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LEGISLATIVE ACTION

Senate

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House

Senator Hutson moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (a) of subsection (1), subsection (3),
and paragraphs (b) and (c) of subsection (10) of section
285.710, Florida Statutes, are amended to read:

285.710 Compact authorization.—

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

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



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12 ~~2010.~~

13 (3) (a) The Gaming Compact between the Seminole Tribe of
14 Florida and the State of Florida, executed by the Governor and
15 the Tribe on April 7, 2010, was is ratified and approved by
16 chapter 2010-29, Laws of Florida. The Governor shall cooperate
17 with the Tribe in seeking approval of the compact from the
18 United States Secretary of the Interior.

19 (b) The Governor, on behalf of this state, is hereby
20 authorized and directed to execute a new compact with the Tribe
21 as set forth in paragraph (c), and the Legislature hereby
22 signifies in advance its approval and ratification of such
23 compact, provided that it is identical to the compact set forth
24 in paragraph (c) and becomes effective on or before January 1,
25 2019. The Governor shall cooperate with the Tribe in seeking
26 approval of such compact ratified and approved under this
27 paragraph from the Secretary of the Department of the Interior.
28 Upon becoming effective, such compact supersedes the Gaming
29 Compact ratified and approved under paragraph (a), which shall
30 then become null and void.

31 (c) The Legislature hereby approves and ratifies the
32 following Gaming Compact between the State of Florida and the
33 Seminole Tribe of Florida, provided that such compact becomes
34 effective on or before January 1, 2019:

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36 Gaming Compact Between the Seminole Tribe of Florida
37 and the State of Florida

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39 This compact is made and entered into by and between the
40 Seminole Tribe of Florida and the State of Florida, with respect



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41 to the operation of covered games, as defined herein, on the
42 Tribe's Indian lands, as defined by the Indian Gaming Regulatory
43 Act, 25 U.S.C. ss. 2701 et seq.

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PART I

46

47 TITLE.—This document shall be referred to as the "Gaming
48 Compact between the Seminole Tribe of Florida and the State of
49 Florida."

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PART II

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53 LEGISLATIVE FINDINGS.—

54 (1) The Seminole Tribe of Florida is a federally recognized
55 tribal government that possesses sovereign powers and rights of
56 self-government.

57 (2) The State of Florida is a state of the United States of
58 America that possesses the sovereign powers and rights of a
59 state.

60 (3) The State of Florida and the Seminole Tribe of Florida
61 maintain a government-to-government relationship.

62 (4) The United States Supreme Court has long recognized the
63 right of an Indian Tribe to regulate activity on lands within
64 its jurisdiction, but the United States Congress, through the
65 Indian Gaming Regulatory Act, has given states a role in the
66 conduct of tribal gaming in accordance with negotiated tribal-
67 state compacts.

68 (5) Pursuant to the Seminole Tribe Amended Gaming
69 Ordinance, adopted by Resolution No. C-195-06, and approved by



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70 the Chairman of the National Indian Gaming Commission on July
71 10, 2006, hereafter referred to as the "Seminole Tribal Gaming
72 Code," the Seminole Tribe of Florida desires to offer the play
73 of covered games, as defined in Part III, as a means of
74 generating revenues for purposes authorized by the Indian Gaming
75 Regulatory Act, including, without limitation, the support of
76 tribal governmental programs, such as health care, housing,
77 sewer and water projects, police, fire suppression, general
78 assistance for tribal elders, day care for children, economic
79 development, educational opportunities, per capita payments to
80 tribal members, and other typical and valuable governmental
81 services and programs for tribal members.

82 (6) This compact is the only gaming compact between the
83 Tribe and the state. This compact supersedes the Gaming Compact
84 between the Tribe and the state executed on or about April 7,
85 2010, which was subsequently ratified by the Legislature and
86 went into effect on or about July 6, 2010.

87 (7) It is in the best interests of the Seminole Tribe of
88 Florida and the State of Florida for the state to enter into a
89 compact with the Tribe that recognizes the Tribe's right to
90 offer certain Class III gaming and provides substantial
91 exclusivity of such activities in conjunction with a reasonable
92 revenue sharing arrangement between the Tribe and the state that
93 will entitle the state to significant revenue participation.

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95 PART III

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97 DEFINITIONS.—As used in this compact, the term:

98 (1) "Annual oversight assessment" means the amount owed by



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99 the Tribe to the state for reimbursement for the actual and
100 reasonable costs incurred by the state compliance agency to
101 perform the monitoring functions set forth under the compact.

102 (2) "Class II video bingo terminals" means any electronic
103 aid to a Class II bingo game that includes a video spinning reel
104 or mechanical spinning reel display.

105 (3) "Class III gaming" means the forms of Class III gaming
106 defined in 25 U.S.C. s. 2703(8) and by the regulations of the
107 National Indian Gaming Commission, as of January 1, 2018.

108 (4) "Commission" means the Seminole Tribal Gaming
109 Commission, which is the tribal governmental agency that has the
110 authority to carry out the Tribe's regulatory and oversight
111 responsibilities under this compact.

112 (5) "Compact" means this Gaming Compact between the
113 Seminole Tribe of Florida and the State of Florida.

114 (6) "Covered game" or "covered gaming activity" means the
115 following Class III gaming activities:

116 (a) Slot machines, which may use spinning reels, video
117 displays, or both, and which machines must meet all of the
118 following requirements:

119 1. Any mechanical or electrical contrivance, terminal that
120 may or may not be capable of downloading slot games from a
121 central server system, machine, or other device.

122 2. Require, for play or operation, the insertion of a coin,
123 bill, ticket, token, or similar object, or payment of any
124 consideration whatsoever, including the use of any electronic
125 payment system, except a credit card or debit card, unless state
126 law authorizes the use of an electronic payment system that uses
127 a credit or debit card payment, in which case the Tribe is



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128 authorized to use such payment system.

129 3. Are available to play or operate, the play or operation
130 of which, whether by reason of skill or application of the
131 element of chance or both, may deliver or entitle the person or
132 persons playing or operating the contrivance, terminal, machine,
133 or other device to receive cash, billets, tickets, tokens, or
134 electronic credits to be exchanged for cash or to receive
135 merchandise or anything of value whatsoever, whether the payoff
136 is made automatically from the machine or manually.

137 4. Include associated equipment necessary to conduct the
138 operation of the contrivance, terminal, machine, or other
139 device.

140 (b) Banking or banked card games, such as baccarat, chemin
141 de fer, and blackjack or 21.

142 (c) Raffles and drawings.

143 (d) Live table games.

144 (e) Any new game, if expressly authorized by the
145 Legislature pursuant to legislation enacted subsequent to the
146 effective date of this compact and lawfully conducted by any
147 person for any purpose pursuant to such authorization.

148 (7) "Covered game employee" or "covered employee" means an
149 individual employed and licensed by the Tribe whose
150 responsibilities include the rendering of services with respect
151 to the operation, maintenance, or management of covered games,
152 including, but not limited to, managers and assistant managers;
153 accounting personnel; commission officers; surveillance and
154 security personnel; cashiers, supervisors, and floor personnel;
155 cage personnel; and any other employee whose employment duties
156 require or authorize access to areas of the facility related to



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157 the conduct of covered games or the technical support or storage
158 of covered game components. The term does not include the
159 Tribe's elected officials, provided that such individuals are
160 not directly involved in the operation, maintenance, or
161 management of covered games or covered games components.

162 (8) "Documents" means books, records, electronic, magnetic,
163 and computer media documents, and other writings and materials,
164 copies of such documents and writings, and information contained
165 in such documents and writings.

166 (9) "Effective date" means the date on which the compact
167 becomes effective pursuant to subsection (1) of Part XVI.

168 (10) "Electronic bingo machine" means a card minding
169 device, which may only be used in connection with a bingo game
170 as defined in s. 849.0931(1)(a), Florida Statutes, which is
171 certified in advance by an independent testing laboratory
172 approved by the Division of Pari-Mutuel Wagering as a bingo aid
173 device that meets all of the following requirements:

174 (a) Aids a bingo game player by:

175 1. Storing in the memory of the device not more than three
176 bingo faces of tangible bingo cards as defined by s.
177 849.0931(1)(b), Florida Statutes, purchased by a player.

178 2. Comparing the numbers drawn and individually entered
179 into the device by the player to the bingo faces previously
180 stored in the memory of the device.

181 3. Identifying preannounced winning bingo patterns marked
182 or covered on the stored bingo faces.

183 (b) Is not capable of accepting or dispensing any coins,
184 currency, or tokens.

185 (c) Is not capable of monitoring any bingo card face other



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186 than the faces of the tangible bingo card or cards purchased by
187 the player for that game.

188 (d) Is not capable of displaying or representing the game
189 result through any means other than highlighting the winning
190 numbers marked or covered on the bingo card face or giving an
191 audio alert that the player's card has a prize-winning pattern.
192 No casino game graphics, themes, or titles, including, but not
193 limited to, depictions of slot machine-style symbols, cards,
194 craps, roulette, or lottery may be used.

195 (e) Is not capable of determining the outcome of any game.

196 (f) Does not award progressive prizes of more than \$2,500.

197 (g) Does not award prizes exceeding \$1,000, other than
198 progressive prizes not exceeding \$2,500.

199 (h) Does not contain more than one player position for
200 playing bingo.

201 (i) Does not contain or does not link to more than one
202 video display.

203 (j) Awards prizes based solely on the results of the bingo
204 game, with no additional element of chance.

205 (11) "Facility" means a building or buildings of the Tribe
206 in which the covered games authorized by this compact are
207 conducted.

208 (12) "Guaranteed minimum compact term payment" means a
209 minimum total payment for the guarantee payment period of \$3
210 billion, which shall include all revenue share payments during
211 the guarantee payment period.

212 (13) "Guarantee payment period" means the seven-year period
213 beginning July 1, 2018, and ending June 30, 2025.

214 (14) "Guaranteed revenue sharing cycle payment" means the



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215 payments as provided in Part XI.

216 (15) "Historic racing machine" means an individual historic
217 race terminal linked to a central server as part of a network-
218 based video game, where the terminals allow pari-mutuel wagering
219 by players on the results of previously conducted horse or
220 greyhound races, but only if the game is certified in advance by
221 an independent testing laboratory approved by the Division of
222 Pari-Mutuel Wagering as complying with all of the following
223 requirements:

224 (a) Stores all data on previously conducted horse or
225 greyhound races in a secure format on the central server, which
226 is located at the pari-mutuel facility.

227 (b) Uses only horse or greyhound races that were recorded
228 at licensed pari-mutuel facilities in the United States after
229 January 1, 2000.

230 (c) Offers one or more of the following three bet types on
231 all historic racing machines: win-place-show, quinella, or tri-
232 fecta.

233 (d) Offers one or more of the following racing types:
234 thoroughbreds, harness, or greyhounds.

235 (e) Does not award progressive prizes of more than \$2,500.

236 (f) Does not award prizes exceeding \$1,000, other than
237 progressive prizes not exceeding \$2,500.

238 (g) After each wager is placed, displays a video of at
239 least the final eight seconds of the horse or greyhound race
240 before any prize is awarded or indicated on the historic racing
241 machine.

242 (h) The display of the video of the horse or greyhound race
243 occupies at least 70 percent of the historic racing machine's



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244 video screen and does not contain and is not linked to more than
245 one video display.

246 (i) Does not use casino game graphics, themes, or titles,
247 including but not limited to, depictions of slot machine-style
248 symbols, cards, craps, roulette, lottery, or bingo.

249 (j) Does not use video or mechanical reel displays.

250 (k) Does not contain more than one player position for
251 placing wagers.

252 (l) Does not dispense coins, currency, or tokens.

253 (m) Awards prizes solely on the results of a previously
254 conducted horse or greyhound race with no additional element of
255 chance.

256 (n) Uses a random number generator to select the race from
257 the central server to be displayed to the player and the numbers
258 or other designations of race entrants that will be used in the
259 various bet types for any "Quick Pick" bets. To prevent an
260 astute player from recognizing the race based on the entrants
261 and thus knowing the results before placing a wager, the
262 entrants of the race may not be identified until after all
263 wagers for that race have been placed.

264 (16) "Indian Gaming Regulatory Act" means the Indian Gaming
265 Regulatory Act, Pub. L. 100-497, Oct. 17, 1988, 102 Stat. 2467,
266 codified at 25 U.S.C. ss. 2701 et seq. and 18 U.S.C. ss. 1166 to
267 1168.

268 (17) "Indian lands" means the lands defined in 25 U.S.C. s.
269 2703(4).

270 (18) "Initial payment period" means the period beginning on
271 the effective date of the compact and ending on June 30, 2018.

272 (19) "Live table games" means dice games, such as craps,



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273 sic-bo and any similar variations thereof, and wheel games, such
274 as roulette, big six, and any similar variations thereof, but
275 not including any game that is authorized as a slot machine,
276 banking or banked card game, raffle, or drawing.

277 (20) "Lottery vending machine" means any of the following
278 four types of machines:

279 (a) A machine that dispenses pre-printed paper instant
280 lottery tickets, but that does not read or reveal the results of
281 the ticket or allow a player to redeem any ticket. The machine,
282 or any machine or device linked to the machine, does not include
283 or make use of video reels or mechanical reels or other video
284 depictions of slot machine or casino game themes or titles for
285 game play, but does not preclude the use of casino game themes
286 or titles on such tickets or signage or advertising displays on
287 the machines.

288 (b) A machine that dispenses pre-determined electronic
289 instant lottery tickets and displays an image of the ticket on a
290 video screen on the machine, where the player touches the image
291 of the ticket on the video screen to reveal the outcome of the
292 ticket, provided the machine does not permit a player to redeem
293 winnings, does not make use of video reels or mechanical reels,
294 and does not simulate the play of any casino game, and the
295 lottery retailer is paid the same amount as would be paid for
296 the sale of paper instant lottery tickets.

297 (c) A machine that dispenses a paper lottery ticket with
298 numbers selected by the player or randomly by the machine, but
299 does not reveal the winning numbers. Such winning numbers are
300 selected at a subsequent time and different location through a
301 drawing conducted by the state lottery. The machine, or any



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302 machine or device linked to the machine, does not include or
303 make use of video reels or mechanical reels or other video
304 depictions of slot machine or casino game themes or titles for
305 game play. The machine is not used to redeem a winning ticket.
306 This does not preclude the use of casino game themes, titles for
307 signage, or advertising displays on the machine.

308 (d) A point-of-sale system to sell tickets for draw lottery
309 games at gasoline pumps at retail fuel stations, provided the
310 system dispenses a paper lottery receipt after the purchaser
311 uses a credit card or debit card to purchase the ticket;
312 processes transactions through a platform that is certified or
313 otherwise approved by the Florida Lottery; does not directly
314 dispense money or permit payment of winnings at the point-of-
315 sale terminal; and does not include or make use of video reels
316 or mechanical reels or other slot machine or casino game themes
317 or titles.

318 (21) "Monthly payment" means the monthly revenue share
319 payment which the Tribe remits to the state on the 15th day of
320 the month following each month of the revenue sharing cycle.

321 (22) "Net revenue base" means the net win for the 12 month
322 period immediately preceding the offering of, for public or
323 private use, Class III or other casino-style gaming at any of
324 the licensed pari-mutuel facilities in Broward and Miami-Dade
325 Counties, except that if the commencement of such new gaming is
326 made during the initial payment period, "net revenue base" means
327 net win for the 12-month period immediately preceding this
328 compact.

329 (23) "Net win" means the total receipts from the play of
330 all covered games less all prize payouts and free play or



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331 promotional credits issued by the Tribe.

332 (24) "Pari-mutuel wagering activities" means those
333 activities authorized on January 1, 2018, by chapter 550, which
334 do not include any casino-style game or device that include
335 video reels or mechanical reels or other slot machine or casino
336 game themes or titles.

337 (25) "Patron" means any person who is on the premises of a
338 facility, or who enters the Tribe's Indian lands for the purpose
339 of playing covered games authorized by this compact.

340 (26) "Regular payment period" means the period beginning on
341 July 1, 2025, and terminating at the end of the term of this
342 compact.

343 (27) "Revenue share payment" means the periodic payment by
344 the Tribe to the state provided for in Part XI.

345 (28) "Revenue sharing cycle" means the annual 12-month
346 period of the Tribe's operation of covered games in its
347 facilities beginning on July 1 of each fiscal year, except for
348 during the initial payment period, when the first revenue
349 sharing cycle begins on July 1 of the previous year, and the
350 Tribe receives a credit for any amount paid to the state under
351 the 2010 Compact for that revenue sharing cycle.

352 (29) "Rules and regulations" means the rules and
353 regulations promulgated by the commission for implementation of
354 this compact.

355 (30) "State" means the State of Florida.

356 (31) "State compliance agency" means the state agency
357 designated by the Florida Legislature that has the authority to
358 carry out the state's oversight responsibilities under this
359 compact.



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360 (32) "Tribe" means the Seminole Tribe of Florida or any
361 affiliate thereof conducting activities pursuant to this compact
362 under the authority of the Seminole Tribe of Florida.

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PART IV

365

AUTHORIZATION AND LOCATION OF COVERED GAMES.—

367 (1) The Tribe and state agree that the Tribe is authorized
368 to operate covered games on its Indian lands, as defined in the
369 Indian Gaming Regulatory Act, in accordance with the provisions
370 of this compact. Nothing in the compact is intended to prohibit
371 the Tribe from operating slot machines that employ video or
372 mechanical displays of roulette, wheels, or other table game
373 themes. Except for the provisions in subsection (1) of Part XI,
374 nothing in this compact shall limit the Tribe's right to operate
375 any Class II gaming under the Indian Gaming Regulatory Act.

376 (2) The Tribe is authorized to conduct covered games under
377 this compact only at the following seven existing facilities,
378 which may be expanded or replaced as provided in subsection (3)
379 on Indian lands:

380 (a) Seminole Indian Casino-Brighton in Okeechobee, FL.

381 (b) Seminole Indian Casino-Coconut Creek in Coconut Creek,
382 FL.

383 (c) Seminole Indian Casino-Hollywood in Hollywood, FL.

384 (d) Seminole Indian Casino-Immokalee in Immokalee, FL.

385 (e) Seminole Indian Casino-Big Cypress in Clewiston, FL.

386 (f) Seminole Hard Rock Hotel & Casino-Hollywood in
387 Hollywood, FL.

388 (g) Seminole Hard Rock Hotel & Casino-Tampa in Tampa, FL.



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389 (3) Any of the facilities existing on Indian lands
390 identified in subsection (2) may be expanded or replaced by
391 another facility on the same Indian lands with at least 60 days'
392 advance notice to the state.

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394 PART V

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396 RULES AND REGULATIONS; MINIMUM REQUIREMENTS FOR
397 OPERATIONS.—

398 (1) At all times during the term of this compact, the Tribe
399 shall be responsible for all duties that are assigned to it and
400 the commission under this compact. The Tribe shall promulgate
401 any rules necessary to implement this compact, which, at a
402 minimum, shall expressly include or incorporate by reference all
403 provisions of Parts V, VI, VII, and VIII. Nothing in this
404 compact shall be construed to affect the Tribe's right to amend
405 its rules, provided that any such amendment is in conformity
406 with this compact. The state compliance agency may propose
407 additional rules consistent with and related to the
408 implementation of this compact to the commission at any time,
409 and the commission shall give good faith consideration to such
410 proposed rules and shall notify the state compliance agency of
411 its response or action with respect to such rules.

