

By the Committee on Regulated Industries

580-04019-21

20217080\_\_

1                                   A bill to be entitled  
2       An act relating to requirements for pari-mutuel  
3       permitholders to conduct live racing or games;  
4       amending s. 550.002, F.S.; revising definitions;  
5       defining the terms "permitholder" and "permittee";  
6       deleting the term "racing greyhound"; amending s.  
7       550.0115, F.S.; making technical changes; amending s.  
8       550.01215, F.S.; revising the application requirements  
9       for an operating license to conduct pari-mutuel  
10       wagering for a pari-mutuel facility; prohibiting  
11       greyhound permitholders from conducting live racing;  
12       authorizing jai alai permitholders, harness horse  
13       racing permitholders, and quarter horse racing  
14       permitholders to elect not to conduct live racing or  
15       games; requiring thoroughbred permitholders to conduct  
16       live racing; specifying that certain permitholders  
17       that do not conduct live racing or games retain their  
18       permit and remain pari-mutuel facilities; specifying  
19       that, if such permitholder has been issued a slot  
20       machine license, the permitholder's facility remains  
21       an eligible facility, continues to be eligible for a  
22       slot machine license, is exempt from certain  
23       provisions of ch. 551, F.S., is eligible to be a guest  
24       track, and, if the permitholder is a harness horse  
25       racing permitholder, is eligible to be a host track  
26       for intertrack wagering and simulcasting, and remains  
27       eligible for a cardroom license; authorizing the  
28       Division of Pari-mutuel Wagering to approve a change  
29       in racing dates for a permitholder if the request for

580-04019-21

20217080\_\_

30 a change is received before a specified date and under  
31 certain circumstances; deleting a provision  
32 authorizing the conversion of certain permits to a jai  
33 alai permit under certain circumstances; amending s.  
34 550.0235, F.S.; conforming provisions to changes made  
35 by the act; amending s. 550.0351, F.S.; deleting a  
36 provision relating to hound dog derbies and mutt  
37 derbies; amending s. 550.0425, F.S.; deleting a  
38 provision authorizing certain children to be granted  
39 access to kennel compound areas under certain  
40 circumstances; amending s. 550.054, F.S.; deleting  
41 provisions relating to the conversion of jai alai  
42 permits to greyhound racing permits; conforming  
43 provisions to changes made by the act; amending s.  
44 550.09511, F.S.; deleting a provision relating to the  
45 payment of certain taxes and fees by jai alai  
46 permitholders conducting fewer than a specified number  
47 of live performances; amending s. 550.09512, F.S.;

48 revising the circumstances for which a harness horse  
49 permitholder's permit is voided for failing to pay  
50 certain taxes; amending ss. 550.105 and 550.1155,  
51 F.S.; conforming provisions to changes made by the  
52 act; amending s. 550.1647, F.S.; conforming a  
53 provision to changes made by the act; repealing s.  
54 550.1648, F.S., relating to greyhound adoptions;  
55 amending ss. 550.175 and 550.1815, F.S.; conforming  
56 provisions to changes made by the act; amending s.  
57 550.24055, F.S.; conforming provisions to changes made  
58 by the act; amending s. 550.2415, F.S.; deleting

580-04019-21

20217080\_\_

59 provisions relating to the testing, euthanasia, and  
60 training of racing greyhounds; amending s. 550.334,  
61 F.S.; conforming provisions to changes made by the  
62 act; amending s. 550.3551, F.S.; making technical  
63 changes; conforming provisions to changes made by the  
64 act; amending s. 550.3615, F.S.; making technical  
65 changes; prohibiting a person convicted of bookmaking  
66 from attending or being admitted to a pari-mutuel  
67 facility; requiring pari-mutuel facility employees to  
68 notify certain persons of unlawful activities;  
69 providing civil penalties; requiring a permittee to  
70 display certain warnings relating to bookmaking at his  
71 or her pari-mutuel facility; revising applicability;  
72 amending s. 550.475, F.S.; revising provisions  
73 relating to leasing pari-mutuel facilities; amending  
74 s. 550.615, F.S.; revising requirements relating to  
75 intertrack wagering; specifying that greyhound  
76 permitholders are qualified to receive certain  
77 broadcasts and accept specified wagers; amending s.  
78 550.6305, F.S.; conforming provisions to changes made  
79 by the act; amending s. 551.104, F.S.; conforming  
80 provisions to changes made by the act; amending s.  
81 551.114, F.S.; revising requirements for the locations  
82 of designated slot machine gaming areas; amending s.  
83 565.02, F.S.; conforming provisions to changes made by  
84 the act; amending s. 849.086, F.S.; revising  
85 requirements relating to the annual renewal of a  
86 cardroom license; conforming provisions to changes  
87 made by the act; reenacting ss. 380.0651(2)(c),

580-04019-21

20217080\_\_

88 402.82(4)(c), and 480.0475(1), F.S., relating to  
89 statewide guidelines, the electronic benefits transfer  
90 program, and massage establishments, respectively, to  
91 incorporate the amendments made to s. 550.002, F.S.,  
92 in references thereto; providing an effective date.  
93

94 Be It Enacted by the Legislature of the State of Florida:  
95

96 Section 1. Present subsections (24) through (28) of section  
97 550.002, Florida Statutes, are redesignated as subsections (25)  
98 through (29), respectively, a new subsection (24) is added to  
99 that section, and subsections (11), (17), (20), (21), (22),  
100 (23), and (31) and present subsections (26) and (29) of that  
101 section are amended, to read:

102 550.002 Definitions.—As used in this chapter, the term:

103 (11) "Full schedule of live racing or games" means, for a  
104 ~~greyhound~~ or jai alai permitholder, the conduct of a combination  
105 of at least 100 live evening or matinee performances during the  
106 preceding year; for a permitholder who has a converted permit or  
107 filed an application on or before June 1, 1990, for a converted  
108 permit, the conduct of a combination of at least 100 live  
109 evening and matinee wagering performances during either of the 2  
110 preceding years; for a jai alai permitholder who does not  
111 operate slot machines in its pari-mutuel facility, who has  
112 conducted at least 100 live performances per year for at least  
113 10 years after December 31, 1992, and whose handle on live jai  
114 alai games conducted at its pari-mutuel facility has been less  
115 than \$4 million per state fiscal year for at least 2 consecutive  
116 years after June 30, 1992, the conduct of a combination of at

580-04019-21

20217080\_\_

117 least 40 live evening or matinee performances during the  
118 preceding year; for a jai alai permitholder who operates slot  
119 machines in its pari-mutuel facility, the conduct of a  
120 combination of at least 150 performances during the preceding  
121 year; for a harness permitholder, the conduct of at least 100  
122 live regular wagering performances during the preceding year;  
123 for a quarter horse permitholder at its facility unless an  
124 alternative schedule of at least 20 live regular wagering  
125 performances is agreed upon by the permitholder and either the  
126 Florida Quarter Horse Racing Association or the horsemen's  
127 association representing the majority of the quarter horse  
128 owners and trainers at the facility and filed with the division  
129 along with its annual date application, in the 2010-2011 fiscal  
130 year, the conduct of at least 20 regular wagering performances,  
131 in the 2011-2012 and 2012-2013 fiscal years, the conduct of at  
132 least 30 live regular wagering performances, and for every  
133 fiscal year after the 2012-2013 fiscal year, the conduct of at  
134 least 40 live regular wagering performances; for a quarter horse  
135 permitholder leasing another licensed racetrack, the conduct of  
136 160 events at the leased facility; and for a thoroughbred  
137 permitholder, the conduct of at least 40 live regular wagering  
138 performances during the preceding year. For a permitholder which  
139 is restricted by statute to certain operating periods within the  
140 year when other members of its same class of permit are  
141 authorized to operate throughout the year, the specified number  
142 of live performances which constitute a full schedule of live  
143 racing or games shall be adjusted pro rata in accordance with  
144 the relationship between its authorized operating period and the  
145 full calendar year and the resulting specified number of live

