



150524

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/12/2018	.	
	.	
	.	
	.	

---

Appropriations Subcommittee on Finance and Tax (Hutson)  
recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (a) of subsection (1) and subsection  
(3) 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,~~



150524

11 ~~2010.~~

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

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

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

34  
35               Gaming Compact Between the Seminole Tribe of Florida  
36                               and the State of Florida

37  
38               This compact is made and entered into by and between the  
39 Seminole Tribe of Florida and the State of Florida, with respect



150524

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

43  
44 PART I

45  
46 TITLE.—This document shall be referred to as the "Gaming  
47 Compact between the Seminole Tribe of Florida and the State of  
48 Florida."

49  
50 PART II

51  
52 LEGISLATIVE FINDINGS.—

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

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

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

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

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



150524

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

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

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

93  
94 PART III

95  
96 DEFINITIONS.—As used in this compact, the term:

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



150524

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

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

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

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

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

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

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

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

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



150524

127 authorized to use such payment system.

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

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

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

141 (c) Raffles and drawings.

142 (d) Live table games.

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

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



150524

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

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

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

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

173 (a) Aids a bingo game player by:

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

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

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

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

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



150524

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

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

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

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

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

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

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

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

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

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

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

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



150524

214 payments as provided in Part XI.

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

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

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

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

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

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

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

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

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



150524

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

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

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

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

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

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

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

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

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

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

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



150524

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

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

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

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

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



150524

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

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

310 (22) "Net revenue base" means the net win for the 12 month  
311 period immediately preceding the offering of, for public or  
312 private use, Class III or other casino-style gaming at any of  
313 the licensed pari-mutuel facilities in Broward and Miami-Dade  
314 Counties, except that if the commencement of such new gaming is  
315 made during the initial payment period, "net revenue base" means  
316 net win for the 12-month period immediately preceding this  
317 compact.

318 (23) "Net win" means the total receipts from the play of  
319 all covered games less all prize payouts and free play or  
320 promotional credits issued by the Tribe.

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

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

329 (26) "Regular payment period" means the period beginning on



150524

330 July 1, 2025, and terminating at the end of the term of this  
331 compact.

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

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

341 (29) "Rules and regulations" means the rules and  
342 regulations promulgated by the commission for implementation of  
343 this compact.

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

345 (31) "State compliance agency" means the state agency  
346 designated by the Florida Legislature that has the authority to  
347 carry out the state's oversight responsibilities under this  
348 compact.

349 (32) "Tribe" means the Seminole Tribe of Florida or any  
350 affiliate thereof conducting activities pursuant to this compact  
351 under the authority of the Seminole Tribe of Florida.

352  
353 PART IV

354  
355 AUTHORIZATION AND LOCATION OF COVERED GAMES.—

356 (1) The Tribe and state agree that the Tribe is authorized  
357 to operate covered games on its Indian lands, as defined in the  
358 Indian Gaming Regulatory Act, in accordance with the provisions



150524

359 of this compact. Nothing in the compact is intended to prohibit  
360 the Tribe from operating slot machines that employ video or  
361 mechanical displays of roulette, wheels, or other table game  
362 themes. Except for the provisions in subsection (1) of Part XI,  
363 nothing in this compact shall limit the Tribe's right to operate  
364 any Class II gaming under the Indian Gaming Regulatory Act.

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

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

370 (b) Seminole Indian Casino-Coconut Creek in Coconut Creek,  
371 FL.

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

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

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

375 (f) Seminole Hard Rock Hotel & Casino-Hollywood in  
376 Hollywood, FL.

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

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

382  
383 PART V

384  
385 RULES AND REGULATIONS; MINIMUM REQUIREMENTS FOR  
386 OPERATIONS.-

387 (1) At all times during the term of this compact, the Tribe



150524

388 shall be responsible for all duties that are assigned to it and  
389 the commission under this compact. The Tribe shall promulgate  
390 any rules necessary to implement this compact, which, at a  
391 minimum, shall expressly include or incorporate by reference all  
392 provisions of Parts V, VI, VII, and VIII. Nothing in this  
393 compact shall be construed to affect the Tribe's right to amend  
394 its rules, provided that any such amendment is in conformity  
395 with this compact. The state compliance agency may propose  
396 additional rules consistent with and related to the  
397 implementation of this compact to the commission at any time,  
398 and the commission shall give good faith consideration to such  
399 proposed rules and shall notify the state compliance agency of  
400 its response or action with respect to such rules.

401 (2) All facilities shall comply with, and all covered games  
402 approved under this compact shall be operated in accordance  
403 with, the requirements set forth in this compact, including, but  
404 not limited to, the requirements set forth in subsections (3)  
405 and (4) and the Tribe's Internal Control Policies and  
406 Procedures. In addition, all facilities and all covered games  
407 shall be operated in strict compliance with tribal internal  
408 control standards that provide a level of control that equals or  
409 exceeds those set forth in the National Indian Gaming  
410 Commission's Minimum Internal Control Standards, 25 C.F.R. part  
411 542 (2015), even if the 2015 regulations are determined to be  
412 invalid or are subsequently withdrawn by the National Indian  
413 Gaming Commission. The Tribe may amend or supplement its  
414 internal control standards from time to time, provided that such  
415 changes continue to provide a level of control that equals or  
416 exceeds those set forth in 25 C.F.R. part 542 (2015).



150524

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

420       (4) The Tribe shall continue and maintain its program to  
421 combat problem gambling and curtail compulsive gambling and work  
422 with the Florida Council on Compulsive Gambling or other  
423 organizations dedicated to assisting problem gamblers. The Tribe  
424 shall continue to maintain the following safeguards against  
425 problem gambling:

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

430       (b) The Tribe shall make printed materials available to  
431 patrons, which include contact information for the Florida  
432 Council on Compulsive Gambling 24-hour helpline or other hotline  
433 dedicated to assisting problem gamblers, and will work with the  
434 Florida Council on Compulsive Gambling or other organization  
435 dedicated to assisting problem gamblers to provide contact  
436 information for the Florida Council on Compulsive Gambling or  
437 other organization dedicated to assisting problem gamblers, and  
438 to provide such information on the facility's website. The Tribe  
439 shall continue to display within the facilities all literature  
440 from the Florida Council on Compulsive Gambling or other  
441 organization dedicated to assisting problem gamblers.

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

445       2. The Tribe shall employ its best efforts to exclude



150524

446 patrons on such list from entry into its facilities; provided  
447 that nothing in this compact shall create for patrons who are  
448 excluded but gain access to the facilities, or any other person,  
449 a cause of action or claim against the state, the Tribe or the  
450 commission, or any other person, entity, or agency for failing  
451 to enforce such exclusion.

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

455 (d) All covered game employees shall receive training on  
456 identifying compulsive gamblers and shall be instructed to ask  
457 such persons to leave. The facility shall make available signs  
458 bearing a toll-free help-line number and educational and  
459 informational materials at conspicuous locations and automated  
460 teller machines in each facility, which materials aim at the  
461 prevention of problem gaming and which specify where patrons may  
462 receive counseling or assistance for gambling problems. All  
463 covered games employees shall also be screened by the Tribe for  
464 compulsive gambling habits. Nothing in this subsection shall  
465 create for patrons, or any other person, a cause of action or  
466 claim against the state, the Tribe or the commission, or any  
467 other person, entity, or agency for failing to identify a patron  
468 or person who is a compulsive gambler or ask that person to  
469 leave.

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

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



150524

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

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

483       (6) The facility shall visibly display summaries of the  
484 rules for playing covered games and promotional contests and  
485 shall make available complete sets of rules upon request. The  
486 Tribe shall provide copies of all such rules to the state  
487 compliance agency within 30 calendar days after issuance or  
488 amendment.

489       (7) The Tribe shall provide the commission and state  
490 compliance agency with a chart of the supervisory lines of  
491 authority with respect to those directly responsible for the  
492 conduct of covered games, and shall promptly notify those  
493 agencies of any material changes to the chart.

494       (8) The Tribe shall continue to maintain proactive  
495 approaches to prevent improper alcohol sales, drunk driving,  
496 underage drinking, and underage gambling. These approaches shall  
497 involve intensive staff training, screening and certification,  
498 patron education, and the use of security personnel and  
499 surveillance equipment in order to enhance patrons' enjoyment of  
500 the facilities and provide for patron safety.

501       (a) Staff training includes specialized employee training  
502 in nonviolent crisis intervention, driver license verification,  
503 and detection of intoxication.



150524

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

507 (c) Roving and fixed security officers, along with  
508 surveillance cameras, shall assist in the detection of  
509 intoxicated patrons, investigate problems, and engage with  
510 patrons to deescalate volatile situations.

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

514 (e) The Tribe shall maintain these programs and policies in  
515 its Alcohol Beverage Control Act for the duration of the compact  
516 but may replace such programs and policies with stricter or more  
517 extensive programs and policies. The Tribe shall provide the  
518 state with written notice of any changes to the Tribe's Alcohol  
519 Beverage Control Act, which notice shall include a copy of such  
520 changes and shall be sent on or before the effective date of the  
521 change. Nothing in this subsection shall create for patrons, or  
522 any other person, a cause of action or claim against the state,  
523 the Tribe or the commission, or any other person, entity, or  
524 agency for failing to fulfill the requirements of this  
525 subsection.

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

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

531 (11) The commission shall keep a record of, and shall  
532 report at least quarterly to the state compliance agency, the



150524

533 number of covered games in each facility, by the name or type of  
534 each game and its identifying number.

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

542  
543 PART VI

544  
545 PATRON DISPUTES, WORKERS' COMPENSATION, TORT CLAIMS; PRIZE  
546 CLAIMS; LIMITED CONSENT TO SUIT.-

547 (1) All patron disputes involving gaming shall be resolved  
548 in accordance with the procedures established in the Seminole  
549 Tribal Gaming Code.

550 (2) Tort claims by employees of the Tribe's facilities will  
551 be handled pursuant to the provisions of the Tribe's Workers'  
552 Compensation Ordinance, which shall provide workers the same or  
553 better protections as provided in state workers' compensation  
554 laws.

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

559 (4) A patron who claims to have been injured after the  
560 effective date of the compact at one of the Tribe's facilities  
561 in which covered games are played is required to provide written



150524

562 notice to the Tribe's Risk Management Department or the  
563 facility, in a reasonable and timely manner, but no longer than  
564 three years after the date of the incident giving rise to the  
565 claimed injury, or the claim shall be forever barred.

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

581 (6) Upon receiving written notification of the claim, the  
582 Tribe's Risk Management Department shall forward the  
583 notification to the Tribe's insurance carrier. The Tribe shall  
584 use its best efforts to ensure that the insurance carrier  
585 contacts the patron within a reasonable period of time after  
586 receipt of the claim.

587 (7) The insurance carrier shall handle the claim to  
588 conclusion. If the patron, Tribe, and insurance carrier are not  
589 able to resolve the claim in good faith within one year after  
590 the patron provided written notice to the Tribe's Risk



150524

591 Management Department or the facility, the patron may bring a  
592 tort claim against the Tribe in any court of competent  
593 jurisdiction in the county in which the incident alleged to have  
594 caused injury occurred, as provided in this compact, and subject  
595 to a four-year statute of limitations, which shall begin to run  
596 from the date of the incident of the injury alleged in the  
597 claim. A patron's notice of injury to the Tribe pursuant to  
598 subsection (4) and the fulfillment of the good faith attempt at  
599 resolution pursuant to this part are conditions precedent to  
600 filing suit.

601 (8) For tort claims of patrons made pursuant to subsection  
602 (4), the Tribe agrees to waive its tribal sovereign immunity to  
603 the same extent as the state waives its sovereign immunity, as  
604 specified in s. 768.28(1) and (5), Florida Statutes, as such  
605 provision may be amended from time to time by the Legislature.  
606 In no event shall the Tribe be deemed to have waived its tribal  
607 immunity from suit beyond the limits set forth in s. 768.28(5),  
608 Florida Statutes. These limitations are intended to include  
609 liability for compensatory damages, costs, pre-judgment  
610 interest, and attorney fees if otherwise allowable under state  
611 law arising out of any claim brought or asserted against the  
612 Tribe, its subordinate governmental and economic units, any  
613 Tribal officials, employees, servants, or agents in their  
614 official capacities and any entity which is owned, directly or  
615 indirectly, by the Tribe. All patron tort claims brought  
616 pursuant to this provision shall be brought solely against the  
617 Tribe, as the sole party in interest.

618 (9) Notices explaining the procedures and time limitations  
619 with respect to making a tort claim shall be prominently



150524

620 displayed in the facilities, posted on the Tribe's website, and  
621 provided to any patron for whom the Tribe has notice of the  
622 injury or property damage giving rise to the tort claim. Such  
623 notices shall explain:

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

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

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

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

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

636 (10) The Tribe shall maintain an insurance policy that  
637 shall:

638 (a) Prohibit the insurer or the Tribe from invoking tribal  
639 sovereign immunity for claims up to the limits to which the  
640 state has waived sovereign immunity as set forth in s.  
641 768.28(5), Florida Statutes, or its successor statute.

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

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

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





150524

678 regard to the operation of covered games, including, but not  
679 limited to, the maintenance of employee procedures and a  
680 surveillance system.

681 3. Ensure prompt notification is given, in accordance with  
682 applicable law, to appropriate law enforcement authorities of  
683 persons who may be involved in illegal acts.

684 4. Ensure that the construction and maintenance of the  
685 facilities complies with the standards of the Florida Building  
686 Code, the provisions of which the Tribe has adopted as the  
687 Seminole Tribal Building Code.

688 5. Ensure adequate emergency access plans have been  
689 prepared to ensure the health and safety of all covered game  
690 patrons.

691 (2) All licenses for members and employees of the  
692 commission shall be issued according to the same standards and  
693 terms applicable to facility employees. The commission's  
694 officers shall be independent of the Tribal gaming operations,  
695 and shall be supervised by and accountable only to the  
696 commission. A commission officer shall be available to the  
697 facility during all hours of operation upon reasonable notice,  
698 and shall have immediate access to any and all areas of the  
699 facility for the purpose of ensuring compliance with the  
700 provisions of this compact. The commission shall investigate any  
701 suspected or reported violation of this part and shall  
702 officially enter into its files timely written reports of  
703 investigations and any action taken thereon, and shall forward  
704 copies of such investigative reports to the state compliance  
705 agency within 30 calendar days after such filing. The scope of  
706 such reporting shall be determined by the commission and the



150524

707 state compliance agency as soon as practicable after the  
708 effective date of this compact. Any such violations shall be  
709 reported immediately to the commission, and the commission shall  
710 immediately forward such reports to the state compliance agency.  
711 In addition, the commission shall promptly report to the state  
712 compliance agency any such violations which it independently  
713 discovers.