412 (2) All facilities shall comply with, and all covered games
413 approved under this compact shall be operated in accordance
414 with, the requirements set forth in this compact, including, but
415 not limited to, the requirements set forth in subsections (3)
416 and (4) and the Tribe's Internal Control Policies and
417 Procedures. In addition, all facilities and all covered games



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418 shall be operated in strict compliance with tribal internal
419 control standards that provide a level of control that equals or
420 exceeds those set forth in the National Indian Gaming
421 Commission's Minimum Internal Control Standards, 25 C.F.R. part
422 542 (2015), even if the 2015 regulations are determined to be
423 invalid or are subsequently withdrawn by the National Indian
424 Gaming Commission. The Tribe may amend or supplement its
425 internal control standards from time to time, provided that such
426 changes continue to provide a level of control that equals or
427 exceeds those set forth in 25 C.F.R. part 542 (2015).

428 (3) The Tribe and the commission shall retain all documents
429 in compliance with the requirements set forth in the Tribe's
430 Record Retention Policies and Procedures.

431 (4) The Tribe shall continue and maintain its program to
432 combat problem gambling and curtail compulsive gambling and work
433 with the Florida Council on Compulsive Gambling or other
434 organizations dedicated to assisting problem gamblers. The Tribe
435 shall continue to maintain the following safeguards against
436 problem gambling:

437 (a) The Tribe shall provide to every new gaming employee a
438 comprehensive training and education program designed in
439 cooperation with the Florida Council on Compulsive Gambling or
440 other organization dedicated to assisting problem gamblers.

441 (b) The Tribe shall make printed materials available to
442 patrons, which include contact information for the Florida
443 Council on Compulsive Gambling 24-hour helpline or other hotline
444 dedicated to assisting problem gamblers, and will work with the
445 Florida Council on Compulsive Gambling or other organization
446 dedicated to assisting problem gamblers to provide contact



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447 information for the Florida Council on Compulsive Gambling or
448 other organization dedicated to assisting problem gamblers, and
449 to provide such information on the facility's website. The Tribe
450 shall continue to display within the facilities all literature
451 from the Florida Council on Compulsive Gambling or other
452 organization dedicated to assisting problem gamblers.

453 (c)1. The commission shall establish a list of patrons
454 voluntarily excluded from the Tribe's facilities, pursuant to
455 subparagraph 3.

456 2. The Tribe shall employ its best efforts to exclude
457 patrons on such list from entry into its facilities; provided
458 that nothing in this compact shall create for patrons who are
459 excluded but gain access to the facilities, or any other person,
460 a cause of action or claim against the state, the Tribe or the
461 commission, or any other person, entity, or agency for failing
462 to enforce such exclusion.

463 3. Patrons who believe they may be compulsively playing
464 covered games may request that their names be placed on the list
465 of patrons voluntarily excluded from the Tribe's facilities.

466 (d) All covered game employees shall receive training on
467 identifying compulsive gamblers and shall be instructed to ask
468 such persons to leave. The facility shall make available signs
469 bearing a toll-free help-line number and educational and
470 informational materials at conspicuous locations and automated
471 teller machines in each facility, which materials aim at the
472 prevention of problem gaming and which specify where patrons may
473 receive counseling or assistance for gambling problems. All
474 covered games employees shall also be screened by the Tribe for
475 compulsive gambling habits. Nothing in this subsection shall



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476 create for patrons, or any other person, a cause of action or
477 claim against the state, the Tribe or the commission, or any
478 other person, entity, or agency for failing to identify a patron
479 or person who is a compulsive gambler or ask that person to
480 leave.

481 (e) The Tribe shall follow the rules for exclusion of
482 patrons set forth in the Seminole Tribal Gaming Code.

483 (f) The Tribe shall make diligent efforts to prevent
484 underage individuals from loitering in the area of each facility
485 where the covered games take place.

486 (g) The Tribe shall ensure that any advertising and
487 marketing of covered games at the facilities contains a
488 responsible gambling message and a toll-free help-line number
489 for problem gamblers, where practical, and that such advertising
490 and marketing make no false or misleading claims.

491 (5) The state may secure an annual independent audit of the
492 conduct of covered games subject to this compact, as set forth
493 in Part VIII.

494 (6) The facility shall visibly display summaries of the
495 rules for playing covered games and promotional contests and
496 shall make available complete sets of rules upon request. The
497 Tribe shall provide copies of all such rules to the state
498 compliance agency within 30 calendar days after issuance or
499 amendment.

500 (7) The Tribe shall provide the commission and state
501 compliance agency with a chart of the supervisory lines of
502 authority with respect to those directly responsible for the
503 conduct of covered games, and shall promptly notify those
504 agencies of any material changes to the chart.



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505 (8) The Tribe shall continue to maintain proactive
506 approaches to prevent improper alcohol sales, drunk driving,
507 underage drinking, and underage gambling. These approaches shall
508 involve intensive staff training, screening and certification,
509 patron education, and the use of security personnel and
510 surveillance equipment in order to enhance patrons' enjoyment of
511 the facilities and provide for patron safety.

512 (a) Staff training includes specialized employee training
513 in nonviolent crisis intervention, driver license verification,
514 and detection of intoxication.

515 (b) Patron education shall be carried out through notices
516 transmitted on valet parking stubs, posted signs in the
517 facilities, and in brochures.

518 (c) Roving and fixed security officers, along with
519 surveillance cameras, shall assist in the detection of
520 intoxicated patrons, investigate problems, and engage with
521 patrons to deescalate volatile situations.

522 (d) To help prevent alcohol-related crashes, the Tribe will
523 continue to operate the "Safe Ride Home Program," a free taxi
524 service.

525 (e) The Tribe shall maintain these programs and policies in
526 its Alcohol Beverage Control Act for the duration of the compact
527 but may replace such programs and policies with stricter or more
528 extensive programs and policies. The Tribe shall provide the
529 state with written notice of any changes to the Tribe's Alcohol
530 Beverage Control Act, which notice shall include a copy of such
531 changes and shall be sent on or before the effective date of the
532 change. Nothing in this subsection shall create for patrons, or
533 any other person, a cause of action or claim against the state,



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534 the Tribe or the commission, or any other person, entity, or
535 agency for failing to fulfill the requirements of this
536 subsection.

537 (9) A person under 21 years of age may not play covered
538 games, unless otherwise permitted by state law.

539 (10) The Tribe may establish and operate facilities that
540 operate covered games only on its Indian lands as defined by the
541 Indian Gaming Regulatory Act and as specified in Part IV.

542 (11) The commission shall keep a record of, and shall
543 report at least quarterly to the state compliance agency, the
544 number of covered games in each facility, by the name or type of
545 each game and its identifying number.

546 (12) The Tribe and the commission shall make available, to
547 any member of the public upon request, within 10 business days,
548 a copy of the National Indian Gaming Commission's Minimum
549 Internal Control Standards, 25 C.F.R. part 542 (2015), the
550 Seminole Tribal Gaming Code, this compact, the rules of each
551 covered game operated by the Tribe, and the administrative
552 procedures for addressing patron tort claims under Part VI.

553
554 PART VI
555

556 PATRON DISPUTES, WORKERS' COMPENSATION, TORT CLAIMS; PRIZE
557 CLAIMS; LIMITED CONSENT TO SUIT.-

558 (1) All patron disputes involving gaming shall be resolved
559 in accordance with the procedures established in the Seminole
560 Tribal Gaming Code.

561 (2) Tort claims by employees of the Tribe's facilities will
562 be handled pursuant to the provisions of the Tribe's Workers'



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563 Compensation Ordinance, which shall provide workers the same or
564 better protections as provided in state workers' compensation
565 laws.

566 (3) Disputes involving employees of the Tribe's facilities
567 will be handled pursuant to the provisions of the Tribe's policy
568 for gaming employees, as set forth in the Employee Fair
569 Treatment and Dispute Resolution Policy.

570 (4) A patron who claims to have been injured after the
571 effective date of the compact at one of the Tribe's facilities
572 in which covered games are played is required to provide written
573 notice to the Tribe's Risk Management Department or the
574 facility, in a reasonable and timely manner, but no longer than
575 three years after the date of the incident giving rise to the
576 claimed injury, or the claim shall be forever barred.

577 (5) The Tribe shall have 30 days to respond to a claim made
578 by a patron. If the Tribe fails to respond within 30 days, the
579 patron may file suit against the Tribe. When the Tribe responds
580 to an incident alleged to have caused a patron's injury or
581 illness, the Tribe shall provide a claim form to the patron. The
582 form must include the address for the Tribe's Risk Management
583 Department and provide notice of the Tribe's administrative
584 procedures for addressing patron tort claims, including notice
585 of the relevant deadlines that may bar such claims if the
586 Tribe's administrative procedures are not followed. It is the
587 patron's responsibility to complete the form and forward the
588 form to the Tribe's Risk Management Department within a
589 reasonable period of time, and in a reasonable and timely
590 manner. Nothing herein shall interfere with any claim a patron
591 might have arising under the Federal Tort Claim Act.



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592 (6) Upon receiving written notification of the claim, the
593 Tribe's Risk Management Department shall forward the
594 notification to the Tribe's insurance carrier. The Tribe shall
595 use its best efforts to ensure that the insurance carrier
596 contacts the patron within a reasonable period of time after
597 receipt of the claim.

598 (7) The insurance carrier shall handle the claim to
599 conclusion. If the patron, Tribe, and insurance carrier are not
600 able to resolve the claim in good faith within one year after
601 the patron provided written notice to the Tribe's Risk
602 Management Department or the facility, the patron may bring a
603 tort claim against the Tribe in any court of competent
604 jurisdiction in the county in which the incident alleged to have
605 caused injury occurred, as provided in this compact, and subject
606 to a four-year statute of limitations, which shall begin to run
607 from the date of the incident of the injury alleged in the
608 claim. A patron's notice of injury to the Tribe pursuant to
609 subsection (4) and the fulfillment of the good faith attempt at
610 resolution pursuant to this part are conditions precedent to
611 filing suit.

612 (8) For tort claims of patrons made pursuant to subsection
613 (4), the Tribe agrees to waive its tribal sovereign immunity to
614 the same extent as the state waives its sovereign immunity, as
615 specified in s. 768.28(1) and (5), Florida Statutes, as such
616 provision may be amended from time to time by the Legislature.
617 In no event shall the Tribe be deemed to have waived its tribal
618 immunity from suit beyond the limits set forth in s. 768.28(5),
619 Florida Statutes. These limitations are intended to include
620 liability for compensatory damages, costs, pre-judgment



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621 interest, and attorney fees if otherwise allowable under state
622 law arising out of any claim brought or asserted against the
623 Tribe, its subordinate governmental and economic units, any
624 Tribal officials, employees, servants, or agents in their
625 official capacities and any entity which is owned, directly or
626 indirectly, by the Tribe. All patron tort claims brought
627 pursuant to this provision shall be brought solely against the
628 Tribe, as the sole party in interest.

629 (9) Notices explaining the procedures and time limitations
630 with respect to making a tort claim shall be prominently
631 displayed in the facilities, posted on the Tribe's website, and
632 provided to any patron for whom the Tribe has notice of the
633 injury or property damage giving rise to the tort claim. Such
634 notices shall explain:

635 (a) The method and places for making a tort claim,
636 including where the patron must submit the claim.

637 (b) That the process is the exclusive method for asserting
638 a tort claim arising under this section against the Tribe.

639 (c) That the Tribe and its insurance carrier have one year
640 from the date the patron gives notice of the claim to resolve
641 the matter, and that after that time, the patron may file suit
642 in a court of competent jurisdiction.

643 (d) That the exhaustion of the process is a prerequisite to
644 filing a claim in state court.

645 (e) That claims that fail to follow this process shall be
646 forever barred.

647 (10) The Tribe shall maintain an insurance policy that
648 shall:

649 (a) Prohibit the insurer or the Tribe from invoking tribal



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650 sovereign immunity for claims up to the limits to which the
651 state has waived sovereign immunity as set forth in s.
652 768.28(5), Florida Statutes, or its successor statute.

653 (b) Include covered claims made by a patron or invitee for
654 personal injury or property damage.

655 (c) Permit the insurer or the Tribe to assert any statutory
656 or common law defense other than sovereign immunity.

657 (d) Provide that any award or judgment rendered in favor of
658 a patron or invitee shall be satisfied solely from insurance
659 proceeds.

660 (11) The Tribal Council of the Seminole Tribe of Florida
661 may, in its discretion, consider claims for compensation in
662 excess of the limits of the Tribe's waiver of its sovereign
663 immunity.

664
665 PART VII

666
667 ENFORCEMENT OF COMPACT PROVISIONS.—

668 (1) The Tribe, the commission, and the state compliance
669 agency, to the extent authorized by this compact, shall be
670 responsible for regulating activities pursuant to this compact.
671 As part of its responsibilities, the Tribe shall adopt or issue
672 standards designed to ensure that the facilities are
673 constructed, operated, and maintained in a manner that
674 adequately protects the environment and public health and
675 safety. Additionally, the Tribe and the commission shall ensure
676 that:

677 (a) Operation of the conduct of covered games is in strict
678 compliance with:



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- 679 1. The Seminole Tribal Gaming Code.
- 680 2. All rules, regulations, procedures, specifications, and
681 standards lawfully adopted by the National Indian Gaming
682 Commission and the commission.
- 683 3. The provisions of this compact, including, but not
684 limited to, the Tribe's standards and rules.
- 685 (b) Reasonable measures are taken to:
- 686 1. Ensure the physical safety of facility patrons,
687 employees, and any other person while in the facility.
- 688 2. Prevent illegal activity at the facilities or with
689 regard to the operation of covered games, including, but not
690 limited to, the maintenance of employee procedures and a
691 surveillance system.
- 692 3. Ensure prompt notification is given, in accordance with
693 applicable law, to appropriate law enforcement authorities of
694 persons who may be involved in illegal acts.
- 695 4. Ensure that the construction and maintenance of the
696 facilities complies with the standards of the Florida Building
697 Code, the provisions of which the Tribe has adopted as the
698 Seminole Tribal Building Code.
- 699 5. Ensure adequate emergency access plans have been
700 prepared to ensure the health and safety of all covered game
701 patrons.
- 702 (2) All licenses for members and employees of the
703 commission shall be issued according to the same standards and
704 terms applicable to facility employees. The commission's
705 officers shall be independent of the Tribal gaming operations,
706 and shall be supervised by and accountable only to the
707 commission. A commission officer shall be available to the



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708 facility during all hours of operation upon reasonable notice,
709 and shall have immediate access to any and all areas of the
710 facility for the purpose of ensuring compliance with the
711 provisions of this compact. The commission shall investigate any
712 suspected or reported violation of this part and shall
713 officially enter into its files timely written reports of
714 investigations and any action taken thereon, and shall forward
715 copies of such investigative reports to the state compliance
716 agency within 30 calendar days after such filing. The scope of
717 such reporting shall be determined by the commission and the
718 state compliance agency as soon as practicable after the
719 effective date of this compact. Any such violations shall be
720 reported immediately to the commission, and the commission shall
721 immediately forward such reports to the state compliance agency.
722 In addition, the commission shall promptly report to the state
723 compliance agency any such violations which it independently
724 discovers.

725 (3) In order to develop and foster a positive and effective
726 relationship in the enforcement of the provisions of this
727 compact, representatives of the commission and the state
728 compliance agency shall meet at least annually to review past
729 practices and examine methods to improve the regulatory scheme
730 created by this compact. The meetings shall take place at a
731 location mutually agreed upon by the commission and the state
732 compliance agency. The state compliance agency, before or during
733 such meetings, shall disclose to the commission any concerns,
734 suspected activities, or pending matters reasonably believed to
735 constitute violations of the compact by any person,
736 organization, or entity, if such disclosure will not compromise



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737 the interest sought to be protected.

738

739 PART VIII

740

741 STATE MONITORING OF COMPACT.—

742 (1) It is the express intent of the Tribe and the state for
743 the Tribe to regulate its own gaming activities.

744 Notwithstanding, the state shall conduct random inspections as
745 provided for in this part to ensure that the Tribe is operating
746 in accordance with the terms of the compact. The state may
747 secure an annual independent audit of the conduct of covered
748 games subject to this compact and the Tribe shall cooperate with
749 such audit. The audit shall:

750 (a) Examine the covered games operated by the Tribe to
751 ensure compliance with the Tribe's Internal Control Policies and
752 Procedures and any other standards, policies, or procedures
753 adopted by the Tribe, the commission, or the National Indian
754 Gaming Commission which govern the play of covered games.

755 (b) Examine revenues in connection with the conduct of
756 covered games and include only those matters necessary to verify
757 the determination of net win and the basis and amount of the
758 payments the Tribe is required to make to the state pursuant to
759 Part XI and as defined by this compact.

760 (2) A copy of the audit report for the conduct of covered
761 games shall be submitted to the commission and the state
762 compliance agency within 30 calendar days after completion.
763 Representatives of the state compliance agency may, upon
764 request, meet with the Tribe and its auditors to discuss the
765 audit or any matters in connection therewith; provided that such



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766 discussions are limited to covered games information. The annual
767 independent audit shall be performed by an independent firm
768 selected by the state which has experience in auditing casino
769 operations, subject to the consent of the Tribe, which shall not
770 be unreasonably withheld. The Tribe shall pay for the cost of
771 the annual independent audit.

772 (3) As provided herein, the state compliance agency may
773 monitor the conduct of covered games to ensure that the covered
774 games are conducted in compliance with the provisions of this
775 compact. In order to properly monitor the conduct of covered
776 games, agents of the state compliance agency shall have
777 reasonable access, without prior notice, to all public areas of
778 the facilities related to the conduct of covered games.

779 (a) The state compliance agency may review whether the
780 Tribe's facilities are in compliance with the provisions of this
781 compact and the Tribe's rules and regulations applicable to
782 covered games and may advise on such issues as it deems
783 appropriate. In the event of a dispute or disagreement between
784 Tribal and state compliance agency regulators, the dispute or
785 disagreement shall be resolved in accordance with the dispute
786 resolution provisions of Part XIII.

787 (b) In order to fulfill its oversight responsibilities, the
788 state compliance agency may perform on a routine basis specific
789 oversight testing procedures as set forth in paragraph (c).

790 (c)1. The state compliance agency may inspect any covered
791 games in operation at the facilities on a random basis, provided
792 that such inspections may not exceed one inspection per facility
793 per calendar month and the inspection may not exceed 16 hours
794 spread over those two consecutive days, unless the state



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795 compliance agency determines that additional inspection hours
796 are needed to address the issues of substantial noncompliance,
797 provided that the state compliance agency provides the Tribe
798 with written notification of the need for additional inspection
799 hours and a written summary of the substantial noncompliance
800 issues that need to be addressed during the additional
801 inspection hours. The total number of hours of random
802 inspections and audit reviews per year may not exceed 1,600
803 hours. Inspection hours shall be calculated on the basis of the
804 actual amount of time spent by the state compliance agency
805 conducting the inspections at a facility, without accounting for
806 a multiple for the number of state compliance agency inspectors
807 or agents engaged in the inspection activities. The purpose of
808 the random inspections is to confirm that the covered games
809 function properly pursuant to the manufacturer's technical
810 standards and are conducted in compliance with the Tribe's
811 Internal Control Policies and Procedures and any other
812 standards, policies, or procedures adopted by the Tribe, the
813 commission, or the National Indian Gaming Commission which
814 govern the play of covered games. The state compliance agency
815 shall provide notice to the commission of such inspection at or
816 before the commencement of a random inspection and a commission
817 agent may accompany the inspection.

818 2. For each facility, the state compliance agency may
819 perform one annual review of the Tribe's slot machine compliance
820 audit.

