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1
2 An act relating to gaming enforcement; amending s.
3 16.56, F.S.; expanding the authority of the Office of
4 Statewide Prosecution within the Department of Legal
5 Affairs to investigate and prosecute certain crimes;
6 creating s. 16.71, F.S.; creating the Florida Gaming
7 Control Commission within the Office of the Attorney
8 General; providing for membership of the commission;
9 authorizing the Governor to remove or suspend members
10 of the commission under certain circumstances;
11 requiring the Governor to remove or suspend members of
12 the commission under certain circumstances; providing
13 requirements and prohibitions relating to
14 appointments; requiring the commission to appoint an
15 executive director; providing requirements and duties
16 for the executive director; requiring the chair of the
17 commission to appoint an inspector general; creating
18 s. 16.711, F.S.; creating the Division of Gaming
19 Enforcement within the commission; specifying that the
20 division shall be considered a criminal justice
21 agency; requiring the commissioners to appoint a
22 director of the division; providing requirements,
23 powers, and duties of the director and investigators;
24 authorizing the division and its investigators to
25 seize and store certain contraband; defining the term
26 "contraband"; providing construction; requiring the
27 Department of Law Enforcement to provide certain
28 assistance at the request of the division; requiring
29 the commission to reimburse agencies for the actual

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30 cost of providing assistance; creating s. 16.712,
31 F.S.; providing duties and responsibilities of the
32 commission; authorizing the commission to take
33 specified actions; requiring the commission to submit
34 an annual report to the Governor and the Legislature;
35 providing construction; creating s. 16.713, F.S.;
36 specifying that certain persons are ineligible for
37 appointment to or employment with the commission;
38 providing prohibitions for commissioners and employees
39 of the commission; defining the term "relative";
40 requiring commissioners and employees to provide
41 notice relating to certain crimes; creating s. 16.714,
42 F.S.; requiring the Department of Law Enforcement to
43 perform specified background screenings upon the
44 request of the division; requiring the commission to
45 reimburse the department; requiring the division to
46 conduct certain investigations; creating s. 16.715,
47 F.S.; providing construction; providing standards of
48 conduct for commissioners and employees of the
49 commission; requiring commissioners and employees of
50 the commission to complete specified annual training;
51 requiring the Commission on Ethics to accept and
52 investigate any alleged violations of the standards of
53 conduct for commissioners and employees; providing
54 requirements relating to such investigations;
55 requiring a report to the Governor and the
56 Legislature; authorizing a commissioner or an employee
57 of the Florida Gaming Control Commission to request an
58 advisory opinion from the Commission on Ethics;

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59 prohibiting certain persons from placing wagers in a
60 facility licensed by the Florida Gaming Control
61 Commission or by an Indian tribe that has a valid and
62 active compact with the state; providing prohibitions
63 for former commissioners and former employees of the
64 commission; providing civil penalties; defining the
65 term "ex parte communication"; providing prohibitions
66 and requirements relating to ex parte communications;
67 providing civil penalties; amending s. 20.055, F.S.;
68 revising definitions; amending s. 20.165, F.S.;
69 conforming a provision to changes made by the act;
70 amending s. 285.710, F.S.; revising the definition of
71 the term "state compliance agency"; designating the
72 commission as the state compliance agency having
73 authority to carry out certain responsibilities;
74 transferring to the commission by a type two transfer
75 all powers, duties, functions, records, offices,
76 personnel, associated administrative support
77 positions, property, pending issues, existing
78 contracts, administrative authority, administrative
79 rules, and unexpended balances of appropriations,
80 allocations, and other funds of the Department of
81 Business and Professional Regulation related to
82 certain responsibilities, effective on a specified
83 date; transferring the Pari-mutuel Wagering Trust Fund
84 to the commission, effective on a specified date;
85 amending s. 932.701, F.S.; revising the definition of
86 the term "contraband article"; providing a directive
87 to the Division of Law Revision; providing an

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88 appropriation; requiring the department to provide
89 administrative support for the commission during a
90 specified fiscal year; requiring the department, in
91 coordination with the Department of Legal Affairs and
92 the Department of Management Services, to establish a
93 working group for a specified purpose; providing
94 requirements for such working group; providing
95 construction; providing contingent effective dates.
96

97 Be It Enacted by the Legislature of the State of Florida:
98

99 Section 1. Paragraph (a) of subsection (1) of section
100 16.56, Florida Statutes, is amended to read:

101 16.56 Office of Statewide Prosecution.—

102 (1) There is created in the Department of Legal Affairs an
103 Office of Statewide Prosecution. The office shall be a separate
104 "budget entity" as that term is defined in chapter 216. The
105 office may:

106 (a) Investigate and prosecute the offenses of:

107 1. Bribery, burglary, criminal usury, extortion, gambling,
108 kidnapping, larceny, murder, prostitution, perjury, robbery,
109 carjacking, home-invasion robbery, and patient brokering;

110 2. Any crime involving narcotic or other dangerous drugs;

111 3. Any violation of the Florida RICO (Racketeer Influenced
112 and Corrupt Organization) Act, including any offense listed in
113 the definition of racketeering activity in s. 895.02(8)(a),
114 providing such listed offense is investigated in connection with
115 a violation of s. 895.03 and is charged in a separate count of
116 an information or indictment containing a count charging a

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117 violation of s. 895.03, the prosecution of which listed offense
118 may continue independently if the prosecution of the violation
119 of s. 895.03 is terminated for any reason;

120 4. Any violation of the Florida Anti-Fencing Act;

121 5. Any violation of the Florida Antitrust Act of 1980, as
122 amended;

123 6. Any crime involving, or resulting in, fraud or deceit
124 upon any person;

125 7. Any violation of s. 847.0135, relating to computer
126 pornography and child exploitation prevention, or any offense
127 related to a violation of s. 847.0135 or any violation of
128 chapter 827 where the crime is facilitated by or connected to
129 the use of the Internet or any device capable of electronic data
130 storage or transmission;

