c) A cardroom operator must at all times employ and
3203 provide a nonplaying live dealer at ~~for~~ each table on which
3204 authorized ~~card~~ games ~~which traditionally use a dealer~~ are
3205 conducted, except for designated player games at the cardroom.
3206 Such dealers may not have a participatory interest in any game
3207 other than the dealing of cards and may not have an interest in
3208 the outcome of the game. The providing of such dealers by a
3209 licensee does not constitute the conducting of a banking game by
3210 the cardroom operator.

3211 (8) METHOD OF WAGERS; LIMITATION.—

3212 (a) ~~No~~ Wagering may not be conducted using money or other
3213 negotiable currency. Games may only be played utilizing a
3214 wagering system whereby all players' money is first converted by
3215 the house to tokens or chips that may ~~which shall~~ be used for
3216 wagering only at that specific cardroom.

3217 (b) The cardroom operator may limit the amount wagered in
3218 any game or series of games.

3219 (9) DESIGNATED PLAYER GAMES AUTHORIZED.—

3220 (a) A cardroom operator may offer designated player games
3221 consisting of players making wagers against the designated
3222 player. The designated player must be licensed pursuant to
3223 paragraph (6) (b). Employees of a designated player also must be
3224 licensed, and the designated player shall pay, in addition to
3225 the business occupational fee established pursuant to paragraph
3226 (6) (i), an employee occupational license fee which may not
3227 exceed \$500 per employee for any 12-month period.

3228 (b) A cardroom operator may not serve as a designated
3229 player in any game. The cardroom operator may not have a



496100

3230 financial interest in a designated player in any game. A
3231 cardroom operator may collect a rake in accordance with the rake
3232 structure posted at the table.

3233 (c) If there are multiple designated players at a table,
3234 the dealer button shall be rotated in a clockwise rotation after
3235 each hand.

3236 (d) A cardroom operator may not allow a designated player
3237 to pay an opposing player who holds a lower ranked hand.

3238 (e) A designated player may not be required by the rules of
3239 a game or by the rules of a cardroom to cover all wagers posted
3240 by the opposing players.

3241 (f) The cardroom, or any cardroom licensee, may not
3242 contract with, or receive compensation other than a posted table
3243 rake from, any player to participate in any game to serve as a
3244 designated player.

3245 (13)-(12) PROHIBITED ACTIVITIES.-

3246 (a) A ~~No~~ person licensed to operate a cardroom may not
3247 conduct any banking game or any game not specifically authorized
3248 by this section.

3249 (b) A ~~No~~ person who is younger than ~~under~~ 18 years of age
3250 may not be permitted to hold a cardroom or employee license, or
3251 to engage in any game conducted therein.

3252 (c) With the exception of mechanical card shufflers, ~~No~~
3253 electronic or mechanical devices, ~~except mechanical card~~
3254 ~~shufflers,~~ may not be used to conduct any authorized game in a
3255 cardroom.

3256 (d) ~~No~~ Cards, game components, or game implements may not
3257 be used in playing an authorized game unless they have ~~such has~~
3258 been furnished or provided to the players by the cardroom



496100

3259 operator.

3260 (14)~~(13)~~ TAXES AND OTHER PAYMENTS.—

3261 (d)1. Each ~~greyhound and jai alai~~ permitholder that
3262 operates a cardroom facility shall use at least 4 percent of
3263 such permitholder's cardroom monthly gross receipts to
3264 supplement ~~greyhound~~ purses and awards or jai alai prize money,
3265 respectively, during the permitholder's next ensuing pari-mutuel
3266 meet.

3267 2. A cardroom license or renewal thereof may not be issued
3268 to a permitholder conducting less than a full schedule of live
3269 racing or games as defined in s. 550.002(11) unless the
3270 applicant has on file with the division a binding written
3271 contract with a thoroughbred permitholder that is licensed to
3272 conduct live racing and that does not possess a slot machine
3273 license. This contract must provide that the permitholder will
3274 pay an amount equal to 4 percent of its monthly cardroom gross
3275 receipts to the thoroughbred permitholder conducting the live
3276 racing for exclusive use as purses and awards during the current
3277 or ensuing live racing meet of the thoroughbred permitholder. A
3278 thoroughbred permitholder receiving funds under this
3279 subparagraph shall remit, within 10 days of receipt, 10 percent
3280 of those funds to the Florida Thoroughbred Breeders'
3281 Association, Inc., for the payment of breeders', stallion, and
3282 special racing awards, subject to the fee authorized in s.
3283 550.2625(3). If there is not a thoroughbred permitholder that
3284 does not possess a slot machine license, payments for purses are
3285 not required, and the cardroom licensee shall retain such funds
3286 for its use ~~Each thoroughbred and harness horse racing~~
3287 ~~permitholder that operates a cardroom facility shall use at~~