821 3. At least annually, the state compliance agency may meet
822 with the Tribe's Internal Audit Department for Gaming to review
823 internal controls and the record of violations for each



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824 facility.

825 (d) The state compliance agency shall cooperate with and
826 obtain the assistance of the commission in the resolution of any
827 conflicts in the management of the facilities, and the state and
828 the Tribe shall make their best efforts to resolve disputes
829 through negotiation whenever possible. Therefore, to foster a
830 spirit of cooperation and efficiency, the state compliance
831 agency and Tribe shall resolve disputes between the state
832 compliance agency staff and commission regulators about the day-
833 to-day regulation of the facilities through meeting and
834 conferring in good faith. Notwithstanding, the parties may seek
835 other relief that may be available when circumstances require
836 such relief. In the event of a dispute or disagreement between
837 tribal and state compliance agency regulators, the dispute or
838 disagreement shall be resolved in accordance with the dispute
839 resolution provisions of Part XIII.

840 (e) The state compliance agency shall have access to each
841 facility during the facility's operating hours only. No advance
842 notice is required when the state compliance agency inspection
843 is limited to public areas of the facility; however,
844 representatives of the state compliance agency shall provide
845 notice and photographic identification to the commission of
846 their presence before beginning any such inspections.

847 (f) The state compliance agency agents, to ensure that a
848 commission officer is available to accompany the state
849 compliance agency agents at all times, shall provide one hour
850 notice and photographic identification to the commission before
851 entering any nonpublic area of a facility. Agents of the state
852 compliance agency shall be accompanied in nonpublic areas of the



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853 facility by a commission officer.

854 (g) Any suspected or claimed violations of this compact or
855 law shall be directed in writing to the commission. The state
856 compliance agency, in conducting the functions assigned them
857 under this compact, shall not unreasonably interfere with the
858 functioning of any facility.

859 (4) Subject to the provisions herein, the state compliance
860 agency may review and request copies of documents of the
861 facility related to its conduct of covered games during normal
862 business hours unless otherwise allowed by the Tribe. The Tribe
863 may not refuse said inspection and copying of such documents,
864 provided that the inspectors do not require copies of documents
865 in such volume that it unreasonably interferes with the normal
866 functioning of the facilities or covered games. To the extent
867 that the Tribe provides the state with information that the
868 Tribe claims to be confidential and proprietary, or a trade
869 secret, the Tribe shall clearly mark such information with the
870 following designation: "Trade Secret, Confidential, and
871 Proprietary." If the state receives a request under chapter 119
872 that would include such designated information, the state shall
873 promptly notify the Tribe of such a request and the Tribe shall
874 promptly notify the state about its intent to seek judicial
875 protection from disclosure. Upon such notice from the Tribe, the
876 state may not release the requested information until a judicial
877 determination is made. This designation and notification
878 procedure does not excuse the state from complying with the
879 requirements of the state's public records law, but is intended
880 to provide the Tribe the opportunity to seek whatever judicial
881 remedy it deems appropriate. Notwithstanding the foregoing



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882 procedure, the state compliance agency may provide copies of
883 tribal documents to federal law enforcement and other state
884 agencies or state consultants that the state deems reasonably
885 necessary in order to conduct or complete any investigation of
886 suspected criminal activity in connection with the Tribe's
887 covered games or the operation of the facilities or in order to
888 assure the Tribe's compliance with this compact.

889 (5) At the completion of any state compliance agency
890 inspection or investigation, the state compliance agency shall
891 forward any written report thereof to the commission, containing
892 all pertinent, nonconfidential, nonproprietary information
893 regarding any violation of applicable laws or this compact which
894 was discovered during the inspection or investigation unless
895 disclosure thereof would adversely impact an investigation of
896 suspected criminal activity. Nothing herein prevents the state
897 compliance agency from contacting tribal or federal law
898 enforcement authorities for suspected criminal wrongdoing
899 involving the commission.

900 (6) Except as expressly provided in this compact, nothing
901 in this compact shall be deemed to authorize the state to
902 regulate the Tribe's government, including the commission, or to
903 interfere in any way with the Tribe's selection of its
904 governmental officers, including members of the commission.

905
906 PART IX
907

908 JURISDICTION.—The obligations and rights of the state and
909 the Tribe under this compact are contractual in nature and are
910 to be construed in accordance with the laws of the state. This



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911 compact does not alter tribal, federal, or state civil
912 adjudicatory or criminal jurisdiction in any way.

913

914 PART X

915

916 LICENSING.—The Tribe and the commission shall comply with
917 the licensing and hearing requirements set forth in 25 C.F.R.
918 parts 556 and 558, as well as the applicable licensing and
919 hearing requirements set forth in Articles IV, V, and VI of the
920 Seminole Tribal Gaming Code. The commission shall notify the
921 state compliance agency of any disciplinary hearings or
922 revocation or suspension of licenses.

923

924 PART XI

925

926 PAYMENTS TO THE STATE OF FLORIDA.—

927 (1) The parties acknowledge and recognize that this compact
928 provides the Tribe with partial but substantial exclusivity and
929 other valuable consideration consistent with the goals of the
930 Indian Gaming Regulatory Act, including special opportunities
931 for tribal economic development through gaming within the
932 external boundaries of the state with respect to the play of
933 covered games. In consideration thereof, the Tribe covenants and
934 agrees, subject to the conditions agreed upon in Part XII, to
935 make payments to the state derived from net win as set forth in
936 subsections (2) and (7). The Tribe further agrees that it will
937 not purchase or lease any new Class II video bingo terminals or
938 their equivalents for use at its facilities after the effective
939 date of this compact.



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940 (2) The Tribe shall make periodic revenue share payments to
941 the state derived from net win as set forth in this subsection,
942 and any such payments shall be made to the state via electronic
943 funds transfer. Of the amounts paid by the Tribe to the state,
944 three percent shall be distributed to local governments,
945 including both counties and municipalities, in the state
946 affected by the Tribe's operation of covered games. Revenue
947 share payments by the Tribe to the state shall be calculated as
948 follows:

949 (a) During the initial payment period, the Tribe agrees to
950 pay the state a revenue share payment in accordance with this
951 subparagraph.

952 1. 13 percent of all amounts up to \$2 billion of net win
953 received by the Tribe from the operation and play of covered
954 games during each revenue sharing cycle;

955 2. 17.5 percent of all amounts greater than \$2 billion up
956 to and including \$3.5 billion of net win received by the Tribe
957 from the operation and play of covered games during each revenue
958 sharing cycle;

959 3. 20 percent of all amounts greater than \$3.5 billion up
960 to and including \$4 billion of net win received by the Tribe
961 from the operation and play of covered games during each revenue
962 sharing cycle;

963 4. 22.5 percent of all amounts greater than \$4 billion up
964 to and including \$4.5 billion of net win received by the Tribe
965 from the operation and play of covered games during each revenue
966 sharing cycle; or

967 5. 25 percent of all amounts greater than \$4.5 billion of
968 net win received by the Tribe from the operation and play of



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969 covered games during each revenue sharing cycle.

970 (b) During the guarantee payment period, the Tribe agrees
971 to make fixed payments in accordance with this paragraph. In
972 addition, within 90 days after the end of the guarantee payment
973 period, the Tribe shall make an additional payment to the state
974 equal to the amount above \$3 billion, if any, that would have
975 been owed by the Tribe to the state had the percentages set
976 forth in paragraph (c) been applicable during the guarantee
977 payment period.

978 1. A payment of \$325 million during the first revenue
979 sharing cycle;

980 2. A payment of \$350 million during the second revenue
981 sharing cycle;

982 3. A payment of \$375 million during the third revenue
983 sharing cycle;

984 4. A payment of \$425 million during the fourth revenue
985 sharing cycle;

986 5. A payment of \$475 million during the fifth revenue
987 sharing cycle;

988 6. A payment of \$500 million during the sixth revenue
989 sharing cycle; and

990 7. A payment of \$550 million during the seventh revenue
991 sharing cycle.

992 (c) During the regular payment period, the Tribe agrees to
993 pay a revenue share payment, for each revenue sharing cycle, to
994 the state equal to the amount calculated in accordance with this
995 paragraph.

996 1. 13 percent of all amounts up to \$2 billion of net win
997 received by the Tribe from the operation and play of covered



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998 games during each revenue sharing cycle;
999 2. 17.5 percent of all amounts greater than \$2 billion up
1000 to and including \$3.5 billion of net win received by the Tribe
1001 from the operation and play of covered games during each revenue
1002 sharing cycle;
1003 3. 20 percent of all amounts greater than \$3.5 billion up
1004 to and including \$4 billion of net win received by the Tribe
1005 from the operation and play of covered games during each revenue
1006 sharing cycle;
1007 4. 22.5 percent of all amounts greater than \$4 billion up
1008 to and including \$4.5 billion of net win received by the Tribe
1009 from the operation and play of covered games during each revenue
1010 sharing cycle; or
1011 5. 25 percent of all amounts greater than \$4.5 billion of
1012 net win received by the Tribe from the operation and play of
1013 covered games during each revenue sharing cycle.
1014 (3) The Tribe shall remit monthly payments as follows:
1015 (a) On or before the 15th day of the month following each
1016 month of the revenue sharing cycle, the Tribe will remit to the
1017 state or its assignee the monthly payment. For purposes of this
1018 section, the monthly payment shall be 8.3333 percent of the
1019 estimated revenue share payment to be paid by the Tribe during
1020 such revenue sharing cycle.
1021 (b) The Tribe shall make available to the state at the time
1022 of the monthly payment the basis for the calculation of the
1023 payment.
1024 (c) The Tribe shall, on a monthly basis, reconcile the
1025 calculation of the estimated revenue share payment based on the
1026 Tribe's unaudited financial statements related to covered games.



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1027 (4) The Tribe shall have an audit conducted as follows:
1028 (a) On or before the 45th day after the third month, sixth
1029 month, ninth month, and twelfth month of each revenue sharing
1030 cycle, provided that the 12-month period does not coincide with
1031 the Tribe's fiscal year end date as indicated in paragraph (c),
1032 the Tribe shall provide the state with an audit report by its
1033 independent auditors as to the annual revenue share calculation.
1034 (b) For each quarter within revenue sharing cycle, the
1035 Tribe shall engage its independent auditors to conduct a review
1036 of the unaudited net revenue from covered games. On or before
1037 the 120th day after the end of the Tribe's fiscal year, the
1038 Tribe shall require its independent auditors to provide an audit
1039 report with respect to net win for covered games and the related
1040 payment of the annual revenue share.
1041 (c) If the twelfth month of the revenue sharing cycle does
1042 not coincide with the Tribe's fiscal year, the Tribe shall
1043 deduct net win from covered games for any of the months outside
1044 of the revenue sharing cycle and include net win from covered
1045 games for those months outside of the Tribe's audit period but
1046 within the revenue sharing cycle, before issuing the audit
1047 report.
1048 (d) No later than 30 calendar days after the day the audit
1049 report is issued, the Tribe shall remit to the state any
1050 underpayment of the annual revenue share, and the state shall
1051 either reimburse to the Tribe any overpayment of the annual
1052 revenue share or authorize the overpayment to be deducted from
1053 the next successive monthly payment or payments.
1054 (5) If, after any change in state law to affirmatively
1055 allow internet or online gaming, or any functionally equivalent



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1056 remote gaming system that permits a person to play from home or
1057 any other location that is remote from a casino or other
1058 commercial gaming facility, but excluding any fantasy contest
1059 conducted pursuant to s. 546.13, the Tribe's net win from the
1060 operation of covered games at all of its facilities combined
1061 drops more than five percent below its net win from the previous
1062 12-month period, the Tribe shall no longer be required to make
1063 payments to the state based on the guaranteed minimum compact
1064 term payment and shall not be required to make the guaranteed
1065 minimum compact term payment. However, the Tribe shall continue
1066 to make payments based on the percentage revenue share amount.
1067 The Tribe shall resume making the guaranteed minimum compact
1068 term payment for any subsequent revenue sharing cycle in which
1069 its net win rises above the level described in this subsection.
1070 This subsection does not apply if:

1071 (a) The decline in net win is due to acts of God, war,
1072 terrorism, fires, floods, or accidents causing damage to or
1073 destruction of one or more of its facilities or property
1074 necessary to operate the facility of facilities; or

1075 (b) The Tribe offers internet or online gaming or any
1076 functionally equivalent remote gaming system that permits a
1077 person to game from home or any other location that is remote
1078 from any of the Tribe's facilities, as authorized by law.

1079 (6) The annual oversight assessment, which shall not exceed
1080 \$250,000 per year, indexed for inflation as determined by the
1081 Consumer Price Index, shall be determined and paid in quarterly
1082 installments within 30 calendar days after receipt by the Tribe
1083 of an invoice from the state compliance agency. The Tribe
1084 reserves the right to audit the invoices on an annual basis, a



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1085 copy of which will be provided to the state compliance agency,
1086 and any discrepancies found therein shall be reconciled within
1087 45 calendar days after receipt of the audit by the state
1088 compliance agency.

1089 (7) The Tribe shall make an annual donation to the Florida
1090 Council on Compulsive Gaming as an assignee of the state in an
1091 amount not less than \$250,000 per facility.

1092 (8) Except as expressly provided in this part, nothing in
1093 this compact shall be deemed to require the Tribe to make
1094 payments of any kind to the state or any of its agencies.

1095
1096 PART XII

1097
1098 REDUCTION OF TRIBAL PAYMENTS BECAUSE OF LOSS OF EXCLUSIVITY
1099 OR OTHER CHANGES IN STATE LAW.—The intent of this compact is to
1100 provide the Tribe with the right to operate covered games on an
1101 exclusive basis throughout the state, subject to the exceptions
1102 and provisions in this part.

1103 (1) For purposes of this part, the terms "Class III gaming"
1104 or "other casino-style gaming" include, but are not limited to,
1105 slot machines, electronically assisted bingo, electronically
1106 assisted pull-tab games, noncard table games, video lottery
1107 terminals, or any similar games, whether or not such games are
1108 determined through the use of a random number generator. For the
1109 purposes of this part, the terms "Class III gaming" and "other
1110 casino-style gaming" do not include fantasy contests conducted
1111 pursuant to s. 546.13 or designated player games of poker
1112 authorized pursuant to s. 849.086, as those statutes are in
1113 effect on January 1, 2019.



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1114 (a) If, after January 1, 2019, state law is amended,
1115 implemented, or interpreted to allow the operation of Class III
1116 gaming or other casino-style gaming at any location under the
1117 jurisdiction of the state that was not in operation as of
1118 January 1, 2019, or a new form of Class III gaming or other
1119 casino-style gaming that was not in operation as of January 1,
1120 2019, and such gaming is offered to the public as a result of
1121 the amendment, implementation, or interpretation, the Tribe, no
1122 fewer than 30 days after the commencement of such new gaming or
1123 90 days after the state's receipt of written notice from the
1124 Tribe pursuant to paragraph (b), whichever occurs later, may
1125 elect to begin making the affected portion of its payments due
1126 to the state pursuant to subsections (2) and (7) of Part XI,
1127 into an escrow account.

1128 (b) In order to exercise the provisions of paragraph (a),
1129 the Tribe must first notify the state, within 90 days after such
1130 amendment, implementation, or interpretation of state law, of
1131 the Tribe's objections to such action or interpretation and
1132 further specify the basis for the Tribe's contention that such
1133 action or interpretation infringes upon the substantial
1134 exclusivity afforded under this compact. As part of its written
1135 notice, the Tribe must also indicate, if applicable, its
1136 intention to begin making the affected portion of its payments
1137 due to the state into an escrow account.

1138 (c) Upon receipt of written notice from the Tribe, the
1139 state may elect to:

1140 1. Invoke the dispute resolution provisions of Part XIII to
1141 determine whether the Tribe's contention is well-founded. In
1142 such proceeding, the Tribe carries the burden of proof and



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1143 persuasion. The pendency of such proceeding tolls the time
1144 periods set forth in paragraph (1)(a) of Part XII for the
1145 duration of the dispute or litigation; or

1146 2. Seek through enforcement action, legislation, or other
1147 means to stop the conduct of such new games.

1148 (d)1. If, within 15 months following the state's receipt of
1149 written notice from the Tribe, the Tribe's contention is deemed
1150 not to be well-founded at the conclusion of dispute resolution
1151 or new gaming is made illegal and is halted, then all funds
1152 being held in the escrow account shall be released to the state
1153 and all further payments due to the state pursuant to
1154 subsections (2) and (7) of Part XI shall promptly resume.

1155 2. If, after 15 months following the state's receipt of
1156 written notice from the Tribe, the Tribe's contention is deemed
1157 to be well-founded at the conclusion of dispute resolution and
1158 such gaming is not made illegal and halted, then all funds being
1159 held in escrow shall be returned to the Tribe and all further
1160 payments due to the state pursuant to subsections (2) and (7) of
1161 Part XI shall cease or be reduced as provided in subsection (2)
1162 until such gaming is no longer operated, in which event the
1163 payments shall promptly resume.

1164 (2) The following are exceptions to the exclusivity
1165 provisions of subsection (1):

1166 (a) Any Class III gaming authorized by a compact between
1167 the state and any other federally recognized tribe pursuant to
1168 Indian Gaming Regulatory Act, provided that the tribe has land
1169 in federal trust in the state as of January 1, 2018.

1170 (b) The operation of slot machines, which does not include
1171 any game played with tangible playing cards, at:



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1172 1. Each of the four currently operating licensed pari-
1173 mutuel facilities in Broward County and the four currently
1174 operating licensed pari-mutuel facilities in Miami-Dade County,
1175 whether or not currently operating slot machines, provided that
1176 such licenses are not transferred or otherwise used to move or
1177 operate such slot machines at any other location; or

1178 2. Licensed pari-mutuel facilities in counties, other than
1179 Broward County or Miami-Dade County, which have been authorized
1180 by referendum in each of those counties after January 1, 2012,
1181 and on or before September 1, 2018, pursuant to state law as of
1182 January 1, 2019.

1183 (c)1. If state law is amended to allow for the play of any
1184 additional type of Class III or other casino-style gaming at any
1185 of the presently operating licensed pari-mutuel facilities in
1186 Broward and Miami-Dade Counties, the Tribe may be entitled to a
1187 reduction in the revenue sharing payment as described in
1188 subparagraph 2.

1189 2. If the Tribe's annual net win from its facilities
1190 located in Broward County for the 12 month period after the
1191 gaming specified in subparagraph 1. begins to be offered for
1192 public or private use is less than the net revenue base, the
1193 revenue share payments due to the state, pursuant to paragraph
1194 (2) (b) of Part XI, for the next revenue sharing cycle and future
1195 revenue sharing cycles shall be calculated by reducing the
1196 Tribe's payment on revenue generated from its facilities in
1197 Broward County by 50 percent of that reduction in annual net win
1198 from its facilities in Broward County. This paragraph does not
1199 apply if the decline in net win is due to acts of God, war,
1200 terrorism, fires, floods, or accidents causing damage to or



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1201 destruction of one or more of its facilities or property
1202 necessary to operate the facility or facilities.

1203 3. If the Tribe's annual net win from its facilities
1204 located in Broward County subsequently equals or exceeds the net
1205 revenue base, then the Tribe's payments due to the state
1206 pursuant to paragraph (2) (b) of Part XI shall again be
1207 calculated without any reduction, but may be reduced again under
1208 the provisions set forth in subparagraph 2.