714 (3) In order to develop and foster a positive and effective  
715 relationship in the enforcement of the provisions of this  
716 compact, representatives of the commission and the state  
717 compliance agency shall meet at least annually to review past  
718 practices and examine methods to improve the regulatory scheme  
719 created by this compact. The meetings shall take place at a  
720 location mutually agreed upon by the commission and the state  
721 compliance agency. The state compliance agency, before or during  
722 such meetings, shall disclose to the commission any concerns,  
723 suspected activities, or pending matters reasonably believed to  
724 constitute violations of the compact by any person,  
725 organization, or entity, if such disclosure will not compromise  
726 the interest sought to be protected.

727  
728 PART VIII  
729

730 STATE MONITORING OF COMPACT.—

731 (1) It is the express intent of the Tribe and the state for  
732 the Tribe to regulate its own gaming activities.  
733 Notwithstanding, the state shall conduct random inspections as  
734 provided for in this part to ensure that the Tribe is operating  
735 in accordance with the terms of the compact. The state may



150524

736 secure an annual independent audit of the conduct of covered  
737 games subject to this compact and the Tribe shall cooperate with  
738 such audit. The audit shall:

739 (a) Examine the covered games operated by the Tribe to  
740 ensure compliance with the Tribe's Internal Control Policies and  
741 Procedures and any other standards, policies, or procedures  
742 adopted by the Tribe, the commission, or the National Indian  
743 Gaming Commission which govern the play of covered games.

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

749 (2) A copy of the audit report for the conduct of covered  
750 games shall be submitted to the commission and the state  
751 compliance agency within 30 calendar days after completion.  
752 Representatives of the state compliance agency may, upon  
753 request, meet with the Tribe and its auditors to discuss the  
754 audit or any matters in connection therewith; provided that such  
755 discussions are limited to covered games information. The annual  
756 independent audit shall be performed by an independent firm  
757 selected by the state which has experience in auditing casino  
758 operations, subject to the consent of the Tribe, which shall not  
759 be unreasonably withheld. The Tribe shall pay for the cost of  
760 the annual independent audit.

761 (3) As provided herein, the state compliance agency may  
762 monitor the conduct of covered games to ensure that the covered  
763 games are conducted in compliance with the provisions of this  
764 compact. In order to properly monitor the conduct of covered



150524

765 games, agents of the state compliance agency shall have  
766 reasonable access, without prior notice, to all public areas of  
767 the facilities related to the conduct of covered games.

768 (a) The state compliance agency may review whether the  
769 Tribe's facilities are in compliance with the provisions of this  
770 compact and the Tribe's rules and regulations applicable to  
771 covered games and may advise on such issues as it deems  
772 appropriate. In the event of a dispute or disagreement between  
773 Tribal and state compliance agency regulators, the dispute or  
774 disagreement shall be resolved in accordance with the dispute  
775 resolution provisions of Part XIII.

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

779 (c)1. The state compliance agency may inspect any covered  
780 games in operation at the facilities on a random basis, provided  
781 that such inspections may not exceed one inspection per facility  
782 per calendar month and the inspection may not exceed ten hours  
783 spread over those two consecutive days, unless the state  
784 compliance agency determines that additional inspection hours  
785 are needed to address the issues of substantial noncompliance,  
786 provided that the state compliance agency provides the Tribe  
787 with written notification of the need for additional inspection  
788 hours and a written summary of the substantial noncompliance  
789 issues that need to be addressed during the additional  
790 inspection hours. The total number of hours of random  
791 inspections and audit reviews per year may not exceed 1,200  
792 hours. Inspection hours shall be calculated on the basis of the  
793 actual amount of time spent by the state compliance agency



150524

794 conducting the inspections at a facility, without accounting for  
795 a multiple for the number of state compliance agency inspectors  
796 or agents engaged in the inspection activities. The purpose of  
797 the random inspections is to confirm that the covered games  
798 function properly pursuant to the manufacturer's technical  
799 standards and are conducted in compliance with the Tribe's  
800 Internal Control Policies and Procedures and any other  
801 standards, policies, or procedures adopted by the Tribe, the  
802 commission, or the National Indian Gaming Commission which  
803 govern the play of covered games. The state compliance agency  
804 shall provide notice to the commission of such inspection at or  
805 before the commencement of a random inspection and a commission  
806 agent may accompany the inspection.

807 2. For each facility, the state compliance agency may  
808 perform one annual review of the Tribe's slot machine compliance  
809 audit.

810 3. At least annually, the state compliance agency may meet  
811 with the Tribe's Internal Audit Department for Gaming to review  
812 internal controls and the record of violations for each  
813 facility.

814 (d) The state compliance agency shall cooperate with and  
815 obtain the assistance of the commission in the resolution of any  
816 conflicts in the management of the facilities, and the state and  
817 the Tribe shall make their best efforts to resolve disputes  
818 through negotiation whenever possible. Therefore, to foster a  
819 spirit of cooperation and efficiency, the state compliance  
820 agency and Tribe shall resolve disputes between the state  
821 compliance agency staff and commission regulators about the day-  
822 to-day regulation of the facilities through meeting and



150524

823 conferring in good faith. Notwithstanding, the parties may seek  
824 other relief that may be available when circumstances require  
825 such relief. In the event of a dispute or disagreement between  
826 tribal and state compliance agency regulators, the dispute or  
827 disagreement shall be resolved in accordance with the dispute  
828 resolution provisions of Part XIII.

829 (e) The state compliance agency shall have access to each  
830 facility during the facility's operating hours only. No advance  
831 notice is required when the state compliance agency inspection  
832 is limited to public areas of the facility; however,  
833 representatives of the state compliance agency shall provide  
834 notice and photographic identification to the commission of  
835 their presence before beginning any such inspections.

836 (f) The state compliance agency agents, to ensure that a  
837 commission officer is available to accompany the state  
838 compliance agency agents at all times, shall provide one hour  
839 notice and photographic identification to the commission before  
840 entering any nonpublic area of a facility. Agents of the state  
841 compliance agency shall be accompanied in nonpublic areas of the  
842 facility by a commission officer.

843 (g) Any suspected or claimed violations of this compact or  
844 law shall be directed in writing to the commission. The state  
845 compliance agency, in conducting the functions assigned them  
846 under this compact, shall not unreasonably interfere with the  
847 functioning of any facility.

848 (4) Subject to the provisions herein, the state compliance  
849 agency may review and request copies of documents of the  
850 facility related to its conduct of covered games during normal  
851 business hours unless otherwise allowed by the Tribe. The Tribe



150524

852 may not refuse said inspection and copying of such documents,  
853 provided that the inspectors do not require copies of documents  
854 in such volume that it unreasonably interferes with the normal  
855 functioning of the facilities or covered games. To the extent  
856 that the Tribe provides the state with information that the  
857 Tribe claims to be confidential and proprietary, or a trade  
858 secret, the Tribe shall clearly mark such information with the  
859 following designation: "Trade Secret, Confidential, and  
860 Proprietary." If the state receives a request under chapter 119  
861 that would include such designated information, the state shall  
862 promptly notify the Tribe of such a request and the Tribe shall  
863 promptly notify the state about its intent to seek judicial  
864 protection from disclosure. Upon such notice from the Tribe, the  
865 state may not release the requested information until a judicial  
866 determination is made. This designation and notification  
867 procedure does not excuse the state from complying with the  
868 requirements of the state's public records law, but is intended  
869 to provide the Tribe the opportunity to seek whatever judicial  
870 remedy it deems appropriate. Notwithstanding the foregoing  
871 procedure, the state compliance agency may provide copies of  
872 tribal documents to federal law enforcement and other state  
873 agencies or state consultants that the state deems reasonably  
874 necessary in order to conduct or complete any investigation of  
875 suspected criminal activity in connection with the Tribe's  
876 covered games or the operation of the facilities or in order to  
877 assure the Tribe's compliance with this compact.

878 (5) At the completion of any state compliance agency  
879 inspection or investigation, the state compliance agency shall  
880 forward any written report thereof to the commission, containing



150524

881 all pertinent, nonconfidential, nonproprietary information  
882 regarding any violation of applicable laws or this compact which  
883 was discovered during the inspection or investigation unless  
884 disclosure thereof would adversely impact an investigation of  
885 suspected criminal activity. Nothing herein prevents the state  
886 compliance agency from contacting tribal or federal law  
887 enforcement authorities for suspected criminal wrongdoing  
888 involving the commission.

889 (6) Except as expressly provided in this compact, nothing  
890 in this compact shall be deemed to authorize the state to  
891 regulate the Tribe's government, including the commission, or to  
892 interfere in any way with the Tribe's selection of its  
893 governmental officers, including members of the commission.

894  
895 PART IX  
896

897 JURISDICTION.—The obligations and rights of the state and  
898 the Tribe under this compact are contractual in nature and are  
899 to be construed in accordance with the laws of the state. This  
900 compact does not alter tribal, federal, or state civil  
901 adjudicatory or criminal jurisdiction in any way.

902  
903 PART X  
904

905 LICENSING.—The Tribe and the commission shall comply with  
906 the licensing and hearing requirements set forth in 25 C.F.R.  
907 parts 556 and 558, as well as the applicable licensing and  
908 hearing requirements set forth in Articles IV, V, and VI of the  
909 Seminole Tribal Gaming Code. The commission shall notify the



150524

910 state compliance agency of any disciplinary hearings or  
911 revocation or suspension of licenses.

912

913 PART XI

914

915 PAYMENTS TO THE STATE OF FLORIDA.—

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

929 (2) The Tribe shall make periodic revenue share payments to  
930 the state derived from net win as set forth in this subsection,  
931 and any such payments shall be made to the state via electronic  
932 funds transfer. Of the amounts paid by the Tribe to the state,  
933 three percent shall be distributed to local governments,  
934 including both counties and municipalities, in the state  
935 affected by the Tribe's operation of covered games. Revenue  
936 share payments by the Tribe to the state shall be calculated as  
937 follows:

938 (a) During the initial payment period, the Tribe agrees to



150524

939 pay the state a revenue share payment in accordance with this  
940 subparagraph.

941 1. 13 percent of all amounts up to \$2 billion of net win  
942 received by the Tribe from the operation and play of covered  
943 games during each revenue sharing cycle;

944 2. 17.5 percent of all amounts greater than \$2 billion up  
945 to and including \$3.5 billion of net win received by the Tribe  
946 from the operation and play of covered games during each revenue  
947 sharing cycle;

948 3. 20 percent of all amounts greater than \$3.5 billion up  
949 to and including \$4 billion of net win received by the Tribe  
950 from the operation and play of covered games during each revenue  
951 sharing cycle;

952 4. 22.5 percent of all amounts greater than \$4 billion up  
953 to and including \$4.5 billion of net win received by the Tribe  
954 from the operation and play of covered games during each revenue  
955 sharing cycle; or

956 5. 25 percent of all amounts greater than \$4.5 billion of  
957 net win received by the Tribe from the operation and play of  
958 covered games during each revenue sharing cycle.

959 (b) During the guarantee payment period, the Tribe agrees  
960 to make fixed payments in accordance with this paragraph. In  
961 addition, within 90 days after the end of the guarantee payment  
962 period, the Tribe shall make an additional payment to the state  
963 equal to the amount above \$3 billion, if any, that would have  
964 been owed by the Tribe to the state had the percentages set  
965 forth in paragraph (c) been applicable during the guarantee  
966 payment period.

967 1. A payment of \$325 million during the first revenue



150524

968 sharing cycle;  
969 2. A payment of \$350 million during the second revenue  
970 sharing cycle;  
971 3. A payment of \$375 million during the third revenue  
972 sharing cycle;  
973 4. A payment of \$425 million during the fourth revenue  
974 sharing cycle;  
975 5. A payment of \$475 million during the fifth revenue  
976 sharing cycle;  
977 6. A payment of \$500 million during the sixth revenue  
978 sharing cycle; and  
979 7. A payment of \$550 million during the seventh revenue  
980 sharing cycle.  
981 (c) During the regular payment period, the Tribe agrees to  
982 pay a revenue share payment, for each revenue sharing cycle, to  
983 the state equal to the amount calculated in accordance with this  
984 paragraph.  
985 1. 13 percent of all amounts up to \$2 billion of net win  
986 received by the Tribe from the operation and play of covered  
987 games during each revenue sharing cycle;  
988 2. 17.5 percent of all amounts greater than \$2 billion up  
989 to and including \$3.5 billion of net win received by the Tribe  
990 from the operation and play of covered games during each revenue  
991 sharing cycle;  
992 3. 20 percent of all amounts greater than \$3.5 billion up  
993 to and including \$4 billion of net win received by the Tribe  
994 from the operation and play of covered games during each revenue  
995 sharing cycle;  
996 4. 22.5 percent of all amounts greater than \$4 billion up



150524

997 to and including \$4.5 billion of net win received by the Tribe  
998 from the operation and play of covered games during each revenue  
999 sharing cycle; or

1000 5. 25 percent of all amounts greater than \$4.5 billion of  
1001 net win received by the Tribe from the operation and play of  
1002 covered games during each revenue sharing cycle.

1003 (3) The Tribe shall remit monthly payments as follows:

1004 (a) On or before the 15th day of the month following each  
1005 month of the revenue sharing cycle, the Tribe will remit to the  
1006 state or its assignee the monthly payment. For purposes of this  
1007 section, the monthly payment shall be 8.3 percent of the  
1008 estimated revenue share payment to be paid by the Tribe during  
1009 such revenue sharing cycle.

1010 (b) The Tribe shall make available to the state at the time  
1011 of the monthly payment the basis for the calculation of the  
1012 payment.

1013 (c) The Tribe shall, on a monthly basis, reconcile the  
1014 calculation of the estimated revenue share payment based on the  
1015 Tribe's unaudited financial statements related to covered games.