580-04019-21

20217080\_\_

146 performances shall constitute the full schedule of live games  
147 for such permitholder and all other permitholders of the same  
148 class within 100 air miles of such permitholder. A live  
149 performance must consist of no fewer than eight races or games  
150 conducted live for each of a minimum of three performances each  
151 week at the permitholder's licensed facility under a single  
152 admission charge.

153 (17) "Intertrack wager" or "intertrack wagering" means a  
154 particular form of pari-mutuel wagering in which wagers are  
155 accepted at a permitted, in-state track, fronton, or pari-mutuel  
156 facility on a race or game transmitted from and performed live  
157 at, or simulcast signal rebroadcast from, another in-state pari-  
158 mutuel facility.

159 (20) "Meet" or "meeting" means the conduct of live racing  
160 or jai alai, or wagering on intertrack or simulcast events, for  
161 any stake, purse, prize, or premium.

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

167 (22) "Pari-mutuel" or "pari-mutuel wagering" means a system  
168 of betting on races or games in which the winners divide the  
169 total amount bet, after deducting management expenses and taxes,  
170 in proportion to the sums they have wagered individually and  
171 with regard to the odds assigned to particular outcomes.

172 (23) "Pari-mutuel facility" means the grounds or property  
173 of a cardroom, racetrack, fronton, or other facility used by a  
174 licensed permitholder ~~for the conduct of pari-mutuel wagering.~~

580-04019-21

20217080\_\_

175       (24) "Permitholder" or "permittee" means a holder of a  
176 permit to conduct pari-mutuel wagering in this state as  
177 authorized in this chapter.

178       (27)~~(26)~~ "Post time" means the time set for the arrival at  
179 the starting point of the horses ~~or greyhounds~~ in a race or the  
180 beginning of a game in jai alai.

181       ~~(29) "Racing greyhound" means a greyhound that is or was~~  
182 ~~used, or is being bred, raised, or trained to be used, in racing~~  
183 ~~at a pari-mutuel facility and is registered with the National~~  
184 ~~Greyhound Association.~~

185       (31) "Same class of races, games, or permit" means, with  
186 respect to a jai alai permitholder, jai alai games or other jai  
187 alai permitholders; with respect to a greyhound permitholder,  
188 ~~greyhound races or other greyhound permitholders~~ conducting  
189 pari-mutuel wagering; with respect to a thoroughbred  
190 permitholder, thoroughbred races or other thoroughbred  
191 permitholders; with respect to a harness permitholder, harness  
192 races or other harness permitholders; with respect to a quarter  
193 horse permitholder, quarter horse races or other quarter horse  
194 permitholders.

195       Section 2. Section 550.0115, Florida Statutes, is amended  
196 to read:

197       550.0115 Permitholder operating license.—After a permit has  
198 been issued by the division, and after the permit has been  
199 approved by election, the division shall issue to the  
200 permitholder an annual operating license to conduct pari-mutuel  
201 wagering operations at the location specified in the permit  
202 pursuant to the provisions of this chapter.

203       Section 3. Section 550.01215, Florida Statutes, is amended

580-04019-21

20217080\_\_

204 to read:

205 550.01215 License application; periods of operation;  
206 license fees; bond,~~conversion of permit.~~

207 (1) Each permitholder shall annually, during the period  
208 between December 15 and January 4, file in writing with the  
209 division its application for an operating a license for a pari-  
210 mutuel facility for the conduct of pari-mutuel wagering during  
211 the next state fiscal year, including intertrack and simulcast  
212 race wagering ~~to conduct performances during the next state~~  
213 ~~fiscal year.~~ Each application for live performances must ~~shall~~  
214 specify the number, dates, and starting times of all live  
215 performances that ~~which~~ the permitholder intends to conduct. It  
216 must ~~shall~~ also specify which performances will be conducted as  
217 charity or scholarship performances.

218 (a) ~~In addition,~~ Each application for an operating a  
219 license also must ~~shall~~ include:  
220

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

223 2. For each permitholder that ~~which~~ elects to operate a  
224 cardroom, the dates and periods of operation the permitholder  
225 intends to operate the cardroom. ~~or,~~

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

229 (b) A greyhound permitholder may not conduct live racing. A  
230 jai alai permitholder, harness horse racing permitholder, or  
231 quarter horse racing permitholder may elect not to conduct live  
232 racing or games. A thoroughbred permitholder must conduct live



580-04019-21

20217080\_\_

233  racing. A greyhound permitholder, jai alai permitholder, harness  
234  horse racing permitholder, or quarter horse racing permitholder  
235  that does not conduct live racing or games retains its permit;  
236  is a pari-mutuel facility as defined in s. 550.002(23); if such  
237  permitholder has been issued a slot machine license, the  
238  facility where such permit is located remains an eligible  
239  facility as defined in s. 551.102(4), continues to be eligible  
240  for a slot machine license pursuant to s. 551.104(3), and is  
241  exempt from ss. 551.104(4)(c) and (10) and 551.114(2) and (4);  
242  is eligible, but not required, to be a guest track and, if the  
243  permitholder is a harness horse racing permitholder, to be a  
244  host track for purposes of intertrack wagering and simulcasting  
245  pursuant to ss. 550.3551, 550.615, 550.625, and 550.6305; and  
246  remains eligible for a cardroom license.

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

249 (2) After the first license has been issued to a  
250 permitholder, all subsequent annual applications for a license  
251 shall be accompanied by proof, in such form as the division may  
252 by rule require, that the permitholder continues to possess the  
253 qualifications prescribed by this chapter, and that the permit  
254 has not been disapproved at a later election.

255 (3) The division shall issue each license no later than  
256 March 15. Each permitholder shall operate all performances at  
257 the date and time specified on its license. The division shall  
258 have the authority to approve minor changes in racing dates  
259 after a license has been issued. The division may approve  
260 changes in racing dates after a license has been issued when  
261 there is no objection from any operating permitholder located

580-04019-21

20217080\_\_

262 within 50 miles of the permitholder requesting the changes in  
263 operating dates. In the event of an objection, the division  
264 shall approve or disapprove the change in operating dates based  
265 upon the impact on operating permitholders located within 50  
266 miles of the permitholder requesting the change in operating  
267 dates. In making the determination to change racing dates, the  
268 division shall take into consideration the impact of such  
269 changes on state revenues. Notwithstanding any other provision  
270 of law, and for the 2021-2022 state fiscal year only, the  
271 division may approve changes in operating dates for  
272 permitholders if the request for such changes is received before  
273 July 1, 2021.