496100

3288 ~~least 50 percent of such permit holder's cardroom monthly net~~
3289 ~~proceeds as follows: 47 percent to supplement purses and 3~~
3290 ~~percent to supplement breeders' awards during the permit holder's~~
3291 ~~next ensuing racing meet.~~

3292 ~~3. No cardroom license or renewal thereof shall be issued~~
3293 ~~to an applicant holding a permit under chapter 550 to conduct~~
3294 ~~pari-mutuel wagering meets of quarter horse racing unless the~~
3295 ~~applicant has on file with the division a binding written~~
3296 ~~agreement between the applicant and the Florida Quarter Horse~~
3297 ~~Racing Association or the association representing a majority of~~
3298 ~~the horse owners and trainers at the applicant's eligible~~
3299 ~~facility, governing the payment of purses on live quarter horse~~
3300 ~~races conducted at the licensee's pari-mutuel facility. The~~
3301 ~~agreement governing purses may direct the payment of such purses~~
3302 ~~from revenues generated by any wagering or gaming the applicant~~
3303 ~~is authorized to conduct under Florida law. All purses shall be~~
3304 ~~subject to the terms of chapter 550.~~

3305 (h) One-quarter of the moneys deposited into the Pari-
3306 mutuel Wagering Trust Fund pursuant to paragraph (g) shall, by
3307 October 1 of each year, be distributed to the local government
3308 that approved the cardroom under subsection (17) ~~(16)~~; however,
3309 if two or more pari-mutuel racetracks are located within the
3310 same incorporated municipality, the cardroom funds shall be
3311 distributed to the municipality. If a pari-mutuel facility is
3312 situated in such a manner that it is located in more than one
3313 county, the site of the cardroom facility shall determine the
3314 location for purposes of disbursement of tax revenues under this
3315 paragraph. The division shall, by September 1 of each year,
3316 determine: the amount of taxes deposited into the Pari-mutuel



496100

3317 Wagering Trust Fund pursuant to this section from each cardroom
3318 licensee; the location by county of each cardroom; whether the
3319 cardroom is located in the unincorporated area of the county or
3320 within an incorporated municipality; and, the total amount to be
3321 distributed to each eligible county and municipality.

3322 ~~(18)~~ ~~(17)~~ CHANGE OF LOCATION; REFERENDUM.—

3323 ~~(a)~~ Notwithstanding ~~any provisions of~~ this section, a ne
3324 cardroom gaming license issued under this section may not shall
3325 be transferred, or reissued when such reissuance is in the
3326 nature of a transfer, so as to permit or authorize a licensee to
3327 change the location of the cardroom except through the
3328 relocation of the pari-mutuel permit pursuant to s. 550.0555 or
3329 s. 550.3345 upon proof in such form as the division may
3330 prescribe that a referendum election has been held:

3331 1. ~~If the proposed new location is within the same county~~
3332 ~~as the already licensed location, in the county where the~~
3333 ~~licensee desires to conduct cardroom gaming and that a majority~~
3334 ~~of the electors voting on the question in such election voted in~~
3335 ~~favor of the transfer of such license. However, the division~~
3336 ~~shall transfer, without requirement of a referendum election,~~
3337 ~~the cardroom license of any permit holder that relocated its~~
3338 ~~permit pursuant to s. 550.0555.~~

3339 2. ~~If the proposed new location is not within the same~~
3340 ~~county as the already licensed location, in the county where the~~
3341 ~~licensee desires to conduct cardroom gaming and that a majority~~
3342 ~~of the electors voting on that question in each such election~~
3343 ~~voted in favor of the transfer of such license.~~

3344 ~~(b) The expense of each referendum held under the~~
3345 ~~provisions of this subsection shall be borne by the licensee~~