1016 (4) The Tribe shall have an audit conducted as follows:

1017 (a) On or before the 45th day after the third month, sixth  
1018 month, ninth month, and twelfth month of each revenue sharing  
1019 cycle, provided that the 12-month period does not coincide with  
1020 the Tribe's fiscal year end date as indicated in paragraph (c),  
1021 the Tribe shall provide the state with an audit report by its  
1022 independent auditors as to the annual revenue share calculation.

1023 (b) For each quarter within revenue sharing cycle, the  
1024 Tribe shall engage its independent auditors to conduct a review  
1025 of the unaudited net revenue from covered games. On or before



150524

1026 the 120th day after the end of the Tribe's fiscal year, the  
1027 Tribe shall require its independent auditors to provide an audit  
1028 report with respect to net win for covered games and the related  
1029 payment of the annual revenue share.

1030 (c) If the twelfth month of the revenue sharing cycle does  
1031 not coincide with the Tribe's fiscal year, the Tribe shall  
1032 deduct net win from covered games for any of the months outside  
1033 of the revenue sharing cycle and include net win from covered  
1034 games for those months outside of the Tribe's audit period but  
1035 within the revenue sharing cycle, before issuing the audit  
1036 report.

1037 (d) No later than 30 calendar days after the day the audit  
1038 report is issued, the Tribe shall remit to the state any  
1039 underpayment of the annual revenue share, and the state shall  
1040 either reimburse to the Tribe any overpayment of the annual  
1041 revenue share or authorize the overpayment to be deducted from  
1042 the next successive monthly payment or payments.

1043 (5) If, after any change in state law to affirmatively  
1044 allow internet or online gaming, or any functionally equivalent  
1045 remote gaming system that permits a person to play from home or  
1046 any other location that is remote from a casino or other  
1047 commercial gaming facility, but excluding any fantasy contest  
1048 conducted pursuant to s. 546.13, the Tribe's net win from the  
1049 operation of covered games at all of its facilities combined  
1050 drops more than five percent below its net win from the previous  
1051 12-month period, the Tribe shall no longer be required to make  
1052 payments to the state based on the guaranteed minimum compact  
1053 term payment and shall not be required to make the guaranteed  
1054 minimum compact term payment. However, the Tribe shall continue



1055 to make payments based on the percentage revenue share amount.  
1056 The Tribe shall resume making the guaranteed minimum compact  
1057 term payment for any subsequent revenue sharing cycle in which  
1058 its net win rises above the level described in this subsection.  
1059 This subsection does not apply if:  
1060 (a) The decline in net win is due to acts of God, war,  
1061 terrorism, fires, floods, or accidents causing damage to or  
1062 destruction of one or more of its facilities or property  
1063 necessary to operate the facility of facilities; or  
1064 (b) The Tribe offers internet or online gaming or any  
1065 functionally equivalent remote gaming system that permits a  
1066 person to game from home or any other location that is remote  
1067 from any of the Tribe's facilities, as authorized by law.  
1068 (6) The annual oversight assessment, which shall not exceed  
1069 \$250,000 per year, indexed for inflation as determined by the  
1070 Consumer Price Index, shall be determined and paid in quarterly  
1071 installments within 30 calendar days after receipt by the Tribe  
1072 of an invoice from the state compliance agency. The Tribe  
1073 reserves the right to audit the invoices on an annual basis, a  
1074 copy of which will be provided to the state compliance agency,  
1075 and any discrepancies found therein shall be reconciled within  
1076 45 calendar days after receipt of the audit by the state  
1077 compliance agency.  
1078 (7) The Tribe shall make an annual donation to the Florida  
1079 Council on Compulsive Gaming as an assignee of the state in an  
1080 amount not less than \$250,000 per facility.  
1081 (8) Except as expressly provided in this part, nothing in  
1082 this compact shall be deemed to require the Tribe to make  
1083 payments of any kind to the state or any of its agencies.



150524

1084  
1085  
1086  
1087  
1088  
1089  
1090  
1091  
1092  
1093  
1094  
1095  
1096  
1097  
1098  
1099  
1100  
1101  
1102  
1103  
1104  
1105  
1106  
1107  
1108  
1109  
1110  
1111  
1112

PART XII

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

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

(a) If, after January 1, 2019, state law is amended,  
implemented, or interpreted to allow the operation of Class III  
gaming or other casino-style gaming at any location under the  
jurisdiction of the state that was not in operation as of  
January 1, 2019, or a new form of Class III gaming or other  
casino-style gaming that was not in operation as of January 1,  
2019, and such gaming is offered to the public as a result of  
the amendment, implementation, or interpretation, the Tribe, no  
fewer than 30 days after the commencement of such new gaming or  
90 days after the state's receipt of written notice from the



150524

1113 Tribe pursuant to paragraph (b), whichever occurs later, may  
1114 elect to begin making the affected portion of its payments due  
1115 to the state pursuant to subsections (2) and (7) of Part XI,  
1116 into an escrow account.

1117 (b) In order to exercise the provisions of paragraph (a),  
1118 the Tribe must first notify the state, within 90 days after such  
1119 amendment, implementation, or interpretation of state law, of  
1120 the Tribe's objections to such action or interpretation and  
1121 further specify the basis for the Tribe's contention that such  
1122 action or interpretation infringes upon the substantial  
1123 exclusivity afforded under this compact. As part of its written  
1124 notice, the Tribe must also indicate, if applicable, its  
1125 intention to begin making the affected portion of its payments  
1126 due to the state into an escrow account.

1127 (c) Upon receipt of written notice from the Tribe, the  
1128 state may elect to:

1129 1. Invoke the dispute resolution provisions of Part XIII to  
1130 determine whether the Tribe's contention is well-founded. In  
1131 such proceeding, the Tribe carries the burden of proof and  
1132 persuasion. The pendency of such proceeding tolls the time  
1133 periods set forth in paragraph (1) (a) of Part XII for the  
1134 duration of the dispute or litigation; or

1135 2. Seek through enforcement action, legislation, or other  
1136 means to stop the conduct of such new games.

1137 (d)1. If, within 15 months following the state's receipt of  
1138 written notice from the Tribe, the Tribe's contention is deemed  
1139 not to be well-founded at the conclusion of dispute resolution  
1140 or new gaming is made illegal and is halted, then all funds  
1141 being held in the escrow account shall be released to the state



150524

1142 and all further payments due to the state pursuant to  
1143 subsections (2) and (7) of Part XI shall promptly resume.

1144 2. If, after 15 months following the state's receipt of  
1145 written notice from the Tribe, the Tribe's contention is deemed  
1146 to be well-founded at the conclusion of dispute resolution and  
1147 such gaming is not made illegal and halted, then all funds being  
1148 held in escrow shall be returned to the Tribe and all further  
1149 payments due to the state pursuant to subsections (2) and (7) of  
1150 Part XI shall cease or be reduced as provided in subsection (2)  
1151 until such gaming is no longer operated, in which event the  
1152 payments shall promptly resume.

1153 (2) The following are exceptions to the exclusivity  
1154 provisions of subsection (1):

1155 (a) Any Class III gaming authorized by a compact between  
1156 the state and any other federally recognized tribe pursuant to  
1157 Indian Gaming Regulatory Act, provided that the tribe has land  
1158 in federal trust in the state as of January 1, 2018.

1159 (b) The operation of slot machines, which does not include  
1160 any game played with tangible playing cards, at each of the four  
1161 currently operating licensed pari-mutuel facilities in Broward  
1162 County and the four currently operating licensed pari-mutuel  
1163 facilities in Miami-Dade County, whether or not currently  
1164 operating slot machines, provided that such licenses are not  
1165 transferred or otherwise used to move or operate such slot  
1166 machines at any other location.

1167 (c)1. If state law is amended to allow for the play of any  
1168 additional type of Class III or other casino-style gaming at any  
1169 of the presently operating licensed pari-mutuel facilities in  
1170 Broward and Miami-Dade Counties, the Tribe may be entitled to a



150524

1171 reduction in the revenue sharing payment as described in  
1172 subparagraph 2.

1173 2. If the Tribe's annual net win from its facilities  
1174 located in Broward County for the 12 month period after the  
1175 gaming specified in subparagraph 1. begins to be offered for  
1176 public or private use is less than the net revenue base, the  
1177 revenue share payments due to the state, pursuant to paragraph  
1178 (2) (b) of Part XI, for the next revenue sharing cycle and future  
1179 revenue sharing cycles shall be calculated by reducing the  
1180 Tribe's payment on revenue generated from its facilities in  
1181 Broward County by 50 percent of that reduction in annual net win  
1182 from its facilities in Broward County. This paragraph does not  
1183 apply if the decline in net win is due to acts of God, war,  
1184 terrorism, fires, floods, or accidents causing damage to or  
1185 destruction of one or more of its facilities or property  
1186 necessary to operate the facility or facilities.

1187 3. If the Tribe's annual net win from its facilities  
1188 located in Broward County subsequently equals or exceeds the net  
1189 revenue base, then the Tribe's payments due to the state  
1190 pursuant to paragraph (2) (b) of Part XI shall again be  
1191 calculated without any reduction, but may be reduced again under  
1192 the provisions set forth in subparagraph 2.

1193 (d) If state law is amended to allow the play of Class III  
1194 gaming or other casino-style gaming, as defined in this part, at  
1195 any location in Miami-Dade County or Broward County under the  
1196 jurisdiction of the state that is not presently licensed for the  
1197 play of such games at such locations, other than those  
1198 facilities set forth in paragraph (c) and this paragraph, and  
1199 such games were not in play as of January 1, 2018, and such



150524

1200 gaming begins to be offered for public or private use, the  
1201 payments due the state pursuant to subparagraph (c)2., shall be  
1202 calculated by excluding the net win from the Tribe's facilities  
1203 in Broward County.

1204 (e) The operation of a combined total of not more than 350  
1205 historic racing machines, connected to a central server at that  
1206 facility, and electronic bingo machines at each pari-mutuel  
1207 facility licensed as of January 1, 2018, and not located in  
1208 either Broward County or Miami-Dade County.

1209 (f) The operation of pari-mutuel wagering activities at  
1210 pari-mutuel facilities licensed by the state.

1211 (g) The operation by the Department of the Lottery of those  
1212 types of lottery games authorized under chapter 24 as of January  
1213 1, 2018, but not including any player-activated or operated  
1214 machine or device other than a lottery vending machine or any  
1215 banked or banking card or table game. However, not more than ten  
1216 lottery vending machines may be installed at any facility or  
1217 location and no lottery vending machine that dispenses  
1218 electronic instant tickets may be installed at any licensed  
1219 pari-mutuel facility.

1220 (h) The operation of games of poker, including designated  
1221 player games of poker, as authorized by chapter 849 as of  
1222 January 1, 2019.

1223 (i) The operation of games permitted by chapters 546 and  
1224 849, Florida Statutes, as of January 1, 2019.

1225 (j) The following events shall not trigger any remedy under  
1226 this compact and do not affect the exclusivity provisions of  
1227 this compact:

1228 1. Any change to the tax rate paid to the state by the



150524

1229 licensed pari-mutuel permitholders for the operation of slot  
1230 machines, provided the effective tax rate is not less than 25  
1231 percent. If the effective tax rate is less than 25 percent, then  
1232 the Tribe shall be relieved of its obligations to make the  
1233 guaranteed minimum compact term payment and any further  
1234 guaranteed revenue sharing cycle payment, but instead shall make  
1235 payments to the state for all future revenue sharing cycles  
1236 based on the percentage payments set forth in paragraph (2)(c)  
1237 of Part XI, but shall be permitted to exclude all revenue  
1238 generated by slot machines at its facilities in Broward County;  
1239 and

1240 2. Any change in state law that removes the requirement for  
1241 pari-mutuel permitholders to conduct performances of live races  
1242 or games in order to operate other authorized gaming activities.

1243 (3) To the extent that the exclusivity provisions of this  
1244 part are breached or otherwise violated and the Tribe's ongoing  
1245 payment obligations to the state pursuant to subsections (2) and  
1246 (7) of Part XI cease, any outstanding payments that would have  
1247 been due the state from the Tribe's facilities before the breach  
1248 or violation shall be made within 30 business days after the  
1249 breach or violation.

1250 (4) The breach of this part's exclusivity provisions and  
1251 the cessation of payments pursuant to subsections (2) and (7) of  
1252 Part XI shall not excuse the Tribe from continuing to comply  
1253 with all other provisions of this compact, including continuing  
1254 to pay the state the annual oversight assessment as set forth in  
1255 subsection (6) of Part XI.

1256  
1257

PART XIII



150524

1258  
1259 DISPUTE RESOLUTION.—In the event that the Tribe or State  
1260 believes that the other party has failed to comply with any  
1261 requirements of this compact, or in the event of any dispute  
1262 hereunder, including, but not limited to, a dispute over the  
1263 proper interpretation of the terms and conditions of this  
1264 compact, the goal of the parties is to resolve all disputes  
1265 amicably and voluntarily whenever possible. In pursuit of this  
1266 goal, the following procedures may be invoked:  
1267 (1) A party asserting noncompliance or seeking an  
1268 interpretation of this compact first shall serve written notice  
1269 on the other party. The notice shall identify the specific  
1270 compact provision alleged to have been violated or in dispute  
1271 and shall specify in detail the asserting party's contention and  
1272 any factual basis for the claim. Representatives of the Tribe  
1273 and state shall meet within 30 calendar days after receipt of  
1274 notice in an effort to resolve the dispute, unless they mutually  
1275 agree to extend this period.  
1276 (2) A party asserting noncompliance or seeking an  
1277 interpretation of this compact under this part shall be deemed  
1278 to have certified that to the best of the party's knowledge,  
1279 information, and belief formed after reasonable inquiry, the  
1280 claim of noncompliance or the request for interpretation of this  
1281 compact is warranted and made in good faith and not for any  
1282 improper purpose, such as to harass or to cause unnecessary  
1283 delay or the needless incurring of the cost of resolving the  
1284 dispute.  
1285 (3) If the parties are unable to resolve a dispute through  
1286 the process specified in subsections (1) and (2), either party



150524

1287 may call for mediation under the Commercial Mediation Procedures  
1288 of the American Arbitration Association or any successor  
1289 procedures, provided that such mediation does not last more than  
1290 60 calendar days, unless an extension to this time limit is  
1291 negotiated by the parties. Only matters arising under the terms  
1292 of this compact may be available for resolution through  
1293 mediation. If the parties are unable to resolve a dispute  
1294 through the process specified in this part, notwithstanding any  
1295 other provision of law, either party may bring an action in a  
1296 United States District Court having venue regarding a dispute  
1297 arising under this compact. If the court declines to exercise  
1298 jurisdiction, or federal precedent exists that holds that the  
1299 court would not have jurisdiction over such a dispute, either  
1300 party may bring the action in the appropriate court of the  
1301 Seventeenth Judicial Circuit in Broward County, Florida. The  
1302 parties are entitled to all rights of appeal permitted by law in  
1303 the court system in which the action is brought.