274 (4) In the event that a permitholder fails to operate all  
275 performances specified on its license at the date and time  
276 specified, the division shall hold a hearing to determine  
277 whether to fine or suspend the permitholder's license, unless  
278 such failure was the direct result of fire, strike, war, or  
279 other disaster or event beyond the ability of the permitholder  
280 to control. Financial hardship to the permitholder shall not, in  
281 and of itself, constitute just cause for failure to operate all  
282 performances on the dates and at the times specified.

283 (5) In the event that performances licensed to be operated  
284 by a permitholder are vacated, abandoned, or will not be used  
285 for any reason, any permitholder shall be entitled, pursuant to  
286 rules adopted by the division, to apply to conduct performances  
287 on the dates for which the performances have been abandoned. The  
288 division shall issue an amended license for all such replacement  
289 performances which have been requested in compliance with ~~the~~  
290 ~~provisions~~ of this chapter and division rules.

580-04019-21

20217080\_\_

291 ~~(6) Any permit which was converted from a jai alai permit~~  
292 ~~to a greyhound permit may be converted to a jai alai permit at~~  
293 ~~any time if the permitholder never conducted greyhound racing or~~  
294 ~~if the permitholder has not conducted greyhound racing for a~~  
295 ~~period of 12 consecutive months.~~

296 Section 4. Section 550.0235, Florida Statutes, is amended  
297 to read:

298 550.0235 Limitation of civil liability.—No permitholder  
299 licensed to conduct pari-mutuel wagering ~~permittee conducting a~~  
300 ~~racing meet~~ pursuant to the provisions of this chapter; no  
301 division director or employee of the division; and no steward,  
302 judge, or other person appointed to act pursuant to this chapter  
303 shall be held liable to any person, partnership, association,  
304 corporation, or other business entity for any cause whatsoever  
305 arising out of, or from, the performance by such permittee,  
306 director, employee, steward, judge, or other person of her or  
307 his duties and the exercise of her or his discretion with  
308 respect to the implementation and enforcement of the statutes  
309 and rules governing the conduct of pari-mutuel wagering, so long  
310 as she or he acted in good faith. This section shall not limit  
311 liability in any situation in which the negligent maintenance of  
312 the premises or the negligent conduct of a race contributed to  
313 an accident; nor shall it limit any contractual liability.

314 Section 5. Subsections (1) and (7) of section 550.0351,  
315 Florida Statutes, are amended to read:

316 550.0351 Charity racing days.—

317 (1) The division shall, upon the request of a permitholder,  
318 authorize each horseracing permitholder, ~~dogracing permitholder,~~  
319 and jai alai permitholder up to five charity or scholarship days

580-04019-21

20217080\_\_

320 in addition to the regular racing days authorized by law.

321 ~~(7) In addition to the charity days authorized by this~~  
322 ~~section, any dogracing permitholder may allow its facility to be~~  
323 ~~used for conducting "hound dog derbies" or "mutt derbies" on any~~  
324 ~~day during each racing season by any charitable, civic, or~~  
325 ~~nonprofit organization for the purpose of conducting "hound dog~~  
326 ~~derbies" or "mutt derbies" if only dogs other than those usually~~  
327 ~~used in dogracing (greyhounds) are permitted to race and if~~  
328 ~~adults and minors are allowed to participate as dog owners or~~  
329 ~~spectators. During these racing events, betting, gambling, and~~  
330 ~~the sale or use of alcoholic beverages is prohibited.~~

331 Section 6. Subsection (4) of section 550.0425, Florida  
332 Statutes, is amended to read:

333 550.0425 Minors attendance at pari-mutuel performances;  
334 restrictions.-

335 ~~(4) Minor children of licensed greyhound trainers, kennel~~  
336 ~~operators, or other licensed persons employed in the kennel~~  
337 ~~compound areas may be granted access to kennel compound areas~~  
338 ~~without being licensed, provided they are in no way employed~~  
339 ~~unless properly licensed, and only when under the direct~~  
340 ~~supervision of one of their parents or legal guardian.~~

341 Section 7. Subsections (2) and (14) of section 550.054,  
342 Florida Statutes, are amended to read:

343 550.054 Application for permit to conduct pari-mutuel  
344 wagering.-

345 (2) Upon each application filed and approved, a permit  
346 shall be issued to the applicant setting forth the name of the  
347 permitholder, the location of the pari-mutuel facility, the type  
348 of pari-mutuel activity desired to be conducted, and a statement

580-04019-21

20217080\_\_

349 showing qualifications of the applicant to conduct pari-mutuel  
350 performances under this chapter; however, a permit is  
351 ineffectual to authorize any pari-mutuel performances until  
352 approved by a majority of the electors participating in a  
353 ratification election in the county in which the applicant  
354 proposes to conduct pari-mutuel wagering activities. In  
355 addition, an application may not be considered, nor may a permit  
356 be issued by the division or be voted upon in any county, to  
357 conduct horseraces, harness horse races, or pari-mutuel wagering  
358 ~~degraces~~ at a location within 100 miles of an existing pari-  
359 mutuel facility, or for jai alai within 50 miles of an existing  
360 pari-mutuel facility; this distance shall be measured on a  
361 straight line from the nearest property line of one pari-mutuel  
362 facility to the nearest property line of the other facility.

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

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

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

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

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

580-04019-21

20217080\_\_

378 ~~converted under this section shall be required to apply for and~~  
379 ~~conduct a full schedule of live racing each fiscal year to be~~  
380 ~~eligible for any tax credit provided by this chapter.~~ The holder  
381 of a permit converted under former subsection (14) of this  
382 section, Florida Statutes 2020, ~~pursuant to this subsection~~ or  
383 any holder of a permit to conduct greyhound racing located in a  
384 county in which it is the only permit issued pursuant to this  
385 section who operates at a leased facility pursuant to s. 550.475  
386 may move the location for which the permit has been issued to  
387 another location within a 30-mile radius of the location fixed  
388 in the permit issued in that county, provided the move does not  
389 cross the county boundary and such location is approved under  
390 the zoning regulations of the county or municipality in which  
391 the permit is located, and upon such relocation may use the  
392 permit for the conduct of pari-mutuel wagering and the operation  
393 of a cardroom. The provisions of s. 550.6305(9)(d) and (f) shall  
394 apply to any permit converted under former subsection (14) of  
395 this section, Florida Statutes 2020, ~~this subsection~~ and shall  
396 continue to apply to any permit which was previously included  
397 under and subject to such provisions before a conversion  
398 pursuant to this section occurred.