131 8. Any violation of chapter 815;

132 9. Any criminal violation of part I of chapter 499;

133 10. Any violation of the Florida Motor Fuel Tax Relief Act
134 of 2004;

135 11. Any criminal violation of s. 409.920 or s. 409.9201;

136 12. Any crime involving voter registration, voting, or
137 candidate or issue petition activities;

138 13. Any criminal violation of the Florida Money Laundering
139 Act;

140 14. Any criminal violation of the Florida Securities and
141 Investor Protection Act; ~~or~~

142 15. Any violation of chapter 787, as well as any and all
143 offenses related to a violation of chapter 787; or

144 16. Any criminal violation of chapter 24, part II of
145 chapter 285, chapter 546, chapter 550, chapter 551, or chapter

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146 849;

147
148 or any attempt, solicitation, or conspiracy to commit any of the
149 crimes specifically enumerated above. The office shall have such
150 power only when any such offense is occurring, or has occurred,
151 in two or more judicial circuits as part of a related
152 transaction, or when any such offense is connected with an
153 organized criminal conspiracy affecting two or more judicial
154 circuits. Informations or indictments charging such offenses
155 shall contain general allegations stating the judicial circuits
156 and counties in which crimes are alleged to have occurred or the
157 judicial circuits and counties in which crimes affecting such
158 circuits or counties are alleged to have been connected with an
159 organized criminal conspiracy.

160 Section 2. Section 16.71, Florida Statutes, is created to
161 read:

162 16.71 Florida Gaming Control Commission; creation;
163 meetings; membership.-

164 (1) CREATION; MEETINGS.-

165 (a) There is created within the Department of Legal
166 Affairs, Office of the Attorney General, the Florida Gaming
167 Control Commission, hereinafter referred to as the commission.
168 The commission shall be a separate budget entity and the
169 commissioners shall serve as the agency head. The commission's
170 exercise of executive powers in the area of planning, budgeting,
171 personnel management, and purchasing shall be as provided by
172 law.

173 (b) The commission is not subject to control, supervision,
174 or direction by the Department of Legal Affairs or the Attorney

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175 General in the performance of its duties, including, but not
176 limited to, personnel, purchasing transactions involving real or
177 personal property, and budgetary matters.

178 (c) The commission shall convene at the call of its chair
179 or at the request of a majority of the members of the
180 commission. Meetings may be held via teleconference or other
181 electronic means. Three members of the commission constitute a
182 quorum, and the affirmative vote of the majority of a quorum is
183 required for any action or recommendation by the commission.
184 However, notwithstanding any other provision of law, the
185 affirmative vote of three members is required to adopt a
186 proposed rule, including an amendment to or repeal of an
187 existing rule that meets or exceeds any of the criteria in s.
188 120.54(3)(b)1. or s. 120.541(2)(a). The commission may meet in
189 any city or county of the state.

190 (2) MEMBERSHIP.—

191 (a) The commission shall consist of five members appointed
192 by the Governor, and subject to confirmation by the Senate, for
193 terms of 4 years. Members of the commission must be appointed by
194 January 1, 2022. The Governor shall consider appointees who
195 reflect Florida's racial, ethnic, and gender diversity. Of the
196 initial five members appointed by the Governor, and immediately
197 upon appointment, the Governor shall appoint one of the members
198 as the initial chair and one of the members as the initial vice
199 chair. At the end of the initial chair's and vice chair's terms
200 pursuant to subparagraph 1., the commission shall elect one of
201 the members of the commission as chair and one of the members of
202 the commission as vice chair.

203 1. For the purpose of providing staggered terms, of the

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204 initial appointments, two members shall be appointed to 4-year
205 terms, two members shall be appointed to 3-year terms, and one
206 member shall be appointed to a 2-year term.

207 2. Of the five members, at least one member must have at
208 least 10 years of experience in law enforcement and criminal
209 investigations, at least one member must be a certified public
210 accountant licensed in this state with at least 10 years of
211 experience in accounting and auditing, and at least one member
212 must be an attorney admitted and authorized to practice law in
213 this state for at least the preceding 10 years.

214 3. Of the five members, each appellate district shall have
215 one member appointed from the district to the commission who is
216 a resident of the district at the time of the original
217 appointment.

218 (b) A commissioner shall serve until a successor is
219 appointed, but commissioners may not serve more than 12 years.
220 Vacancies shall be filled for the unexpired portion of the term.
221 The salary of each commissioner is equal to that paid under
222 state law to a commissioner on the Florida Public Service
223 Commission.

224 (c) The Governor shall have the same power to remove or
225 suspend commissioners as set forth in s. 7, Art. IV of the State
226 Constitution. In addition to such power, the Governor must
227 remove a member who is convicted of or found guilty of or has
228 pled nolo contendere to, regardless of adjudication, in any
229 jurisdiction, a misdemeanor that directly relates to gambling,
230 dishonesty, theft, or fraud.

231 (d) Upon the resignation or removal from office of a member
232 of the commission, the Governor shall appoint a successor

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233 pursuant to paragraph (a) who, subject to confirmation by the
234 Senate, shall serve the remainder of the unfinished term.

235 (3) REQUIREMENTS FOR APPOINTMENT; PROHIBITIONS.—

236 (a) A person may not be appointed by the Governor to the
237 commission until a level 2 background screening pursuant to
238 chapter 435 is performed, the results are forwarded to the
239 Governor, and the Governor determines that the person meets all
240 the requirements for appointment under this section. However, a
241 person who is prohibited from being appointed under s. 16.713
242 may not be appointed by the Governor.