1304 (4) For purposes of actions based on disputes between the  
1305 state and the Tribe that arise under this compact and the  
1306 enforcement of any judgment resulting from such action, the  
1307 Tribe and the state each expressly waive the right to assert  
1308 sovereign immunity from suit and from enforcement of any ensuing  
1309 judgment, and further consent to be sued in federal or state  
1310 court, including the right of appeal specified above, as the  
1311 case may be, provided that:

1312 (a) The dispute is limited solely to issues arising under  
1313 this compact.

1314 (b) There is no claim for monetary damages, except that  
1315 payment of any money required by the terms of this compact, as



150524

1316 well as injunctive relief or specific performance enforcing a  
1317 provision of this compact requiring the payment of money to the  
1318 state may be sought.

1319 (c) Nothing herein shall be construed to constitute a  
1320 waiver of the sovereign immunity of the Tribe with respect to  
1321 any third party that is made a party or intervenes as a party to  
1322 the action. In the event that intervention, joinder, or other  
1323 participation by any additional party in any action between the  
1324 state and the Tribe would result in the waiver of the Tribe's  
1325 sovereign immunity as to that additional party, the waiver of  
1326 the Tribe may be revoked.

1327 (5) The state may not be precluded from pursuing any  
1328 mediation or judicial remedy against the Tribe on the grounds  
1329 that the state has failed to exhaust its Tribal administrative  
1330 remedies.

1331 (6) Notwithstanding any other provision of this part, any  
1332 failure of the Tribe to remit the payments pursuant to the terms  
1333 of Part XI entitles the state to seek injunctive relief in  
1334 federal or state court, at the state's election, to compel the  
1335 payments after the dispute resolution process in subsections (1)  
1336 and (2) is exhausted.

1337  
1338 PART XIV  
1339

1340 CONSTRUCTION OF COMPACT; SEVERANCE; FEDERAL APPROVAL.—

1341 (1) Each provision of this compact shall stand separate and  
1342 independent of every other provision. In the event that a  
1343 federal district court in Florida or other court of competent  
1344 jurisdiction shall find any provision of this compact to be



150524

1345 invalid, the remaining provisions shall remain in full force and  
1346 effect, provided that severing the invalidated provision does  
1347 not undermine the overall intent of the parties in entering into  
1348 this compact. However, if subsection (6) of Part III, Part XI,  
1349 or Part XII are held by a court of competent jurisdiction to be  
1350 invalid, this compact will become null and void.

1351 (2) It is understood that Part XII, which provides for a  
1352 cessation of the payments to the state under Part XI, does not  
1353 create any duty on the state but only a remedy for the Tribe if  
1354 gaming under state jurisdiction is expanded.

1355 (3) This compact is intended to meet the requirements of  
1356 the Indian Gaming Regulatory Act as it reads on the effective  
1357 date of this compact, and where reference is made to the Indian  
1358 Gaming Regulatory Act, or to an implementing regulation thereof,  
1359 the reference is deemed to have been incorporated into this  
1360 document. Subsequent changes to the Indian Gaming Regulatory Act  
1361 that diminish the rights of the state or Tribe may not be  
1362 applied retroactively to alter the terms of this compact, except  
1363 to the extent that federal law validly mandates that retroactive  
1364 application without the respective consent of the state or the  
1365 Tribe. In the event that a subsequent change in the Indian  
1366 Gaming Regulatory Act, or to an implementing regulation thereof,  
1367 mandates retroactive application without the respective consent  
1368 of the state or the Tribe, the parties agree that this compact  
1369 is voidable by either party if the subsequent change materially  
1370 alters the provisions in the compact relating to the play of  
1371 covered games, revenue sharing payments, suspension or reduction  
1372 of payments, or exclusivity.

1373 (4) Neither the presence of language that is not included



150524

1374 in this compact, nor the absence in this compact of language  
1375 that is present in another state-tribal compact shall be a  
1376 factor in construing the terms of this compact.

1377 (5) The Tribe and the state shall defend the validity of  
1378 this compact.

1379 (6) The parties shall cooperate in seeking approval of this  
1380 compact from the Secretary of the Department of the Interior.

1381

1382 PART XV

1383

1384 NOTICES.—All notices required under this compact shall be  
1385 given by certified mail, return receipt requested, commercial  
1386 overnight courier service, or personal delivery, to the  
1387 Governor, the President of the Senate, the Speaker of the House  
1388 of Representatives, and the Chairman and General Counsel of the  
1389 Seminole Tribe of Florida.

1390

1391 PART XVI

1392

1393 EFFECTIVE DATE AND TERM.—

1394 (1) This compact, if identical to the version ratified by  
1395 the Legislature in s. 285.710(3)(c), Florida Statutes, in 2018,  
1396 shall become effective upon its approval as a tribal-state  
1397 compact within the meaning of the Indian Gaming Regulatory Act  
1398 either by action of the Secretary of the Department of the  
1399 Interior or by operation of law under 25 U.S.C. s. 2710(d)(8)  
1400 upon publication of a notice of approval in the Federal Register  
1401 under 25 U.S.C. s. 2710(d)(8)(D).

1402 (2) This compact shall have a term of twenty years



150524

1403 beginning on the first day of the month following the month in  
1404 which the compact becomes effective under subsection (1).

1405 (3) The Tribe's authorization to offer covered games under  
1406 this compact shall automatically terminate twenty years after  
1407 the effective date unless renewed by an affirmative act of the  
1408 Legislature.

1409

1410 PART XVII

1411

1412 AMENDMENT OF COMPACT AND REFERENCES.—

1413 (1) Amendment of this compact may only be made by written  
1414 agreement of the parties, subject to approval by the Secretary  
1415 of the Department of the Interior, either by publication of the  
1416 notice of approval in the Federal Register or by operation of  
1417 law under 25 U.S.C. s. 2710(d)(8).

1418 (2) Legislative ratification is required for any amendment  
1419 to the compact that alters the provisions relating to covered  
1420 games, the amount of revenue sharing payments, suspension or  
1421 reduction in payments, or exclusivity.

1422 (3) Changes in the provisions of tribal ordinances,  
1423 regulations, and procedures referenced in this compact may be  
1424 made by the Tribe with 30 days' advance notice to the state. If  
1425 the state has an objection to any change to the tribal  
1426 ordinance, regulation, or procedure which is the subject of the  
1427 notice on the ground that its adoption would be a violation of  
1428 the Tribe's obligations under this compact, the state may invoke  
1429 the dispute resolution provisions provided in Part XIII.

1430

1431 PART XVIII



1432  
1433  
1434  
1435  
1436  
1437  
1438  
1439  
1440  
1441  
1442  
1443  
1444  
1445  
1446  
1447  
1448  
1449  
1450  
1451  
1452  
1453  
1454  
1455  
1456  
1457  
1458  
1459  
1460

MISCELLANEOUS.—

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

(2) If, after the effective date of this compact, the state enters into a compact with any other Tribe that contains more favorable terms with respect to the provisions of this Compact and the Secretary of the Department of the Interior approves such compact, either by publication of the notice of approval in the Federal Register or by operation of law under 25 U.S.C. s. 2710(d)(8), upon tribal notice to the state and the Secretary, this compact shall be deemed amended to contain the more favorable terms, unless the state objects to the change and can demonstrate, in a proceeding commenced under Part XIII, that the terms in question are not more favorable.

(3) Upon the occurrence of certain events beyond the Tribe's control, including acts of God, war, terrorism, fires, floods, or accidents causing damage to or destruction of one or more of its facilities or property necessary to operate the facility or facilities, the Tribe's obligation to pay the guaranteed minimum compact term payment described in Part XI shall be reduced pro rata to reflect the percentage of the total net win lost to the Tribe from the impacted facility or facilities and the net win specified under subsection (2) of Part XII for purposes of determining whether the Tribe's payments described in Part XI shall cease, shall be reduced pro rata to reflect the percentage of the total net win lost to the



150524

1461 Tribe from the impacted facility or facilities. The foregoing  
1462 shall not excuse any obligations of the Tribe to make payments  
1463 to the state as and when required hereunder or in any related  
1464 document or agreement.

1465 (4) The Tribe and the state recognize that opportunities to  
1466 engage in gaming in smoke-free or reduced-smoke environments  
1467 provides both health and other benefits to patrons, and the  
1468 Tribe has instituted a nonsmoking section at its Seminole Hard  
1469 Rock Hotel & Casino-Hollywood Facility. As part of its  
1470 continuing commitment to this issue, the Tribe shall:

1471 (a) Install and utilize a ventilation system at all new  
1472 construction at its facilities, which system exhausts tobacco  
1473 smoke to the extent reasonably feasible under existing state-of-  
1474 the-art technology.

1475 (b) Designate a smoke-free area for slot machines at all  
1476 new construction at its facilities.

1477 (c) Install nonsmoking, vented tables for table games  
1478 installed in its facilities sufficient to reasonably respond to  
1479 demand for such tables.

1480 (d) Designate a nonsmoking area for gaming within all of  
1481 its facilities within five years after the effective date of the  
1482 compact.

1483 (5) The annual average minimum pay-out of all slot machines  
1484 in each facility may not be less than 85 percent.

1485 (6) Nothing in this compact shall alter any of the existing  
1486 memoranda of understanding, contracts, or other agreements  
1487 entered into between the Tribe and any other federal, state, or  
1488 local governmental entity.

1489 (7) The Tribe currently has, as set forth in its Employee



150524

1490 Fair Treatment and Dispute Resolution Policy, and agrees to  
1491 maintain, standards that are comparable to the standards  
1492 provided in federal laws and state laws forbidding employers  
1493 from discrimination in connection with the employment of persons  
1494 working at the facilities on the basis of race, color, religion,  
1495 national origin, gender, age, disability, or marital status.  
1496 Nothing herein shall preclude the Tribe from giving preference  
1497 in employment, promotion, seniority, lay-offs, or retention to  
1498 members of the Tribe and other federally recognized tribes.

1499 (8) The Tribe shall, with respect to any facility where  
1500 covered games are played, adopt and comply with tribal  
1501 requirements that meet the same minimum state requirements  
1502 applicable to businesses in the state with respect to  
1503 environmental and building standards.

1504  
1505 PART XIX  
1506

1507 EXECUTION.—The Governor of the State of Florida affirms  
1508 that he has authority to act for the state in this matter and  
1509 that, provided that this compact is identical to the compact  
1510 ratified by the Legislature pursuant to s. 285.710(3)(c),  
1511 Florida Statutes, no further action by the state or any state  
1512 official is necessary for this compact to take effect upon  
1513 federal approval by action of the Secretary of the Department of  
1514 the Interior or by operation of law under 25 U.S.C. s.  
1515 2710(d)(8) by publication of the notice of approval in the  
1516 Federal Register. The Governor affirms that he will proceed with  
1517 obtaining such federal approval and take all other appropriate  
1518 action to effectuate the purposes and intent of this Compact.



150524

1519 The undersigned Chairman of the Tribal Council of the Seminole  
1520 Tribe of Florida affirms that he is duly authorized and has the  
1521 authority to execute this Compact on behalf of the Tribe. The  
1522 Chairman also affirms that he will assist in obtaining federal  
1523 approval and take all other appropriate action to effectuate the  
1524 purposes and intent of this Compact.

1525 Section 2. Subsection (4) of section 285.712, Florida  
1526 Statutes, is amended to read:

1527 285.712 Tribal-state gaming compacts.—

1528 (4) Upon execution receipt of an ~~act ratifying~~ a tribal-  
1529 state compact entered pursuant to s. 285.710(3)(b), the Governor  
1530 shall provide a copy to the Secretary of State who shall forward  
1531 a copy of the executed compact and the ratifying act to the  
1532 United States Secretary of the Interior for his or her review  
1533 and approval, in accordance with 25 U.S.C. s. 2710(d)(8)  
1534 ~~2710(8)(d)~~.

1535 Section 3. Section 546.13, Florida Statutes, is created to  
1536 read:

1537 546.13 Fantasy contests and fantasy contest operators.—

1538 (1) DEFINITIONS.—As used in this section, the term:

1539 (a) "Entry fee" means cash or a cash equivalent that is  
1540 required to be paid by a participant in order to participate in  
1541 a fantasy contest.

1542 (b) "Fantasy contest" means a fantasy or simulated game or  
1543 contest in which:

1544 1. The value of all prizes and awards offered to winning  
1545 participants is established and made known to the participants  
1546 in advance of the contest;

1547 2. All winning outcomes reflect the relative knowledge and



150524

1548 skill of the participants and are determined predominantly by  
1549 accumulated statistical results of the performance of  
1550 individuals, including athletes in the case of sporting events;

1551 3. No winning outcome is based on the score, point spread,  
1552 or any performance or performances of any single actual team or  
1553 combination of such teams, solely on any single performance of  
1554 an individual athlete or player in any single actual event, or  
1555 on the performances of participants in collegiate, high school,  
1556 or youth sporting events.

1557 (c) "Fantasy contest operator" means a person or an entity,  
1558 including any employee or agent, that offers or conducts a  
1559 fantasy contest with an entry fee for a cash prize or award and  
1560 that is not a participant in the fantasy contest.

1561 (2) EXEMPTIONS.—The Department of Business and Professional  
1562 Regulation may not regulate and the offenses established in s.  
1563 849.01, s. 849.08, s. 849.09, s. 849.11, s. 849.14, and s.  
1564 849.25 do not include or apply to a fantasy contest operated or  
1565 conducted by a:

1566 (a) Fantasy contest operator.

1567 (b) Natural person who is a participant in the fantasy  
1568 contest, serves as the commissioner of not more than 10 fantasy  
1569 contests in a calendar year, and distributes all entry fees for  
1570 the fantasy contest as prizes or awards to the participants in  
1571 that fantasy contest.