399 Section 8. Subsection (4) of section 550.09511, Florida  
400 Statutes, is amended to read:

401 550.09511 Jai alai taxes; abandoned interest in a permit  
402 for nonpayment of taxes.—

403 ~~(4) A jai alai permitholder conducting fewer than 100 live~~  
404 ~~performances in any calendar year shall pay to the state the~~  
405 ~~same aggregate amount of daily license fees on live jai alai~~  
406 ~~games, admissions tax, and tax on live handle as that~~

580-04019-21

20217080\_\_

407 ~~permitholder paid to the state during the most recent prior~~  
408 ~~calendar year in which the jai alai permitholder conducted at~~  
409 ~~least 100 live performances.~~

410 Section 9. Paragraph (a) of subsection (3) of section  
411 550.09512, Florida Statutes, is amended to read:

412 550.09512 Harness horse taxes; abandoned interest in a  
413 permit for nonpayment of taxes.-

414 (3) (a) The permit of a harness horse permitholder who is  
415 conducting live harness horse performances and who does not pay  
416 tax on handle for any such live harness horse performances  
417 conducted for a full schedule of live races during any 2  
418 consecutive state fiscal years shall be void and shall escheat  
419 to and become the property of the state unless such failure to  
420 operate and pay tax on handle was the direct result of fire,  
421 strike, war, or other disaster or event beyond the ability of  
422 the permitholder to control. Financial hardship to the  
423 permitholder shall not, in and of itself, constitute just cause  
424 for failure to operate and pay tax on handle.

425 Section 10. Subsections (2) and (9) of section 550.105,  
426 Florida Statutes, are amended to read:

427 550.105 Occupational licenses of racetrack employees; fees;  
428 denial, suspension, and revocation of license; penalties and  
429 fines.-

430 (2) (a) The following licenses shall be issued to persons or  
431 entities with access to the backside, racing animals, jai alai  
432 players' room, jockeys' room, drivers' room, totalisator room,  
433 the mutuels, or money room, or to persons who, by virtue of the  
434 position they hold, might be granted access to these areas or to  
435 any other person or entity in one of the following categories

580-04019-21

20217080\_\_

436 and with fees not to exceed the following amounts for any 12-  
437 month period:

438 1. Business licenses: any business such as a vendor,  
439 contractual concessionaire, ~~contract kennel~~, business owning  
440 racing animals, trust or estate, totalisator company, stable  
441 name, or other fictitious name: \$50.

442 2. Professional occupational licenses: professional persons  
443 with access to the backside of a racetrack or players' quarters  
444 in jai alai such as trainers, officials, veterinarians, doctors,  
445 nurses, EMT's, jockeys and apprentices, drivers, jai alai  
446 players, owners, trustees, or any management or officer or  
447 director or shareholder or any other professional-level person  
448 who might have access to the jockeys' room, the drivers' room,  
449 the backside, racing animals, ~~kennel compound~~, or managers or  
450 supervisors requiring access to mutuels machines, the money  
451 room, or totalisator equipment: \$40.

452 3. General occupational licenses: general employees with  
453 access to the jockeys' room, the drivers' room, racing animals,  
454 the backside of a racetrack or players' quarters in jai alai,  
455 such as grooms, ~~kennel helpers~~, leadouts, pelota makers, cesta  
456 makers, or ball boys, or a practitioner of any other occupation  
457 who would have access to the animals or, the backside, ~~or the~~  
458 ~~kennel compound~~, or who would provide the security or  
459 maintenance of these areas, or mutuel employees, totalisator  
460 employees, money-room employees, or any employee with access to  
461 mutuels machines, the money room, or totalisator equipment or  
462 who would provide the security or maintenance of these areas:  
463 \$10.

464



580-04019-21

20217080\_\_

465 The individuals and entities that are licensed under this  
466 paragraph require heightened state scrutiny, including the  
467 submission by the individual licensees or persons associated  
468 with the entities described in this chapter of fingerprints for  
469 a Federal Bureau of Investigation criminal records check.

470 (b) The division shall adopt rules pertaining to pari-  
471 mutuel occupational licenses, licensing periods, and renewal  
472 cycles.

473 (9) The tax imposed by this section is in lieu of all  
474 license, excise, or occupational taxes to the state or any  
475 county, municipality, or other political subdivision, except  
476 that, if a race meeting or game is held or conducted in a  
477 municipality, the municipality may assess and collect an  
478 additional tax against any person conducting live racing or  
479 games within its corporate limits, which tax may not exceed \$150  
480 per day for horseracing or \$50 per day for ~~dog racing or~~ jai  
481 alai. Except as provided in this chapter, a municipality may not  
482 assess or collect any additional excise or revenue tax against  
483 any person conducting race meetings within the corporate limits  
484 of the municipality or against any patron of any such person.

485 Section 11. Section 550.1155, Florida Statutes, is amended  
486 to read:

487 550.1155 Authority of stewards, judges, panel of judges, or  
488 player's manager to impose penalties against occupational  
489 licensees; disposition of funds collected.-

490 (1) The stewards at a horse racetrack; ~~the judges at a dog~~  
491 ~~track;~~ or the judges, a panel of judges, or a player's manager  
492 at a jai alai fronton may impose a civil penalty against any  
493 occupational licensee for violation of the pari-mutuel laws or

580-04019-21

20217080\_\_

494 any rule adopted by the division. The penalty may not exceed  
495 \$1,000 for each count or separate offense or exceed 60 days of  
496 suspension for each count or separate offense.

497 (2) All penalties imposed and collected pursuant to this  
498 section at each horse ~~or dog~~ racetrack or jai alai fronton shall  
499 be deposited into a board of relief fund established by the  
500 pari-mutuel permitholder. Each association shall name a board of  
501 relief composed of three of its officers, with the general  
502 manager of the permitholder being the ex officio treasurer of  
503 such board. Moneys deposited into the board of relief fund shall  
504 be disbursed by the board for the specific purpose of aiding  
505 occupational licenseholders and their immediate family members  
506 at each pari-mutuel facility.

507 Section 12. Section 550.1647, Florida Statutes, is amended  
508 to read:

509 550.1647 Greyhound permitholders; unclaimed tickets;  
510 breaks.—All money or other property represented by any  
511 unclaimed, uncashed, or abandoned pari-mutuel ticket which has  
512 remained in the custody of or under the control of any greyhound  
513 permitholder authorized to conduct ~~greyhound racing~~ pari-mutuel  
514 wagering pools in this state for a period of 1 year after the  
515 date the pari-mutuel ticket was issued, if the rightful owner or  
516 owners thereof have made no claim or demand for such money or  
517 other property within that period of time, shall, ~~with respect~~  
518 ~~to live races conducted by the permitholder,~~ be remitted to the  
519 state pursuant to s. 550.1645; however, such permitholder shall  
520 be entitled to a credit in each state fiscal year in an amount  
521 equal to the actual amount remitted in the prior state fiscal  
522 year which may be applied against any taxes imposed pursuant to

580-04019-21

20217080\_\_

523 this chapter. In addition, each permitholder shall pay, from any  
524 source, ~~including the proceeds from performances conducted~~  
525 ~~pursuant to s. 550.0351,~~ an amount not less than 10 percent of  
526 the amount of the credit provided by this section to any bona  
527 fide organization that promotes or encourages the adoption of  
528 greyhounds. As used in this chapter, the term "bona fide  
529 organization that promotes or encourages the adoption of  
530 greyhounds" means any organization that provides evidence of  
531 compliance with chapter 496 and possesses a valid exemption from  
532 federal taxation issued by the Internal Revenue Service. Such  
533 bona fide organization, as a condition of adoption, must provide  
534 sterilization of greyhounds by a licensed veterinarian before  
535 relinquishing custody of the greyhound to the adopter. The fee  
536 for sterilization may be included in the cost of adoption.