1209 (d) If state law is amended to allow the play of Class III
1210 gaming or other casino-style gaming, as defined in this part, at
1211 any location in Miami-Dade County or Broward County under the
1212 jurisdiction of the state that is not presently licensed for the
1213 play of such games at such locations, other than those
1214 facilities set forth in paragraph (c) and this paragraph, and
1215 such games were not in play as of January 1, 2018, and such
1216 gaming begins to be offered for public or private use, the
1217 payments due the state pursuant to subparagraph (c)2., shall be
1218 calculated by excluding the net win from the Tribe's facilities
1219 in Broward County.

1220 (e) The operation of a combined total of not more than 350
1221 historic racing machines, connected to a central server at that
1222 facility, and electronic bingo machines at each pari-mutuel
1223 facility licensed as of January 1, 2018, and not located in
1224 either Broward County or Miami-Dade County.

1225 (f) The operation of pari-mutuel wagering activities at
1226 pari-mutuel facilities licensed by the state.

1227 (g) The operation by the Department of the Lottery of those
1228 types of lottery games authorized under chapter 24 as of January
1229 1, 2018, but not including any player-activated or operated



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1230 machine or device other than a lottery vending machine or any
1231 banked or banking card or table game. However, not more than ten
1232 lottery vending machines may be installed at any facility or
1233 location and no lottery vending machine that dispenses
1234 electronic instant tickets may be installed at any licensed
1235 pari-mutuel facility.

1236 (h) The operation of games of poker, including designated
1237 player games of poker, as authorized by chapter 849 as of
1238 January 1, 2019.

1239 (i) The operation of games permitted by chapters 546 and
1240 849, Florida Statutes, as of January 1, 2019.

1241 (j) The following events shall not trigger any remedy under
1242 this compact and do not affect the exclusivity provisions of
1243 this compact:

1244 1. Any change to the tax rate paid to the state by the
1245 licensed pari-mutuel permitholders for the operation of slot
1246 machines, provided the effective tax rate is not less than 25
1247 percent. If the effective tax rate is less than 25 percent, then
1248 the Tribe shall be relieved of its obligations to make the
1249 guaranteed minimum compact term payment and any further
1250 guaranteed revenue sharing cycle payment, but instead shall make
1251 payments to the state for all future revenue sharing cycles
1252 based on the percentage payments set forth in paragraph (2)(c)
1253 of Part XI, but shall be permitted to exclude all revenue
1254 generated by slot machines at its facilities in Broward County;
1255 and

1256 2. Any change in state law that removes the requirement for
1257 pari-mutuel permitholders to conduct performances of live races
1258 or games in order to operate other authorized gaming activities.



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1288 any factual basis for the claim. Representatives of the Tribe
1289 and state shall meet within 30 calendar days after receipt of
1290 notice in an effort to resolve the dispute, unless they mutually
1291 agree to extend this period.

1292 (2) A party asserting noncompliance or seeking an
1293 interpretation of this compact under this part shall be deemed
1294 to have certified that to the best of the party's knowledge,
1295 information, and belief formed after reasonable inquiry, the
1296 claim of noncompliance or the request for interpretation of this
1297 compact is warranted and made in good faith and not for any
1298 improper purpose, such as to harass or to cause unnecessary
1299 delay or the needless incurring of the cost of resolving the
1300 dispute.

1301 (3) If the parties are unable to resolve a dispute through
1302 the process specified in subsections (1) and (2), either party
1303 may call for mediation under the Commercial Mediation Procedures
1304 of the American Arbitration Association or any successor
1305 procedures, provided that such mediation does not last more than
1306 60 calendar days, unless an extension to this time limit is
1307 negotiated by the parties. Only matters arising under the terms
1308 of this compact may be available for resolution through
1309 mediation. If the parties are unable to resolve a dispute
1310 through the process specified in this part, notwithstanding any
1311 other provision of law, either party may bring an action in a
1312 United States District Court having venue regarding a dispute
1313 arising under this compact. If the court declines to exercise
1314 jurisdiction, or federal precedent exists that holds that the
1315 court would not have jurisdiction over such a dispute, either
1316 party may bring the action in the appropriate court of the



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1317 Seventeenth Judicial Circuit in Broward County, Florida. The
1318 parties are entitled to all rights of appeal permitted by law in
1319 the court system in which the action is brought.

1320 (4) For purposes of actions based on disputes between the
1321 state and the Tribe that arise under this compact and the
1322 enforcement of any judgment resulting from such action, the
1323 Tribe and the state each expressly waive the right to assert
1324 sovereign immunity from suit and from enforcement of any ensuing
1325 judgment, and further consent to be sued in federal or state
1326 court, including the right of appeal specified above, as the
1327 case may be, provided that:

1328 (a) The dispute is limited solely to issues arising under
1329 this compact.

1330 (b) There is no claim for monetary damages, except that
1331 payment of any money required by the terms of this compact, as
1332 well as injunctive relief or specific performance enforcing a
1333 provision of this compact requiring the payment of money to the
1334 state may be sought.

1335 (c) Nothing herein shall be construed to constitute a
1336 waiver of the sovereign immunity of the Tribe with respect to
1337 any third party that is made a party or intervenes as a party to
1338 the action. In the event that intervention, joinder, or other
1339 participation by any additional party in any action between the
1340 state and the Tribe would result in the waiver of the Tribe's
1341 sovereign immunity as to that additional party, the waiver of
1342 the Tribe may be revoked.

1343 (5) The state may not be precluded from pursuing any
1344 mediation or judicial remedy against the Tribe on the grounds
1345 that the state has failed to exhaust its Tribal administrative



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1346 remedies.

1347 (6) Notwithstanding any other provision of this part, any
1348 failure of the Tribe to remit the payments pursuant to the terms
1349 of Part XI entitles the state to seek injunctive relief in
1350 federal or state court, at the state's election, to compel the
1351 payments after the dispute resolution process in subsections (1)
1352 and (2) is exhausted.

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PART XIV

1355

1356 CONSTRUCTION OF COMPACT; SEVERANCE; FEDERAL APPROVAL.-

1357 (1) Each provision of this compact shall stand separate and
1358 independent of every other provision. In the event that a
1359 federal district court in Florida or other court of competent
1360 jurisdiction shall find any provision of this compact to be
1361 invalid, the remaining provisions shall remain in full force and
1362 effect, provided that severing the invalidated provision does
1363 not undermine the overall intent of the parties in entering into
1364 this compact. However, if subsection (6) of Part III, Part XI,
1365 or Part XII are held by a court of competent jurisdiction to be
1366 invalid, this compact will become null and void.

1367

1368 (2) It is understood that Part XII, which provides for a
1369 cessation of the payments to the state under Part XI, does not
1370 create any duty on the state but only a remedy for the Tribe if
1371 gaming under state jurisdiction is expanded.

1372

1373 (3) This compact is intended to meet the requirements of
1374 the Indian Gaming Regulatory Act as it reads on the effective
date of this compact, and where reference is made to the Indian
Gaming Regulatory Act, or to an implementing regulation thereof,



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1375 the reference is deemed to have been incorporated into this
1376 document. Subsequent changes to the Indian Gaming Regulatory Act
1377 that diminish the rights of the state or Tribe may not be
1378 applied retroactively to alter the terms of this compact, except
1379 to the extent that federal law validly mandates that retroactive
1380 application without the respective consent of the state or the
1381 Tribe. In the event that a subsequent change in the Indian
1382 Gaming Regulatory Act, or to an implementing regulation thereof,
1383 mandates retroactive application without the respective consent
1384 of the state or the Tribe, the parties agree that this compact
1385 is voidable by either party if the subsequent change materially
1386 alters the provisions in the compact relating to the play of
1387 covered games, revenue sharing payments, suspension or reduction
1388 of payments, or exclusivity.

1389 (4) Neither the presence of language that is not included
1390 in this compact, nor the absence in this compact of language
1391 that is present in another state-tribal compact shall be a
1392 factor in construing the terms of this compact.

1393 (5) The Tribe and the state shall defend the validity of
1394 this compact.

1395 (6) The parties shall cooperate in seeking approval of this
1396 compact from the Secretary of the Department of the Interior.

1397

1398 PART XV

1399

1400 NOTICES.—All notices required under this compact shall be
1401 given by certified mail, return receipt requested, commercial
1402 overnight courier service, or personal delivery, to the
1403 Governor, the President of the Senate, the Speaker of the House



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1404 of Representatives, and the Chairman and General Counsel of the
1405 Seminole Tribe of Florida.

1406

1407 PART XVI

1408

1409 EFFECTIVE DATE AND TERM.—

1410 (1) This compact, if identical to the version ratified by
1411 the Legislature in s. 285.710(3)(c), Florida Statutes, in 2018,
1412 shall become effective upon its approval as a tribal-state
1413 compact within the meaning of the Indian Gaming Regulatory Act
1414 either by action of the Secretary of the Department of the
1415 Interior or by operation of law under 25 U.S.C. s. 2710(d)(8)
1416 upon publication of a notice of approval in the Federal Register
1417 under 25 U.S.C. s. 2710(d)(8)(D).

1418 (2) This compact shall have a term of twenty-two years
1419 beginning on the first day of the month following the month in
1420 which the compact becomes effective under subsection (1).

1421 (3) The Tribe's authorization to offer covered games under
1422 this compact shall automatically terminate twenty-two years
1423 after the effective date unless renewed by an affirmative act of
1424 the Legislature.

1425

1426 PART XVII

1427

1428 AMENDMENT OF COMPACT AND REFERENCES.—

1429 (1) Amendment of this compact may only be made by written
1430 agreement of the parties, subject to approval by the Secretary
1431 of the Department of the Interior, either by publication of the
1432 notice of approval in the Federal Register or by operation of



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1433 law under 25 U.S.C. s. 2710(d)(8).

1434 (2) Legislative ratification is required for any amendment
1435 to the compact that alters the provisions relating to covered
1436 games, the amount of revenue sharing payments, suspension or
1437 reduction in payments, or exclusivity.

1438 (3) Changes in the provisions of tribal ordinances,
1439 regulations, and procedures referenced in this compact may be
1440 made by the Tribe with 30 days' advance notice to the state. If
1441 the state has an objection to any change to the tribal
1442 ordinance, regulation, or procedure which is the subject of the
1443 notice on the ground that its adoption would be a violation of
1444 the Tribe's obligations under this compact, the state may invoke
1445 the dispute resolution provisions provided in Part XIII.

1447 PART XVIII

1449 MISCELLANEOUS.—

1450 (1) Except to the extent expressly provided in this
1451 compact, this compact is not intended to, and shall not be
1452 construed to, create any right on the part of a third party to
1453 bring an action to enforce any of its terms.

1454 (2) If, after the effective date of this compact, the state
1455 enters into a compact with any other Tribe that contains more
1456 favorable terms with respect to the provisions of this Compact
1457 and the Secretary of the Department of the Interior approves
1458 such compact, either by publication of the notice of approval in
1459 the Federal Register or by operation of law under 25 U.S.C. s.
1460 2710(d)(8), upon tribal notice to the state and the Secretary,
1461 this compact shall be deemed amended to contain the more



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1462 favorable terms, unless the state objects to the change and can
1463 demonstrate, in a proceeding commenced under Part XIII, that the
1464 terms in question are not more favorable.

1465 (3) Upon the occurrence of certain events beyond the
1466 Tribe's control, including acts of God, war, terrorism, fires,
1467 floods, or accidents causing damage to or destruction of one or
1468 more of its facilities or property necessary to operate the
1469 facility or facilities, the Tribe's obligation to pay the
1470 guaranteed minimum compact term payment described in Part XI
1471 shall be reduced pro rata to reflect the percentage of the total
1472 net win lost to the Tribe from the impacted facility or
1473 facilities and the net win specified under subsection (2) of
1474 Part XII for purposes of determining whether the Tribe's
1475 payments described in Part XI shall cease, shall be reduced pro
1476 rata to reflect the percentage of the total net win lost to the
1477 Tribe from the impacted facility or facilities. The foregoing
1478 shall not excuse any obligations of the Tribe to make payments
1479 to the state as and when required hereunder or in any related
1480 document or agreement.

1481 (4) The Tribe and the state recognize that opportunities to
1482 engage in gaming in smoke-free or reduced-smoke environments
1483 provides both health and other benefits to patrons, and the
1484 Tribe has instituted a nonsmoking section at its Seminole Hard
1485 Rock Hotel & Casino-Hollywood Facility. As part of its
1486 continuing commitment to this issue, the Tribe shall:

1487 (a) Install and utilize a ventilation system at all new
1488 construction at its facilities, which system exhausts tobacco
1489 smoke to the extent reasonably feasible under existing state-of-
1490 the-art technology.



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1491 (b) Designate a smoke-free area for slot machines at all
1492 new construction at its facilities.

1493 (c) Install nonsmoking, vented tables for table games
1494 installed in its facilities sufficient to reasonably respond to
1495 demand for such tables.

1496 (d) Designate a nonsmoking area for gaming within all of
1497 its facilities within five years after the effective date of the
1498 compact.

1499 (5) The annual average minimum pay-out of all slot machines
1500 in each facility may not be less than 85 percent.

1501 (6) Nothing in this compact shall alter any of the existing
1502 memoranda of understanding, contracts, or other agreements
1503 entered into between the Tribe and any other federal, state, or
1504 local governmental entity.

1505 (7) The Tribe currently has, as set forth in its Employee
1506 Fair Treatment and Dispute Resolution Policy, and agrees to
1507 maintain, standards that are comparable to the standards
1508 provided in federal laws and state laws forbidding employers
1509 from discrimination in connection with the employment of persons
1510 working at the facilities on the basis of race, color, religion,
1511 national origin, gender, age, disability, or marital status.
1512 Nothing herein shall preclude the Tribe from giving preference
1513 in employment, promotion, seniority, lay-offs, or retention to
1514 members of the Tribe and other federally recognized tribes.

1515 (8) The Tribe shall, with respect to any facility where
1516 covered games are played, adopt and comply with tribal
1517 requirements that meet the same minimum state requirements
1518 applicable to businesses in the state with respect to
1519 environmental and building standards.



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PART XIX

EXECUTION.—The Governor of the State of Florida affirms that he has authority to act for the state in this matter and that, provided that this compact is identical to the compact ratified by the Legislature pursuant to s. 285.710(3)(c), Florida Statutes, no further action by the state or any state official is necessary for this compact to take effect upon federal approval by action of the Secretary of the Department of the Interior or by operation of law under 25 U.S.C. s. 2710(d)(8) by publication of the notice of approval in the Federal Register. The Governor affirms that he will proceed with obtaining such federal approval and take all other appropriate action to effectuate the purposes and intent of this Compact. The undersigned Chairman of the Tribal Council of the Seminole Tribe of Florida affirms that he is duly authorized and has the authority to execute this Compact on behalf of the Tribe. The Chairman also affirms that he will assist in obtaining federal approval and take all other appropriate action to effectuate the purposes and intent of this Compact.

(10) The calculations necessary to determine the local government share distributions shall be made by the state compliance agency based upon the net win per facility as provided by the Tribe. The local government share attributable to each casino shall be distributed as follows:

(b) Broward County shall receive 25 percent, the City of Hollywood shall receive 45 ~~55~~ percent, the Town of Davie shall receive 20 ~~10~~ percent, and the City of Dania Beach shall receive



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1549 10 percent of the local government share derived from the
1550 Seminole Indian Casino-Hollywood.

1551 (c) Broward County shall receive 25 percent, the City of
1552 Hollywood shall receive 45 ~~55~~ percent, the Town of Davie shall
1553 receive 20 ~~40~~ percent, and the City of Dania Beach shall receive
1554 10 percent of the local government share derived from the
1555 Seminole Hard Rock Hotel & Casino-Hollywood.

1556 Section 2. Subsection (4) of section 285.712, Florida
1557 Statutes, is amended to read:

1558 285.712 Tribal-state gaming compacts.-

1559 (4) Upon execution receipt ~~of an act ratifying~~ a tribal-
1560 state compact entered pursuant to s. 285.710(3)(b), the Governor
1561 shall provide a copy to the Secretary of State who shall forward
1562 a copy of the executed compact and the ratifying act to the
1563 United States Secretary of the Interior for his or her review
1564 and approval, in accordance with 25 U.S.C. s. 2710(d)(8)
1565 2710(8)(d).

1566 Section 3. Section 546.13, Florida Statutes, is created to
1567 read:

1568 546.13 Fantasy contests and fantasy contest operators.-

1569 (1) DEFINITIONS.-As used in this section, the term:

1570 (a) "Entry fee" means cash or a cash equivalent that is
1571 required to be paid by a participant in order to participate in
1572 a fantasy contest.

1573 (b) "Fantasy contest" means a fantasy or simulated game or
1574 contest in which:

1575 1. The value of all prizes and awards offered to winning
1576 participants is established and made known to the participants
1577 in advance of the contest and is unrelated to the number of



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1578 participants in the contest;

1579 2. All winning outcomes reflect the relative knowledge and
1580 skill of the participants and are determined predominantly by
1581 accumulated statistical results of the performance of
1582 individuals, including athletes in the case of sporting events;

1583 3. No winning outcome is based on the score, point spread,
1584 or any performance or performances of any single actual team or
1585 combination of such teams, solely on any single performance of
1586 an individual athlete or player in any single actual event, or
1587 on the performances of participants in collegiate, high school,
1588 or youth sporting events; and

1589 4. No casino graphics, themes, or titles, including, but
1590 not limited to, depictions of slot machine-style symbols, cards,
1591 craps, roulette, or lotto, are displayed or depicted.

1592 (c) "Fantasy contest operator" means a person or an entity,
1593 including any employee or agent, that offers or conducts a
1594 fantasy contest with an entry fee for a cash prize or award and
1595 that is not a participant in the fantasy contest.

1596 (2) EXEMPTIONS.—The Department of Business and Professional
1597 Regulation may not regulate and the offenses established in ss.
1598 849.01, 849.08, 849.09, 849.11, 849.14, and 849.25 do not
1599 include or apply to a fantasy contest operated or conducted by
1600 a:

1601 (a) Fantasy contest operator.

1602 (b) Natural person who is a participant in the fantasy
1603 contest, serves as the commissioner of not more than 10 fantasy
1604 contests in a calendar year, and distributes all entry fees for
1605 the fantasy contest as prizes or awards to the participants in
1606 that fantasy contest.



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1607 Section 4. Subsections (1) and (3) of section 550.01215,
1608 Florida Statutes, are amended to read:

1609 550.01215 License application; periods of operation; bond,
1610 conversion of permit.—

1611 (1) Each permitholder shall annually, during the period
1612 between December 15 and January 4, file in writing with the
1613 division its application for an operating a license to conduct
1614 pari-mutuel wagering during the next state fiscal year,
1615 including intertrack and simulcast race wagering for greyhound
1616 racing permitholders, jai alai permitholders, thoroughbred horse
1617 racing permitholders, harness horse racing permitholders, and
1618 quarter horse racing permitholders that do not ~~to~~ conduct live
1619 performances during the next state fiscal year. Each application
1620 for live performances must ~~shall~~ specify the number, dates, and
1621 starting times of all live performances that ~~which~~ the
1622 permitholder intends to conduct. It must ~~shall~~ also specify
1623 which performances will be conducted as charity or scholarship
1624 performances.

1625 (a) ~~In addition,~~ Each application for an operating a
1626 license also must ~~shall~~ include:

1627 1. For each permitholder, whether the permitholder intends
1628 to accept wagers on intertrack or simulcast events.

1629 2. For each permitholder that elects ~~which elects~~ to
1630 operate a cardroom, the dates and periods of operation the
1631 permitholder intends to operate the cardroom. ~~or~~

1632 3. For each thoroughbred racing permitholder that ~~which~~
1633 elects to receive or rebroadcast out-of-state races after 7
1634 p.m., the dates for all performances which the permitholder
1635 intends to conduct.