1572 Section 4. Subsections (1) and (3) of section 550.01215,  
1573 Florida Statutes, are amended to read:

1574 550.01215 License application; periods of operation; bond,  
1575 conversion of permit.—

1576 (1) Each permitholder shall annually, during the period



150524

1577 between December 15 and January 4, file in writing with the  
1578 division its application for an operating a license to conduct  
1579 pari-mutuel wagering during the next state fiscal year,  
1580 including intertrack and simulcast race wagering for greyhound  
1581 racing permitholders, harness horse racing permitholders,  
1582 quarter horse racing permitholders, and jai alai permitholders  
1583 that do not to conduct live performances during the next state  
1584 fiscal year. Each application for live performances must shall  
1585 specify the number, dates, and starting times of all live  
1586 performances that which the permitholder intends to conduct. It  
1587 must shall also specify which performances will be conducted as  
1588 charity or scholarship performances.

1589 (a) In addition, Each application for an operating a  
1590 license also must shall include:7

1591 1. For each permitholder, whether the permitholder intends  
1592 to accept wagers on intertrack or simulcast events.

1593 2. For each permitholder that elects which elects to  
1594 operate a cardroom, the dates and periods of operation the  
1595 permitholder intends to operate the cardroom. or

1596 3. For each thoroughbred racing permitholder that which  
1597 elects to receive or rebroadcast out-of-state races after 7  
1598 p.m., the dates for all performances which the permitholder  
1599 intends to conduct.

1600 (b) A greyhound racing permitholder that conducted a full  
1601 schedule of live racing for a period of at least 10 consecutive  
1602 state fiscal years after the 1996-1997 state fiscal year, or  
1603 that converted its permit to a permit to conduct greyhound  
1604 racing after the 1996-1997 state fiscal year, may specify in its  
1605 application for an operating license that it does not intend to



150524

1606 conduct live racing, or that it intends to conduct less than a  
1607 full schedule of live racing, in the next state fiscal year. A  
1608 greyhound racing permitholder may retain its permit; is a pari-  
1609 mutuel facility as defined in s. 550.002(23); if such  
1610 permitholder has been issued a slot machine license, the  
1611 facility where such permit is located remains an eligible  
1612 facility as defined in s. 551.102(4), continues to be eligible  
1613 for a slot machine license, and is exempt from ss. 551.104(3)  
1614 and (4)(c)1. and 551.114(2) and (4); is eligible, but not  
1615 required, to be a guest track for purposes of intertrack  
1616 wagering and simulcasting pursuant to ss. 550.3551, 550.615, and  
1617 550.6305; and remains eligible for a cardroom license  
1618 notwithstanding any requirement in s. 849.086 for the conduct of  
1619 live performances. A greyhound racing permitholder may receive  
1620 an operating license to conduct pari-mutuel wagering activities  
1621 at another permitholder's greyhound racing facility pursuant to  
1622 s. 550.475.

1623 (c) A jai alai permitholder, harness horse racing  
1624 permitholder, or a quarter horse racing permitholder that has  
1625 conducted live racing or games for at least 5 years irrevocably  
1626 may elect not to conduct live racing or games if the election is  
1627 made within 30 days after the effective date of this act. A  
1628 permitholder that makes such election may retain its permit; is  
1629 a pari-mutuel facility as defined in s. 550.002(23); if such  
1630 permitholder has been issued a slot machine license, the  
1631 facility where such permit is located remains an eligible  
1632 facility as defined in s. 551.102(4), continues to be eligible  
1633 for a slot machine license, and is exempt from ss. 551.104(3)  
1634 and (4)(c)1. and 551.114(2) and (4); is eligible, but not



150524

1635 required, to be a guest track and, if the permitholder is a  
1636 harness horse racing permitholder, to be a host track for  
1637 purposes of intertrack wagering and simulcasting pursuant to ss.  
1638 550.3551, 550.615, 550.625, and 550.6305; and remains eligible  
1639 for a cardroom license notwithstanding any requirement in s.  
1640 849.086 to conduct live performances.

1641 (d) Permitholders may ~~shall be entitled to~~ amend their  
1642 applications through February 28.

1643 (3) The division shall issue each license no later than  
1644 March 15. Each permitholder shall operate all performances at  
1645 the date and time specified on its license. The division shall  
1646 have the authority to approve minor changes in racing dates  
1647 after a license has been issued. The division may approve  
1648 changes in racing dates after a license has been issued when  
1649 there is no objection from any operating permitholder located  
1650 within 50 miles of the permitholder requesting the changes in  
1651 operating dates. In the event of an objection, the division  
1652 shall approve or disapprove the change in operating dates based  
1653 upon the impact on operating permitholders located within 50  
1654 miles of the permitholder requesting the change in operating  
1655 dates. In making the determination to change racing dates, the  
1656 division shall take into consideration the impact of such  
1657 changes on state revenues. Notwithstanding any other provision  
1658 of law, and for the 2018-2019 fiscal year only, the division may  
1659 approve changes in racing dates for permitholders if the request  
1660 for such changes is received before May 31, 2018.

1661 Section 5. Subsections (9), (13), (14), and paragraph (a)  
1662 of subsection (11) of section 550.054, Florida Statutes, are  
1663 amended to read:



150524

1664           550.054 Application for permit to conduct pari-mutuel  
1665 wagering.—

1666           (9) (a) After a permit has been granted by the division and  
1667 has been ratified and approved by the majority of the electors  
1668 participating in the election in the county designated in the  
1669 permit, the division shall grant to the lawful permitholder,  
1670 subject to the conditions of this chapter, a license to conduct  
1671 pari-mutuel operations under this chapter, and, except as  
1672 provided in s. 550.5251, the division shall fix annually the  
1673 time, place, and number of days during which pari-mutuel  
1674 operations may be conducted by the permitholder at the location  
1675 fixed in the permit and ratified in the election. After the  
1676 first license has been issued to the holder of a ratified permit  
1677 for racing in any county, all subsequent annual applications for  
1678 a license by that permitholder must be accompanied by proof, in  
1679 such form as the division requires, that the ratified  
1680 permitholder still possesses all the qualifications prescribed  
1681 by this chapter and that the permit has not been recalled at a  
1682 later election held in the county.

1683           (b) The division may revoke or suspend any permit or  
1684 license issued under this chapter upon a the willful violation  
1685 by the permitholder or licensee of any provision of chapter 551,  
1686 chapter 849, or this chapter or rules of any rule adopted  
1687 pursuant to those chapters. With the exception of the revocation  
1688 of permits required in paragraphs (c) and (e) under this  
1689 chapter. In lieu of suspending or revoking a permit or license,  
1690 the division, in lieu of suspending or revoking a permit or  
1691 license, may impose a civil penalty against the permitholder or  
1692 licensee for a violation of this chapter or rules adopted



150524

1693 pursuant thereto any rule adopted by the division. The penalty  
1694 so imposed may not exceed \$1,000 for each count or separate  
1695 offense. All penalties imposed and collected must be deposited  
1696 with the Chief Financial Officer to the credit of the General  
1697 Revenue Fund.

1698 (c)1. The division shall revoke the permit of any  
1699 permitholder that fails to make payments due pursuant to chapter  
1700 550, chapter 551, or s. 849.086 for more than 24 consecutive  
1701 months unless such failure was the direct result of fire,  
1702 strike, war, or other disaster or event beyond the  
1703 permitholder's control. Financial hardship to the permitholder  
1704 does not, in and of itself, constitute just cause for failure to  
1705 make payments.

1706 2. The division shall revoke the permit of any permitholder  
1707 that has not obtained an operating license in accordance with s.  
1708 550.01215 for a period of more than 24 consecutive months after  
1709 June 30, 2012. The division shall revoke the permit upon  
1710 adequate notice to the permitholder. Financial hardship to the  
1711 permitholder does not, in and of itself, constitute just cause  
1712 for failure to operate.

1713 (d) A new permit to conduct pari-mutuel wagering may not be  
1714 approved or issued after January 1, 2018.

1715 (e) A permit revoked under this subsection is void and may  
1716 not be reissued.

1717 (11) (a) A permit granted under this chapter may not be  
1718 transferred or assigned except upon written approval by the  
1719 division pursuant to s. 550.1815, ~~except that the holder of any~~  
1720 ~~permit that has been converted to a jai alai permit may lease or~~  
1721 ~~build anywhere within the county in which its permit is located.~~



150524

1722           (13) ~~(a)~~ Notwithstanding any provisions of this chapter or  
1723 chapter 551, a pari-mutuel ~~no thoroughbred horse racing~~ permit  
1724 or license issued under this chapter may not ~~shall~~ be  
1725 transferred, or reissued when such reissuance is in the nature  
1726 of a transfer so as to permit or authorize a licensee to change  
1727 the location of a pari-mutuel facility, or a cardroom or slot  
1728 machine facility, except through the relocation of the pari-  
1729 mutuel permit pursuant to s. 550.0555 ~~thoroughbred horse~~  
1730 ~~racetrack except upon proof in such form as the division may~~  
1731 ~~prescribe that a referendum election has been held:~~

1732           1. ~~If the proposed new location is within the same county~~  
1733 ~~as the already licensed location, in the county where the~~  
1734 ~~licensee desires to conduct the race meeting and that a majority~~  
1735 ~~of the electors voting on that question in such election voted~~  
1736 ~~in favor of the transfer of such license.~~

1737           2. ~~If the proposed new location is not within the same~~  
1738 ~~county as the already licensed location, in the county where the~~  
1739 ~~licensee desires to conduct the race meeting and in the county~~  
1740 ~~where the licensee is already licensed to conduct the race~~  
1741 ~~meeting and that a majority of the electors voting on that~~  
1742 ~~question in each such election voted in favor of the transfer of~~  
1743 ~~such license.~~

1744           ~~(b) Each referendum held under the provisions of this~~  
1745 ~~subsection shall be held in accordance with the electoral~~  
1746 ~~procedures for ratification of permits, as provided in s.~~  
1747 ~~550.0651. The expense of each such referendum shall be borne by~~  
1748 ~~the licensee requesting the transfer.~~

1749           (14) ~~(a)~~ Notwithstanding any other provision of law, a pari-  
1750 mutuel permit, cardroom, or slot machine facility may not be



150524

1751 ~~relocated, and a pari-mutuel permit may not be converted to~~  
1752 ~~another class of permit. Any holder of a permit to conduct jai~~  
1753 ~~alai may apply to the division to convert such permit to a~~  
1754 ~~permit to conduct greyhound racing in lieu of jai alai if:~~  
1755 ~~1. Such permit is located in a county in which the division~~  
1756 ~~has issued only two pari-mutuel permits pursuant to this~~  
1757 ~~section;~~  
1758 ~~2. Such permit was not previously converted from any other~~  
1759 ~~class of permit; and~~  
1760 ~~3. The holder of the permit has not conducted jai alai~~  
1761 ~~games during a period of 10 years immediately preceding his or~~  
1762 ~~her application for conversion under this subsection.~~  
1763 ~~(b) The division, upon application from the holder of a jai~~  
1764 ~~alai permit meeting all conditions of this section, shall~~  
1765 ~~convert the permit and shall issue to the permitholder a permit~~  
1766 ~~to conduct greyhound racing. A permitholder of a permit~~  
1767 ~~converted under this section shall be required to apply for and~~  
1768 ~~conduct a full schedule of live racing each fiscal year to be~~  
1769 ~~eligible for any tax credit provided by this chapter. The holder~~  
1770 ~~of a permit converted pursuant to this subsection or any holder~~  
1771 ~~of a permit to conduct greyhound racing located in a county in~~  
1772 ~~which it is the only permit issued pursuant to this section who~~  
1773 ~~operates at a leased facility pursuant to s. 550.475 may move~~  
1774 ~~the location for which the permit has been issued to another~~  
1775 ~~location within a 30-mile radius of the location fixed in the~~  
1776 ~~permit issued in that county, provided the move does not cross~~  
1777 ~~the county boundary and such location is approved under the~~  
1778 ~~zoning regulations of the county or municipality in which the~~  
1779 ~~permit is located, and upon such relocation may use the permit~~



150524

1780 ~~for the conduct of pari-mutuel wagering and the operation of a~~  
1781 ~~cardroom. The provisions of s. 550.6305(9) (d) and (f) shall~~  
1782 ~~apply to any permit converted under this subsection and shall~~  
1783 ~~continue to apply to any permit which was previously included~~  
1784 ~~under and subject to such provisions before a conversion~~  
1785 ~~pursuant to this section occurred.~~

1786 Section 6. Section 550.0745, Florida Statutes, is repealed.

1787 Section 7. Subsection (3) of section 550.09512, Florida  
1788 Statutes, is amended to read:

1789 550.09512 Harness horse taxes; abandoned interest in a  
1790 permit for nonpayment of taxes.-

1791 (3) ~~(a)~~ The division shall revoke the permit of a harness  
1792 horse racing permitholder who does not pay tax on handle for  
1793 live harness horse performances for a full schedule of live  
1794 racers for more than 24 consecutive months during any 2  
1795 ~~consecutive state fiscal years shall be void and shall escheat~~  
1796 ~~to and become the property of the state unless such failure to~~  
1797 ~~operate and pay tax on handle was the direct result of fire,~~  
1798 ~~strike, war, or other disaster or event beyond the ability of~~  
1799 ~~the permitholder to control. Financial hardship to the~~  
1800 ~~permitholder does shall not, in and of itself, constitute just~~  
1801 ~~cause for failure to operate and pay tax on handle. A permit~~  
1802 ~~revoked under this subsection is void and may not be reissued.~~

1803 ~~(b) In order to maximize the tax revenues to the state, the~~  
1804 ~~division shall reissue an escheated harness horse permit to a~~  
1805 ~~qualified applicant pursuant to the provisions of this chapter~~  
1806 ~~as for the issuance of an initial permit. However, the~~  
1807 ~~provisions of this chapter relating to referendum requirements~~  
1808 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~



150524

1809 ~~escheated harness horse permit. As specified in the application~~  
1810 ~~and upon approval by the division of an application for the~~  
1811 ~~permit, the new permitholder shall be authorized to operate a~~  
1812 ~~harness horse facility anywhere in the same county in which the~~  
1813 ~~escheated permit was authorized to be operated, notwithstanding~~  
1814 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

1815 Section 8. Subsections (3) and (7) of section 550.09515,  
1816 Florida Statutes, are amended to read:

1817 550.09515 Thoroughbred horse taxes; abandoned interest in a  
1818 permit for nonpayment of taxes.-

1819 (3)~~(a)~~ The division shall revoke the permit of a  
1820 thoroughbred racing horse permitholder that who does not pay tax  
1821 on handle for live thoroughbred horse performances for a full  
1822 schedule of live races for more than 24 consecutive months  
1823 ~~during any 2 consecutive state fiscal years shall be void and~~  
1824 ~~shall escheat to and become the property of the state unless~~  
1825 such failure to operate and pay tax on handle was the direct  
1826 result of fire, strike, war, or other disaster or event beyond  
1827 the ability of the permitholder to control. Financial hardship  
1828 to the permitholder does ~~shall~~ not, in and of itself, constitute  
1829 just cause for failure to operate and pay tax on handle. A  
1830 permit revoked under this subsection is void and may not be  
1831 reissued.