496100

3346 ~~requesting the transfer.~~

3347 Section 53. Paragraph (c) is added to subsection (2) of
3348 section 849.0931, Florida Statutes, and subsection (14) of that
3349 section is republished, to read:

3350 849.0931 Bingo authorized; conditions for conduct;
3351 permitted uses of proceeds; limitations.—

3352 (2)

3353 (c) Veterans' organizations engaged in charitable, civic,
3354 benevolent, or scholastic works or other similar endeavors,
3355 which organizations have been in existence for 3 years or more,
3356 may conduct instant bingo in accordance with the requirements of
3357 this section using electronic tickets in lieu of or together
3358 with instant bingo paper tickets, only on the following
3359 premises:

3360 1. Property owned by the veterans' organization.

3361 2. Property owned by the veterans' organization that will
3362 benefit from the proceeds.

3363 3. Property leased for a period of not less than 1 year by
3364 a veterans' organization, providing the lease or rental
3365 agreement does not provide for the payment of a percentage of
3366 the proceeds generated at such premises to the lessor or any
3367 other party and providing the rental rate for such premises does
3368 not exceed the rental rates charged for similar premises in the
3369 same locale.

3370
3371 Electronic tickets for instant bingo must be nontransparent
3372 until the electronic ticket is opened by the player in
3373 electronic form and may only be sold or distributed in this
3374 state by veterans' organizations after the software for such



496100

3375 tickets has been independently analyzed and certified to be
3376 compliant with this section by a nationally recognized
3377 independent gaming laboratory.

3378 (14) Any organization or other person who willfully and
3379 knowingly violates any provision of this section commits a
3380 misdemeanor of the first degree, punishable as provided in s.
3381 775.082 or s. 775.083. For a second or subsequent offense, the
3382 organization or other person commits a felony of the third
3383 degree, punishable as provided in s. 775.082, s. 775.083, or s.
3384 775.084.

3385 Section 54. The Division of Pari-mutuel Wagering of the
3386 Department of Business and Professional Regulation shall revoke
3387 any permit to conduct pari-mutuel wagering if a permit holder has
3388 not conducted live events within the 24 months preceding the
3389 effective date of this act, unless the permit was issued under
3390 s. 550.3345, Florida Statutes, or the permit was issued less
3391 than 24 months preceding the effective date of this act. A
3392 permit revoked under this section may not be reissued.

3393 Section 55. The Division of Law Revision and Information is
3394 directed to replace the phrase "the effective date of this act"
3395 wherever it occurs in this act with the date the act becomes
3396 effective, in accordance with the notice received from the
3397 Secretary of the Department of Business and Professional
3398 Regulation pursuant to s. 285.710(3), Florida Statutes.

3399 Section 56. Except as otherwise expressly provided in this
3400 act, and except for this section, which shall take effect upon
3401 this act becoming a law, this act shall take effect only if the
3402 Gaming Compact between the Seminole Tribe of Florida and the
3403 State of Florida executed by the Governor and the Seminole Tribe



496100

3404 of Florida on December 7, 2015, under the Indian Gaming
3405 Regulatory Act of 1988, is amended as required by this act, and
3406 is approved or deemed approved and not voided by the United
3407 States Department of the Interior, and shall take effect on the
3408 date that notice of the effective date of the amended compact is
3409 published in the Federal Register.

3410
3411 ===== T I T L E A M E N D M E N T =====

3412 And the title is amended as follows:

3413 Delete everything before the enacting clause
3414 and insert:

3415 A bill to be entitled
3416 An act relating to gaming; amending and reordering s.
3417 24.103, F.S.; defining the term "point-of-sale
3418 terminal"; amending s. 24.105, F.S.; authorizing the
3419 Department of the Lottery to create a program that
3420 authorizes certain persons to purchase a ticket at a
3421 point-of-sale terminal; authorizing the department to
3422 adopt rules; providing requirements for the rules;
3423 amending s. 24.112, F.S.; authorizing the department,
3424 a retailer operating from one or more locations, or a
3425 vendor approved by the department to use a point-of-
3426 sale terminal to sell a lottery ticket; requiring a
3427 point-of-sale terminal to perform certain functions;
3428 specifying that the point-of-sale terminal may not
3429 reveal winning numbers; prohibiting a point-of-sale
3430 terminal from including or making use of video reels
3431 or mechanical reels or other video depictions of slot
3432 machine or casino game themes or titles for game play;