243 (b) The Governor may not solicit or request any
244 nominations, recommendations, or communications about potential
245 candidates for appointment to the commission from:

246 1. Any person that holds a permit or license issued under
247 chapter 550, or a license issued under chapter 551 or chapter
248 849; an officer, official, or employee of such permitholder or
249 licensee; or an ultimate equitable owner, as defined in s.
250 550.002(37), of such permitholder or licensee;

251 2. Any officer, official, employee, or other person with
252 duties or responsibilities relating to a gaming operation owned
253 by an Indian tribe that has a valid and active compact with the
254 state; a contractor or subcontractor of such tribe or an entity
255 employed, licensed, or contracted by such tribe; or an ultimate
256 equitable owner, as defined in s. 550.002(37), of such entity;
257 or

258 3. Any registered lobbyist for the executive or legislative
259 branch who represents any person or entity identified in
260 subparagraph 1. or subparagraph 2.

261 (4) EXECUTIVE DIRECTOR.—

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262 (a) To aid the commission in its duties, the commission
263 must appoint a person who is not a member of the commission to
264 serve as the executive director of the commission. A person may
265 not be appointed as executive director until a level 2
266 background screening pursuant to chapter 435 is performed, the
267 results are forwarded to the commission, and the commission
268 determines that the person meets all the requirements for
269 appointment as the executive director. The executive director
270 shall supervise, direct, coordinate, and administer all
271 activities necessary to fulfill the commission's
272 responsibilities. The commission must appoint the executive
273 director by April 1, 2022.

274 (b) The executive director, with the consent of the
275 commission, shall employ such staff as are necessary to
276 adequately perform the functions of the commission, within
277 budgetary limitations.

278 (c) The executive director shall maintain headquarters in
279 and reside in Leon County.

280 (d) The salary of the executive director is equal to that
281 paid under state law to a commissioner on the Florida Public
282 Service Commission.

283 (5) INSPECTOR GENERAL.—The chair of the commission shall
284 appoint an inspector general who shall perform the duties of an
285 inspector general under s. 20.055.

286 Section 3. Section 16.711, Florida Statutes, is created to
287 read:

288 16.711 Division of Gaming Enforcement; creation; duties.—

289 (1) There is created within the Florida Gaming Control
290 Commission a Division of Gaming Enforcement. The Division of

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291 Gaming Enforcement shall be considered a criminal justice agency
292 as defined in s. 943.045.

293 (2) The commissioners shall appoint a director of the
294 Division of Gaming Enforcement who is qualified by training and
295 experience in law enforcement or security to supervise, direct,
296 coordinate, and administer all activities of the division.

297 (3) The director and all investigators employed by the
298 division must meet the requirements for employment and
299 appointment provided by s. 943.13 and must be certified as law
300 enforcement officers as defined in s. 943.10(1). The director
301 and such investigators shall be designated law enforcement
302 officers and shall have the power to detect, apprehend, and
303 arrest for any alleged violation of chapter 24, part II of
304 chapter 285, chapter 546, chapter 550, chapter 551, or chapter
305 849, or any rule adopted pursuant thereto, or any law of this
306 state. Such law enforcement officers may enter upon any premises
307 at which gaming activities are taking place in the state for the
308 performance of their lawful duties and may take with them any
309 necessary equipment, and such entry does not constitute a
310 trespass. In any instance in which there is reason to believe
311 that a violation has occurred, such officers have the authority,
312 without warrant, to search and inspect any premises where the
313 violation is alleged to have occurred or is occurring. Any such
314 officer may, consistent with the United States and Florida
315 Constitutions, seize or take possession of any papers, records,
316 tickets, currency, or other items related to any alleged
317 violation. Investigators employed by the commission shall also
318 have access to, and shall have the right to inspect, premises
319 licensed by the commission, to collect taxes and remit them to

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320 the officer entitled to them, and to examine the books and
321 records of all persons licensed by the commission.

322 (4) (a) The division and its investigators are specifically
323 authorized to seize any contraband in accordance with the
324 Florida Contraband Forfeiture Act. For purposes of this section,
325 the term "contraband" has the same meaning as the term
326 "contraband article" in s. 932.701(2) (a)2.

327 (b) The division is specifically authorized to store and
328 test any contraband that is seized in accordance with the
329 Florida Contraband Forfeiture Act and may authorize any of its
330 staff to implement this paragraph.

331 (c) This subsection does not limit the authority of any
332 other person authorized by law to seize contraband.

333 (5) The Department of Law Enforcement shall provide
334 assistance in obtaining criminal history information relevant to
335 investigations required for honest, secure, and exemplary gaming
336 operations, and such other assistance as may be requested by the
337 executive director of the commission and agreed to by the
338 executive director of the Department of Law Enforcement. Any
339 other state agency, including the Department of Business and
340 Professional Regulation and the Department of Revenue, shall,
341 upon request, provide the commission with any information
342 relevant to any investigation conducted pursuant to this
343 section. The commission shall reimburse any agency for the
344 actual cost of providing any assistance pursuant to this
345 subsection.

346 Section 4. Effective July 1, 2022, section 16.712, Florida
347 Statutes, is created to read:

348 16.712 Florida Gaming Control Commission authorizations,

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349 duties, and responsibilities.-

350 (1) The commission shall do all of the following:

351 (a) Exercise all of the regulatory and executive powers of
352 the state with respect to gambling, including, without
353 limitation thereto, pari-mutuel wagering, cardrooms, slot
354 machine facilities, oversight of gaming compacts executed by the
355 state pursuant to the Federal Indian Gaming Regulatory Act, and
356 any other forms of gambling authorized by the State Constitution
357 or law, excluding games authorized by s. 15, Art. X of the State
358 Constitution.

359 (b) Establish procedures consistent with chapter 120 to
360 ensure adequate due process in the exercise of its regulatory
361 and executive functions.

362 (c) Ensure that the laws of this state are not interpreted
363 in any manner that expands the activities authorized in chapter
364 24, part II of chapter 285, chapter 546, chapter 550, chapter
365 551, or chapter 849.