1832 ~~(b) In order to maximize the tax revenues to the state, the~~  
1833 ~~division shall reissue an escheated thoroughbred horse permit to~~  
1834 ~~a qualified applicant pursuant to the provisions of this chapter~~  
1835 ~~as for the issuance of an initial permit. However, the~~  
1836 ~~provisions of this chapter relating to referendum requirements~~  
1837 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~



150524

1838 ~~escheated thoroughbred horse permit. As specified in the~~  
1839 ~~application and upon approval by the division of an application~~  
1840 ~~for the permit, the new permitholder shall be authorized to~~  
1841 ~~operate a thoroughbred horse facility anywhere in the same~~  
1842 ~~county in which the escheated permit was authorized to be~~  
1843 ~~operated, notwithstanding the provisions of s. 550.054(2)~~  
1844 ~~relating to mileage limitations.~~

1845 ~~(7) If a thoroughbred permitholder fails to operate all~~  
1846 ~~performances on its 2001-2002 license, failure to pay tax on~~  
1847 ~~handle for a full schedule of live races for those performances~~  
1848 ~~in the 2001-2002 fiscal year does not constitute failure to pay~~  
1849 ~~taxes on handle for a full schedule of live races in a fiscal~~  
1850 ~~year for the purposes of subsection (3). This subsection may not~~  
1851 ~~be construed as forgiving a thoroughbred permitholder from~~  
1852 ~~paying taxes on performances conducted at its facility pursuant~~  
1853 ~~to its 2001-2002 license other than for failure to operate all~~  
1854 ~~performances on its 2001-2002 license. This subsection expires~~  
1855 ~~July 1, 2003.~~

1856 Section 9. Section 550.3345, Florida Statutes, is amended  
1857 to read:

1858 550.3345 ~~Conversion of quarter horse permit to a Limited~~  
1859 ~~thoroughbred racing permit.-~~

1860 (1) In recognition of the important and long-standing  
1861 economic contribution of the thoroughbred horse breeding  
1862 industry to this state and the state's vested interest in  
1863 promoting the continued viability of this agricultural activity,  
1864 the state intends to provide a limited opportunity for the  
1865 conduct of live thoroughbred horse racing with the net revenues  
1866 from such racing dedicated to the enhancement of thoroughbred



150524

1867 purses and breeders', stallion, and special racing awards under  
1868 this chapter; the general promotion of the thoroughbred horse  
1869 breeding industry; and the care in this state of thoroughbred  
1870 horses retired from racing.

1871       (2) A limited thoroughbred racing permit previously  
1872 converted from ~~Notwithstanding any other provision of law, the~~  
1873 ~~holder of a quarter horse racing permit pursuant to chapter~~  
1874 2010-29, Laws of Florida, issued under s. 550.334 may only be  
1875 held by, within 1 year after the effective date of this section,  
1876 ~~apply to the division for a transfer of the quarter horse racing~~  
1877 ~~permit to~~ a not-for-profit corporation formed under state law to  
1878 serve the purposes of the state as provided in subsection (1).  
1879 The board of directors of the not-for-profit corporation must be  
1880 composed ~~comprised~~ of 11 members, 4 of whom shall be designated  
1881 by the applicant, 4 of whom shall be designated by the Florida  
1882 Thoroughbred Breeders' Association, and 3 of whom shall be  
1883 designated by the other 8 directors, with at least 1 of these 3  
1884 members being an authorized representative of another  
1885 thoroughbred racing permitholder in this state. A limited  
1886 thoroughbred racing ~~The not-for-profit corporation shall submit~~  
1887 ~~an application to the division for review and approval of the~~  
1888 ~~transfer in accordance with s. 550.054. Upon approval of the~~  
1889 ~~transfer by the division, and notwithstanding any other~~  
1890 ~~provision of law to the contrary, the not-for-profit corporation~~  
1891 ~~may, within 1 year after its receipt of the permit, request that~~  
1892 ~~the division convert the quarter horse racing permit to a permit~~  
1893 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~  
1894 ~~thoroughbred racing. Neither the transfer of the quarter horse~~  
1895 ~~racing permit nor its conversion to a limited thoroughbred~~



150524

1896 ~~permit shall be subject to the mileage limitation or the~~  
1897 ~~ratification election as set forth under s. 550.054(2) or s.~~  
1898 ~~550.0651. Upon receipt of the request for such conversion, the~~  
1899 ~~division shall timely issue a converted permit. The converted~~  
1900 ~~permit and the not-for-profit corporation are shall be subject~~  
1901 ~~to the following requirements:~~

1902 (a) All net revenues derived by the not-for-profit  
1903 corporation under the thoroughbred ~~horse~~ racing permit, after  
1904 the funding of operating expenses and capital improvements,  
1905 shall be dedicated to the enhancement of thoroughbred purses and  
1906 breeders', stallion, and special racing awards under this  
1907 chapter; the general promotion of the thoroughbred horse  
1908 breeding industry; and the care in this state of thoroughbred  
1909 horses retired from racing.

1910 (b) From December 1 through April 30, ~~no~~ live thoroughbred  
1911 racing may not be conducted under the permit on any day during  
1912 which another thoroughbred racing permitholder is conducting  
1913 live thoroughbred racing within 125 air miles of the not-for-  
1914 profit corporation's pari-mutuel facility unless the other  
1915 thoroughbred racing permitholder gives its written consent.

1916 (c) After ~~the conversion of the quarter horse racing permit~~  
1917 ~~and the~~ issuance of its initial license to conduct pari-mutuel  
1918 wagering meets of thoroughbred racing, the not-for-profit  
1919 corporation shall annually apply to the division for a license  
1920 pursuant to s. 550.5251.

1921 (d) Racing under the permit may take place only at the  
1922 location for which the original quarter horse racing permit was  
1923 issued, which may be leased by the not-for-profit corporation  
1924 for that purpose; ~~however, the not-for-profit corporation may,~~



150524

1925 ~~without the conduct of any ratification election pursuant to s.~~  
1926 ~~550.054(13) or s. 550.0651, move the location of the permit to~~  
1927 ~~another location in the same county provided that such~~  
1928 ~~relocation is approved under the zoning and land use regulations~~  
1929 ~~of the applicable county or municipality.~~

1930 (e) A limited thoroughbred racing ~~no~~ permit may not be  
1931 transferred ~~converted under this section is eligible for~~  
1932 ~~transfer~~ to another person or entity.

1933 (3) Unless otherwise provided in this section, ~~after~~  
1934 ~~conversion~~, the permit and the not-for-profit corporation shall  
1935 be treated under the laws of this state as a thoroughbred racing  
1936 permit and as a thoroughbred racing permitholder, respectively,  
1937 with the exception of ss. 550.054(9)(c) and 550.09515(3) ~~s.~~  
1938 ~~550.09515(3)~~.

1939 Section 10. Paragraph (c) of subsection (4) of section  
1940 551.104, Florida Statutes, is amended to read:

1941 551.104 License to conduct slot machine gaming.-

1942 (4) As a condition of licensure and to maintain continued  
1943 authority for the conduct of slot machine gaming, a ~~the~~ slot  
1944 machine licensee shall:

1945 (c)1. Conduct no less ~~fewer~~ than a full schedule of live  
1946 racing or games as defined in s. 550.002(11), unless conducting  
1947 less than a full schedule of live racing or games pursuant to s.  
1948 550.01215(1)(b) or (c). A permitholder's responsibility to  
1949 conduct a full schedule ~~such number~~ of live races or games, as  
1950 defined in s. 550.002(11), shall be reduced by the number of  
1951 races or games that could not be conducted due to the direct  
1952 result of fire, war, hurricane, or other disaster or event  
1953 beyond the control of the permitholder. A permitholder may



150524

1954 conduct live races or games at another pari-mutuel facility  
1955 pursuant to s. 550.475 if such permitholder has operated its  
1956 live races or games by lease for at least 5 consecutive years  
1957 immediately prior to the permitholder's application for a slot  
1958 machine license.

1959 2.a. If not licensed to conduct a full schedule of live  
1960 racing or games, as defined in s. 550.002(11), pursuant to s.  
1961 550.01215(1)(b) or (c), remit each month to each qualified  
1962 thoroughbred permitholder, by electronic funds transfer, an  
1963 amount equal to one-twelfth of the lesser of \$1.5 million or  
1964 2.75 percent of its slot machine revenues from the previous  
1965 state fiscal year, divided by the total number of qualified  
1966 thoroughbred permitholders for the applicable state fiscal year.  
1967 Qualified thoroughbred permitholders shall use such payments  
1968 exclusively for purses and awards for live thoroughbred horse  
1969 races held at the qualified thoroughbred permitholder's racing  
1970 facility. For the purposes of this subparagraph, the term  
1971 "qualified thoroughbred permitholder" means a thoroughbred  
1972 permitholder conducting, in the applicable state fiscal year, no  
1973 less than a full schedule of live racing or games, as defined in  
1974 s. 550.002(11), and no fewer live thoroughbred horse racing  
1975 performances than such permitholder conducted in state fiscal  
1976 year 2017-2018. The term does not include a permitholder whose  
1977 permit was issued pursuant to s. 550.3345 or a permitholder  
1978 leasing at another thoroughbred permitholder's facility pursuant  
1979 to s. 550.475.

1980 b. The division shall notify each slot machine licensee  
1981 required to remit such payments, not later than 15 days after  
1982 issuing the slot machine license, of the qualified thoroughbred



150524

1983 permitholders to which such payments must be paid. Each  
1984 qualified thoroughbred permitholder shall provide each slot  
1985 machine licensee required to remit payments pursuant to this  
1986 subparagraph with written instructions for transmitting such  
1987 electronic payments. Such payments shall be remitted to each  
1988 qualified thoroughbred permitholder on the fifth day of each  
1989 calendar month. If the fifth day of the calendar month falls on  
1990 a weekend, such payment shall be remitted on the first Monday  
1991 following the weekend.

1992 c. A qualified thoroughbred permitholder receiving funds  
1993 under this subparagraph shall remit, within 10 days after  
1994 receipt, 10 percent of those funds to the Florida Thoroughbred  
1995 Breeders' Association, Inc., for the payment of breeders',  
1996 stallion, and special racing awards, subject to the fee  
1997 authorized in s. 550.2625(3).

1998 Section 11. Subsections (1), (2), and (4) of section  
1999 551.106, Florida Statutes, are amended to read:

2000 551.106 License fee; tax rate; penalties.-

2001 (1) LICENSE FEE.-

2002 ~~(a) Upon submission of the initial application for a slot~~  
2003 ~~machine license, and annually thereafter, on the anniversary~~  
2004 ~~date of the issuance of the initial license, the licensee must~~  
2005 ~~pay to the division a nonrefundable license fee of \$3 million~~  
2006 ~~for the succeeding 12 months of licensure. In the 2010-2011~~  
2007 ~~fiscal year, the licensee must pay the division a nonrefundable~~  
2008 ~~license fee of \$2.5 million for the succeeding 12 months of~~  
2009 ~~licensure. In the 2011-2012 fiscal year and for every fiscal~~  
2010 ~~year thereafter, the licensee must pay the division a~~  
2011 ~~nonrefundable license fee of \$2 million for the succeeding 12~~



150524

2012 months of licensure. The license fee must ~~shall~~ be deposited  
2013 into the Pari-mutuel Wagering Trust Fund of the Department of  
2014 Business and Professional Regulation to be used by the division  
2015 and the Department of Law Enforcement for investigations,  
2016 regulation of slot machine gaming, and enforcement of slot  
2017 machine gaming provisions under this chapter. These payments  
2018 must ~~shall~~ be accounted for separately from taxes or fees paid  
2019 pursuant to ~~the provisions of~~ chapter 550.

2020 ~~(b) Prior to January 1, 2007, the division shall evaluate~~  
2021 ~~the license fee and shall make recommendations to the President~~  
2022 ~~of the Senate and the Speaker of the House of Representatives~~  
2023 ~~regarding the optimum level of slot machine license fees in~~  
2024 ~~order to adequately support the slot machine regulatory program.~~

2025 (2) TAX ON SLOT MACHINE REVENUES.—

2026 (a)1. The tax rate on slot machine revenues at each  
2027 facility is ~~shall be~~ 35 percent. Effective January 1, 2019, the  
2028 tax rate on slot machine revenues at each facility is 30  
2029 percent. Effective July 1, 2020, the tax rate on slot machine  
2030 revenues at each facility is 25 percent.

2031 2.a. If, during any state fiscal year, the aggregate amount  
2032 of tax paid to the state by ~~all~~ slot machine licensees in  
2033 Broward and Miami-Dade Counties is less than the aggregate  
2034 amount of tax paid to the state by ~~all slot machine~~ licensees in  
2035 those counties in the 2017-2018 2008-2009 fiscal year, each slot  
2036 machine licensee shall pay to the state within 45 days after the  
2037 end of the state fiscal year a surcharge ~~equal to its pro rata~~  
2038 ~~share of an amount equal to the difference between the aggregate~~  
2039 ~~amount of tax paid to the state by all slot machine licensees in~~  
2040 ~~the 2008-2009 fiscal year and the amount of tax paid during the~~



150524

2041 ~~fiscal year.~~

2042       b. The amount of the surcharge to be paid by each such  
2043 licensee must be calculated by dividing the aggregate amount of  
2044 slot machine taxes paid to the state by all such slot machine  
2045 licensees in the 2017-2018 fiscal year by the aggregate amount  
2046 of slot machine taxes paid by all such licensees during the  
2047 applicable state fiscal year, multiplying the result by the  
2048 amount of slot machine taxes paid by the licensee during the  
2049 applicable state fiscal year, and then subtracting from that  
2050 product the amount of slot machine taxes paid by the licensee  
2051 during the applicable state fiscal year. However, the sum of the  
2052 taxes paid by a licensee pursuant to subparagraph 1. and any  
2053 surcharge due from the licensee may not exceed 35 percent of the  
2054 slot machine revenue of that licensee in the applicable state  
2055 fiscal year ~~Each licensee's pro rata share shall be an amount~~  
2056 ~~determined by dividing the number 1 by the number of facilities~~  
2057 ~~licensed to operate slot machines during the applicable fiscal~~  
2058 ~~year, regardless of whether the facility is operating such~~  
2059 ~~machines.~~

2060       (b) The slot machine revenue tax imposed by this section  
2061 ~~must shall~~ be paid to the division for deposit into the Pari-  
2062 mutuel Wagering Trust Fund for immediate transfer by the Chief  
2063 Financial Officer for deposit into the Educational Enhancement  
2064 Trust Fund of the Department of Education. Any interest earnings  
2065 on the tax revenues ~~must shall~~ also be transferred to the  
2066 Educational Enhancement Trust Fund.