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1636 (b) A greyhound racing permitholder that conducted a full
1637 schedule of live racing for a period of at least 10 consecutive
1638 state fiscal years after the 1996-1997 state fiscal year, or
1639 that converted its permit to a permit to conduct greyhound
1640 racing after the 1996-1997 state fiscal year, irrevocably may
1641 elect not to conduct live racing if the election is made within
1642 36 months after the effective date of this act. A greyhound
1643 racing permitholder that makes such election retains its permit;
1644 is a pari-mutuel facility as defined in s. 550.002(23); if such
1645 permitholder has been issued a slot machine license, the
1646 facility where such permit is located remains an eligible
1647 facility as defined in s. 551.102(4), continues to be eligible
1648 for a slot machine license, and is exempt from ss. 551.104(3)
1649 and (4)(c)1. and 551.114(2) and (4); is eligible, but not
1650 required, to be a guest track for purposes of intertrack
1651 wagering and simulcasting pursuant to ss. 550.3551, 550.615, and
1652 550.6305; and remains eligible for a cardroom license
1653 notwithstanding any requirement in s. 849.086 for the conduct of
1654 live performances. A greyhound racing permitholder may receive
1655 an operating license to conduct pari-mutuel wagering activities
1656 at another permitholder's greyhound racing facility pursuant to
1657 s. 550.475.

1658 (c)1. A thoroughbred horse racing permitholder that has
1659 conducted live racing for at least 5 years irrevocably may elect
1660 not to conduct live racing if the election is made within 30
1661 days after the effective date of this act. A thoroughbred horse
1662 racing permitholder that makes such election may retain such
1663 permit, must specify in future applications for an operating
1664 license that it does not intend to conduct live racing, and is a



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1665 pari-mutuel facility as defined in s. 550.002(23).
1666 2. A thoroughbred horse racing permitholder that makes such
1667 election:
1668 a. If such permitholder has been issued a slot machine
1669 license, the facility where such permit is located remains an
1670 eligible facility as defined in s. 551.102(4), continues to be
1671 eligible for a slot machine license, and is exempt from ss.
1672 550.5251, 551.104(3) and (4)(c)1. and 551.114(2) and (4);
1673 b. Is eligible, but not required, to be a guest track for
1674 purposes of intertrack wagering and simulcasting pursuant to ss.
1675 550.3551, 550.615, and 550.6305; and
1676 c. Remains eligible for a cardroom license notwithstanding
1677 any requirement in s. 849.086 for the conduct of live racing.
1678 3. A thoroughbred horse racing permitholder that makes such
1679 election shall comply with all contracts regarding contributions
1680 by such permitholder to thoroughbred horse purse supplements or
1681 breeders' awards entered into before the effective date of this
1682 act pursuant to s. 551.104(10)(a). At the time of such election,
1683 such permitholder shall file with the division an irrevocable
1684 consent that such contributions shall be allowed to be used for
1685 puruses and awards on live races at other thoroughbred horse
1686 racing facilities in this state. Such permitholder may offset
1687 its contributions to thoroughbred horse purse supplements and
1688 breeders' awards under such a contract entered before the
1689 effective date of this act against the payments required
1690 pursuant to s. 551.104(4)(c)2.a. This subparagraph and s.
1691 551.104(10)(a) do not apply after December 31, 2020, to a
1692 thoroughbred horse racing permitholder that made such election.
1693 (d) A jai alai permitholder, harness horse racing



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1694 permitholder or a quarter horse racing permitholder that has
1695 conducted live racing or games for at least 5 years irrevocably
1696 may elect not to conduct live racing or games if the election is
1697 made within 36 months after the effective date of this act. A
1698 permitholder that makes such election retains its permit; is a
1699 pari-mutuel facility as defined in s. 550.002(23); if such
1700 permitholder has been issued a slot machine license, the
1701 facility where such permit is located remains an eligible
1702 facility as defined in s. 551.102(4), continues to be eligible
1703 for a slot machine license, and is exempt from ss. 551.104(3)
1704 and (4)(c)1. and 551.114(2) and (4); is eligible, but not
1705 required, to be a guest track and, if the permitholder is a
1706 harness horse racing permitholder, to be a host track for
1707 purposes of intertrack wagering and simulcasting pursuant to ss.
1708 550.3551, 550.615, 550.625, and 550.6305; and remains eligible
1709 for a cardroom license notwithstanding any requirement in s.
1710 849.086 to conduct live performances.

1711 (e) Permitholders ~~may shall be entitled to~~ amend their
1712 applications through February 28.

1713 (3) The division shall issue each license no later than
1714 March 15. Each permitholder shall operate all performances at
1715 the date and time specified on its license. The division shall
1716 have the authority to approve minor changes in racing dates
1717 after a license has been issued. The division may approve
1718 changes in racing dates after a license has been issued when
1719 there is no objection from any operating permitholder located
1720 within 50 miles of the permitholder requesting the changes in
1721 operating dates. In the event of an objection, the division
1722 shall approve or disapprove the change in operating dates based



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1723 upon the impact on operating permitholders located within 50
1724 miles of the permitholder requesting the change in operating
1725 dates. In making the determination to change racing dates, the
1726 division shall take into consideration the impact of such
1727 changes on state revenues. Notwithstanding any other provision
1728 of law, and for the 2018-2019 fiscal year only, the division may
1729 approve changes in racing dates for permitholders if the request
1730 for such changes is received before May 31, 2018.

1731 Section 5. Subsections (9), (13), (14), and paragraph (a)
1732 of subsection (11) of section 550.054, Florida Statutes, are
1733 amended to read:

1734 550.054 Application for permit to conduct pari-mutuel
1735 wagering.—

1736 (9) (a) After a permit has been granted by the division and
1737 has been ratified and approved by the majority of the electors
1738 participating in the election in the county designated in the
1739 permit, the division shall grant to the lawful permitholder,
1740 subject to the conditions of this chapter, a license to conduct
1741 pari-mutuel operations under this chapter, ~~and, except as~~
1742 ~~provided in s. 550.5251,~~ the division shall fix annually the
1743 time, place, and number of days during which pari-mutuel
1744 operations may be conducted by the permitholder at the location
1745 fixed in the permit and ratified in the election. After the
1746 first license has been issued to the holder of a ratified permit
1747 for racing in any county, all subsequent annual applications for
1748 a license by that permitholder must be accompanied by proof, in
1749 such form as the division requires, that the ratified
1750 permitholder still possesses all the qualifications prescribed
1751 by this chapter and that the permit has not been recalled at a



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1752 later election held in the county.

1753 (b) The division may revoke or suspend any permit or
1754 license issued under this chapter upon a the willful violation
1755 by the permitholder or licensee of any provision of chapter 551,
1756 chapter 849, or this chapter or rules of any rule adopted
1757 pursuant to those chapters. With the exception of the revocation
1758 of permits required in paragraphs (c) and (e) under this
1759 chapter. In lieu of suspending or revoking a permit or license,
1760 the division, in lieu of suspending or revoking a permit or
1761 license, may impose a civil penalty against the permitholder or
1762 licensee for a violation of this chapter or rules adopted
1763 pursuant thereto any rule adopted by the division. The penalty
1764 so imposed may not exceed \$1,000 for each count or separate
1765 offense. All penalties imposed and collected must be deposited
1766 with the Chief Financial Officer to the credit of the General
1767 Revenue Fund.

1768 (c)1. The division shall revoke the permit of any
1769 permitholder that fails to make payments due pursuant to chapter
1770 550, chapter 551, or s. 849.086 for more than 24 consecutive
1771 months unless such failure was the direct result of fire,
1772 strike, war, or other disaster or event beyond the
1773 permitholder's control. Financial hardship to the permitholder
1774 does not, in and of itself, constitute just cause for failure to
1775 make payments.

1776 2. The division shall revoke the permit of any permitholder
1777 that has not obtained an operating license in accordance with s.
1778 550.01215 for a period of more than 24 consecutive months after
1779 June 30, 2012. The division shall revoke the permit upon
1780 adequate notice to the permitholder. Financial hardship to the



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1781 permitholder does not, in and of itself, constitute just cause
1782 for failure to operate.

1783 (d) A new permit to conduct pari-mutuel wagering may not be
1784 approved or issued after January 1, 2018.

1785 (e) A permit revoked under this subsection is void and may
1786 not be reissued.

1787 (11) (a) A permit granted under this chapter may not be
1788 transferred or assigned except upon written approval by the
1789 division pursuant to s. 550.1815, ~~except that the holder of any~~
1790 ~~permit that has been converted to a jai alai permit may lease or~~
1791 ~~build anywhere within the county in which its permit is located.~~

1792 (13) ~~(a)~~ Notwithstanding any provisions of this chapter or
1793 chapter 551, a pari-mutuel no thoroughbred horse racing permit
1794 or license issued under this chapter may not shall be
1795 transferred, or reissued when such reissuance is in the nature
1796 of a transfer so as to permit or authorize a licensee to change
1797 the location of a pari-mutuel facility, or a cardroom or slot
1798 machine facility, except through the relocation of the pari-
1799 mutuel permit pursuant to s. 550.0555 thoroughbred horse
1800 ~~racetrack except upon proof in such form as the division may~~
1801 ~~prescribe that a referendum election has been held:~~

1802 1. ~~If the proposed new location is within the same county~~
1803 ~~as the already licensed location, in the county where the~~
1804 ~~licensee desires to conduct the race meeting and that a majority~~
1805 ~~of the electors voting on that question in such election voted~~
1806 ~~in favor of the transfer of such license.~~

1807 2. ~~If the proposed new location is not within the same~~
1808 ~~county as the already licensed location, in the county where the~~
1809 ~~licensee desires to conduct the race meeting and in the county~~



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1810 ~~where the licensee is already licensed to conduct the race~~
1811 ~~meeting and that a majority of the electors voting on that~~
1812 ~~question in each such election voted in favor of the transfer of~~
1813 ~~such license.~~

1814 ~~(b) Each referendum held under the provisions of this~~
1815 ~~subsection shall be held in accordance with the electoral~~
1816 ~~procedures for ratification of permits, as provided in s.~~
1817 ~~550.0651. The expense of each such referendum shall be borne by~~
1818 ~~the licensee requesting the transfer.~~

1819 ~~(14)(a) Notwithstanding any other provision of law, a pari-~~
1820 ~~mutuel permit, cardroom, or slot machine facility may not be~~
1821 ~~relocated, except through the relocation of the pari-mutuel~~
1822 ~~permit pursuant to s. 550.0555, and a pari-mutuel permit may not~~
1823 ~~be converted to another class of permit. Any holder of a permit~~
1824 ~~to conduct jai alai may apply to the division to convert such~~
1825 ~~permit to a permit to conduct greyhound racing in lieu of jai~~
1826 ~~alai if:~~

1827 ~~1. Such permit is located in a county in which the division~~
1828 ~~has issued only two pari-mutuel permits pursuant to this~~
1829 ~~section;~~

1830 ~~2. Such permit was not previously converted from any other~~
1831 ~~class of permit; and~~

1832 ~~3. The holder of the permit has not conducted jai alai~~
1833 ~~games during a period of 10 years immediately preceding his or~~
1834 ~~her application for conversion under this subsection.~~

1835 ~~(b) The division, upon application from the holder of a jai~~
1836 ~~alai permit meeting all conditions of this section, shall~~
1837 ~~convert the permit and shall issue to the permitholder a permit~~
1838 ~~to conduct greyhound racing. A permitholder of a permit~~



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1839 ~~converted under this section shall be required to apply for and~~
1840 ~~conduct a full schedule of live racing each fiscal year to be~~
1841 ~~eligible for any tax credit provided by this chapter. The holder~~
1842 ~~of a permit converted pursuant to this subsection or any holder~~
1843 ~~of a permit to conduct greyhound racing located in a county in~~
1844 ~~which it is the only permit issued pursuant to this section who~~
1845 ~~operates at a leased facility pursuant to s. 550.475 may move~~
1846 ~~the location for which the permit has been issued to another~~
1847 ~~location within a 30-mile radius of the location fixed in the~~
1848 ~~permit issued in that county, provided the move does not cross~~
1849 ~~the county boundary and such location is approved under the~~
1850 ~~zoning regulations of the county or municipality in which the~~
1851 ~~permit is located, and upon such relocation may use the permit~~
1852 ~~for the conduct of pari-mutuel wagering and the operation of a~~
1853 ~~cardroom. The provisions of s. 550.6305(9)(d) and (f) shall~~
1854 ~~apply to any permit converted under this subsection and shall~~
1855 ~~continue to apply to any permit which was previously included~~
1856 ~~under and subject to such provisions before a conversion~~
1857 ~~pursuant to this section occurred.~~

1858 Section 6. Section 550.0745, Florida Statutes, is repealed.

1859 Section 7. Subsection (3) of section 550.09512, Florida
1860 Statutes, is amended to read:

1861 550.09512 Harness horse taxes; abandoned interest in a
1862 permit for nonpayment of taxes.-

1863 (3)(a) The division shall revoke the permit of a harness
1864 horse racing permitholder who does not pay tax on handle for
1865 live harness horse performances for a full schedule of live
1866 races for more than 24 consecutive months during any 2
1867 consecutive state fiscal years shall be void and shall escheat



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1868 ~~to and become the property of the state unless such failure to~~
1869 ~~operate and pay tax on handle was the direct result of fire,~~
1870 ~~strike, war, or other disaster or event beyond the ability of~~
1871 ~~the permitholder to control. Financial hardship to the~~
1872 ~~permitholder does shall not, in and of itself, constitute just~~
1873 ~~cause for failure to operate and pay tax on handle. A permit~~
1874 ~~revoked under this subsection is void and may not be reissued.~~

1875 ~~(b) In order to maximize the tax revenues to the state, the~~
1876 ~~division shall reissue an escheated harness horse permit to a~~
1877 ~~qualified applicant pursuant to the provisions of this chapter~~
1878 ~~as for the issuance of an initial permit. However, the~~
1879 ~~provisions of this chapter relating to referendum requirements~~
1880 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
1881 ~~escheated harness horse permit. As specified in the application~~
1882 ~~and upon approval by the division of an application for the~~
1883 ~~permit, the new permitholder shall be authorized to operate a~~
1884 ~~harness horse facility anywhere in the same county in which the~~
1885 ~~escheated permit was authorized to be operated, notwithstanding~~
1886 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

1887 Section 8. Subsections (3) and (7) of section 550.09515,
1888 Florida Statutes, are amended to read:

1889 550.09515 Thoroughbred horse taxes; abandoned interest in a
1890 permit for nonpayment of taxes.-

1891 (3) ~~(a)~~ The division shall revoke the permit of a
1892 thoroughbred racing horse permitholder that who does not pay tax
1893 on handle for live thoroughbred horse performances for a full
1894 schedule of live races for more than 24 consecutive months
1895 ~~during any 2 consecutive state fiscal years shall be void and~~
1896 ~~shall escheat to and become the property of the state unless~~



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1897 such failure to operate and pay tax on handle was the direct
1898 result of fire, strike, war, or other disaster or event beyond
1899 the ability of the permitholder to control. Financial hardship
1900 to the permitholder does ~~shall~~ not, in and of itself, constitute
1901 just cause for failure to operate and pay tax on handle. A
1902 permit revoked under this subsection is void and may not be
1903 reissued.

1904 ~~(b) In order to maximize the tax revenues to the state, the~~
1905 ~~division shall reissue an escheated thoroughbred horse permit to~~
1906 ~~a qualified applicant pursuant to the provisions of this chapter~~
1907 ~~as for the issuance of an initial permit. However, the~~
1908 ~~provisions of this chapter relating to referendum requirements~~
1909 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
1910 ~~escheated thoroughbred horse permit. As specified in the~~
1911 ~~application and upon approval by the division of an application~~
1912 ~~for the permit, the new permitholder shall be authorized to~~
1913 ~~operate a thoroughbred horse facility anywhere in the same~~
1914 ~~county in which the escheated permit was authorized to be~~
1915 ~~operated, notwithstanding the provisions of s. 550.054(2)~~
1916 ~~relating to mileage limitations.~~

1917 ~~(7) If a thoroughbred permitholder fails to operate all~~
1918 ~~performances on its 2001-2002 license, failure to pay tax on~~
1919 ~~handle for a full schedule of live races for those performances~~
1920 ~~in the 2001-2002 fiscal year does not constitute failure to pay~~
1921 ~~taxes on handle for a full schedule of live races in a fiscal~~
1922 ~~year for the purposes of subsection (3). This subsection may not~~
1923 ~~be construed as forgiving a thoroughbred permitholder from~~
1924 ~~paying taxes on performances conducted at its facility pursuant~~
1925 ~~to its 2001-2002 license other than for failure to operate all~~



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1926 ~~performances on its 2001-2002 license. This subsection expires~~
1927 ~~July 1, 2003.~~

1928 Section 9. Paragraph (a) of subsection (1) of section
1929 550.2415, Florida Statutes, is amended to read:

1930 550.2415 Racing of animals under certain conditions
1931 prohibited; penalties; exceptions.—

1932 (1) (a) The racing of an animal that has been impermissibly
1933 medicated or determined to have a prohibited substance present
1934 is prohibited. It is a violation of this section for a person to
1935 impermissibly medicate an animal or for an animal to have a
1936 prohibited substance present resulting in a positive test for
1937 such medications or substances based on samples taken from the
1938 animal before or immediately after the racing of that animal. It
1939 is a violation of this section for a greyhound to have anabolic
1940 steroids present resulting in a positive test for such steroids
1941 based on samples taken from the greyhound before or immediately
1942 after the racing of that greyhound. Test results and the
1943 identities of the animals being tested and of their trainers and
1944 owners of record are confidential and exempt from s. 119.07(1)
1945 and from s. 24(a), Art. I of the State Constitution for 10 days
1946 after testing of all samples collected on a particular day has
1947 been completed and any positive test results derived from such
1948 samples have been reported to the director of the division or
1949 administrative action has been commenced.

1950 Section 10. Section 550.3345, Florida Statutes, is amended
1951 to read:

1952 550.3345 ~~Conversion of quarter horse permit to a Limited~~
1953 ~~thoroughbred~~ racing permit.—

1954 (1) In recognition of the important and long-standing



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1955 economic contribution of the thoroughbred horse breeding
1956 industry to this state and the state's vested interest in
1957 promoting the continued viability of this agricultural activity,
1958 the state intends to provide a limited opportunity for the
1959 conduct of live thoroughbred horse racing with the net revenues
1960 from such racing dedicated to the enhancement of thoroughbred
1961 purses and breeders', stallion, and special racing awards under
1962 this chapter; the general promotion of the thoroughbred horse
1963 breeding industry; and the care in this state of thoroughbred
1964 horses retired from racing.