366 (d) Review the rules and regulations promulgated by the
367 Seminole Tribal Gaming Commission for the operation of sports
368 betting and propose to the Seminole Tribal Gaming Commission any
369 additional consumer protection measures it deems appropriate.
370 The proposed consumer protection measures may include, but are
371 not limited to, the types of advertising and marketing conducted
372 for sports betting, the types of procedures implemented to
373 prohibit underage persons from engaging in sports betting, and
374 the types of information, materials, and procedures needed to
375 assist patrons with compulsive or addictive gambling problems.

376 (e) Evaluate, as the state compliance agency or as the
377 commission, information that is reported by sports governing

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378 bodies or other parties to the commission related to any
379 abnormal betting activity or patterns that may indicate a
380 concern about the integrity of a sports event or events; any
381 other conduct with the potential to corrupt a betting outcome of
382 a sports event for purposes of financial gain, including, but
383 not limited to, match fixing; suspicious or illegal wagering
384 activities, including the use of funds derived from illegal
385 activity, wagers to conceal or launder funds derived from
386 illegal activity, use of agents to place wagers, or use of false
387 identification; and the use of data deemed unacceptable by the
388 commission or the Seminole Tribal Gaming Commission, and provide
389 reasonable notice to state and local law enforcement, the
390 Seminole Tribal Gaming Commission, and any appropriate sports
391 governing body of nonproprietary information that may warrant
392 further investigation by such entities to ensure the integrity
393 of wagering activities in the state.

394 (f) Review any matter within the scope of the jurisdiction
395 of the Division of Pari-mutuel Wagering.

396 (g) Review the regulation of licensees, permitholders, or
397 persons regulated by the Division of Pari-mutuel Wagering and
398 the procedures used by the division to implement and enforce the
399 law.

400 (h) Review the procedures of the Division of Pari-mutuel
401 Wagering which are used to qualify applicants applying for a
402 license, permit, or registration.

403 (i) Receive and review violations reported by a state or
404 local law enforcement agency, the Department of Law Enforcement,
405 the Department of Legal Affairs, the Department of Agriculture
406 and Consumer Services, the Department of Business and

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407 Professional Regulation, the Department of the Lottery, the
408 Seminole Tribe of Florida, or any person licensed under chapter
409 24, part II of chapter 285, chapter 550, chapter 551, or chapter
410 849 and determine whether such violation is appropriate for
411 referral to the Office of Statewide Prosecution.

412 (j) Refer criminal violations of chapter 24, part II of
413 chapter 285, chapter 546, chapter 550, chapter 551, or chapter
414 849 to the appropriate state attorney or to the Office of
415 Statewide Prosecution, as applicable.

416 (k) Exercise all other powers and perform any other duties
417 prescribed by the Legislature.

418 (2) (a) The commission may adopt rules to implement this
419 section.

420 (b) The commission may subpoena witnesses and compel their
421 attendance and testimony, administer oaths and affirmations,
422 take evidence, and require by subpoena the production of any
423 books, papers, records, or other items relevant to the
424 performance of the duties of the commission or to the exercise
425 of its powers.

426 (c) The commission may submit written recommendations to
427 enhance the enforcement of gaming laws of the state to the
428 Governor, the President of the Senate, and the Speaker of the
429 House of Representatives.

430 (3) By December 1 of each year, the commission shall make
431 an annual report to the Governor, the President of the Senate,
432 and the Speaker of the House of Representatives. The report
433 must, at a minimum, include all of the following:

434 (a) Recent events in the gaming industry, including pending
435 litigation, pending facility license applications, and new and

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436 pending rules.

437 (b) Actions of the commission relative to the
438 implementation and administration of this section.

439 (c) The state revenues and expenses associated with each
440 form of authorized gaming. Revenues and expenses associated with
441 pari-mutuel wagering shall be further delineated by the class of
442 license.

443 (d) The performance of each pari-mutuel wagering licensee,
444 cardroom licensee, and slot licensee.

445 (e) Actions of the commission as the state compliance
446 agency, and financial information published by the Office of
447 Economic and Demographic Research, relative to gaming activities
448 authorized pursuant to s. 285.710(13).

449 (f) A summary of disciplinary actions taken by the
450 commission.

451 (g) The receipts and disbursements of the commission.

452 (h) A summary of actions taken and investigations conducted
453 by the commission.

454 (i) Any additional information and recommendations that the
455 commission considers useful or that the Governor, the President
456 of the Senate, or the Speaker of the House of Representatives
457 requests.

458 (4) The commission shall annually develop a legislative
459 budget request pursuant to chapter 216. Such request is not
460 subject to change by the Department of Legal Affairs or the
461 Attorney General, but shall be submitted by the Department of
462 Legal Affairs to the Governor for transmittal to the
463 Legislature.

464 (5) The commission is authorized to contract or consult

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465 with appropriate agencies of state government for such
466 professional assistance as may be needed in the discharge of its
467 duties.

468 (6) The commission shall exercise all of its regulatory and
469 executive powers and shall adopt, apply, construe, and interpret
470 all laws and administrative rules in a manner consistent with
471 the gaming compact ratified, approved, and described in s.
472 285.710(3).

473 (7) The commission shall confirm, prior to the issuance of
474 an operating license, that each permitholder has submitted proof
475 with their annual application for a license, in such a form as
476 the commission may require, that the permitholder continues to
477 possess the qualifications prescribed by chapter 550, and that
478 the permit has not been disapproved by voters in an election.

479 Section 5. Section 16.713, Florida Statutes, is created to
480 read:

481 16.713 Florida Gaming Control Commission; appointment and
482 employment restrictions.-

483 (1) PERSONS INELIGIBLE FOR APPOINTMENT TO THE COMMISSION.-
484 The following persons are ineligible for appointment to the
485 commission:

486 (a) A person who holds any office in a political party.

487 (b) A person who within the previous 10 years has been
488 convicted of or found guilty of or has pled nolo contendere to,
489 regardless of adjudication, in any jurisdiction, any felony, or
490 a misdemeanor that directly related to gambling, dishonesty,
491 theft, or fraud.