537 Section 13. Section 550.1648, Florida Statutes, is  
538 repealed.

539 Section 14. Section 550.175, Florida Statutes, is amended  
540 to read:

541 550.175 Petition for election to revoke permit.—Upon  
542 petition of 20 percent of the qualified electors of any county  
543 wherein any pari-mutuel wagering ~~racing~~ has been licensed and  
544 conducted under this chapter, the county commissioners of such  
545 county shall provide for the submission to the electors of such  
546 county at the then next succeeding general election the question  
547 of whether any permit or permits theretofore granted shall be  
548 continued or revoked, and if a majority of the electors voting  
549 on such question in such election vote to cancel or recall the  
550 permit theretofore given, the division may not thereafter grant  
551 any license on the permit so recalled. Every signature upon

580-04019-21

20217080\_\_

552 every recall petition must be signed in the presence of the  
553 clerk of the board of county commissioners at the office of the  
554 clerk of the circuit court of the county, and the petitioner  
555 must present at the time of such signing her or his registration  
556 receipt showing the petitioner's qualification as an elector of  
557 the county at the time of the signing of the petition. Not more  
558 than one permit may be included in any one petition; and, in all  
559 elections in which the recall of more than one permit is voted  
560 on, the voters shall be given an opportunity to vote for or  
561 against the recall of each permit separately. Nothing in this  
562 chapter shall be construed to prevent the holding of later  
563 referendum or recall elections.

564 Section 15. Subsection (1) of section 550.1815, Florida  
565 Statutes, is amended to read:

566 550.1815 Certain persons prohibited from holding racing or  
567 jai alai permits; suspension and revocation.—

568 (1) A corporation, general or limited partnership, sole  
569 proprietorship, business trust, joint venture, or unincorporated  
570 association, or other business entity may not hold any  
571 horseracing or greyhound ~~dogracing~~ permit or jai alai fronton  
572 permit in this state if any one of the persons or entities  
573 specified in paragraph (a) has been determined by the division  
574 not to be of good moral character or has been convicted of any  
575 offense specified in paragraph (b).

- 576 (a)1. The permitholder;  
577 2. An employee of the permitholder;  
578 3. The sole proprietor of the permitholder;  
579 4. A corporate officer or director of the permitholder;  
580 5. A general partner of the permitholder;

580-04019-21

20217080\_\_

- 581           6. A trustee of the permitholder;
- 582           7. A member of an unincorporated association permitholder;
- 583           8. A joint venturer of the permitholder;
- 584           9. The owner of more than 5 percent of any equity interest
- 585 in the permitholder, whether as a common shareholder, general or
- 586 limited partner, voting trustee, or trust beneficiary; or
- 587           10. An owner of any interest in the permit or permitholder,
- 588 including any immediate family member of the owner, or holder of
- 589 any debt, mortgage, contract, or concession from the
- 590 permitholder, who by virtue thereof is able to control the
- 591 business of the permitholder.
- 592           (b)1. A felony in this state;
- 593           2. Any felony in any other state which would be a felony if
- 594 committed in this state under the laws of this state;
- 595           3. Any felony under the laws of the United States;
- 596           4. A felony under the laws of another state if related to
- 597 gambling which would be a felony under the laws of this state if
- 598 committed in this state; or
- 599           5. Bookmaking as defined in s. 849.25.
- 600           Section 16. Subsection (2) of section 550.24055, Florida
- 601 Statutes, is amended to read:
- 602           550.24055 Use of controlled substances or alcohol
- 603 prohibited; testing of certain occupational licensees; penalty;
- 604 evidence of test or action taken and admissibility for criminal
- 605 prosecution limited.—
- 606           (2) The occupational licensees, by applying for and holding
- 607 such licenses, are deemed to have given their consents to submit
- 608 to an approved chemical test of their breath for the purpose of
- 609 determining the alcoholic content of their blood and to a urine

580-04019-21

20217080\_\_

610 or blood test for the purpose of detecting the presence of  
611 controlled substances. Such tests shall only be conducted upon  
612 reasonable cause that a violation has occurred as shall be  
613 determined solely by the stewards at a horseracing meeting or  
614 the judges or board of judges at a ~~dog track~~ or jai alai meet.  
615 The failure to submit to such test may result in a suspension of  
616 the person's occupational license for a period of 10 days or  
617 until this section has been complied with, whichever is longer.

618 (a) If there was at the time of the test 0.05 percent or  
619 less by weight of alcohol in the person's blood, the person is  
620 presumed not to have been under the influence of alcoholic  
621 beverages to the extent that the person's normal faculties were  
622 impaired, and no action of any sort may be taken by the  
623 stewards, judges, or board of judges or the division.

624 (b) If there was at the time of the test an excess of 0.05  
625 percent but less than 0.08 percent by weight of alcohol in the  
626 person's blood, that fact does not give rise to any presumption  
627 that the person was or was not under the influence of alcoholic  
628 beverages to the extent that the person's faculties were  
629 impaired, but the stewards, judges, or board of judges may  
630 consider that fact in determining whether or not the person will  
631 be allowed to officiate or participate in any given race or jai  
632 alai game.

633 (c) If there was at the time of the test 0.08 percent or  
634 more by weight of alcohol in the person's blood, that fact is  
635 prima facie evidence that the person was under the influence of  
636 alcoholic beverages to the extent that the person's normal  
637 faculties were impaired, and the stewards or judges may take  
638 action as set forth in this section, but the person may not

580-04019-21

20217080\_\_

639 officiate at or participate in any race or jai alai game on the  
640 day of such test.

641  
642 All tests relating to alcohol must be performed in a manner  
643 substantially similar, or identical, to the provisions of s.  
644 316.1934 and rules adopted pursuant to that section. Following a  
645 test of the urine or blood to determine the presence of a  
646 controlled substance as defined in chapter 893, if a controlled  
647 substance is found to exist, the stewards, judges, or board of  
648 judges may take such action as is permitted in this section.

649 Section 17. Paragraph (d) of subsection (5), paragraphs (b)  
650 and (c) of subsection (6), paragraph (a) of subsection (9), and  
651 subsection (13) of section 550.2415, Florida Statutes, are  
652 amended to read:

653 550.2415 Racing of animals under certain conditions  
654 prohibited; penalties; exceptions.—

655 (5) The division shall implement a split-sample procedure  
656 for testing animals under this section.

657 ~~(d) For the testing of a racing greyhound, if there is an~~  
658 ~~insufficient quantity of the secondary (split) sample for~~  
659 ~~confirmation of the division laboratory's positive result, the~~  
660 ~~division may commence administrative proceedings as prescribed~~  
661 ~~in this chapter and consistent with chapter 120.~~

662 (6)

663 ~~(b) The division shall, by rule, establish the procedures~~  
664 ~~for euthanizing greyhounds. However, a greyhound may not be put~~  
665 ~~to death by any means other than by lethal injection of the drug~~  
666 ~~sodium pentobarbital. A greyhound may not be removed from this~~  
667 ~~state for the purpose of being destroyed.~~

580-04019-21

20217080\_\_

668 ~~(c) It is a violation of this chapter for an occupational~~  
669 ~~licensee to train a greyhound using live or dead animals. A~~  
670 ~~greyhound may not be taken from this state for the purpose of~~  
671 ~~being trained through the use of live or dead animals.~~

672 (9) (a) The division may conduct a postmortem examination of  
673 any animal that is injured at a permitted racetrack while in  
674 training or in competition and that subsequently expires or is  
675 destroyed. The division may conduct a postmortem examination of  
676 any animal that expires while housed at a permitted racetrack,  
677 association compound, or licensed ~~kennel or~~ farm. Trainers and  
678 owners shall be requested to comply with this paragraph as a  
679 condition of licensure.