1965 (2) A limited thoroughbred racing permit previously
1966 converted from ~~Notwithstanding any other provision of law, the~~
1967 ~~holder of a quarter horse racing permit pursuant to chapter~~
1968 2010-29, Laws of Florida, issued under s. 550.334 may only be
1969 held by, within 1 year after the effective date of this section,
1970 ~~apply to the division for a transfer of the quarter horse racing~~
1971 ~~permit to~~ a not-for-profit corporation formed under state law to
1972 serve the purposes of the state as provided in subsection (1).
1973 The board of directors of the not-for-profit corporation must be
1974 composed ~~comprised~~ of 11 members, 4 of whom shall be designated
1975 by the applicant, 4 of whom shall be designated by the Florida
1976 Thoroughbred Breeders' Association, and 3 of whom shall be
1977 designated by the other 8 directors, with at least 1 of these 3
1978 members being an authorized representative of another
1979 thoroughbred racing permitholder in this state. A limited
1980 thoroughbred racing ~~The not-for-profit corporation shall submit~~
1981 ~~an application to the division for review and approval of the~~
1982 ~~transfer in accordance with s. 550.054. Upon approval of the~~
1983 ~~transfer by the division, and notwithstanding any other~~



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1984 ~~provision of law to the contrary, the not-for-profit corporation~~
1985 ~~may, within 1 year after its receipt of the permit, request that~~
1986 ~~the division convert the quarter horse racing permit to a permit~~
1987 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~
1988 ~~thoroughbred racing. Neither the transfer of the quarter horse~~
1989 ~~racing permit nor its conversion to a limited thoroughbred~~
1990 ~~permit shall be subject to the mileage limitation or the~~
1991 ~~ratification election as set forth under s. 550.054(2) or s.~~
1992 ~~550.0651. Upon receipt of the request for such conversion, the~~
1993 ~~division shall timely issue a converted permit. The converted~~
1994 ~~permit and the not-for-profit corporation are shall be subject~~
1995 ~~to the following requirements:~~

1996 (a) All net revenues derived by the not-for-profit
1997 corporation under the thoroughbred ~~horse~~ racing permit, after
1998 the funding of operating expenses and capital improvements,
1999 shall be dedicated to the enhancement of thoroughbred purses and
2000 breeders', stallion, and special racing awards under this
2001 chapter; the general promotion of the thoroughbred horse
2002 breeding industry; and the care in this state of thoroughbred
2003 horses retired from racing.

2004 (b) From December 1 through April 30, ~~no~~ live thoroughbred
2005 racing may not be conducted under the permit on any day during
2006 which another thoroughbred racing permitholder is conducting
2007 live thoroughbred racing within 125 air miles of the not-for-
2008 profit corporation's pari-mutuel facility unless the other
2009 thoroughbred racing permitholder gives its written consent.

2010 (c) After ~~the conversion of the quarter horse racing permit~~
2011 ~~and the~~ issuance of its initial license to conduct pari-mutuel
2012 wagering meets of thoroughbred racing, the not-for-profit



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2013 corporation shall annually apply to the division for a license
2014 ~~pursuant to s. 550.5251.~~

2015 (d) Racing under the permit may take place ~~only~~ at the
2016 location for which the original quarter horse racing permit was
2017 issued, which may be leased by the not-for-profit corporation
2018 for that purpose, notwithstanding s. 550.475; however, the not-
2019 for-profit corporation may, without the conduct of any
2020 ratification election pursuant to s. 550.054(13) or s. 550.0651,
2021 move the location of the permit to another location in the same
2022 county or counties, if a permit is situated in such a manner
2023 that it is located in more than one county, provided that such
2024 relocation is approved under the zoning and land use regulations
2025 of the applicable county or municipality.

2026 (e) A limited thoroughbred racing ~~no~~ permit may not be
2027 transferred ~~converted under this section is eligible for~~
2028 ~~transfer~~ to another person or entity.

2029 (3) Unless otherwise provided in this section, ~~after~~
2030 ~~conversion~~, the permit and the not-for-profit corporation shall
2031 be treated under the laws of this state as a thoroughbred racing
2032 permit and as a thoroughbred racing permitholder, respectively,
2033 with the exception of ss. 550.054(9)(c) and 550.09515(3) ~~s.~~
2034 ~~550.09515(3)~~.

2035 Section 11. Section 550.5251, Florida Statutes, is amended
2036 to read:

2037 550.5251 Florida thoroughbred racing; certain permits;
2038 operating days.—

2039 (1) ~~Each thoroughbred permitholder shall annually, during~~
2040 ~~the period commencing December 15 of each year and ending~~
2041 ~~January 4 of the following year, file in writing with the~~



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2042 ~~division its application to conduct one or more thoroughbred~~
2043 ~~racing meetings during the thoroughbred racing season commencing~~
2044 ~~on the following July 1. Each application shall specify the~~
2045 ~~number and dates of all performances that the permitholder~~
2046 ~~intends to conduct during that thoroughbred racing season. On or~~
2047 ~~before March 15 of each year, the division shall issue a license~~
2048 ~~authorizing each permitholder to conduct performances on the~~
2049 ~~dates specified in its application. Up to February 28 of each~~
2050 ~~year, each permitholder may request and shall be granted changes~~
2051 ~~in its authorized performances; but thereafter, as a condition~~
2052 ~~precedent to the validity of its license and its right to retain~~
2053 ~~its permit, each permitholder must operate the full number of~~
2054 ~~days authorized on each of the dates set forth in its license.~~

2055 ~~(2) A thoroughbred racing permitholder may not begin any~~
2056 ~~race later than 7 p.m. Any thoroughbred permitholder in a county~~
2057 ~~in which the authority for cardrooms has been approved by the~~
2058 ~~board of county commissioners may operate a cardroom and, when~~
2059 ~~conducting live races during its current race meet, may receive~~
2060 ~~and rebroadcast out of state races after the hour of 7 p.m. on~~
2061 ~~any day during which the permitholder conducts live races.~~

2062 ~~(3)(a) Each licensed thoroughbred permitholder in this~~
2063 ~~state must run an average of one race per racing day in which~~
2064 ~~horses bred in this state and duly registered with the Florida~~
2065 ~~Thoroughbred Breeders' Association have preference as entries~~
2066 ~~over non-Florida-bred horses, unless otherwise agreed to in~~
2067 ~~writing by the permitholder, the Florida Thoroughbred Breeders'~~
2068 ~~Association, and the association representing a majority of the~~
2069 ~~thoroughbred racehorse owners and trainers at that location. All~~
2070 ~~licensed thoroughbred racetracks shall write the conditions for~~



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2071 such races in which Florida-bred horses are preferred so as to
2072 assure that all Florida-bred horses available for racing at such
2073 tracks are given full opportunity to run in the class of races
2074 for which they are qualified. The opportunity of running must be
2075 afforded to each class of horses in the proportion that the
2076 number of horses in this class bears to the total number of
2077 Florida-bred horses available. A track is not required to write
2078 conditions for a race to accommodate a class of horses for which
2079 a race would otherwise not be run at the track during its meet.

2080 (2) ~~(b)~~ Each licensed thoroughbred permitholder in this
2081 state may run one additional race per racing day composed
2082 exclusively of Arabian horses registered with the Arabian Horse
2083 Registry of America. Any licensed thoroughbred permitholder that
2084 elects to run one additional race per racing day composed
2085 exclusively of Arabian horses registered with the Arabian Horse
2086 Registry of America is not required to provide stables for the
2087 Arabian horses racing under this subsection ~~paragraph~~.

2088 (3) ~~(c)~~ Each licensed thoroughbred permitholder in this
2089 state may run up to three additional races per racing day
2090 composed exclusively of quarter horses registered with the
2091 American Quarter Horse Association.

2092 Section 12. Subsections (1), (4), and (5) of section
2093 550.6308, Florida Statutes, are amended to read:

2094 550.6308 Limited intertrack wagering license.—In
2095 recognition of the economic importance of the thoroughbred
2096 breeding industry to this state, its positive impact on tourism,
2097 and of the importance of a permanent thoroughbred sales facility
2098 as a key focal point for the activities of the industry, a
2099 limited license to conduct intertrack wagering is established to



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2100 ensure the continued viability and public interest in
2101 thoroughbred breeding in Florida.

2102 (1) Upon application to the division on or before January
2103 31 of each year, any person that is licensed to conduct public
2104 sales of thoroughbred horses pursuant to s. 535.01 ~~and,~~ that has
2105 conducted at least 8 ~~15~~ days of thoroughbred horse sales at a
2106 permanent sales facility in this state for at least 3
2107 consecutive years, ~~and that has conducted at least 1 day of~~
2108 ~~nonwagering thoroughbred racing in this state, with a purse~~
2109 ~~structure of at least \$250,000 per year for 2 consecutive years~~
2110 before such application, shall be issued a license, subject to
2111 the conditions set forth in this section, to conduct intertrack
2112 wagering at such a permanent sales facility ~~during the following~~
2113 ~~periods:~~

2114 ~~(a) Up to 21 days in connection with thoroughbred sales;~~

2115 ~~(b) Between November 1 and May 8;~~

2116 ~~(c) Between May 9 and October 31 at such times and on such~~
2117 ~~days as any thoroughbred, jai alai, or a greyhound permitholder~~
2118 ~~in the same county is not conducting live performances; provided~~
2119 ~~that any such permitholder may waive this requirement, in whole~~
2120 ~~or in part, and allow the licensee under this section to conduct~~
2121 ~~intertrack wagering during one or more of the permitholder's~~
2122 ~~live performances; and~~

2123 ~~(d) During the weekend of the Kentucky Derby, the~~
2124 ~~Preakness, the Belmont, and a Breeders' Cup Meet that is~~
2125 ~~conducted before November 1 and after May 8.~~

2126

2127 Only ~~No more than~~ one such license may be issued, and no such
2128 license may be issued for a facility located within 50 miles of



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2129 any for-profit thoroughbred permitholder's track.

2130 ~~(4) Intertrack wagering under this section may be conducted~~
2131 ~~only on thoroughbred horse racing, except that intertrack~~
2132 ~~wagering may be conducted on any class of pari-mutuel race or~~
2133 ~~game conducted by any class of permitholders licensed under this~~
2134 ~~chapter if all thoroughbred, jai alai, and greyhound~~
2135 ~~permitholders in the same county as the licensee under this~~
2136 ~~section give their consent.~~

2137 ~~(4)-(5) The licensee shall be considered a guest track under~~
2138 ~~this chapter. The licensee shall pay 2.5 percent of the total~~
2139 ~~contributions to the daily pari-mutuel pool on wagers accepted~~
2140 ~~at the licensee's facility on greyhound races or jai alai games~~
2141 ~~to the thoroughbred permitholder that is conducting live races~~
2142 ~~for purses to be paid during its current racing meet. If more~~
2143 ~~than one thoroughbred permitholder is conducting live races on a~~
2144 ~~day during which the licensee is conducting intertrack wagering~~
2145 ~~on greyhound races or jai alai games, the licensee shall~~
2146 ~~allocate these funds between the operating thoroughbred~~
2147 ~~permitholders on a pro rata basis based on the total live handle~~
2148 ~~at the operating permitholders' facilities.~~

2149 Section 13. Subsections (4), (10), and (11) of section
2150 551.102, Florida Statutes, are amended to read:

2151 551.102 Definitions.—As used in this chapter, the term:

2152 (4) "Eligible facility" means any licensed pari-mutuel
2153 facility ~~located in Miami Dade County or Broward County existing~~
2154 ~~at the time of adoption of s. 23, Art. X of the State~~
2155 ~~Constitution that has conducted live racing or games during~~
2156 ~~calendar years 2002 and 2003 and has been approved by a majority~~
2157 ~~of voters in a countywide referendum to have slot machines at~~



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2158 ~~such facility in the respective county; any licensed pari-mutuel~~
2159 ~~facility located within a county as defined in s. 125.011,~~
2160 ~~provided such facility has conducted live racing for 2~~
2161 ~~consecutive calendar years immediately preceding its application~~
2162 ~~for a slot machine license, pays the required license fee, and~~
2163 ~~meets the other requirements of this chapter; or any licensed~~
2164 ~~pari-mutuel facility in any other county in which a majority of~~
2165 ~~voters have approved slot machines at such facilities in a~~
2166 ~~countywide referendum held pursuant to a statutory or~~
2167 ~~constitutional authorization after the effective date of this~~
2168 ~~section in the respective county, provided such facility has~~
2169 ~~conducted a full schedule of live racing for 2 consecutive~~
2170 ~~calendar years immediately preceding its application for a slot~~
2171 ~~machine license, pays the required licensed fee, and meets the~~
2172 ~~other requirements of this chapter.~~

2173 (10) "Slot machine license" means a license issued by the
2174 division authorizing a pari-mutuel permitholder to place and
2175 operate slot machines as provided in ~~by s. 23, Art. X of the~~
2176 ~~State Constitution, the provisions of this chapter,~~ and by
2177 division rule ~~rules~~.

2178 (11) "Slot machine licensee" means a pari-mutuel
2179 permitholder which ~~who~~ holds a license issued by the division
2180 pursuant to this chapter which ~~that~~ authorizes such person to
2181 possess a slot machine ~~within facilities specified in s. 23,~~
2182 ~~Art. X of the State Constitution~~ and allows slot machine gaming.

2183 Section 14. Subsections (1) and (2) and paragraph (c) of
2184 subsection (4) of section 551.104, Florida Statutes, are amended
2185 to read:

2186 551.104 License to conduct slot machine gaming.-



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2187 (1) Upon application, ~~and~~ a finding by the division after
2188 investigation that the application is complete and that the
2189 applicant is qualified, and payment of the initial license fee,
2190 the division may issue a license to conduct slot machine gaming
2191 in the designated slot machine gaming area of the eligible
2192 facility. Once licensed, slot machine gaming may be conducted
2193 subject to ~~the requirements of~~ this chapter and rules adopted
2194 pursuant thereto. The division may not issue a slot machine
2195 license to any pari-mutuel permitholder that includes, or
2196 previously included within its ownership group, an ultimate
2197 equitable owner that was also an ultimate equitable owner of a
2198 pari-mutuel permitholder whose permit was voluntarily or
2199 involuntarily surrendered, suspended, or revoked by the division
2200 within 10 years before the date of the permitholder's filing of
2201 an application for a slot machine license.

2202 (2) An application may be approved by the division only
2203 after:

2204 (a) The voters of the county where the applicant's facility
2205 is located have authorized by referendum slot machines within
2206 pari-mutuel facilities located in: ~~that county as specified in~~
2207 ~~s. 23, Art. X of the State Constitution~~

2208 1. Miami-Dade County or Broward County existing at the time
2209 of adoption of s. 23, Art. X of the State Constitution which
2210 conducted live racing or games during calendar years 2002 and
2211 2003, if such permitholder pays the required license fee and
2212 meets the other requirements of this chapter.

2213 2. A county as defined in s. 125.011, provided such
2214 facility has conducted live racing for 2 consecutive calendar
2215 years immediately preceding its application for a slot machine



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2216 license, pays the required license fee, and meets the other
2217 requirements of this chapter.

2218 3. Any other county, provided:

2219 a. The permitholder of such facility has conducted a full
2220 schedule of live racing or games, as defined in s. 550.002(11),
2221 for 2 consecutive calendar years immediately preceding its
2222 application for a slot machine license, pays the required
2223 license fee, and meets the other requirements of this chapter,
2224 and such referendum was conducted after January 1, 2012, and on
2225 or before September 1, 2018; or

2226 b. Such facility is located on or contiguous with property
2227 of the qualified project of a public-private partnership between
2228 the permitholder and a responsible public entity in accordance
2229 with s. 255.065 and for which a comprehensive agreement has been
2230 executed pursuant to s. 255.065 (7), has conducted a full
2231 schedule of live racing or games, as defined in s. 550.002(11),
2232 for 2 consecutive calendar years immediately preceding its
2233 application, pays the required license fee and meets the other
2234 requirements of this chapter, and such referendum is conducted
2235 after the effective date of this act and on or before September
2236 1, 2018.

2237 (b) The applicant, for a facility described in subparagraph
2238 (a)3., irrevocably surrenders to the division one greyhound
2239 racing permit or one jai alai permit issued pursuant to chapter
2240 550 and, after surrendering such permit, continues to hold the
2241 permit authorizing pari-mutuel wagering activities at the
2242 location at which the applicant intends to operate slot machine
2243 gaming. For a permit to be qualified for surrender by an
2244 applicant under this paragraph, the holder of such greyhound



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2245 racine permit or jai alai permit, including any previous owner
2246 of such permit, must have conducted a full schedule of live
2247 racine or games, as defined in s. 550.002(11), under such permit
2248 for not less than the 5 state fiscal years immediately prior to
2249 state fiscal year 2018-2019. Upon the surrender of such
2250 greyhound racing permit or jai alai permit, the surrendered
2251 permit is void and may not be reissued.

2252 (4) As a condition of licensure and to maintain continued
2253 authority for the conduct of slot machine gaming, a the slot
2254 machine licensee shall:

2255 (c)1. Conduct no less fewer than a full schedule of live
2256 racine or games as defined in s. 550.002(11), unless conducting
2257 less than a full schedule of live racine or games pursuant to s.
2258 550.01215(1) (b), (c), or (d). A permitholder's responsibility to
2259 conduct a full schedule such number of live races or games, as
2260 defined in s. 550.002(11), shall be reduced by the number of
2261 races or games that could not be conducted due to the direct
2262 result of fire, war, hurricane, or other disaster or event
2263 beyond the control of the permitholder. A permitholder may
2264 conduct live races or games at another pari-mutuel facility
2265 pursuant to s. 550.475 if such permitholder has operated its
2266 live races or games by lease for at least 5 consecutive years
2267 immediately prior to the permitholder's application for a slot
2268 machine license.

2269 2.a. If not licensed to conduct a full schedule of live
2270 racine or games, as defined in s. 550.002(11), pursuant to s.
2271 550.01215(1) (b), (c), or (d), remit each month to each qualified
2272 thoroughbred permitholder, by electronic funds transfer, an
2273 amount equal to one-twelfth of the lesser of \$1.5 million or



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2274 2.75 percent of its slot machine revenues from the previous
2275 state fiscal year, divided by the total number of qualified
2276 thoroughbred permitholders for the applicable state fiscal year.

2277 b. Notwithstanding sub-subparagraph a., if not licensed to
2278 conduct a full schedule of live racing or games, as defined in
2279 s. 550.002(11), pursuant to s. 550.01215(1)(c), remit each month
2280 after the expiration of a contract entered before the effective
2281 date of this act pursuant to s. 551.104(10)(a), to each
2282 qualified thoroughbred permitholder, by electronic funds
2283 transfer, an amount equal to one-twelfth of \$3.5 million during
2284 calendar year 2021, \$3 million during calendar year 2022, \$2.5
2285 million during calendar year 2023, and \$2 million during
2286 calendar year 2024. This sub-subparagraph does not apply in
2287 calendar year 2025 and thereafter.

2288 c. Qualified thoroughbred permitholders shall use such
2289 payments exclusively for purses and awards for live thoroughbred
2290 horse races held at the qualified thoroughbred permitholder's
2291 racing facility. For the purposes of this subparagraph, the term
2292 "qualified thoroughbred permitholder" means a thoroughbred
2293 permitholder conducting, in the applicable state fiscal year, no
2294 less than a full schedule of live racing or games, as defined in
2295 s. 550.002(11), and no fewer live thoroughbred horse racing
2296 performances than such permitholder conducted in state fiscal
2297 year 2017-2018. The term does not include a permitholder whose
2298 permit was issued pursuant to s. 550.3345 or a permitholder
2299 leasing at another thoroughbred permitholder's facility pursuant
2300 to s. 550.475.

2301 d. The division shall notify each slot machine licensee
2302 required to remit such payments, not later than 15 days after



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2303 issuing the slot machine license, of the qualified thoroughbred
2304 permitholders to which such payments must be paid. Each
2305 qualified thoroughbred permitholder shall provide each slot
2306 machine licensee required to remit payments pursuant to this
2307 subparagraph with written instructions for transmitting such
2308 electronic payments. Such payments shall be remitted to each
2309 qualified thoroughbred permitholder on the fifth day of each
2310 calendar month. If the fifth day of the calendar month falls on
2311 a weekend, such payment shall be remitted on the first Monday
2312 following the weekend.