3433 prohibiting a point-of-sale terminal from being used
3434 to redeem a winning ticket; amending s. 285.710, F.S.;
3435 redefining the term "compact"; ratifying and approving
3436 a specified compact executed by the Governor and the
3437 Seminole Tribe of Florida contingent upon the adoption
3438 of specified amendments to the compact; superseding
3439 the compact approved by the Legislature in 2010,
3440 subject to certain requirements; directing the
3441 Governor to cooperate with the Tribe in seeking
3442 approval of the amended compact from the United States
3443 Secretary of the Interior; directing the Secretary of
3444 the Department of Business and Professional Regulation
3445 to provide written notice of the effective date of the
3446 compact to specified persons under certain
3447 circumstances; specifying the amendments that must be
3448 made to the compact by agreement between the Governor
3449 and the Tribe for the compact to be deemed ratified
3450 and approved; prohibiting the incorporation of
3451 specified amendments into the compact from impacting
3452 or changing the payments required to the state by the
3453 Tribe during specified payment periods; prohibiting
3454 the compact from being amended to prorate or reduce
3455 required payments to the state; requiring specified
3456 provisions of the compact relating to required
3457 payments to the state during the initial payment
3458 period be deleted; expanding the games authorized to
3459 be conducted and the counties in which such games may
3460 be offered; amending s. 285.712, F.S.; correcting a
3461 citation; creating s. 546.11, F.S.; providing a short



3462 title; creating s. 546.12, F.S.; providing legislative
3463 findings and intent; creating s. 546.13, F.S.;

3464 defining terms; creating s. 546.14, F.S.; creating the
3465 Office of Contest Amusements within the Department of
3466 Business and Professional Regulation; requiring that
3467 the office be under the supervision of a senior
3468 manager who is exempt from the Career Service System
3469 and is appointed by the secretary of the department;

3470 providing duties of the office; providing for
3471 rulemaking; creating s. 546.15, F.S.; providing
3472 licensing requirements for contest operators offering
3473 fantasy contests; providing licensing application and
3474 renewal fees; requiring the office to grant or deny a
3475 license within a specified timeframe; providing that a
3476 completed application is deemed approved 120 days
3477 after receipt by the office under certain
3478 circumstances; exempting applications for a contest
3479 operator's license from certain licensure timeframe
3480 requirements; providing requirements for the license
3481 application; providing that specified persons or
3482 entities are not eligible for licensure under certain
3483 circumstances; defining the term "convicted";
3484 authorizing the office to suspend, revoke, or deny a
3485 license under certain circumstances; creating s.
3486 546.16, F.S.; requiring a contest operator to
3487 implement specified consumer protection procedures
3488 under certain circumstances; requiring a contest
3489 operator to annually contract with a third party to
3490 perform an independent audit under certain



496100

3491 circumstances; requiring a contest operator to submit
3492 the audit results to the office by a certain date;
3493 creating s. 546.17, F.S.; requiring contest operators
3494 to keep and maintain certain records for a specified
3495 period; providing a requirement for such records;
3496 requiring that such records be available for audit and
3497 inspection; requiring the department to adopt rules;
3498 creating s. 546.18, F.S.; providing a civil penalty;
3499 providing applicability; exempting fantasy contests
3500 from certain provisions in ch. 849, F.S.; providing a
3501 directive to the Division of Law Revision and
3502 Information; amending s. 550.002, F.S.; redefining the
3503 term "full schedule of live racing or games"; amending
3504 s. 550.01215, F.S.; revising application requirements
3505 for pari-mutuel operating licenses; authorizing a
3506 greyhound racing permitholder to specify certain
3507 intentions on its application; authorizing a greyhound
3508 racing permitholder to receive an operating license to
3509 conduct pari-mutuel wagering activities at another
3510 permitholder's greyhound racing facility; authorizing
3511 a thoroughbred horse racing permitholder to elect not
3512 to conduct live racing under certain circumstances;
3513 authorizing a thoroughbred horse racing permitholder
3514 that elects not to conduct live racing to retain its
3515 permit and requiring the permitholder to specify its
3516 intention not to conduct live racing in future
3517 applications and that it is a pari-mutuel facility;
3518 authorizing such thoroughbred racing permitholder's
3519 facility to remain an eligible facility, to continue



