

By Senator Hutson

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1 A bill to be entitled

2 An act relating to fees; amending s. 849.089, F.S.;

3 revising the definition of the term "net proceeds";

4 revising the Division of Pari-mutuel Wagering's

5 authorizations relating to bingo games and instant

6 bingo to include authorizations relating to fees;

7 establishing an annual fee for a bingo license;

8 setting limits on the amount that may be charged for

9 bingo employee occupational license fees and bingo

10 business occupational license fees; requiring such

11 fees to be deposited into the Pari-mutuel Wagering

12 Trust Fund; providing a contingent effective date.

13

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

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16 Section 1. Paragraph (1) of subsection (2), paragraph (a)

17 of subsection (4), and subsections (5) and (6) of section

18 849.089, Florida Statutes, as created by SB 10A, are amended,

19 and paragraph (f) is added to subsection (4) of that section, to

20 read:

21 849.089 Bingo games and instant bingo authorized in

22 licensed pari-mutuel facilities.-

23 (2) DEFINITIONS.-As used in this section, the term:

24 (1) "Net proceeds" means the total amount of gross receipts

25 received by a bingo operator from conducting bingo games and

26 instant bingo less direct operating expenses related to

27 conducting such games, including labor costs, annual bingo

28 license fees imposed by this section, contributions to nonprofit

29 organizations pursuant to paragraph (11) (a), and reasonable

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30 promotional costs, but excluding officer and director
31 compensation, interest on capital debt, legal fees, real estate
32 taxes, bad debts, contributions or donations, or overhead and
33 depreciation expenses not directly related to conducting bingo
34 games or instant bingo.

35 (4) AUTHORITY OF DIVISION.—The division shall administer
36 this section and regulate the conduct of bingo games and instant
37 bingo under this section and the rules adopted pursuant thereto.
38 The division may:

39 (a) Adopt rules to administer this act, including, but not
40 limited to, the issuance of bingo and employee licenses for
41 bingo activities, the conduct of bingo games and instant bingo,
42 recordkeeping and reporting requirements, and required
43 contributions from bingo proceeds to nonprofit organizations,
44 and the collection of all fees imposed by this section. Such
45 rules may not conflict with, and must be applied, construed, and
46 interpreted in a manner consistent with, a gaming compact
47 ratified, approved, and described in s. 285.710(3).

48 (f) Monitor and ensure the proper collection of fees
49 imposed by this section.

50 (5) LICENSE REQUIRED; APPLICATION; FEES.— A person may not
51 conduct bingo games or instant bingo at a pari-mutuel facility
52 in this state unless such person holds a valid bingo license
53 issued pursuant to this section.

54 (a) Only persons holding a valid bingo license issued by
55 the division may conduct bingo games or instant bingo on the
56 bingo operator's licensed premises. A bingo license may only be
57 issued to a licensed pari-mutuel permit holder, and bingo games
58 and instant bingo may only be conducted at the same licensed

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59 premises at which the permitholder is authorized under its valid
60 pari-mutuel wagering permit to conduct pari-mutuel wagering
61 activities.

62 (b) After the initial bingo license is granted, the
63 application for the annual license renewal must be made in
64 conjunction with the applicant's annual application for its
65 pari-mutuel license. If a permitholder has conducted bingo games
66 or instant bingo during any of the 3 previous fiscal years and
67 fails to include a renewal request for bingo games or instant
68 bingo in its annual application for license renewal, the
69 permitholder may amend its annual application to include bingo
70 games or instant bingo.

71 (c) Persons seeking a license or license renewal to conduct
72 bingo games or instant bingo must apply on forms prescribed by
73 the division. Applications for bingo licenses must contain all
74 information the division, by rule, determines is required to
75 ensure eligibility.

76 (d) The annual bingo license fee for each facility is \$500.
77 The license fee must be deposited into the division's Pari-
78 mutuel Wagering Trust Fund.

79 (6) BUSINESS AND EMPLOYEE OCCUPATIONAL LICENSE REQUIRED;
80 APPLICATION; FEES.-

81 (a) A person employed or otherwise working at a pari-mutuel
82 facility conducting bingo games or instant bingo as a bingo
83 manager or caller or performing any other activity related to
84 bingo games or instant bingo while the facility is conducting
85 bingo games or instant bingo must hold a valid bingo employee
86 occupational license issued by the division. Food service,
87 maintenance, and security employees with a current pari-mutuel

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88 occupational license and a current background check are not
89 required to have a bingo employee occupational license.

90 (b) A bingo management company must hold a valid bingo
91 business occupational license issued by the division.

92 (c) A licensed bingo operator may not employ or allow to
93 work in a room or area set aside for bingo on the bingo
94 operator's licensed premises any person who does not hold a
95 valid occupational license. A licensed bingo operator may not
96 contract or otherwise do business with a business required to
97 hold a valid bingo business occupational license unless the
98 business holds such license.

99 (d) The division shall establish by rule a schedule for the
100 renewal of bingo occupational licenses. Bingo occupational
101 licenses are not transferable.

102 (e) Persons seeking bingo occupational licenses or license
103 renewals must apply on forms prescribed by the division.
104 Applications for bingo occupational licenses must contain all
105 information the division, by rule, determines is required to
106 ensure eligibility.

107 (f) The division shall adopt rules relating to bingo
108 occupational licenses. Section 550.105(4) through (8) and (10)
109 relating to licensure also applies to bingo occupational
110 licenses.

111 (g) The division may deny, declare ineligible for, or
112 revoke any bingo occupational license if the applicant or holder
113 thereof has been found guilty or had adjudication withheld in
114 this state or any other state or under the laws of the United
115 States of a felony or misdemeanor involving forgery, larceny,
116 extortion, conspiracy to defraud, or filing false reports to a

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117 government agency or a racing or gaming commission or authority.

118 (h) Fingerprints for all bingo occupational license
119 applications shall be taken in a manner approved by the division
120 and shall be submitted to the Department of Law Enforcement and
121 the Federal Bureau of Investigation for a criminal records check
122 upon initial application and at least every 5 years thereafter.
123 The division may require by rule an annual record check of all
124 renewal applications for a bingo occupational license. The cost
125 of processing fingerprints and conducting a record check shall
126 be borne by the applicant.

127 (i) The bingo employee occupational license fee may not
128 exceed \$50 for any 12-month period. The bingo business
129 occupational license fee may not exceed \$250 for any 12-month
130 period. Such license fees must be deposited into the division's
131 Pari-mutuel Wagering Trust Fund.

132 Section 2. This act shall take effect on the same date that
133 SB 10A or similar legislation takes effect, if such legislation
134 is adopted in the same legislative session or an extension
135 thereof and becomes a law.