2313 e. A qualified thoroughbred permitholder receiving funds
2314 under this subparagraph shall remit, within 10 days after
2315 receipt, 10 percent of those funds to the Florida Thoroughbred
2316 Breeders' Association, Inc., for the payment of breeders',
2317 stallion, and special racing awards, subject to the fee
2318 authorized in s. 550.2625(3).

2319 f. A slot machine licensee that conducts no live racing
2320 pursuant to s. 550.01215(1)(c) and has made payments pursuant to
2321 sub-subparagraph 2.b. may offset the total amount paid in
2322 calendar years 2021, 2022, 2023, and 2024, that is in excess of
2323 the total amount that would have been paid pursuant to sub-
2324 subparagraph 2.a. in those calendar years, against the amount
2325 required to be paid under sub-subparagraph 2.a., beginning in
2326 calendar year 2026. Provided, however, the total amount that may
2327 be offset each month against the total of the monthly amounts
2328 remitted pursuant to sub-subparagraph 2.a. may not exceed one-
2329 twelfth of \$500,000 in calendar years 2026, 2027, and 2028;
2330 \$600,000 in calendar years 2029, 2030, and 2031; and \$700,000 in
2331 each subsequent calendar year, until the total amount authorized



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2332 to be offset under this sub-subparagraph in all calendar years
2333 equals \$5 million.

2334 Section 15. Subsections (3) and (5) of section 551.106,
2335 Florida Statutes, are redesignated as subsections (4) and (6),
2336 respectively, a new subsection (3) is added to that section, and
2337 subsections (1), (2), and present subsection (4) of that section
2338 are amended, to read:

2339 551.106 License fee; tax rate; penalties.—

2340 (1) LICENSE FEE.—

2341 ~~(a) Upon submission of the initial application for a slot~~
2342 ~~machine license, and annually thereafter, on the anniversary~~
2343 ~~date of the issuance of the initial license, the licensee must~~
2344 ~~pay to the division a nonrefundable license fee of \$3 million~~
2345 ~~for the succeeding 12 months of licensure. In the 2010-2011~~
2346 ~~fiscal year, the licensee must pay the division a nonrefundable~~
2347 ~~license fee of \$2.5 million for the succeeding 12 months of~~
2348 ~~licensure. In the 2011-2012 fiscal year and for every fiscal~~
2349 ~~year thereafter, the licensee must pay the division a~~
2350 ~~nonrefundable license fee of \$2 million for the succeeding 12~~
2351 ~~months of licensure. The license fee must ~~shall~~ be deposited~~
2352 ~~into the Pari-mutuel Wagering Trust Fund of the Department of~~
2353 ~~Business and Professional Regulation to be used by the division~~
2354 ~~and the Department of Law Enforcement for investigations,~~
2355 ~~regulation of slot machine gaming, and enforcement of slot~~
2356 ~~machine gaming provisions under this chapter. These payments~~
2357 ~~must ~~shall~~ be accounted for separately from taxes or fees paid~~
2358 ~~pursuant to the provisions of chapter 550.~~

2359 ~~(b) Prior to January 1, 2007, the division shall evaluate~~
2360 ~~the license fee and shall make recommendations to the President~~



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2361 ~~of the Senate and the Speaker of the House of Representatives~~
2362 ~~regarding the optimum level of slot machine license fees in~~
2363 ~~order to adequately support the slot machine regulatory program.~~

2364 (2) TAX ON SLOT MACHINE REVENUES.-

2365 (a)1. The tax rate on slot machine revenues at each
2366 facility ~~is shall be~~ 35 percent. Effective January 1, 2019, the
2367 tax rate on slot machine revenues at each facility is 30
2368 percent. Effective July 1, 2020, the tax rate on slot machine
2369 revenues at each facility is 25 percent.

2370 2.a. If, during any state fiscal year, the aggregate amount
2371 of tax paid to the state by ~~all~~ slot machine licensees in
2372 Broward and Miami-Dade Counties is less than the aggregate
2373 amount of tax paid to the state by ~~all slot machine~~ licensees in
2374 those counties in the 2017-2018 2008-2009 fiscal year, each slot
2375 machine licensee shall pay to the state within 45 days after the
2376 end of the state fiscal year a surcharge ~~equal to its pro rata~~
2377 ~~share of an amount equal to the difference between the aggregate~~
2378 ~~amount of tax paid to the state by all slot machine licensees in~~
2379 ~~the 2008-2009 fiscal year and the amount of tax paid during the~~
2380 ~~fiscal year.~~

2381 b. The amount of the surcharge to be paid by each such
2382 licensee must be calculated by dividing the aggregate amount of
2383 slot machine taxes paid to the state by all such slot machine
2384 licensees in the 2017-2018 fiscal year by the aggregate amount
2385 of slot machine taxes paid by all such licensees during the
2386 applicable state fiscal year, multiplying the result by the
2387 amount of slot machine taxes paid by the licensee during the
2388 applicable state fiscal year, and then subtracting from that
2389 product the amount of slot machine taxes paid by the licensee



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2390 during the applicable state fiscal year. However, the sum of the
2391 taxes paid by a licensee pursuant to subparagraph 1. and any
2392 surcharge due from the licensee may not exceed 35 percent of the
2393 slot machine revenue of that licensee in the applicable state
2394 fiscal year ~~Each licensee's pro rata share shall be an amount~~
2395 ~~determined by dividing the number 1 by the number of facilities~~
2396 ~~licensed to operate slot machines during the applicable fiscal~~
2397 ~~year, regardless of whether the facility is operating such~~
2398 ~~machines.~~

2399 (b) The slot machine revenue tax imposed by this section on
2400 facilities licensed pursuant to s. 551.104(2) (a)1., 2., or 3.a.
2401 must ~~shall~~ be paid to the division for deposit into the Pari-
2402 mutuel Wagering Trust Fund for immediate transfer by the Chief
2403 Financial Officer for deposit into the Educational Enhancement
2404 Trust Fund of the Department of Education. Any interest earnings
2405 on the tax revenues must ~~shall~~ also be transferred to the
2406 Educational Enhancement Trust Fund. The slot machine revenue tax
2407 imposed by this section on facilities licensed pursuant to s.
2408 551.104(2) (a)3.b. must be paid to the division for deposit into
2409 the Pari-mutuel Wagering Trust Fund. The division must transfer
2410 90 percent of such funds to be deposited by the Chief Financial
2411 Officer into the Educational Enhancement Trust Fund of the
2412 Department of Education and must transfer 10 percent of such
2413 funds to the responsible public entity for the public-private
2414 partnership of the slot machine licensee pursuant to ss.
2415 551.104(2) (a)3.b. and 255.065.

2416 (c)1. Funds transferred to the Educational Enhancement
2417 Trust Fund under paragraph (b) must ~~shall~~ be used to supplement
2418 public education funding statewide. Funds transferred to a



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2419 responsible public entity pursuant to paragraph (b) must be used
2420 in accordance with s. 255.065 to finance the qualifying project
2421 of such entity and the slot machine licensee, which established
2422 the licensee's eligibility for initial licensure pursuant to s.
2423 551.104(2)(a)3.b.

2424 2. If necessary to comply with any covenant established
2425 pursuant to s. 1013.68(4), s. 1013.70(1), or s. 1013.737(3),
2426 funds transferred to the Educational Enhancement Trust Fund
2427 under paragraph (b) must ~~shall~~ first be available to pay debt
2428 service on lottery bonds issued to fund school construction in
2429 the event lottery revenues are insufficient for such purpose or
2430 to satisfy debt service reserve requirements established in
2431 connection with lottery bonds. Moneys available pursuant to this
2432 subparagraph are subject to annual appropriation by the
2433 Legislature.

2434 (3) SLOT MACHINE GUARANTEE FEE; SURCHARGE.-

2435 (a) If a permitholder located within a county that has
2436 conducted a successful slot machine referendum after January 1,
2437 2012, does not pay at least \$10 million in total slot machine
2438 taxes and license fees to the state in state fiscal year 2018-
2439 2019, the permitholder shall pay to the state within 45 days
2440 after the end of the state fiscal year a surcharge equal to the
2441 difference between the aggregate amount of slot machine taxes
2442 and license fees paid to the state in the fiscal year and \$10
2443 million, regardless of whether the permitholder or licensee
2444 operated slot machines during the fiscal year.

2445 (b) If a permitholder located within a county that has
2446 conducted a successful slot machine referendum after January 1,
2447 2012, does not pay at least \$20 million in total slot machine



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2448 taxes and license fees to the state in state fiscal year 2019-
2449 2020 and any subsequent state fiscal year, the permitholder
2450 shall pay to the state within 45 days after the end of the state
2451 fiscal year a surcharge equal to the difference between the
2452 aggregate amount of slot machine taxes and license fees paid to
2453 the state in the fiscal year and \$20 million, regardless of
2454 whether the permitholder or licensee operated slot machines
2455 during the fiscal year.

2456 (5) ~~(4)~~ TO PAY TAX; PENALTIES.—A slot machine licensee who
2457 fails to make tax and any applicable surcharge payments as
2458 required under this section is subject to an administrative
2459 penalty of up to \$10,000 for each day the tax payment is not
2460 remitted. All administrative penalties imposed and collected
2461 must shall be deposited into the Pari-mutuel Wagering Trust Fund
2462 of the Department of Business and Professional Regulation. If
2463 any slot machine licensee fails to pay penalties imposed by
2464 order of the division under this subsection, the division may
2465 deny, suspend, revoke, or refuse to renew the license of the
2466 permitholder or slot machine licensee.

2467 Section 16. Subsections (1), (2), and (4) of section
2468 551.114, Florida Statutes, are amended to read:

2469 551.114 Slot machine gaming areas.—

2470 (1) (a) A slot machine licensee whose initial license was
2471 issued before January 1, 2018, may make available for play up
2472 to:

2473 1. 1,600 ~~2,000~~ slot machines within the property of the
2474 facilities of the slot machine licensee, if the licensee made
2475 available for play 1,250 or more slot machines during state
2476 fiscal year 2016-2017.



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2477 2. 1,200 slot machines within the property of the
2478 facilities of the slot machine licensee, if the licensee made
2479 available for play 1,000 or more slot machines, but less than
2480 1,250 slot machines, during state fiscal year 2016-2017.

2481 3. 1,000 slot machines within the property of the
2482 facilities of the slot machine licensee, if the licensee made
2483 available for play less than 1,000 slot machines during state
2484 fiscal year 2016-2017.

2485 (b)1. A slot machine licensee whose initial license was
2486 issued on or after January 1, 2018, may make available for play
2487 up to 750 slot machines within the property of the facilities of
2488 the slot machine licensee; provided however, the total number of
2489 slot machines which may be made available for play by all slot
2490 machine licensees whose initial license was issued after January
2491 1, 2018, may not exceed 6,000 slot machines.

2492 2. If the total number of slot machines which all licensees
2493 whose initial license was issued on or after January 1, 2018,
2494 would exceed 6,000 slot machines if each such licensee were to
2495 operate 750 slot machines, the maximum number of slot machines
2496 each such licensee may make available for play may not exceed
2497 6,000 divided by the number of licensees whose initial license
2498 was issued after January 1, 2018.

2499 (2) If such races or games are available to the slot
2500 machine licensee, the slot machine licensee shall display pari-
2501 mutuel races or games within the designated slot machine gaming
2502 areas and offer patrons within the designated slot machine
2503 gaming areas the ability to engage in pari-mutuel wagering on
2504 any live, intertrack, and simulcast races conducted or offered
2505 to patrons of the licensed facility.



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2506 (4) Designated slot machine gaming areas shall ~~may~~ be
2507 located anywhere within the property described in a slot machine
2508 licensee's pari-mutuel permit ~~within the current live gaming~~
2509 ~~facility or in an existing building that must be contiguous and~~
2510 ~~connected to the live gaming facility. If a designated slot~~
2511 ~~machine gaming area is to be located in a building that is to be~~
2512 ~~constructed, that new building must be contiguous and connected~~
2513 ~~to the live gaming facility.~~

2514 Section 17. Section 551.116, Florida Statutes, is amended
2515 to read:

2516 551.116 Days and hours of operation.—Slot machine gaming
2517 areas may be open 24 hours per day, 7 days a week ~~daily~~
2518 throughout the year. ~~The slot machine gaming areas may be open a~~
2519 ~~cumulative amount of 18 hours per day on Monday through Friday~~
2520 ~~and 24 hours per day on Saturday and Sunday and on those~~
2521 ~~holidays specified in s. 110.117(1).~~

2522 Section 18. Present subsections (9) through (17) of section
2523 849.086, Florida Statutes, are redesignated as subsections (10)
2524 through (18), respectively, a new subsection (9) is added to
2525 that section, subsections (1) and (2) of that section are
2526 amended, paragraph (g) is added to subsection (4) of that
2527 section, and paragraph (b) of subsection (5), paragraphs (a),
2528 (b), and (c) of subsection (7), paragraph (a) of subsection (8),
2529 present subsection (12), and paragraphs (d) and (h) of present
2530 subsection (13) are amended, to read:

2531 849.086 Cardrooms authorized.—

2532 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
2533 to provide additional entertainment choices for the residents of
2534 and visitors to the state, promote tourism in the state, provide



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2535 revenues to support the continuation of live pari-mutuel
2536 activity, and provide additional state revenues through the
2537 authorization of the playing of certain games in the state at
2538 facilities known as cardrooms which are to be located at
2539 licensed pari-mutuel facilities. To ensure the public confidence
2540 in the integrity of authorized cardroom operations, this act is
2541 designed to strictly regulate the facilities, persons, and
2542 procedures related to cardroom operations. Furthermore, the
2543 Legislature finds that authorized games of poker and dominoes ~~as~~
2544 ~~herein defined~~ are considered to be pari-mutuel style games and
2545 not casino gaming because the participants play against each
2546 other instead of against the house.

2547 (2) DEFINITIONS.—As used in this section:

2548 (a) "Authorized game" means a game or series of games of
2549 poker, including designated player games, played in conformance
2550 with this section and in a manner consistent with the rules and
2551 requirements specified in the 1974 edition of Hoyle's Modern
2552 Encyclopedia of Card Games: Rules of All the Basic Games and
2553 Popular Variations and including three card poker, or dominoes
2554 played in conformance with this section ~~or dominoes which are~~
2555 ~~played in a nonbanking manner.~~

2556 (b) "Banking game" means a game in which the house is a
2557 participant in the game, taking on players, paying winners, and
2558 collecting from losers ~~or in which the cardroom establishes a~~
2559 ~~bank against which participants play.~~ A designated player game
2560 is not a banking game.

2561 (c) "Cardroom" means a facility where authorized games are
2562 played for money or anything of value and to which the public is
2563 invited to participate in such games and charged a fee for



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2564 participation by the operator of such facility. Authorized games
2565 and cardrooms do not constitute casino gaming operations if
2566 conducted at an eligible facility.

2567 (d) "Cardroom management company" means any individual not
2568 an employee of the cardroom operator, any proprietorship,
2569 partnership, corporation, or other entity that enters into an
2570 agreement with a cardroom operator to manage, operate, or
2571 otherwise control the daily operation of a cardroom.

2572 (e) "Cardroom distributor" means any business that
2573 distributes cardroom paraphernalia such as card tables, betting
2574 chips, chip holders, dominoes, dominoes tables, drop boxes,
2575 banking supplies, playing cards, card shufflers, and other
2576 associated equipment to authorized cardrooms.

2577 (f) "Cardroom operator" means a licensed pari-mutuel
2578 permitholder that ~~which~~ holds a valid permit and license issued
2579 by the division pursuant to chapter 550 and which also holds a
2580 valid cardroom license issued by the division pursuant to this
2581 section which authorizes such person to operate a cardroom and
2582 to conduct authorized games in such cardroom.

2583 (g) "Designated player" means the player identified for
2584 each game by a button that rotates clockwise before each hand
2585 begins as the player in the dealer position and seated at a
2586 traditional player position in a designated player game who pays
2587 winning players and collects from losing players.

2588 (h) "Designated player game" means a game in which the
2589 players compare their cards only to the cards of the designated
2590 player or to a combination of cards held by the designated
2591 player and cards common and available for play by all players.

2592 (i) ~~(g)~~ "Division" means the Division of Pari-mutuel



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2593 Wagering of the Department of Business and Professional
2594 Regulation.

2595 (j)~~(h)~~ "Dominoes" means a game of dominoes typically played
2596 with a set of 28 flat rectangular blocks, called "bones," which
2597 are marked on one side and divided into two equal parts, with
2598 zero to six dots, called "pips," in each part. The term also
2599 includes larger sets of blocks that contain a correspondingly
2600 higher number of pips. The term also means the set of blocks
2601 used to play the game.

2602 (k)~~(i)~~ "Gross receipts" means the total amount of money
2603 received by a cardroom from any person for participation in
2604 authorized games.

2605 (l)~~(j)~~ "House" means the cardroom operator and all
2606 employees of the cardroom operator.

2607 (m)~~(k)~~ "Net proceeds" means the total amount of gross
2608 receipts received by a cardroom operator from cardroom
2609 operations less direct operating expenses related to cardroom
2610 operations, including labor costs, admission taxes only if a
2611 separate admission fee is charged for entry to the cardroom
2612 facility, gross receipts taxes imposed on cardroom operators by
2613 this section, the annual cardroom license fees imposed by this
2614 section on each table operated at a cardroom, and reasonable
2615 promotional costs excluding officer and director compensation,
2616 interest on capital debt, legal fees, real estate taxes, bad
2617 debts, contributions or donations, or overhead and depreciation
2618 expenses not directly related to the operation of the cardrooms.

2619 (n)~~(l)~~ "Rake" means a set fee or percentage of the pot
2620 assessed by a cardroom operator for providing the services of a
2621 dealer, table, or location for playing the authorized game.



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2622 (o) ~~(m)~~ "Tournament" means a series of games that have more
2623 than one betting round involving one or more tables and where
2624 the winners or others receive a prize or cash award.

2625 (4) AUTHORITY OF DIVISION.—The Division of Pari-mutuel
2626 Wagering of the Department of Business and Professional
2627 Regulation shall administer this section and regulate the
2628 operation of cardrooms under this section and the rules adopted
2629 pursuant thereto, and is hereby authorized to:

2630 (g) Establish a reasonable period to respond to requests
2631 from a licensed cardroom; provided however, the division has a
2632 maximum of 45 days to approve:

2633 1. A cardroom's internal controls or provide the cardroom
2634 with a list of deficiencies as to the internal controls.

2635 2. Rules for a new authorized game submitted by a licensed
2636 cardroom or provide the cardroom with a list of deficiencies as
2637 to those rules.

2638
2639 No later than 10 days after the submission of revised internal
2640 controls or revised rules addressing the deficiencies identified
2641 by the division, the division must review and approve or reject
2642 the revised internal controls or revised rules.

2643 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
2644 operate a cardroom in this state unless such person holds a
2645 valid cardroom license issued pursuant to this section.