496100

3520 to be eligible for a slot machine license, to be
3521 exempt from certain provisions of chs. 550 and 551,
3522 F.S., to be eligible as a guest track for intertrack
3523 wagering and simulcasting, and to remain eligible for
3524 a cardroom license; requiring, for a specified period,
3525 that such permitholder file with the division an
3526 irrevocable consent authorizing the use of certain
3527 contributions for specified purses and awards;
3528 exempting certain harness horse racing permitholders,
3529 quarter horse racing permitholders, and jai alai
3530 permitholders from specified live racing or live games
3531 requirements; authorizing such permitholders to
3532 specify certain intentions on their applications;
3533 authorizing certain permitholders that elect not to
3534 conduct live racing to retain their permits; providing
3535 that certain facilities of such permitholders that
3536 have been issued a slot machine license remain
3537 eligible facilities, continue to be eligible for a
3538 slot machine license, are exempt from certain
3539 provisions of ch. 551, F.S., are eligible to be guest
3540 tracks or, in certain cases, host tracks for certain
3541 purposes, and remain eligible for a cardroom license;
3542 authorizing the Division of Pari-mutuel Wagering of
3543 the Department of Business and Professional Regulation
3544 to approve changes in racing dates for permitholders
3545 under certain circumstances; providing requirements
3546 for licensure of certain jai alai permitholders;
3547 deleting a provision for conversion of certain
3548 converted permits to jai alai permits; authorizing



496100

3549 certain limited thoroughbred racing permitholders to
3550 apply by a certain date to conduct live performances
3551 during a specified timeframe subject to certain
3552 conditions; amending s. 550.0251, F.S.; requiring the
3553 division to annually report to the Governor and the
3554 Legislature; specifying requirements for the content
3555 of the report; amending s. 550.054, F.S.; requiring
3556 the division to revoke a pari-mutuel wagering
3557 operating permit under certain circumstances;
3558 prohibiting issuance or approval of new pari-mutuel
3559 permits after a specified date; prohibiting certain
3560 revoked permits from being reissued; authorizing a
3561 permitholder to apply to the division to place a
3562 permit in inactive status; revising provisions that
3563 prohibit transfer or assignment of a pari-mutuel
3564 permit; deleting provisions authorizing a jai alai
3565 permitholder to convert such permit to conduct
3566 greyhound racing; deleting a provision requiring the
3567 division to convert such permits under certain
3568 circumstances; deleting provisions for certain
3569 converted permits; amending s. 550.0555, F.S.;
3570 authorizing specified permitholders to relocate under
3571 certain circumstances, subject to certain
3572 restrictions; deleting a provision requiring the
3573 relocation to be necessary to ensure the revenue-
3574 producing capability of the permittee without
3575 deteriorating the revenue-producing capability of any
3576 other pari-mutuel permittee within a certain distance;
3577 revising how certain distances are measured; repealing



3578 s. 550.0745, F.S., relating to the conversion of pari-
3579 mutuel permits to summer jai alai permits; amending s.
3580 550.0951, F.S.; deleting provisions for certain
3581 credits for a greyhound racing permitholder; deleting
3582 a provision requiring a specified license fee to be
3583 deposited with the Chief Financial Officer to the
3584 credit of the Pari-mutuel Wagering Trust Fund;
3585 revising the tax on handle for live greyhound racing
3586 and intertrack wagering if the host track is a
3587 greyhound racing track; amending s. 550.09512, F.S.;
3588 providing for the revocation of certain harness horse
3589 racing permits; specifying that a revoked permit may
3590 not be reissued; amending s. 550.09514, F.S.; deleting
3591 certain provisions that prohibit tax on handle until a
3592 specified amount of tax savings have resulted;
3593 revising purse requirements of a greyhound racing
3594 permitholder that conducts live racing; amending s.
3595 550.09515, F.S.; providing for the revocation of
3596 certain thoroughbred racing permits; specifying that a
3597 revoked permit may not be reissued; amending s.
3598 550.155, F.S.; specifying that a person who accepts
3599 certain wagers commits a felony of the third degree;
3600 providing penalties; amending s. 550.1625, F.S.;
3601 deleting the requirement that a greyhound racing
3602 permitholder pay the breaks tax; repealing s.
3603 550.1647, F.S., relating to unclaimed tickets and
3604 breaks held by greyhound racing permitholders;
3605 amending s. 550.1648, F.S.; revising requirements for
3606 a greyhound racing permitholder to provide a greyhound