2067       (c)1. Funds transferred to the Educational Enhancement  
2068 Trust Fund under paragraph (b) ~~must shall~~ be used to supplement  
2069 public education funding statewide.



150524

2070           2. If necessary to comply with any covenant established  
2071 pursuant to s. 1013.68(4), s. 1013.70(1), or s. 1013.737(3),  
2072 funds transferred to the Educational Enhancement Trust Fund  
2073 under paragraph (b) must ~~shall~~ first be available to pay debt  
2074 service on lottery bonds issued to fund school construction in  
2075 the event lottery revenues are insufficient for such purpose or  
2076 to satisfy debt service reserve requirements established in  
2077 connection with lottery bonds. Moneys available pursuant to this  
2078 subparagraph are subject to annual appropriation by the  
2079 Legislature.

2080           (4) TO PAY TAX; PENALTIES.—A slot machine licensee who  
2081 fails to make tax and any applicable surcharge payments as  
2082 required under this section is subject to an administrative  
2083 penalty of up to \$10,000 for each day the tax payment is not  
2084 remitted. All administrative penalties imposed and collected  
2085 must ~~shall~~ be deposited into the Pari-mutuel Wagering Trust Fund  
2086 of the Department of Business and Professional Regulation. If  
2087 any slot machine licensee fails to pay penalties imposed by  
2088 order of the division under this subsection, the division may  
2089 deny, suspend, revoke, or refuse to renew the license of the  
2090 permitholder or slot machine licensee.

2091           Section 12. Present subsections (9) through (17) of section  
2092 849.086, Florida Statutes, are redesignated as subsections (10)  
2093 through (18), respectively, a new subsection (9) is added to  
2094 that section, subsections (1) and (2) of that section are  
2095 amended, paragraph (g) is added to subsection (4) of that  
2096 section, and paragraph (b) of subsection (5), paragraph (c) of  
2097 subsection (7), paragraph (a) of subsection (8), present  
2098 subsection (12), and paragraphs (d) and (h) of present



150524

2099 subsection (13) are amended, to read:

2100 849.086 Cardrooms authorized.—

2101 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature  
2102 to provide additional entertainment choices for the residents of  
2103 and visitors to the state, promote tourism in the state, provide  
2104 revenues to support the continuation of live pari-mutuel  
2105 activity, and provide additional state revenues through the  
2106 authorization of the playing of certain games in the state at  
2107 facilities known as cardrooms which are to be located at  
2108 licensed pari-mutuel facilities. To ensure the public confidence  
2109 in the integrity of authorized cardroom operations, this act is  
2110 designed to strictly regulate the facilities, persons, and  
2111 procedures related to cardroom operations. Furthermore, the  
2112 Legislature finds that authorized games of poker and dominoes ~~as~~  
2113 ~~herein defined~~ are considered to be pari-mutuel style games and  
2114 not casino gaming because the participants play against each  
2115 other instead of against the house.

2116 (2) DEFINITIONS.—As used in this section:

2117 (a) "Authorized game" means a game or series of games of  
2118 poker, including designated player games, played in conformance  
2119 with this section and in a manner consistent with the rules and  
2120 requirements specified in the 1974 edition of Hoyle's Modern  
2121 Encyclopedia of Card Games: Rules of All the Basic Games and  
2122 Popular Variations and including three card poker, or dominoes  
2123 played in conformance with this section ~~or dominoes which are~~  
2124 ~~played in a nonbanking manner.~~

2125 (b) "Banking game" means a game in which the house is a  
2126 participant in the game, taking on players, paying winners, and  
2127 collecting from losers ~~or in which the cardroom establishes a~~



150524

2128 ~~bank against which participants play.~~ A designated player game  
2129 is not a banking game.

2130 (c) "Cardroom" means a facility where authorized games are  
2131 played for money or anything of value and to which the public is  
2132 invited to participate in such games and charged a fee for  
2133 participation by the operator of such facility. Authorized games  
2134 and cardrooms do not constitute casino gaming operations if  
2135 conducted at an eligible facility.

2136 (d) "Cardroom management company" means any individual not  
2137 an employee of the cardroom operator, any proprietorship,  
2138 partnership, corporation, or other entity that enters into an  
2139 agreement with a cardroom operator to manage, operate, or  
2140 otherwise control the daily operation of a cardroom.

2141 (e) "Cardroom distributor" means any business that  
2142 distributes cardroom paraphernalia such as card tables, betting  
2143 chips, chip holders, dominoes, dominoes tables, drop boxes,  
2144 banking supplies, playing cards, card shufflers, and other  
2145 associated equipment to authorized cardrooms.

2146 (f) "Cardroom operator" means a licensed pari-mutuel  
2147 permitholder that ~~which~~ holds a valid permit and license issued  
2148 by the division pursuant to chapter 550 and which also holds a  
2149 valid cardroom license issued by the division pursuant to this  
2150 section which authorizes such person to operate a cardroom and  
2151 to conduct authorized games in such cardroom.

2152 (g) "Designated player" means the player identified for  
2153 each game by a button that rotates clockwise before each hand  
2154 begins as the player in the dealer position and seated at a  
2155 traditional player position in a designated player game who pays  
2156 winning players and collects from losing players.



150524

2157           (h) "Designated player game" means a game in which the  
2158 players compare their cards only to the cards of the designated  
2159 player or to a combination of cards held by the designated  
2160 player and cards common and available for play by all players.

2161           (i)~~(g)~~ "Division" means the Division of Pari-mutuel  
2162 Wagering of the Department of Business and Professional  
2163 Regulation.

2164           (j)~~(h)~~ "Dominoes" means a game of dominoes typically played  
2165 with a set of 28 flat rectangular blocks, called "bones," which  
2166 are marked on one side and divided into two equal parts, with  
2167 zero to six dots, called "pips," in each part. The term also  
2168 includes larger sets of blocks that contain a correspondingly  
2169 higher number of pips. The term also means the set of blocks  
2170 used to play the game.

2171           (k)~~(i)~~ "Gross receipts" means the total amount of money  
2172 received by a cardroom from any person for participation in  
2173 authorized games.

2174           (l)~~(j)~~ "House" means the cardroom operator and all  
2175 employees of the cardroom operator.

2176           (m)~~(k)~~ "Net proceeds" means the total amount of gross  
2177 receipts received by a cardroom operator from cardroom  
2178 operations less direct operating expenses related to cardroom  
2179 operations, including labor costs, admission taxes only if a  
2180 separate admission fee is charged for entry to the cardroom  
2181 facility, gross receipts taxes imposed on cardroom operators by  
2182 this section, the annual cardroom license fees imposed by this  
2183 section on each table operated at a cardroom, and reasonable  
2184 promotional costs excluding officer and director compensation,  
2185 interest on capital debt, legal fees, real estate taxes, bad



150524

2186 debts, contributions or donations, or overhead and depreciation  
2187 expenses not directly related to the operation of the cardrooms.

2188 (n)~~(l)~~ "Rake" means a set fee or percentage of the pot  
2189 assessed by a cardroom operator for providing the services of a  
2190 dealer, table, or location for playing the authorized game.

2191 (o)~~(m)~~ "Tournament" means a series of games that have more  
2192 than one betting round involving one or more tables and where  
2193 the winners or others receive a prize or cash award.

2194 (4) AUTHORITY OF DIVISION.—The Division of Pari-mutuel  
2195 Wagering of the Department of Business and Professional  
2196 Regulation shall administer this section and regulate the  
2197 operation of cardrooms under this section and the rules adopted  
2198 pursuant thereto, and is hereby authorized to:

2199 (g) Establish a reasonable period to respond to requests  
2200 from a licensed cardroom; provided however, the division has a  
2201 maximum of 45 days to approve:

2202 1. A cardroom's internal controls or provide the cardroom  
2203 with a list of deficiencies as to the internal controls.

2204 2. Rules for a new authorized game submitted by a licensed  
2205 cardroom or provide the cardroom with a list of deficiencies as  
2206 to those rules.

2207  
2208 No later than 10 days after the submission of revised internal  
2209 controls or revised rules addressing the deficiencies identified  
2210 by the division, the division must review and approve or reject  
2211 the revised internal controls or revised rules.

2212 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may  
2213 operate a cardroom in this state unless such person holds a  
2214 valid cardroom license issued pursuant to this section.



150524

2215 (b) After the initial cardroom license is granted, the  
2216 application for the annual license renewal shall be made in  
2217 conjunction with the applicant's annual application for its  
2218 pari-mutuel license. If a permitholder has operated a cardroom  
2219 during any of the 3 previous fiscal years and fails to include a  
2220 renewal request for the operation of the cardroom in its annual  
2221 application for license renewal, the permitholder may amend its  
2222 annual application to include operation of the cardroom. ~~In~~  
2223 ~~order for a cardroom license to be renewed the applicant must~~  
2224 ~~have requested, as part of its pari-mutuel annual license~~  
2225 ~~application, to conduct at least 90 percent of the total number~~  
2226 ~~of live performances conducted by such permitholder during~~  
2227 ~~either the state fiscal year in which its initial cardroom~~  
2228 ~~license was issued or the state fiscal year immediately prior~~  
2229 ~~thereto if the permitholder ran at least a full schedule of live~~  
2230 ~~racing or games in the prior year. If the application is for a~~  
2231 ~~harness permitholder cardroom, the applicant must have requested~~  
2232 ~~authorization to conduct a minimum of 140 live performances~~  
2233 ~~during the state fiscal year immediately prior thereto. If more~~  
2234 than one permitholder is operating at a facility, each  
2235 permitholder must have applied for a license to conduct a full  
2236 schedule of live racing.

2237 (7) CONDITIONS FOR OPERATING A CARDROOM.—

2238 (c) A cardroom operator must at all times employ and  
2239 provide a nonplaying live dealer at ~~for~~ each table on which  
2240 authorized ~~card~~ games ~~which traditionally use a dealer~~ are  
2241 conducted ~~at the cardroom~~. Such dealers may not have a  
2242 participatory interest in any game other than the dealing of  
2243 cards and may not have an interest in the outcome of the game.



150524

2244 The providing of such dealers by a licensee does not constitute  
2245 the conducting of a banking game by the cardroom operator.

2246 (8) METHOD OF WAGERS; LIMITATION.—

2247 (a) ~~No~~ Wagering may not be conducted using money or other  
2248 negotiable currency. Games may only be played utilizing a  
2249 wagering system whereby all players' money is first converted by  
2250 the house to tokens or chips that may ~~which shall~~ be used for  
2251 wagering only at that specific cardroom.

2252 (9) DESIGNATED PLAYER GAMES AUTHORIZED.—

2253 (a) A cardroom operator may offer designated player games  
2254 consisting of players making wagers against the designated  
2255 player. However, not more than 50 percent of the total licensed  
2256 tables in a cardroom may offer designated player games. The  
2257 designated player must be licensed pursuant to paragraph (6) (b).  
2258 Employees of a designated player also must be licensed, and the  
2259 designated player shall pay, in addition to the business  
2260 occupational fee established pursuant to paragraph (6) (i), an  
2261 employee occupational license fee that may not exceed \$500 per  
2262 employee for any 12-month period.

2263 (b) A cardroom operator may not serve as a designated  
2264 player in any game. The cardroom operator may not have a  
2265 financial interest in a designated player in any game. A  
2266 cardroom operator may collect a rake in accordance with the rake  
2267 structure posted at the table.

2268 (c) If there are multiple designated players at a table,  
2269 the dealer button shall be rotated in a clockwise rotation after  
2270 each hand.

2271 (d) A cardroom operator may not allow a designated player  
2272 to pay an opposing player who holds a lower-ranked hand.



150524

2273           (e) A designated player may not be required by the rules of  
2274 a game or by the rules of a cardroom to cover more than 10 times  
2275 the maximum wager for players participating in any one game.

2276           (f) The cardroom, or any cardroom licensee, may not  
2277 contract with, or receive compensation other than a posted table  
2278 rake from, any player to participate in any game to serve as a  
2279 designated player.

2280           (13)-(12) PROHIBITED ACTIVITIES.-

2281           (a) A ~~No~~ person licensed to operate a cardroom may not  
2282 conduct any banking game or any game not specifically authorized  
2283 by this section.

2284           (b) A ~~No~~ person who is younger than ~~under~~ 18 years of age  
2285 may not be permitted to hold a cardroom or employee license, ~~or~~  
2286 to engage in any game conducted therein.

2287           (c) With the exception of mechanical card shufflers, ~~No~~  
2288 electronic or mechanical devices, ~~except mechanical card~~  
2289 ~~shufflers,~~ may not be used to conduct any authorized game in a  
2290 cardroom.

2291           (d) ~~No~~ Cards, game components, or game implements may not  
2292 be used in playing an authorized game unless they have ~~such has~~  
2293 been furnished or provided to the players by the cardroom  
2294 operator.

2295           (14)-(13) TAXES AND OTHER PAYMENTS.-

2296           (d)1. Each ~~greyhound and jai alai~~ permitholder that  
2297 operates a cardroom facility shall use at least 4 percent of  
2298 such permitholder's cardroom monthly gross receipts to  
2299 supplement ~~greyhound~~ purses and awards or jai alai prize money,  
2300 respectively, during the permitholder's next ensuing pari-mutuel  
2301 meet.