492 (c) A person who has been convicted of or found guilty of
493 or pled nolo contendere to, regardless of adjudication, in any

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494 jurisdiction, a crime listed in s. 775.21(4)(a)1. or s. 776.08.

495 (d) A person who has had a license or permit issued under
496 chapter 550, chapter 551, or chapter 849 or a gaming license
497 issued by any other jurisdiction denied, suspended, or revoked.

498 (2) PROHIBITIONS FOR EMPLOYEES AND COMMISSIONERS; PERSONS
499 INELIGIBLE FOR APPOINTMENT TO AND EMPLOYMENT WITH THE
500 COMMISSION.—

501 (a) A person may not, for the 2 years immediately preceding
502 the date of appointment to or employment with the commission and
503 while appointed to or employed with the commission:

504 1. Hold a permit or license issued under chapter 550 or a
505 license issued under chapter 551 or chapter 849; be an officer,
506 official, or employee of such permitholder or licensee; or be an
507 ultimate equitable owner, as defined in s. 550.002(37), of such
508 permitholder or licensee;

509 2. Be an officer, official, employee, or other person with
510 duties or responsibilities relating to a gaming operation owned
511 by an Indian tribe that has a valid and active compact with the
512 state; be a contractor or subcontractor of such tribe or an
513 entity employed, licensed, or contracted by such tribe; or be an
514 ultimate equitable owner, as defined in s. 550.002(37), of such
515 entity;

516 3. Be a registered lobbyist for the executive or
517 legislative branch, except while a commissioner or employee of
518 the commission when officially representing the commission; or

519 4. Be a bingo game operator or an employee of a bingo game
520 operator.

521 (b) A person is ineligible for appointment to or employment
522 with the commission if, within the 2 years immediately preceding

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523 such appointment or employment, he or she violated paragraph (a)
524 or solicited or accepted employment with, acquired any direct or
525 indirect interest in, or had any direct or indirect business
526 association, partnership, or financial relationship with, or is
527 a relative of:

528 1. Any person or entity who is an applicant, licensee, or
529 registrant with the Division of Pari-mutuel Wagering or the
530 commission; or

531 2. Any officer, official, employee, or other person with
532 duties or responsibilities relating to a gaming operation owned
533 by an Indian tribe that has a valid and active compact with the
534 state; any contractor or subcontractor of such tribe or an
535 entity employed, licensed, or contracted by such tribe; or any
536 ultimate equitable owner, as defined in s. 550.002(37), of such
537 entity.

538 (c) A person who is ineligible for employment with the
539 commission under paragraph (b) due to being a relative of a
540 person listed under subparagraph (b)1. or subparagraph (b)2. may
541 submit a waiver request to the commission for the person to be
542 considered eligible for employment. The commission shall
543 consider waiver requests on a case-by-case basis and shall
544 approve or deny each request. If the commission approves the
545 request, the person is eligible for employment with the
546 commission. This paragraph does not apply to persons seeking
547 appointment to the commission.

548
549 For the purposes of this subsection, the term "relative" means a
550 spouse, father, mother, son, daughter, grandfather, grandmother,
551 brother, sister, uncle, aunt, cousin, nephew, niece, father-in-

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552 law, mother-in-law, son-in-law, daughter-in-law, brother-in-law,
553 sister-in-law, stepfather, stepmother, stepson, stepdaughter,
554 stepbrother, stepsister, half-brother, or half-sister.

555 (3) PERSONS INELIGIBLE FOR EMPLOYMENT WITH THE COMMISSION.—

556 (a) A person is ineligible for employment with the
557 commission if he or she has been convicted of or found guilty of
558 or pled nolo contendere to, regardless of adjudication, in any
559 jurisdiction, a felony within 5 years before the date of
560 application; convicted of or found guilty of or pled nolo
561 contendere to, regardless of adjudication, in any jurisdiction,
562 a misdemeanor within 5 years before the date of application
563 which the commission determines bears a close relationship to
564 the duties and responsibilities of the position for which
565 employment is sought; or dismissed from prior employment for
566 gross misconduct or incompetence or intentionally making a false
567 statement concerning a material fact in connection with the
568 application for employment to the commission.

569 (b) If an employee of the commission is charged with a
570 felony while employed by the commission, the commission shall
571 suspend the employee, with or without pay, and terminate
572 employment with the commission upon conviction. If an employee
573 of the commission is charged with a misdemeanor while employed
574 by the commission, the commission shall suspend the employee,
575 with or without pay, and may terminate employment with the
576 commission upon conviction if the commission determines that the
577 offense bears a close relationship to the duties and
578 responsibilities of the position held with the commission.

579 (4) NOTIFICATION REQUIREMENTS.—

580 (a) A commissioner or an employee of the commission must

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581 notify the commission within 3 calendar days after arrest for
582 any offense.

583 (b) A commissioner or an employee must immediately provide
584 detailed written notice of the circumstances to the commission
585 if the member or employee is indicted, charged with, convicted
586 of, pleads guilty or nolo contendere to, or forfeits bail for:

587 1. A misdemeanor involving gambling, dishonesty, theft, or
588 fraud;

589 2. A violation of any law in any state, or a law of the
590 United States or any other jurisdiction, involving gambling,
591 dishonesty, theft, or fraud which would constitute a misdemeanor
592 under the laws of this state; or

593 3. A felony under the laws of this or any other state, the
594 United States, or any other jurisdiction.

595 Section 6. Section 16.714, Florida Statutes, is created to
596 read:

597 16.714 Florida Gaming Control Commission background
598 screening requirements; investigations by the Division of Gaming
599 Enforcement.—

600 (1) LEVEL 2 BACKGROUND SCREENINGS.—The Department of Law
601 Enforcement shall, at the request of the Division of Gaming
602 Enforcement, perform a level 2 background screening pursuant to
603 chapter 435 on an employee of the division and on any other
604 employee of the commission for which the commission deems a
605 level 2 background screening necessary, including applicants for
606 employment. The commission shall reimburse the Department of Law
607 Enforcement for the actual costs of such investigations.