680 ~~(13) The division may implement by rule medication levels~~  
681 ~~for racing greyhounds recommended by the University of Florida~~  
682 ~~College of Veterinary Medicine developed pursuant to an~~  
683 ~~agreement between the Division of Pari-mutuel Wagering and the~~  
684 ~~University of Florida College of Veterinary Medicine. The~~  
685 ~~University of Florida College of Veterinary Medicine may provide~~  
686 ~~written notification to the division that it has completed~~  
687 ~~research or review on a particular drug pursuant to the~~  
688 ~~agreement and when the College of Veterinary Medicine has~~  
689 ~~completed a final report of its findings, conclusions, and~~  
690 ~~recommendations to the division.~~

691 Section 18. Subsection (8) of section 550.334, Florida  
692 Statutes, is amended to read

693 550.334 Quarter horse racing; substitutions.—

694 ~~(8) To be eligible to conduct intertrack wagering, a~~  
695 ~~quarter horse racing permitholder must have conducted a full~~  
696 ~~schedule of live racing in the preceding year.~~



580-04019-21

20217080\_\_

697 Section 19. Subsections (2) and (4), paragraph (a) of  
698 subsection (6), and subsection (11) of section 550.3551, Florida  
699 Statutes, are amended to read:

700 550.3551 Transmission of racing and jai alai information;  
701 commingling of pari-mutuel pools.—

702 (2) Any horse track, ~~dog track,~~ or fronton licensed under  
703 this chapter may transmit broadcasts of races or games conducted  
704 at the enclosure of the licensee to locations outside this  
705 state.

706 (a) All broadcasts of horseraces transmitted to locations  
707 outside this state must comply with the provisions of the  
708 Interstate Horseracing Act of 1978, 92 Stat. 1811, 15 U.S.C. ss.  
709 3001 et seq.

710 (b) Wagers accepted by any out-of-state pari-mutuel  
711 permitholder or licensed betting system on a race broadcasted  
712 under this subsection may be, but are not required to be,  
713 included in the pari-mutuel pools of the horse track in this  
714 state that broadcasts the race upon which wagers are accepted.  
715 The handle, as referred to in s. 550.0951(3), does not include  
716 any wagers accepted by an out-of-state pari-mutuel permitholder  
717 or licensed betting system, irrespective of whether such wagers  
718 are included in the pari-mutuel pools of the Florida  
719 permitholder as authorized by this subsection.

720 (4) Any greyhound permitholder or jai alai permitholder ~~dog~~  
721 ~~track or fronton~~ licensed under this chapter may receive at its  
722 licensed location broadcasts of dograces or jai alai games  
723 conducted at other tracks or frontons located outside the state  
724 ~~at the track enclosure of the licensee during its operational~~  
725 ~~meeting~~. All forms of pari-mutuel wagering are allowed on

580-04019-21

20217080\_\_

726 dograces or jai alai games broadcast under this subsection. All  
727 money wagered by patrons on dograces broadcast under this  
728 subsection shall be computed in the amount of money wagered each  
729 performance for purposes of taxation under ss. 550.0951 and  
730 550.09511.

731 (6) (a) ~~A maximum of 20 percent of the total number of races~~  
732 ~~on which wagers are accepted by a greyhound permitholder not~~  
733 ~~located as specified in s. 550.615(6) may be received from~~  
734 ~~locations outside this state.~~ A permitholder conducting live  
735 races or games may not conduct fewer than eight live races or  
736 games on any authorized race day except as provided in this  
737 subsection. A thoroughbred permitholder may not conduct fewer  
738 than eight live races on any race day without the written  
739 approval of the Florida Thoroughbred Breeders' Association and  
740 the Florida Horsemen's Benevolent and Protective Association,  
741 Inc., unless it is determined by the department that another  
742 entity represents a majority of the thoroughbred racehorse  
743 owners and trainers in the state. If conducting live racing, a  
744 harness permitholder may conduct fewer than eight live races on  
745 any authorized race day, ~~except that such permitholder must~~  
746 ~~conduct a full schedule of live racing during its race meet~~  
747 ~~consisting of at least eight live races per authorized race day~~  
748 ~~for at least 100 days.~~ Any harness horse permitholder ~~that~~  
749 ~~during the preceding racing season conducted a full schedule of~~  
750 ~~live racing may,~~ at any time during its current race meet,  
751 receive full-card broadcasts of harness horse races conducted at  
752 harness racetracks outside this state at the harness track of  
753 the permitholder and accept wagers on such harness races. ~~With~~  
754 ~~specific authorization from the division for special racing~~

580-04019-21

20217080\_\_

755 ~~events, a permitholder may conduct fewer than eight live races~~  
756 ~~or games when the permitholder also broadcasts out of state~~  
757 ~~races or games. The division may not grant more than two such~~  
758 ~~exceptions a year for a permitholder in any 12-month period, and~~  
759 ~~those two exceptions may not be consecutive.~~

760 (11) Greyhound permitholders ~~tracks~~ and jai alai  
761 permitholders ~~frontons~~ have the same privileges as provided in  
762 this section to horserace permitholders ~~horse tracks~~, as  
763 applicable, subject to rules adopted under subsection (10).

764 Section 20. Subsections (1), (3), (4), (5), and (6) of  
765 section 550.3615, Florida Statutes, are amended to read:

766 550.3615 Bookmaking on the grounds of a permitholder;  
767 penalties; reinstatement; duties of track employees; penalty;  
768 exceptions.—

769 (1) Any person who engages in bookmaking, as defined in s.  
770 849.25, on the grounds or property of a pari-mutuel facility  
771 ~~commits permitholder of a horse or dog track or jai alai fronton~~  
772 ~~is guilty of~~ a felony of the third degree, punishable as  
773 provided in s. 775.082, s. 775.083, or s. 775.084.

774 Notwithstanding the provisions of s. 948.01, any person  
775 convicted under the provisions of this subsection shall not have  
776 adjudication of guilt suspended, deferred, or withheld.

777 (3) Any person who has been convicted of bookmaking in this  
778 state or any other state of the United States or any foreign  
779 country shall be denied admittance to and shall not attend any  
780 pari-mutuel facility ~~racetrack or fronton~~ in this state during  
781 its racing seasons or operating dates, including any practice or  
782 preparational days, for a period of 2 years after the date of  
783 conviction or the date of final appeal. Following the conclusion

580-04019-21

20217080\_\_

784 of the period of ineligibility, the director of the division may  
785 authorize the reinstatement of an individual following a hearing  
786 on readmittance. Any such person who knowingly violates this  
787 subsection commits ~~is guilty of~~ a misdemeanor of the first  
788 degree, punishable as provided in s. 775.082 or s. 775.083.