496100

3607 adoption booth at its facility; requiring
3608 sterilization of greyhounds before adoption;
3609 authorizing the fee for such sterilization to be
3610 included in the cost of adoption; defining the term
3611 "bona fide organization that promotes or encourages
3612 the adoption of greyhounds"; creating s. 550.1752,
3613 F.S.; creating the permit reduction program within the
3614 division; providing a purpose for the program;
3615 providing for funding for the program; requiring the
3616 division to purchase pari-mutuel permits from
3617 permitholders under certain circumstances; requiring
3618 that permitholders who wish to make an offer to sell
3619 meet certain requirements; requiring the division to
3620 adopt a certain form by rule; requiring that the
3621 division establish the value of a pari-mutuel permit
3622 based on the valuation of one or more independent
3623 appraisers; authorizing the division to establish a
3624 value that is lower than the valuation of the
3625 independent appraiser; requiring the division to
3626 accept the offers that best utilize available funding;
3627 prohibiting the department from accepting an offer to
3628 purchase a permit or from executing a contract to
3629 purchase a permit under certain conditions; requiring,
3630 by a specified date, that the division certify an
3631 executed contract to the Chief Financial Officer and
3632 request a distribution to be paid to the permitholder;
3633 limiting such distributions; providing for expiration
3634 of the program; creating s. 550.1753, F.S.; creating
3635 the thoroughbred purse and awards supplement program



3636 within the division as of a specified date; providing
3637 a purpose for the program; providing for funding of
3638 the program; requiring the division, within a
3639 specified timeframe, to certify to the Chief Financial
3640 Officer the amount of the purse and awards supplement
3641 funds to be distributed to eligible thoroughbred
3642 racing permitholders and request distribution of such
3643 funds from the General Revenue Fund to such
3644 permitholders; limiting the amount of distributions in
3645 any given fiscal year; specifying intended uses of the
3646 funds; prohibiting certain thoroughbred horse racing
3647 permitholders from receiving purse and awards
3648 supplements unless they provide a copy of a certain
3649 agreement; specifying percentages of the funds that
3650 must be used for certain purposes; requiring the
3651 division to apportion purse and awards supplement
3652 funds in a specified manner; providing conditions
3653 under which certain limited thoroughbred racing
3654 permitholders may make annual application for and
3655 receive certain funds; providing that funding must be
3656 allocated on a pro rata share basis; providing that
3657 certain funding is conditioned on limited thoroughbred
3658 racing permitholders applying for a limited number of
3659 performances; providing that limited thoroughbred
3660 permitholders under the program are treated as other
3661 thoroughbred permitholders applying for funding after
3662 a certain date; authorizing such funds to be used to
3663 supplement purses and subsidize certain costs;
3664 requiring the division to distribute a specified



496100

3665 percentage of funds to a specified organization for
3666 payment of specified racing awards; authorizing
3667 certain supplemental funds to be returned to
3668 thoroughbred horse racing permitholders to allow them
3669 to distribute special racing awards under certain
3670 circumstances under terms established in a required
3671 written agreement; requiring the division to adopt a
3672 form to apply to receive supplement purse funds under
3673 the program; authorizing the division to adopt rules;
3674 providing for expiration of the program; amending s.
3675 550.2415, F.S.; revising the actions that mark the
3676 commencement of certain administrative actions;
3677 requiring the division to adopt certain rules;
3678 deleting a provision specifying the version of the
3679 Controlled Therapeutic Medication Schedule which must
3680 be used by the division to adopt certain rules;
3681 requiring the division rules to include a penalty
3682 system for the use of certain drugs, medications, and
3683 other foreign substances; requiring the classification
3684 and penalty system included in division rules to
3685 incorporate specified documents; creating s. 550.2416,
3686 F.S.; requiring injuries to racing greyhounds to be
3687 reported within a certain timeframe on a form adopted
3688 by the division; requiring such form to be completed
3689 and signed under oath or affirmation by certain
3690 individuals; providing penalties; specifying
3691 information that must be included on the form;
3692 requiring the division to maintain the forms as public
3693 records for a specified time; specifying disciplinary