608 (2) LEVEL 1 BACKGROUND SCREENINGS.—The Department of Law
609 Enforcement shall, at the request of the division, perform a

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610 level 1 background screening pursuant to chapter 435 on any
611 employee of the commission, including applicants for employment,
612 who is not listed in subsection (1).

613 (3) INVESTIGATIONS.—The division shall conduct
614 investigations of members and employees of the commission,
615 including applicants for contract or employment, as are
616 necessary to ensure the security and integrity of gaming
617 operations in this state. The commission may require persons
618 subject to such investigations to provide such information,
619 including fingerprints, as is needed by the Department of Law
620 Enforcement for processing or as is otherwise necessary to
621 facilitate access to state and federal criminal history
622 information.

623 Section 7. Section 16.715, Florida Statutes, is created to
624 read:

625 16.715 Florida Gaming Control Commission standards of
626 conduct; ex parte communications.—

627 (1) STANDARDS OF CONDUCT.—

628 (a) In addition to the provisions of part III of chapter
629 112, which is applicable to commissioners on and employees with
630 the Florida Gaming Control Commission by virtue of their being
631 public officers and public employees, the conduct of
632 commissioners and employees shall be governed by the standards
633 of conduct provided in this subsection. Nothing shall prohibit
634 the standards of conduct from being more restrictive than part
635 III of chapter 112. Further, this subsection may not be
636 construed to contravene the restrictions of part III of chapter
637 112. In the event of a conflict between this subsection and part
638 III of chapter 112, the more restrictive provision shall apply.

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639 (b)1. A commissioner or employee of the commission may not
640 accept anything from any business entity that, either directly
641 or indirectly, owns or controls any person regulated by the
642 commission or from any business entity that, either directly or
643 indirectly, is an affiliate or subsidiary of any person
644 regulated by the commission.

645 2. A commissioner or an employee may attend conferences,
646 along with associated meals and events that are generally
647 available to all conference participants, without payment of any
648 fees in addition to the conference fee. Additionally, while
649 attending a conference, a commissioner or an employee may attend
650 meetings, meals, or events that are not sponsored, in whole or
651 in part, by any representative of any person regulated by the
652 commission and that are limited to commissioners or employees
653 only, committee members, or speakers if the commissioner or
654 employee is a member of a committee of the association of
655 regulatory agencies which organized the conference or is a
656 speaker at the conference. It is not a violation of this
657 subparagraph for a commissioner or an employee to attend a
658 conference for which conference participants who are employed by
659 a person regulated by the commission have paid a higher
660 conference registration fee than the commissioner or employee,
661 or to attend a meal or event that is generally available to all
662 conference participants without payment of any fees in addition
663 to the conference fee and that is sponsored, in whole or in
664 part, by a person regulated by the commission.

665 3. While employed, and for 2 years after service as a
666 commissioner or for 2 years after employment with the
667 commission, a commissioner or an employee may not accept any

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668 form of employment with or engage in any business activity with
669 any business entity that, either directly or indirectly, owns or
670 controls any person regulated by the commission; any person
671 regulated by the commission; or any business entity that, either
672 directly or indirectly, is an affiliate or subsidiary of any
673 person regulated by the commission.

674 4. While employed, and for 2 years after service as a
675 commissioner or for 2 years after employment with the
676 commission, a commissioner, an employee, or a relative living in
677 the same household as a commissioner or an employee may not have
678 any financial interest, other than shares in a mutual fund, in
679 any person regulated by the commission; in any business entity
680 that, either directly or indirectly, owns or controls any person
681 regulated by the commission; or in any business entity that,
682 either directly or indirectly, is an affiliate or a subsidiary
683 of any person regulated by the commission. If a commissioner, an
684 employee, or a relative living in the same household as a
685 commissioner or an employee acquires any financial interest
686 prohibited by this subsection during the commissioner's term of
687 office or the employee's employment with the commission as a
688 result of events or actions beyond the commissioner's, the
689 employee's, or the relative's control, he or she shall
690 immediately sell such financial interest. For the purposes of
691 this subsection, the term "relative" has the same meaning as in
692 s. 16.713(2) (b).

693 5. A commissioner or an employee may not accept anything
694 from a party in a proceeding currently pending before the
695 commission.

696 6. A commissioner may not serve as the representative of

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697 any political party or on any executive committee or other
698 governing body of a political party; serve as an executive
699 officer or employee of any political party, committee,
700 organization, or association; receive remuneration for
701 activities on behalf of any candidate for public office; engage
702 on behalf of any candidate for public office in the solicitation
703 of votes or other activities on behalf of such candidacy; or
704 become a candidate for election to any public office without
705 first resigning from office.

706 7. A commissioner, during his or her term of office, may
707 not make any public comment regarding the merits of any
708 proceeding under ss. 120.569 and 120.57 currently pending before
709 the commission.

710 8. A commissioner or an employee may not act in an
711 unprofessional manner at any time during the performance of
712 official duties.

713 9. A commissioner or an employee must avoid impropriety in
714 all activities and must act at all times in a manner that
715 promotes public confidence in the integrity and impartiality of
716 the commission.

717 10. A commissioner or an employee may not directly or
718 indirectly, through staff or other means, solicit anything of
719 value from any person regulated by the commission, or from any
720 business entity that, whether directly or indirectly, is an
721 affiliate or a subsidiary of any person regulated by the
722 commission, or from any party appearing in a proceeding
723 considered by the commission in the last 2 years.

724 11. A commissioner may not lobby the Governor or any agency
725 of the state, members or employees of the Legislature, or any

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726 county or municipal government or governmental agency except to
727 represent the commission in an official capacity.