789 (4) If the activities of a person show that this law is  
790 being violated, and such activities are either witnessed or are  
791 common knowledge by any pari-mutuel facility ~~track or fronton~~  
792 employee, it is the duty of that employee to bring the matter to  
793 the immediate attention of the permit holder, manager, or her or  
794 his designee, who shall notify a law enforcement agency having  
795 jurisdiction. Willful failure by the pari-mutuel facility ~~on the~~  
796 ~~part of any track or fronton~~ employee to comply with the  
797 provisions of this subsection is a ground for the division to  
798 suspend or revoke that employee's license for pari-mutuel  
799 facility ~~track or fronton~~ employment.

800 (5) Each permittee shall display, in conspicuous places at  
801 a pari-mutuel facility ~~track or fronton~~ and in all race and jai  
802 alai daily programs, a warning to all patrons concerning the  
803 prohibition and penalties of bookmaking contained in this  
804 section and s. 849.25. The division shall adopt rules concerning  
805 the uniform size of all warnings and the number of placements  
806 throughout a pari-mutuel facility ~~track or fronton~~. Failure on  
807 the part of the permittee to display such warnings may result in  
808 the imposition of a \$500 fine by the division for each offense.

809 (6) This section does not apply to any person ~~attending a~~  
810 ~~track or fronton or~~ employed by or attending a pari-mutuel  
811 facility ~~a track or fronton~~ who places a bet through the  
812 legalized pari-mutuel pool for another person, provided such

580-04019-21

20217080\_\_

813 service is rendered gratuitously and without fee or other  
814 reward.

815 Section 21. Section 550.475, Florida Statutes, is amended  
816 to read:

817 550.475 Lease of pari-mutuel facilities by pari-mutuel  
818 permitholders.—Holders of valid pari-mutuel permits for the  
819 conduct of any pari-mutuel wagering ~~jai alai games, dogracing,~~  
820 ~~or thoroughbred and standardbred horse racing~~ in this state are  
821 entitled to lease any and all of their facilities to any other  
822 holder of a same class valid pari-mutuel permit ~~for jai alai~~  
823 ~~games, dogracing, or thoroughbred or standardbred horse racing,~~  
824 when located within a 35-mile radius of each other; and such  
825 lessee is entitled to a permit and license to conduct intertrack  
826 wagering and operate its race meet or jai alai games at the  
827 leased premises.

828 Section 22. Subsections (2) and (8) of section 550.615,  
829 Florida Statutes, are amended, and subsection (11) is added to  
830 that section, to read:

831 550.615 Intertrack wagering.—

832 (2) A pari-mutuel permitholder that has met the applicable  
833 requirement for that permitholder to conduct live racing or  
834 games under s. 550.01215(1)(b), if any, Any track or fronton  
835 ~~licensed under this chapter which in the preceding year~~  
836 ~~conducted a full schedule of live racing~~ is qualified to, at any  
837 time, receive broadcasts of any class of pari-mutuel race or  
838 game and accept wagers on such races or games conducted by any  
839 class of permitholders licensed under this chapter.

840 (8) In any three contiguous counties of the state where  
841 there are only three permitholders, all of which are greyhound

580-04019-21

20217080\_\_

842 permitholders, if any permitholder leases the facility of  
843 another permitholder for all or any portion of the conduct of  
844 its live race meet pursuant to s. 550.475, such lessee may  
845 conduct intertrack wagering at its pre-lease permitted facility  
846 throughout the entire year, ~~including while its live meet is~~  
847 ~~being conducted at the leased facility, if such permitholder has~~  
848 ~~conducted a full schedule of live racing during the preceding~~  
849 ~~fiscal year at its pre-lease permitted facility or at a leased~~  
850 ~~facility, or combination thereof.~~

851 (11) Any greyhound permitholder licensed under this chapter  
852 to conduct pari-mutuel wagering is qualified to, at any time,  
853 receive broadcasts of any class of pari-mutuel race or game and  
854 accept wagers on such races or games conducted by any class of  
855 permitholders licensed under this chapter.

856 Section 23. Subsection (2) of section 550.6305, Florida  
857 Statutes, is amended to read:

858 550.6305 Intertrack wagering; guest track payments;  
859 accounting rules.—

860 (2) For the purposes of calculation of odds and payoffs and  
861 distribution of the pari-mutuel pools, all intertrack wagers  
862 shall be combined with the pari-mutuel pools at the host track.  
863 ~~Notwithstanding this subsection or subsection (4), a greyhound~~  
864 ~~pari-mutuel permitholder may conduct intertrack wagering without~~  
865 ~~combining pari-mutuel pools on not more than three races in any~~  
866 ~~week, not to exceed 20 races in a year. All other provisions~~  
867 ~~concerning pari-mutuel takeout and payments, including state tax~~  
868 ~~payments, apply as if the pool had been combined.~~

869 Section 24. Paragraph (c) of subsection (4) of section  
870 551.104, Florida Statutes, is amended to read:

580-04019-21

20217080\_\_

871 551.104 License to conduct slot machine gaming.—

872 (4) As a condition of licensure and to maintain continued  
873 authority for the conduct of slot machine gaming, the slot  
874 machine licensee shall:

875 (c) If a thoroughbred permitholder, conduct no fewer than a  
876 full schedule of live racing or games as defined in s.  
877 550.002(11). A permitholder's responsibility to conduct ~~such~~  
878 ~~number of~~ live races or games shall be reduced by the number of  
879 races or games that could not be conducted due to the direct  
880 result of fire, war, hurricane, or other disaster or event  
881 beyond the control of the permitholder.

882 Section 25. Subsection (4) of section 551.114, Florida  
883 Statutes, is amended to read:

884 551.114 Slot machine gaming areas.—

885 (4) Designated slot machine gaming areas must ~~may~~ be  
886 located at the address specified in the licensed permitholder's  
887 slot machine license issued for fiscal year 2020-2021 ~~within the~~  
888 ~~current live gaming facility or in an existing building that~~  
889 ~~must be contiguous and connected to the live gaming facility. If~~  
890 ~~a designated slot machine gaming area is to be located in a~~  
891 ~~building that is to be constructed, that new building must be~~  
892 ~~contiguous and connected to the live gaming facility.~~

893 Section 26. Subsection (5) of section 565.02, Florida  
894 Statutes, is amended to read:

895 565.02 License fees; vendors; clubs; caterers; and others.—

896 (5) A caterer at a pari-mutuel facility licensed under  
897 chapter 550 ~~horse or dog racetrack or jai alai fronton~~ may  
898 obtain a license upon the payment of an annual state license tax  
899 of \$675. Such caterer's license shall permit sales only within

580-04019-21

20217080\_\_

900 the enclosure in which pari-mutuel wagering is conducted ~~such~~  
901 ~~races or jai alai games are conducted, and such licensee shall~~  
902 ~~be permitted to sell only during the period beginning 10 days~~  
903 ~~before and ending 10 days after racing or jai alai~~ under the  
904 authority of the Division of Pari-mutuel Wagering of the  
905 Department of Business and Professional Regulation ~~is conducted~~  
906 ~~at such racetrack or jai alai fronton.~~ Except as in this  
907 subsection otherwise provided, caterers licensed hereunder shall  
908 be treated as vendors licensed to sell by the drink the  
909 beverages mentioned herein and shall be subject to all the  
910 provisions hereof relating to such vendors.