3694 action that may be taken against a licensee of the
3695 Department of Business and Professional Regulation who
3696 makes false statements on an injury form or who fails
3697 to report an injury; exempting injuries to certain
3698 animals from reporting requirements; requiring the
3699 division to adopt rules; amending s. 550.26165, F.S.;
3700 conforming a cross-reference; amending s. 550.3345,
3701 F.S.; deleting obsolete provisions; revising
3702 requirements for a permit previously converted from a
3703 quarter horse racing permit to a limited thoroughbred
3704 racing permit; authorizing certain holders of limited
3705 thoroughbred racing permits to apply for and be issued
3706 an operating license for a specified purpose under
3707 certain circumstances; amending s. 550.3551, F.S.;
3708 deleting a provision that limits the number of out-of-
3709 state races on which wagers are accepted by a
3710 greyhound racing permitholder; deleting a provision
3711 requiring certain permitholders to conduct a full
3712 schedule of live racing to receive certain full-card
3713 broadcasts and accept certain wagers; conforming a
3714 cross-reference; amending s. 550.475, F.S.;
3715 prohibiting a permitholder from leasing from certain
3716 pari-mutuel permitholders; amending s. 550.5251, F.S.;
3717 deleting a provision relating to requirements for
3718 thoroughbred permitholders; deleting a provision
3719 prohibiting a thoroughbred racing permitholder from
3720 beginning a race before a specified time; amending s.
3721 550.615, F.S.; revising eligibility requirements for
3722 certain pari-mutuel facilities to qualify to receive



3723 certain broadcasts; providing that certain greyhound
3724 racing permitholders are not required to obtain
3725 certain written consent; deleting requirements that
3726 intertrack wagering be conducted between certain
3727 permitholders; deleting a provision prohibiting
3728 certain intertrack wagering in certain counties;
3729 specifying conditions under which greyhound racing
3730 permitholders may accept wagers; amending s. 550.6308,
3731 F.S.; revising the number of days of thoroughbred
3732 horse sales required for an applicant to obtain a
3733 limited intertrack wagering license; revising
3734 eligibility requirements for such licenses; revising
3735 requirements for such wagering; deleting provisions
3736 requiring a licensee to make certain payments to the
3737 daily pari-mutuel pool; amending s. 551.101, F.S.;
3738 revising the facilities that may possess slot machines
3739 and conduct slot machine gaming; deleting certain
3740 provisions requiring a countywide referendum to
3741 approve slot machines at certain facilities; amending
3742 s. 551.102, F.S.; revising definitions; amending s.
3743 551.104, F.S.; prohibiting the division from issuing a
3744 slot machine license to certain pari-mutuel
3745 permitholders; revising conditions of licensure and
3746 conditions for maintaining authority to conduct slot
3747 machine gaming; exempting a summer thoroughbred racing
3748 permitholder from certain purse requirements;
3749 providing applicability; providing an expiration for a
3750 provision requiring certain slot machine licensees to
3751 remit a certain amount for the payment of purses on



3752 live races; deleting a provision prohibiting the
3753 division from issuing or renewing a license for an
3754 applicant holding a permit under ch. 550, F.S., under
3755 certain circumstances; conforming provisions to
3756 changes made by the act; creating s. 551.1042, F.S.;
3757 prohibiting the transfer of a slot machine license or
3758 relocation of a slot machine facility; providing an
3759 exception; creating s. 551.1043, F.S.; providing
3760 legislative findings; authorizing two additional slot
3761 machine licenses to be awarded and renewed annually to
3762 persons located in specified counties; providing that
3763 no more than one license may be awarded in each of
3764 those counties; authorizing certain persons to apply
3765 for such licenses; providing that certain persons are
3766 ineligible to apply for the additional slot machine
3767 licenses; providing a license application fee;
3768 requiring the deposit of the fee in the Pari-mutuel
3769 Wagering Trust Fund; requiring the Division of Pari-
3770 mutuel Wagering to award the license to the applicant
3771 that best meets the selection criteria; providing
3772 selection criteria; requiring the division to complete
3773 a certain evaluation by a specified date; specifying
3774 grounds for denial of an application; providing that
3775 certain protests be forwarded to the Division of
3776 Administrative Hearings; providing requirements for
3777 appeals; authorizing the Division of Pari-mutuel
3778 Wagering to adopt certain emergency rules; authorizing
3779 the licensee of the additional slot machine license to
3780 operate a cardroom and a specified number of house