728 (c) A commissioner or an employee of the commission must
729 annually complete at least 4 hours of ethics training that
730 addresses, at a minimum, s. 8, Art. II of the State
731 Constitution, the Code of Ethics for Public Officers and
732 Employees, and the public records and public meetings laws of
733 this state. This requirement may be satisfied by completion of a
734 continuing legal education class or other continuing
735 professional education class, seminar, or presentation, if the
736 required subjects are covered.

737 (d) The Commission on Ethics shall accept and investigate
738 any alleged violations of this subsection pursuant to the
739 procedures contained in ss. 112.322-112.3241. The Commission on
740 Ethics shall provide the Governor, the President of the Senate,
741 and the Speaker of the House of Representatives with a report of
742 its findings and recommendations. The Governor is authorized to
743 enforce the findings and recommendations of the Commission on
744 Ethics, pursuant to part III of chapter 112. A commissioner or
745 an employee of the commission may request an advisory opinion
746 from the Commission on Ethics, pursuant to s. 112.322(3)(a),
747 regarding the standards of conduct or prohibitions set forth in
748 this section or s. 16.71.

749 (e)1. If, during the course of an investigation by the
750 Commission on Ethics into an alleged violation of this
751 subsection, allegations are made as to the identity of the
752 person giving or providing the prohibited thing, that person
753 must be given notice and an opportunity to participate in the
754 investigation and relevant proceedings to present a defense.

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755 2. If the Commission on Ethics determines that the person
756 gave or provided a prohibited thing, the person may not appear
757 before the commission or otherwise represent anyone before the
758 commission for a period of 2 years.

759 (f) A commissioner, an employee of the commission, or a
760 relative living in the same household as a commissioner or an
761 employee may not place a wager in any facility licensed by the
762 commission or any facility in the state operated by an Indian
763 tribe that has a valid and active compact with the state.

764 (2) FORMER COMMISSIONERS AND EMPLOYEES.—

765 (a) A commissioner, the executive director, and an employee
766 of the commission may not personally represent another person or
767 entity for compensation before the executive or legislative
768 branch for a period of 2 years following the commissioner's or
769 executive director's end of service or a period of 2 years
770 following employment unless employed by another agency of state
771 government.

772 (b) A commissioner may not, for the 2 years immediately
773 following the date of resignation or termination from the
774 commission:

775 1. Hold a permit or license issued under chapter 550, or a
776 license issued under chapter 551 or chapter 849; be an officer,
777 official, or employee of such permitholder or licensee; or be an
778 ultimate equitable owner, as defined in s. 550.002(37), of such
779 permitholder or licensee;

780 2. Accept employment by or compensation from a business
781 entity that, directly or indirectly, owns or controls a person
782 regulated by the commission; from a person regulated by the
783 commission; from a business entity which, directly or

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784 indirectly, is an affiliate or subsidiary of a person regulated
785 by the commission; or from a business entity or trade
786 association that has been a party to a commission proceeding
787 within the 2 years preceding the member's resignation or
788 termination of service on the commission; or

789 3. Be a bingo game operator or an employee of a bingo game
790 operator.

791 (c) A person employed by the commission may not, for the 2
792 years immediately following the date of termination or
793 resignation from employment with the commission:

794 1. Hold a permit or license issued under chapter 550, or a
795 license issued under chapter 551 or chapter 849; be an officer,
796 official, or employee of such permitholder or licensee; or be an
797 ultimate equitable owner, as defined in s. 550.002(37), of such
798 permitholder or licensee; or

799 2. Be a bingo game operator or an employee of a bingo game
800 operator.

801 (d) Any person violating paragraph (b) or paragraph (c)
802 shall be subject to the penalties for violations of standards of
803 conduct for public officers, employees of agencies, and local
804 government attorneys provided in s. 112.317 and a civil penalty
805 of an amount equal to the compensation that the person receives
806 for the prohibited conduct.

807 (3) EX PARTE COMMUNICATIONS.—

808 (a) As used in this section, the term "ex parte
809 communication" means any communication that:

810 1. If it is a written or printed communication or is a
811 communication in electronic form, is not served on all parties
812 to a proceeding; or

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813 2. If it is an oral communication, is made without adequate
814 notice to the parties and without an opportunity for the parties
815 to be present and heard.

816 (b) A commissioner may not initiate or consider ex parte
817 communications concerning the merits, threat, or offer of reward
818 in any proceeding that is currently pending before the
819 commission. An individual may not discuss ex parte with a
820 commissioner the merits, threat, or offer of reward regarding
821 any issue in a proceeding that is pending before the commission.
822 This paragraph does not apply to commission staff.

823 (c) If a commissioner knowingly receives an ex parte
824 communication relative to a proceeding to which the commissioner
825 is assigned, the commissioner must place on the record of the
826 proceeding copies of all written communications received, all
827 written responses to the communications, and a memorandum
828 stating the substance of all oral communications received and
829 all oral responses made, and shall give written notice to all
830 parties to the communication that such matters have been placed
831 on the record. Any party who desires to respond to an ex parte
832 communication may do so. The response must be received by the
833 commission within 10 days after receiving notice that the ex
834 parte communication has been placed on the record. The
835 commissioner may, if deemed by such commissioner to be necessary
836 to eliminate the effect of an ex parte communication, withdraw
837 from the proceeding, in which case the chair shall substitute
838 another commissioner for the proceeding.

839 (d) Any individual who makes an ex parte communication
840 shall submit to the commission a written statement describing
841 the nature of such communication, to include the name of the

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842 person making the communication, the name of the commissioner or
843 commissioners receiving the communication, copies of all written
844 communications made, all written responses to such
845 communications, and a memorandum stating the substance of all
846 oral communications received and all oral responses made. The
847 commission shall place on the record of a proceeding all such
848 communications.