911 Section 27. Paragraphs (a) and (b) of subsection (5) and  
912 paragraph (d) of subsection (13) of section 849.086, Florida  
913 Statutes, are amended to read:

914 849.086 Cardrooms authorized.—

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

918 (a) Only those persons holding a valid cardroom license  
919 issued by the division may operate a cardroom. A cardroom  
920 license may only be issued to a licensed pari-mutuel  
921 permitholder and an authorized cardroom may only be operated at  
922 the same facility at which the permitholder is authorized under  
923 its valid pari-mutuel wagering permit to conduct pari-mutuel  
924 wagering activities. An initial cardroom license shall be issued  
925 to a pari-mutuel permitholder only after its facilities are in  
926 place and after it conducts its first day of pari-mutuel  
927 activities on live racing or games.

928 (b) After the initial cardroom license is granted, the



580-04019-21

20217080\_\_

929 application for the annual license renewal shall be made in  
930 conjunction with the applicant's annual application for its  
931 pari-mutuel license. If a permitholder has operated a cardroom  
932 during any of the 3 previous fiscal years and fails to include a  
933 renewal request for the operation of the cardroom in its annual  
934 application for license renewal, the permitholder may amend its  
935 annual application to include operation of the cardroom. ~~In~~  
936 ~~order for a cardroom license to be renewed the applicant must~~  
937 ~~have requested, as part of its pari-mutuel annual license~~  
938 ~~application, to conduct at least 90 percent of the total number~~  
939 ~~of live performances conducted by such permitholder during~~  
940 ~~either the state fiscal year in which its initial cardroom~~  
941 ~~license was issued or the state fiscal year immediately prior~~  
942 ~~thereto if the permitholder ran at least a full schedule of live~~  
943 ~~racing or games in the prior year. If the application is for a~~  
944 ~~harness permitholder cardroom, the applicant must have requested~~  
945 ~~authorization to conduct a minimum of 140 live performances~~  
946 ~~during the state fiscal year immediately prior thereto. If more~~  
947 ~~than one permitholder is operating at a facility, each~~  
948 ~~permitholder must have applied for a license to conduct a full~~  
949 ~~schedule of live racing.~~

950 (13) TAXES AND OTHER PAYMENTS.—

951 (d)1. Each ~~greyhound and~~ jai alai permitholder that  
952 conducts live performances and operates a cardroom facility  
953 shall use at least 4 percent of such permitholder's cardroom  
954 monthly gross receipts to supplement ~~greyhound purses or jai~~  
955 ~~alai prize money, respectively,~~ during the permitholder's next  
956 ensuing pari-mutuel meet.

957 2. Each thoroughbred permitholder or ~~and~~ harness horse

580-04019-21

20217080\_\_

958 racing permitholder that conducts live performances and operates  
959 a cardroom facility shall use at least 50 percent of such  
960 permitholder's cardroom monthly net proceeds as follows: 47  
961 percent to supplement purses and 3 percent to supplement  
962 breeders' awards during the permitholder's next ensuing racing  
963 meet.

964 3. No cardroom license or renewal thereof shall be issued  
965 to an applicant holding a permit under chapter 550 to conduct  
966 pari-mutuel wagering meets of quarter horse racing and  
967 conducting live performances unless the applicant has on file  
968 with the division a binding written agreement between the  
969 applicant and the Florida Quarter Horse Racing Association or  
970 the association representing a majority of the horse owners and  
971 trainers at the applicant's eligible facility, governing the  
972 payment of purses on live quarter horse races conducted at the  
973 licensee's pari-mutuel facility. The agreement governing purses  
974 may direct the payment of such purses from revenues generated by  
975 any wagering or gaming the applicant is authorized to conduct  
976 under Florida law. All purses shall be subject to the terms of  
977 chapter 550.

978 Section 28. For the purpose of incorporating the amendment  
979 made by this act to section 550.002, Florida Statutes, in a  
980 reference thereto, paragraph (c) of subsection (2) of section  
981 380.0651, Florida Statutes, is reenacted to read:

982 380.0651 Statewide guidelines, standards, and exemptions.—

983 (2) STATUTORY EXEMPTIONS.—The following developments are  
984 exempt from s. 380.06:

985 (c) Any proposed addition to an existing sports facility  
986 complex if the addition meets the following characteristics:

580-04019-21

20217080\_\_

- 987           1. It would not operate concurrently with the scheduled  
988 hours of operation of the existing facility;
- 989           2. Its seating capacity would be no more than 75 percent of  
990 the capacity of the existing facility; and
- 991           3. The sports facility complex property was owned by a  
992 public body before July 1, 1983.

993

994 This exemption does not apply to any pari-mutuel facility as  
995 defined in s. 550.002.

996

997 If a use is exempt from review pursuant to paragraphs (a)-(u),  
998 but will be part of a larger project that is subject to review  
999 pursuant to s. 380.06(12), the impact of the exempt use must be  
1000 included in the review of the larger project, unless such exempt  
1001 use involves a development that includes a landowner, tenant, or  
1002 user that has entered into a funding agreement with the state  
1003 land planning agency under the Innovation Incentive Program and  
1004 the agreement contemplates a state award of at least \$50  
1005 million.

1006           Section 29. For the purpose of incorporating the amendment  
1007 made by this act to section 550.002, Florida Statutes, in a  
1008 reference thereto, paragraph (c) of subsection (4) of section  
1009 402.82, Florida Statutes, is reenacted to read:

1010           402.82 Electronic benefits transfer program.—

1011           (4) Use or acceptance of an electronic benefits transfer  
1012 card is prohibited at the following locations or for the  
1013 following activities:

1014           (c) A pari-mutuel facility as defined in s. 550.002.

1015           Section 30. For the purpose of incorporating the amendment

580-04019-21

20217080\_\_

1016 made by this act to section 550.002, Florida Statutes, in a  
1017 reference thereto, subsection (1) of section 480.0475, Florida  
1018 Statutes, is reenacted to read:

1019 480.0475 Massage establishments; prohibited practices.—

1020 (1) A person may not operate a massage establishment  
1021 between the hours of midnight and 5 a.m. This subsection does  
1022 not apply to a massage establishment:

1023 (a) Located on the premises of a health care facility as  
1024 defined in s. 408.07; a health care clinic as defined in s.  
1025 400.9905(4); a hotel, motel, or bed and breakfast inn, as those  
1026 terms are defined in s. 509.242; a timeshare property as defined  
1027 in s. 721.05; a public airport as defined in s. 330.27; or a  
1028 pari-mutuel facility as defined in s. 550.002;

1029 (b) In which every massage performed between the hours of  
1030 midnight and 5 a.m. is performed by a massage therapist acting  
1031 under the prescription of a physician or physician assistant  
1032 licensed under chapter 458, an osteopathic physician or  
1033 physician assistant licensed under chapter 459, a chiropractic  
1034 physician licensed under chapter 460, a podiatric physician  
1035 licensed under chapter 461, an advanced practice registered  
1036 nurse licensed under part I of chapter 464, or a dentist  
1037 licensed under chapter 466; or

1038 (c) Operating during a special event if the county or  
1039 municipality in which the establishment operates has approved  
1040 such operation during the special event.

1041 Section 31. This act shall take effect July 1, 2021.