150524

2302           2.a. Any permitholder with a cardroom license and  
2303 conducting less than a full schedule of live racing or games, as  
2304 defined in s. 550.002(11), pursuant to s. 550.01215(1)(b) or (c)  
2305 shall remit each month to each qualified thoroughbred  
2306 permitholder, by electronic funds transfer, an amount equal to 4  
2307 percent of its monthly cardroom gross receipts divided by the  
2308 total number of qualified thoroughbred permitholders for a  
2309 license year. Qualified thoroughbred permitholders shall use  
2310 such payments exclusively for purses and awards for live  
2311 thoroughbred horse races held at the qualified thoroughbred  
2312 permitholder's racing facility. For the purposes of this  
2313 subparagraph, the term "qualified thoroughbred permitholder"  
2314 means a thoroughbred permitholder conducting, in the applicable  
2315 state fiscal year, no less than a full schedule of live racing  
2316 or games, as defined in s. 550.002(11), and no fewer live  
2317 thoroughbred horse racing performances than such permitholder  
2318 conducted in state fiscal year 2017-2018. The term does not  
2319 include a permitholder whose permit was issued pursuant to s.  
2320 550.3345 or a permitholder leasing at another thoroughbred  
2321 permitholder's facility pursuant to s. 550.475.

2322           b. The division shall notify each cardroom licensee  
2323 required to remit such payments, not later than 15 days after  
2324 issuing the cardroom license, of the qualified thoroughbred  
2325 permitholders to which such payments must be paid. Each  
2326 qualified thoroughbred permitholder shall provide each cardroom  
2327 licensee required to remit payments pursuant to this  
2328 subparagraph with written instructions for transmitting such  
2329 electronic payments. Such payments shall be remitted to each  
2330 qualified thoroughbred permitholder on the fifth day of each



150524

2331 calendar month and shall be based upon the preceding month's  
2332 cardroom activities. If the fifth day of the calendar month  
2333 falls on a weekend, such payment shall be remitted on the first  
2334 Monday following the weekend.

2335 c. A qualified thoroughbred permitholder receiving funds  
2336 under this subparagraph shall remit, within 10 days after  
2337 receipt, 10 percent of those funds to the Florida Thoroughbred  
2338 Breeders' Association, Inc., for the payment of breeders',  
2339 stallion, and special racing awards, subject to the fee  
2340 authorized in s. 550.2625(3).

2341 3. Each thoroughbred and harness horse racing permitholder  
2342 that operates a cardroom facility shall use at least 50 percent  
2343 of such permitholder's cardroom monthly net proceeds as follows:  
2344 47 percent to supplement purses and 3 percent to supplement  
2345 breeders' awards during the permitholder's next ensuing racing  
2346 meet.

2347 ~~3. No cardroom license or renewal thereof shall be issued~~  
2348 ~~to an applicant holding a permit under chapter 550 to conduct~~  
2349 ~~pari-mutuel wagering meets of quarter horse racing unless the~~  
2350 ~~applicant has on file with the division a binding written~~  
2351 ~~agreement between the applicant and the Florida Quarter Horse~~  
2352 ~~Racing Association or the association representing a majority of~~  
2353 ~~the horse owners and trainers at the applicant's eligible~~  
2354 ~~facility, governing the payment of purses on live quarter horse~~  
2355 ~~races conducted at the licensee's pari-mutuel facility. The~~  
2356 ~~agreement governing purses may direct the payment of such purses~~  
2357 ~~from revenues generated by any wagering or gaming the applicant~~  
2358 ~~is authorized to conduct under Florida law. All purses shall be~~  
2359 ~~subject to the terms of chapter 550.~~



150524

2360 (h) One-quarter of the moneys deposited into the Pari-  
2361 mutuel Wagering Trust Fund pursuant to paragraph (g) shall, by  
2362 October 1 of each year, be distributed to the local government  
2363 that approved the cardroom under subsection (17) ~~(16)~~; however,  
2364 if two or more pari-mutuel racetracks are located within the  
2365 same incorporated municipality, the cardroom funds shall be  
2366 distributed to the municipality. If a pari-mutuel facility is  
2367 situated in such a manner that it is located in more than one  
2368 county, the site of the cardroom facility shall determine the  
2369 location for purposes of disbursement of tax revenues under this  
2370 paragraph. The division shall, by September 1 of each year,  
2371 determine: the amount of taxes deposited into the Pari-mutuel  
2372 Wagering Trust Fund pursuant to this section from each cardroom  
2373 licensee; the location by county of each cardroom; whether the  
2374 cardroom is located in the unincorporated area of the county or  
2375 within an incorporated municipality; and, the total amount to be  
2376 distributed to each eligible county and municipality.

2377 Section 13. Subsection (1) of section 849.16, Florida  
2378 Statutes, is amended to read:

2379 849.16 Machines or devices which come within provisions of  
2380 law defined.—

2381 (1) As used in this chapter, the term "slot machine or  
2382 device" means any machine or device or system or network of  
2383 devices that is adapted for use in such a way that, upon  
2384 activation, which may be achieved by, but is not limited to, the  
2385 insertion of any piece of money, coin, account number, code, or  
2386 other object or information, such device or system is directly  
2387 or indirectly caused to operate or may be operated and if the  
2388 user, whether by application of skill or by reason of any



150524

2389 element of chance or any other outcome unpredictable by the  
2390 user, regardless of whether the machine or device or system or  
2391 networks of devices includes a preview of the outcome or whether  
2392 the outcome is known, displayed, or capable of being known or  
2393 displayed to the user, may:

2394 (a) Receive or become entitled to receive any piece of  
2395 money, credit, allowance, or thing of value; ~~or~~ any check,  
2396 slug, token, or memorandum, whether of value or otherwise, which  
2397 may be exchanged for any money, credit, allowance, or thing of  
2398 value or which may be given in trade; or the opportunity to  
2399 purchase a subsequently displayed outcome that may have a  
2400 monetary value, regardless of whether such value is equal to,  
2401 greater than, or less than the cost of purchasing such outcome;  
2402 or

2403 (b) Secure additional chances or rights to use such  
2404 machine, apparatus, or device, even though the device or system  
2405 may be available for free play or, in addition to any element of  
2406 chance or unpredictable outcome of such operation, may also  
2407 sell, deliver, or present some merchandise, indication of  
2408 weight, entertainment, or other thing of value. The term "slot  
2409 machine or device" includes, but is not limited to, devices  
2410 regulated as slot machines pursuant to chapter 551.

2411 Section 14. The Division of Law Revision and Information is  
2412 directed to replace the phrase "the effective date of this act"  
2413 wherever it appears in this act with the date this act becomes a  
2414 law.

2415 Section 15. This act shall take effect upon becoming a law.

2416

2417 ===== T I T L E A M E N D M E N T =====



150524

2418 And the title is amended as follows:

2419 Delete everything before the enacting clause  
2420 and insert:

2421 A bill to be entitled  
2422 An act relating to gaming; amending s. 285.710, F.S.;  
2423 authorizing and directing the Governor, in cooperation  
2424 with the Seminole Tribe of Florida, to execute a new  
2425 compact in the form provided; signifying the  
2426 Legislature's approval and ratification of such  
2427 compact that does not materially alter from the  
2428 approved form; providing terms and conditions for the  
2429 gaming compact; defining terms; authorizing the Tribe  
2430 to operate covered games on its lands in accordance  
2431 with the compact and at specified facilities;  
2432 prohibiting specified games; providing requirements  
2433 for resolution of patron disputes involving gaming,  
2434 tort claims, and employee disputes; providing  
2435 requirements for regulation and enforcement of the  
2436 compact; requiring the state to conduct random  
2437 inspections of tribal facilities; authorizing the  
2438 state to conduct an independent audit; requiring the  
2439 Tribe and commission to comply with specified  
2440 licensing and hearing requirements; requiring the  
2441 Tribe to make specified revenue share payments to the  
2442 state, with reductions authorized under certain  
2443 circumstances; requiring the Tribe to pay an annual  
2444 oversight assessment and annual donation to the  
2445 Florida Council on Compulsive Gaming; specifying that  
2446 certain events do not trigger any remedy under the



150524

2447 compact or affect the exclusivity provisions of the  
2448 compact; providing for dispute resolution between the  
2449 Tribe and the state; providing construction; providing  
2450 requirements for notice under the compact; providing  
2451 an effective date and termination of the compact;  
2452 providing for execution of the compact; amending s.  
2453 285.712, F.S.; requiring the Governor to provide a  
2454 copy of the executed compact to specified parties and  
2455 direct the Secretary of State to forward a copy to the  
2456 Secretary of the Interior; creating s. 546.13, F.S.;  
2457 defining terms; exempting a fantasy contest from  
2458 certain regulations; amending s. 550.01215, F.S.;  
2459 revising application requirements for a pari-mutuel  
2460 operating license; authorizing a greyhound racing  
2461 permitholder to specify certain intentions on its  
2462 application; providing that a greyhound racing  
2463 permitholder that has been issued a slot machine  
2464 license remains an eligible facility, continues to be  
2465 eligible for a slot machine license, is exempt from  
2466 certain provisions of ch. 551, F.S., is eligible to be  
2467 a guest track for certain purposes, and remains  
2468 eligible for a cardroom license; authorizing a  
2469 greyhound racing permitholder to receive an operating  
2470 license to conduct pari-mutuel wagering activities at  
2471 another permitholder's greyhound racing facility;  
2472 authorizing certain jai alai permitholders, harness  
2473 horse racing permitholders, or quarter horse racing  
2474 permitholders to elect not to conduct live racing or  
2475 games if the election is made by a specified date;



150524

2476 specifying that such permitholder may retain its  
2477 permit and remains a pari-mutuel facility; specifying  
2478 that, if such permitholder has been issued a slot  
2479 machine license, the permitholder's facility remains  
2480 an eligible facility, continues to be eligible for a  
2481 slot machine license, is exempt from certain  
2482 provisions of chs. 550 and 551, F.S., is eligible to  
2483 be a guest track, and if the permitholder is a harness  
2484 horse racing permitholder, a host track for intertrack  
2485 wagering and simulcasting, and remains eligible for a  
2486 cardroom license; authorizing a harness horse racing  
2487 permitholder to be a host track for purposes of  
2488 intertrack wagering and simulcasting; authorizing the  
2489 division to approve a change in racing dates for a  
2490 permitholder if the request for a change is received  
2491 before a specified date and under certain  
2492 circumstances; amending s. 550.054, F.S.; requiring  
2493 the Division of Pari-Mutuel Wagering to revoke a  
2494 permit to conduct pari-mutuel wagering for a  
2495 permitholder that fails to make specified payments or  
2496 obtain an operating license; prohibiting the issuance  
2497 of new permits; deleting provisions related to the  
2498 conversion of permits; repealing s. 550.0745, F.S.,  
2499 relating to conversion of a pari-mutuel permit to a  
2500 summer jai alai permit; amending ss. 550.09512 and  
2501 550.09515, F.S.; requiring the division to revoke the  
2502 permit of a harness horse or thoroughbred racing  
2503 permitholder, respectively, who does not pay tax on  
2504 handle for a specified period of time; deleting



150524

2505 provisions relating to the reissuance of escheated  
2506 permits; amending s. 550.3345, F.S.; revising  
2507 provisions relating to a limited thoroughbred racing  
2508 permit previously converted from a quarter horse  
2509 racing permit; amending s. 551.104, F.S.; revising  
2510 conditions of licensure and conditions for maintaining  
2511 authority to conduct slot machine gaming; requiring  
2512 certain permitholders to remit certain revenues to  
2513 qualified thoroughbred permitholders; requiring  
2514 qualified thoroughbred permitholders to use such  
2515 payments for certain purposes; defining the term  
2516 "qualified thoroughbred permitholder"; providing a  
2517 process for remitting such payments; requiring  
2518 qualified thoroughbred permitholders receiving such  
2519 funds to remit a specified percentage of the funds to  
2520 a specified association; amending s. 551.106, F.S.;  
2521 deleting obsolete provisions; revising the tax rate on  
2522 slot machine revenue effective on specified dates;  
2523 providing a formula to calculate a surcharge amount;  
2524 prohibiting the surcharge from exceeding a certain  
2525 amount; amending s. 849.086, F.S.; revising  
2526 legislative intent; revising definitions; authorizing  
2527 the division to establish a reasonable period to  
2528 respond to certain requests from a licensed cardroom;  
2529 providing that the division must approve certain  
2530 requests within 45 days; requiring the division to  
2531 review and approve or reject certain revised internal  
2532 controls or revised rules within 10 days after  
2533 submission; deleting provisions relating to the



150524

2534 renewal of a cardroom license; making technical  
2535 changes; authorizing certain cardroom operators to  
2536 offer a certain number of certain designated player  
2537 games; requiring the designated player and employees  
2538 of the designated player to be licensed; requiring the  
2539 designated player to pay certain fees; prohibiting a  
2540 cardroom operator from serving as the designated  
2541 player in a game and from having a financial interest  
2542 in a designated player; authorizing a cardroom  
2543 operator to collect a rake, subject to certain  
2544 requirements; requiring the dealer button to be  
2545 rotated under certain circumstances; prohibiting a  
2546 cardroom operator from allowing a designated player to  
2547 pay an opposing player under certain circumstances;  
2548 prohibiting the rules of the game or of the cardroom  
2549 to require a designated player to cover more than 10  
2550 times the maximum wager for players participating in  
2551 any one game; prohibiting a cardroom or cardroom  
2552 licensee from contracting with or receiving certain  
2553 compensation from a player to allow that player to  
2554 participate in any game as a designated player;  
2555 requiring certain permitholders with a cardroom  
2556 license to remit a certain amount of its monthly gross  
2557 receipts to qualified thoroughbred permitholders;  
2558 requiring qualified thoroughbred holders to use such  
2559 payments for certain purposes; defining the term  
2560 "qualified thoroughbred permitholder"; providing a  
2561 process for remitting such payments; requiring  
2562 qualified thoroughbred permitholders receiving such



150524

2563 funds to remit a specified percentage of the funds to  
2564 a specified association; deleting a provision relating  
2565 to the renewal or issuance of a cardroom license to a  
2566 quarter horse racing permitholder; conforming a cross-  
2567 reference; amending s. 849.16, F.S.; revising the  
2568 definition of the term "slot machine or device";  
2569 providing a directive to the Division of Law Revision  
2570 and Information; providing an effective date.