3781 banked blackjack table games at its facility under
3782 certain circumstances; providing that such licensee is
3783 subject to specified provisions of ch. 849, F.S., and
3784 exempt from specified provisions of chs. 550 and 551,
3785 F.S.; creating s. 551.1044, F.S.; authorizing
3786 blackjack table games at certain pari-mutuel
3787 facilities; specifying limits on wagers; requiring a
3788 permitholder that offers banked blackjack to pay a tax
3789 to the state; providing that such tax is subject to
3790 certain provisions of ch. 849, F.S.; amending s.
3791 551.106, F.S.; deleting obsolete provisions; revising
3792 the tax rate on slot machine revenues under certain
3793 conditions; revising the taxes to be paid to the
3794 division for deposit into the Pari-mutuel Wagering
3795 Trust Fund; requiring certain funds to be transferred
3796 into the Educational Enhancement Trust Fund and to
3797 specified entities; requiring certain permitholders
3798 and licensees to pay a slot machine guarantee fee if
3799 certain taxes and fees paid to the state during
3800 certain periods fall below a specified amount;
3801 amending s. 551.108, F.S.; providing applicability;
3802 amending s. 551.114, F.S.; revising the areas where a
3803 designated slot machine gaming area may be located;
3804 amending s. 551.116, F.S.; deleting a restriction on
3805 the number of hours per day that slot machine gaming
3806 areas may be open; amending s. 551.121, F.S.;
3807 authorizing the serving of complimentary or reduced-
3808 cost alcoholic beverages to persons playing slot
3809 machines; authorizing the location of an automated



496100

3810 teller machine or similar device within designated
3811 slot machine gaming areas; amending s. 849.086, F.S.;
3812 revising legislative intent; revising definitions;
3813 authorizing the division to establish a reasonable
3814 period to respond to certain requests from a licensed
3815 cardroom; providing that the division must approve
3816 certain requests within 45 days; requiring the
3817 division to review and approve or reject certain
3818 revised internal controls or revised rules within 10
3819 days after submission; revising certain license
3820 renewal requirements; deleting provisions relating to
3821 restrictions on hours of operation; authorizing
3822 certain cardroom operators to offer certain designated
3823 player games; requiring the designated player and
3824 employees of the designated player to be licensed;
3825 requiring the designated player to pay certain fees;
3826 prohibiting cardroom operators from serving as the
3827 designated player in a game and from having a
3828 financial interest in a designated player; authorizing
3829 a cardroom operator to collect a rake, subject to
3830 certain requirements; requiring the dealer button to
3831 be rotated under certain circumstances; prohibiting a
3832 cardroom operator from allowing a designated player to
3833 pay an opposing player under certain circumstances;
3834 prohibiting the rules of the game or of the cardroom
3835 to require a designated player to cover all wagers of
3836 opposing players; prohibiting a cardroom or cardroom
3837 licensee from contracting with or receiving certain
3838 compensation from a player to allow that player to



496100

3839 participate in any game as a designated player;
3840 revising requirements for a cardroom license to be
3841 issued or renewed; requiring a certain written
3842 agreement with a thoroughbred permitholder; providing
3843 contract requirements for the agreement; requiring a
3844 thoroughbred permitholder to remit a percentage of
3845 specified funds to the Florida Thoroughbred Breeders'
3846 Association, Inc., subject to certain requirements;
3847 revising requirements to transfer or reissue certain
3848 cardroom gaming licenses; conforming provisions to
3849 changes made by the act; amending s. 849.0931, F.S.;
3850 authorizing certain veterans' organizations engaged in
3851 charitable, civic, benevolent, or scholastic works or
3852 similar endeavors to conduct bingo using electronic
3853 tickets on specified premises; requiring that
3854 electronic tickets for instant bingo meet a certain
3855 requirement; making the sale of such tickets by
3856 veterans' organizations contingent upon certification
3857 of software by a nationally recognized independent
3858 gaming laboratory; directing the Division of Pari-
3859 mutuel Wagering to revoke certain pari-mutuel permits;
3860 specifying that the revoked permits may not be
3861 reissued; providing a directive to the Division of Law
3862 Revision and Information; providing effective dates;
3863 providing a contingent effective date.