2646 (b) After the initial cardroom license is granted, the
2647 application for the annual license renewal shall be made in
2648 conjunction with the applicant's annual application for its
2649 pari-mutuel license. If a permitholder has operated a cardroom
2650 during any of the 3 previous fiscal years and fails to include a



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2651 renewal request for the operation of the cardroom in its annual
2652 application for license renewal, the permitholder may amend its
2653 annual application to include operation of the cardroom. ~~In~~
2654 ~~order for a cardroom license to be renewed the applicant must~~
2655 ~~have requested, as part of its pari-mutuel annual license~~
2656 ~~application, to conduct at least 90 percent of the total number~~
2657 ~~of live performances conducted by such permitholder during~~
2658 ~~either the state fiscal year in which its initial cardroom~~
2659 ~~license was issued or the state fiscal year immediately prior~~
2660 ~~thereto if the permitholder ran at least a full schedule of live~~
2661 ~~racing or games in the prior year. If the application is for a~~
2662 ~~harness permitholder cardroom, the applicant must have requested~~
2663 ~~authorization to conduct a minimum of 140 live performances~~
2664 ~~during the state fiscal year immediately prior thereto. If more~~
2665 ~~than one permitholder is operating at a facility, each~~
2666 ~~permitholder must have applied for a license to conduct a full~~
2667 ~~schedule of live racing.~~

2668 (7) CONDITIONS FOR OPERATING A CARDROOM.—

2669 (a) A cardroom may be operated only at the location
2670 specified on the cardroom license issued by the division, and
2671 such location may only be the location at which the pari-mutuel
2672 permitholder is authorized to conduct pari-mutuel wagering
2673 activities pursuant to such permitholder's valid pari-mutuel
2674 permit or as otherwise authorized by law. ~~Cardroom operations~~
2675 ~~may not be allowed beyond the hours provided in paragraph (b)~~
2676 ~~regardless of the number of cardroom licenses issued for~~
2677 ~~permitholders operating at the pari-mutuel facility.~~

2678 (b) Any cardroom operator may operate a cardroom at the
2679 pari-mutuel facility daily throughout the year, if the



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2680 permitholder meets the requirements under paragraph (5) (b). The
2681 cardroom may be open ~~a cumulative amount of 18 hours per day on~~
2682 ~~Monday through Friday and 24 hours per day on Saturday and~~
2683 ~~Sunday and on the holidays specified in s. 110.117(1).~~

2684 (c) A cardroom operator must at all times employ and
2685 provide a nonplaying live dealer at ~~for~~ each table on which
2686 authorized ~~card games which traditionally use a dealer~~ are
2687 conducted ~~at the cardroom~~. Such dealers may not have a
2688 participatory interest in any game other than the dealing of
2689 cards and may not have an interest in the outcome of the game.
2690 The providing of such dealers by a licensee does not constitute
2691 the conducting of a banking game by the cardroom operator.

2692 (8) METHOD OF WAGERS; LIMITATION.—

2693 (a) ~~No~~ Wagering may not be conducted using money or other
2694 negotiable currency. Games may only be played utilizing a
2695 wagering system whereby all players' money is first converted by
2696 the house to tokens or chips that may ~~which shall~~ be used for
2697 wagering only at that specific cardroom.

2698 (9) DESIGNATED PLAYER GAMES AUTHORIZED.—

2699 (a) A cardroom operator may offer designated player games
2700 consisting of players making wagers against the designated
2701 player. However, not more than 50 percent of the total licensed
2702 tables in a cardroom may offer designated player games. The
2703 designated player must be licensed pursuant to paragraph (6) (b).
2704 Employees of a designated player also must be licensed, and the
2705 designated player shall pay, in addition to the business
2706 occupational fee established pursuant to paragraph (6) (i), an
2707 employee occupational license fee that may not exceed \$500 per
2708 employee for any 12-month period.



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2709 (b) A cardroom operator may not serve as a designated
2710 player in any game. The cardroom operator may not have a
2711 financial interest in a designated player in any game. A
2712 cardroom operator may collect a rake in accordance with the rake
2713 structure posted at the table.

2714 (c) If there are multiple designated players at a table,
2715 the dealer button shall be rotated in a clockwise rotation after
2716 each hand.

2717 (d) A cardroom operator may not allow a designated player
2718 to pay an opposing player who holds a lower-ranked hand.

2719 (e) A designated player may not be required by the rules of
2720 a game or by the rules of a cardroom to cover more than 10 times
2721 the maximum wager for players participating in any one game.

2722 (f) The cardroom, or any cardroom licensee, may not
2723 contract with, or receive compensation other than a posted table
2724 rake from, any player to participate in any game to serve as a
2725 designated player.

2726 (13) ~~(12)~~ PROHIBITED ACTIVITIES.-

2727 (a) A ~~No~~ person licensed to operate a cardroom may not
2728 conduct any banking game or any game not specifically authorized
2729 by this section.

2730 (b) A ~~No~~ person who is younger than ~~under~~ 18 years of age
2731 may not be permitted to hold a cardroom or employee license, or
2732 to engage in any game conducted therein.

2733 (c) With the exception of mechanical card shufflers, ~~No~~
2734 electronic or mechanical devices, ~~except mechanical card~~
2735 shufflers, may not be used to conduct any authorized game in a
2736 cardroom.

2737 (d) ~~No~~ Cards, game components, or game implements may not



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2738 be used in playing an authorized game unless they have ~~such has~~
2739 been furnished or provided to the players by the cardroom
2740 operator.

2741 (14) ~~(13)~~ TAXES AND OTHER PAYMENTS.—

2742 (d)1. Each ~~greyhound and jai alai~~ permitholder that
2743 operates a cardroom facility shall use at least 4 percent of
2744 such permitholder's cardroom monthly gross receipts to
2745 supplement ~~greyhound~~ purses and awards or jai alai prize money,
2746 respectively, during the permitholder's next ensuing pari-mutuel
2747 meet.

2748 2.a. Any permitholder with a cardroom license and
2749 conducting less than a full schedule of live racing or games, as
2750 defined in s. 550.002(11), pursuant to s. 550.01215(1)(b), (c),
2751 or (d), shall remit each month to each qualified thoroughbred
2752 permitholder, by electronic funds transfer, an amount equal to 4
2753 percent of its monthly cardroom gross receipts divided by the
2754 total number of qualified thoroughbred permitholders for a
2755 license year. Qualified thoroughbred permitholders shall use
2756 such payments exclusively for purses and awards for live
2757 thoroughbred horse races held at the qualified thoroughbred
2758 permitholder's racing facility. For the purposes of this
2759 subparagraph, the term "qualified thoroughbred permitholder"
2760 means a thoroughbred permitholder conducting, in the applicable
2761 state fiscal year, no less than a full schedule of live racing
2762 or games, as defined in s. 550.002(11), and no fewer live
2763 thoroughbred horse racing performances than such permitholder
2764 conducted in state fiscal year 2017-2018. The term does not
2765 include a permitholder whose permit was issued pursuant to s.
2766 550.3345 or a permitholder leasing at another thoroughbred



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2767 permitholder's facility pursuant to s. 550.475.

2768 b. The division shall notify each cardroom licensee
2769 required to remit such payments, not later than 15 days after
2770 issuing the cardroom license, of the qualified thoroughbred
2771 permitholders to which such payments must be paid. Each
2772 qualified thoroughbred permitholder shall provide each cardroom
2773 licensee required to remit payments pursuant to this
2774 subparagraph with written instructions for transmitting such
2775 electronic payments. Such payments shall be remitted to each
2776 qualified thoroughbred permitholder on the fifth day of each
2777 calendar month and shall be based upon the preceding month's
2778 cardroom activities. If the fifth day of the calendar month
2779 falls on a weekend, such payment shall be remitted on the first
2780 Monday following the weekend.

2781 c. A qualified thoroughbred permitholder receiving funds
2782 under this subparagraph shall remit, within 10 days after
2783 receipt, 10 percent of those funds to the Florida Thoroughbred
2784 Breeders' Association, Inc., for the payment of breeders',
2785 stallion, and special racing awards, subject to the fee
2786 authorized in s. 550.2625(3).

2787 3. Each thoroughbred and harness horse racing permitholder
2788 that operates a cardroom facility shall use at least 50 percent
2789 of such permitholder's cardroom monthly net proceeds as follows:
2790 47 percent to supplement purses and 3 percent to supplement
2791 breeders' awards during the permitholder's next ensuing racing
2792 meet.

2793 ~~3. No cardroom license or renewal thereof shall be issued~~
2794 ~~to an applicant holding a permit under chapter 550 to conduct~~
2795 ~~pari-mutuel wagering meets of quarter horse racing unless the~~



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2796 ~~applicant has on file with the division a binding written~~
2797 ~~agreement between the applicant and the Florida Quarter Horse~~
2798 ~~Racing Association or the association representing a majority of~~
2799 ~~the horse owners and trainers at the applicant's eligible~~
2800 ~~facility, governing the payment of purses on live quarter horse~~
2801 ~~racetracks conducted at the licensee's pari-mutuel facility. The~~
2802 ~~agreement governing purses may direct the payment of such purses~~
2803 ~~from revenues generated by any wagering or gaming the applicant~~
2804 ~~is authorized to conduct under Florida law. All purses shall be~~
2805 ~~subject to the terms of chapter 550.~~

2806 (h) One-quarter of the moneys deposited into the Pari-
2807 mutuel Wagering Trust Fund pursuant to paragraph (g) shall, by
2808 October 1 of each year, be distributed to the local government
2809 that approved the cardroom under subsection (17) ~~(16)~~; however,
2810 if two or more pari-mutuel racetracks are located within the
2811 same incorporated municipality, the cardroom funds shall be
2812 distributed to the municipality. If a pari-mutuel facility is
2813 situated in such a manner that it is located in more than one
2814 county, the site of the cardroom facility shall determine the
2815 location for purposes of disbursement of tax revenues under this
2816 paragraph. The division shall, by September 1 of each year,
2817 determine: the amount of taxes deposited into the Pari-mutuel
2818 Wagering Trust Fund pursuant to this section from each cardroom
2819 licensee; the location by county of each cardroom; whether the
2820 cardroom is located in the unincorporated area of the county or
2821 within an incorporated municipality; and, the total amount to be
2822 distributed to each eligible county and municipality.

2823 Section 19. The Division of Law Revision and Information is
2824 directed to replace the phrase "the effective date of this act"



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2825 wherever it appears in this act with the date this act becomes a
2826 law.

2827 Section 20. This act shall take effect upon becoming a law.

2828

2829 ===== T I T L E A M E N D M E N T =====

2830 And the title is amended as follows:

2831 Delete everything before the enacting clause
2832 and insert:

2833 A bill to be entitled

2834 An act relating to gaming; amending s. 285.710, F.S.;

2835 authorizing and directing the Governor, in cooperation

2836 with the Seminole Tribe of Florida, to execute a new

2837 compact in the form provided; signifying the

2838 Legislature's approval and ratification of such

2839 compact that does not materially alter from the

2840 approved form; providing terms and conditions for the

2841 gaming compact; defining terms; authorizing the Tribe

2842 to operate covered games on its lands in accordance

2843 with the compact and at specified facilities;

2844 prohibiting specified games; providing requirements

2845 for resolution of patron disputes involving gaming,

2846 tort claims, and employee disputes; providing

2847 requirements for regulation and enforcement of the

2848 compact; requiring the state to conduct random

2849 inspections of tribal facilities; authorizing the

2850 state to conduct an independent audit; requiring the

2851 Tribe and commission to comply with specified

2852 licensing and hearing requirements; requiring the

2853 Tribe to make specified revenue share payments to the



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2854 state, with reductions authorized under certain
2855 circumstances; requiring the Tribe to pay an annual
2856 oversight assessment and annual donation to the
2857 Florida Council on Compulsive Gaming; specifying that
2858 certain events do not trigger any remedy under the
2859 compact or affect the exclusivity provisions of the
2860 compact; providing for dispute resolution between the
2861 Tribe and the state; providing construction; providing
2862 requirements for notice under the compact; providing
2863 an effective date and termination of the compact;
2864 providing for execution of the compact; revising the
2865 local government share distribution percentages;
2866 amending s. 285.712, F.S.; requiring the Governor to
2867 provide a copy of the executed compact to specified
2868 parties and direct the Secretary of State to forward a
2869 copy to the Secretary of the Interior; creating s.
2870 546.13, F.S.; defining terms; exempting a fantasy
2871 contest from certain regulations; amending s.
2872 550.01215, F.S.; revising application requirements for
2873 a pari-mutuel operating license; authorizing certain
2874 greyhound racing permitholders to elect not to conduct
2875 live racing if such election is made within a
2876 specified period of time; providing that a greyhound
2877 racing permitholder that has been issued a slot
2878 machine license remains an eligible facility,
2879 continues to be eligible for a slot machine license,
2880 is exempt from certain provisions of ch. 551, F.S., is
2881 eligible to be a guest track for certain purposes, and
2882 remains eligible for a cardroom license; authorizing a



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2883 greyhound racing permitholder to receive an operating
2884 license to conduct pari-mutuel wagering activities at
2885 another permitholder's greyhound racing facility;
2886 authorizing certain thoroughbred horse racing
2887 permitholders to elect not to conduct live racing if
2888 such election is made within a specified period of
2889 time; providing that a thoroughbred horse racing
2890 permitholder that has been issued a slot machine
2891 license remains an eligible facility, continues to be
2892 eligible for a slot machine license, is exempt from
2893 certain provisions of ch. 551, F.S., is eligible to be
2894 a guest track for certain purposes, and remains
2895 eligible for a cardroom license; requiring a
2896 thoroughbred horse racing permitholder that makes such
2897 election to comply with certain contracts and file a
2898 certain irrevocable consent with the division;
2899 authorizing such thoroughbred horse racing
2900 permitholder to offset its contributions to certain
2901 supplements and awards against certain payments;
2902 providing applicability; authorizing certain jai alai
2903 permitholders, harness horse racing permitholders, and
2904 quarter horse racing permitholders to elect not to
2905 conduct live racing or games if the election is made
2906 by a specified date; specifying that such permitholder
2907 may retain its permit and remains a pari-mutuel
2908 facility; specifying that, if such permitholder has
2909 been issued a slot machine license, the permitholder's
2910 facility remains an eligible facility, continues to be
2911 eligible for a slot machine license, is exempt from



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2912 certain provisions of chs. 550 and 551, F.S., is
2913 eligible to be a guest track, and if the permitholder
2914 is a harness horse racing permitholder, a host track
2915 for intertrack wagering and simulcasting, and remains
2916 eligible for a cardroom license; authorizing a harness
2917 horse racing permitholder to be a host track for
2918 purposes of intertrack wagering and simulcasting;
2919 authorizing the division to approve a change in racing
2920 dates for a permitholder if the request for a change
2921 is received before a specified date and under certain
2922 circumstances; amending s. 550.054, F.S.; requiring
2923 the Division of Pari-Mutuel Wagering to revoke a
2924 permit to conduct pari-mutuel wagering for a
2925 permitholder that fails to make specified payments or
2926 obtain an operating license; prohibiting the issuance
2927 of new permits; prohibiting the relocation of a pari-
2928 mutuel permit, cardroom, or slot machine facility;
2929 providing an exception; deleting provisions related to
2930 the conversion of permits; repealing s. 550.0745,
2931 F.S., relating to conversion of a pari-mutuel permit
2932 to a summer jai alai permit; amending ss. 550.09512
2933 and 550.09515, F.S.; requiring the division to revoke
2934 the permit of a harness horse or thoroughbred racing
2935 permitholder, respectively, who does not pay tax on
2936 handle for a specified period of time; deleting
2937 provisions relating to the reissuance of escheated
2938 permits; amending s. 550.2415, F.S.; providing that a
2939 positive test result for anabolic steroids in certain
2940 samples taken from a greyhound violates the



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2941 prohibition on the racing of animals that are
2942 impermissibly medicated or determined to have a
2943 prohibited substance present; amending s. 550.3345,
2944 F.S.; revising provisions relating to a limited
2945 thoroughbred racing permit previously converted from a
2946 quarter horse racing permit; amending s. 550.5251,
2947 F.S.; deleting provisions relating to thoroughbred
2948 racing performances; amending s. 550.6308, F.S.;
2949 revising the number of days of thoroughbred horse
2950 sales required for an applicant to obtain a limited
2951 intertrack wagering license; revising eligibility
2952 requirements for such licenses; revising requirements
2953 for such wagering; deleting provisions requiring a
2954 licensee to make certain payments to the daily pari-
2955 mutuel pool; amending s. 551.102, F.S.; revising
2956 definitions; amending s. 551.104, F.S.; revising
2957 conditions of licensure and conditions for maintaining
2958 authority to conduct slot machine gaming; requiring
2959 certain permitholders to remit certain revenues to
2960 qualified thoroughbred permitholders; requiring
2961 qualified thoroughbred permitholders to use such
2962 payments for certain purposes; defining the term
2963 "qualified thoroughbred permitholder"; providing a
2964 process for remitting such payments; requiring
2965 qualified thoroughbred permitholders receiving such
2966 funds to remit a specified percentage of the funds to
2967 a specified association; authorizing certain licensees
2968 to offset certain amounts paid in specified calendar
2969 years; prohibiting the offset amount from exceeding a



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2970 specified amount in certain years; amending s.
2971 551.106, F.S.; deleting obsolete provisions; revising
2972 the tax rate on slot machine revenue effective on
2973 specified dates; providing a formula to calculate a
2974 surcharge amount; prohibiting the surcharge from
2975 exceeding a certain amount; revising where slot
2976 machine revenue tax payments must be deposited;
2977 requiring that certain funds be used for specific
2978 purposes; requiring certain permitholders and
2979 licensees to pay a slot machine guarantee fee if
2980 certain taxes and fees paid to the state during
2981 certain periods fall below a specified amount;
2982 amending s. 551.114, F.S.; revising the maximum number
2983 of slot machines slot machine licensees may make
2984 available for play; revising the areas where a
2985 designated slot machine gaming area may be located;
2986 amending s. 551.116, F.S.; deleting a restriction on
2987 the number of hours per day that slot machine gaming
2988 areas may be open; amending s. 849.086, F.S.; revising
2989 legislative intent; revising definitions; authorizing
2990 the division to establish a reasonable period to
2991 respond to certain requests from a licensed cardroom;
2992 providing that the division must approve certain
2993 requests within 45 days; requiring the division to
2994 review and approve or reject certain revised internal
2995 controls or revised rules within 10 days after
2996 submission; deleting provisions relating to the
2997 renewal of a cardroom license; deleting provisions
2998 relating to restrictions on hours of operation; making



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2999 technical changes; authorizing certain cardroom
3000 operators to offer a certain number of certain
3001 designated player games; requiring the designated
3002 player and employees of the designated player to be
3003 licensed; requiring the designated player to pay
3004 certain fees; prohibiting a cardroom operator from
3005 serving as the designated player in a game and from
3006 having a financial interest in a designated player;
3007 authorizing a cardroom operator to collect a rake,
3008 subject to certain requirements; requiring the dealer
3009 button to be rotated under certain circumstances;
3010 prohibiting a cardroom operator from allowing a
3011 designated player to pay an opposing player under
3012 certain circumstances; prohibiting the rules of the
3013 game or of the cardroom to require a designated player
3014 to cover more than 10 times the maximum wager for
3015 players participating in any one game; prohibiting a
3016 cardroom or cardroom licensee from contracting with or
3017 receiving certain compensation from a player to allow
3018 that player to participate in any game as a designated
3019 player; requiring certain permitholders with a
3020 cardroom license to remit a certain amount of its
3021 monthly gross receipts to qualified thoroughbred
3022 permitholders; requiring qualified thoroughbred
3023 holders to use such payments for certain purposes;
3024 defining the term "qualified thoroughbred
3025 permitholder"; providing a process for remitting such
3026 payments; requiring qualified thoroughbred
3027 permitholders receiving such funds to remit a



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3028 specified percentage of the funds to a specified
3029 association; deleting a provision relating to the
3030 renewal or issuance of a cardroom license to a quarter
3031 horse racing permitholder; conforming a cross-
3032 reference; providing a directive to the Division of
3033 Law Revision and Information; providing an effective
3034 date.