849 (e) Any commissioner who knowingly fails to place on the
850 record any such communications in violation of this subsection
851 within 15 days after the date of such communication is subject
852 to removal and may be assessed a civil penalty not to exceed
853 \$5,000.

854 (f)1. It shall be the duty of the Commission on Ethics to
855 receive and investigate sworn complaints of violations of this
856 subsection pursuant to the procedures contained in ss. 112.322-
857 112.3241.

858 2. If the Commission on Ethics finds that there has been a
859 violation of this subsection by a commissioner, it shall provide
860 the Governor, the President of the Senate, and the Speaker of
861 the House of Representatives with a report of its findings and
862 recommendations. The Governor is authorized to enforce the
863 findings and recommendations of the Commission on Ethics,
864 pursuant to part III of chapter 112, and to remove from office a
865 commissioner who is found by the Commission on Ethics to have
866 willfully and knowingly violated this subsection. The Governor
867 shall remove from office a commissioner who is found by the
868 Commission on Ethics to have willfully and knowingly violated
869 this subsection after a previous finding by the Commission on
870 Ethics that the commissioner willfully and knowingly violated

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871 this subsection in a separate matter.

872 3. If a commissioner fails or refuses to pay the Commission
873 on Ethics any civil penalties assessed pursuant to this
874 subsection, the Commission on Ethics may bring an action in any
875 circuit court to enforce such penalty.

876 4. If, during the course of an investigation by the
877 Commission on Ethics into an alleged violation of this
878 subsection, allegations are made as to the identity of the
879 person who participated in the ex parte communication, that
880 person must be given notice and an opportunity to participate in
881 the investigation and relevant proceedings to present a defense.
882 If the Commission on Ethics determines that the person
883 participated in the ex parte communication, the person may not
884 appear before the commission or otherwise represent anyone
885 before the commission for a period of 2 years.

886 Section 8. Paragraphs (a) and (d) of subsection (1) of
887 section 20.055, Florida Statutes, are amended, and subsection
888 (2) of that section is republished, to read:

889 20.055 Agency inspectors general.—

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

891 (a) "Agency head" means the Governor, a Cabinet officer, or
892 a secretary or executive director as those terms are defined in
893 s. 20.03, the chair of the Public Service Commission, the
894 Director of the Office of Insurance Regulation of the Financial
895 Services Commission, the Director of the Office of Financial
896 Regulation of the Financial Services Commission, the board of
897 directors of the Florida Housing Finance Corporation, the
898 executive director of the Office of Early Learning, the chair of
899 the Florida Gaming Control Commission, and the Chief Justice of

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900 the State Supreme Court.

901 (d) "State agency" means each department created pursuant
902 to this chapter and the Executive Office of the Governor, the
903 Department of Military Affairs, the Fish and Wildlife
904 Conservation Commission, the Office of Insurance Regulation of
905 the Financial Services Commission, the Office of Financial
906 Regulation of the Financial Services Commission, the Public
907 Service Commission, the Board of Governors of the State
908 University System, the Florida Housing Finance Corporation, the
909 Office of Early Learning, the Florida Gaming Control Commission,
910 and the state courts system.

911 (2) An office of inspector general is established in each
912 state agency to provide a central point for coordination of and
913 responsibility for activities that promote accountability,
914 integrity, and efficiency in government. It is the duty and
915 responsibility of each inspector general, with respect to the
916 state agency in which the office is established, to:

917 (a) Advise in the development of performance measures,
918 standards, and procedures for the evaluation of state agency
919 programs.

920 (b) Assess the reliability and validity of the information
921 provided by the state agency on performance measures and
922 standards, and make recommendations for improvement, if
923 necessary, before submission of such information pursuant to s.
924 216.1827.

925 (c) Review the actions taken by the state agency to improve
926 program performance and meet program standards and make
927 recommendations for improvement, if necessary.

928 (d) Provide direction for, supervise, and coordinate

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929 audits, investigations, and management reviews relating to the
930 programs and operations of the state agency, except that when
931 the inspector general does not possess the qualifications
932 specified in subsection (4), the director of auditing shall
933 conduct such audits.

934 (e) Conduct, supervise, or coordinate other activities
935 carried out or financed by that state agency for the purpose of
936 promoting economy and efficiency in the administration of, or
937 preventing and detecting fraud and abuse in, its programs and
938 operations.

939 (f) Keep the agency head or, for state agencies under the
940 jurisdiction of the Governor, the Chief Inspector General
941 informed concerning fraud, abuses, and deficiencies relating to
942 programs and operations administered or financed by the state
943 agency, recommend corrective action concerning fraud, abuses,
944 and deficiencies, and report on the progress made in
945 implementing corrective action.

946 (g) Ensure effective coordination and cooperation between
947 the Auditor General, federal auditors, and other governmental
948 bodies with a view toward avoiding duplication.

949 (h) Review, as appropriate, rules relating to the programs
950 and operations of such state agency and make recommendations
951 concerning their impact.

952 (i) Ensure that an appropriate balance is maintained
953 between audit, investigative, and other accountability
954 activities.

955 (j) Comply with the General Principles and Standards for
956 Offices of Inspector General as published and revised by the
957 Association of Inspectors General.

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958 Section 9. Effective July 1, 2022, paragraph (g) of
959 subsection (2) of section 20.165, Florida Statutes, is amended
960 to read:

961 20.165 Department of Business and Professional Regulation.—
962 There is created a Department of Business and Professional
963 Regulation.

964 (2) The following divisions of the Department of Business
965 and Professional Regulation are established:

966 ~~(g) Division of Pari-mutuel Wagering.~~

967 Section 10. Effective July 1, 2022, paragraph (f) of
968 subsection (1) and subsection (7) of section 285.710, Florida
969 Statutes, are amended to read:

970 285.710 Compact authorization.—

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

972 (f) "State compliance agency" means the Florida Gaming
973 Control Commission ~~Division of Pari-mutuel Wagering of the~~
974 ~~Department of Business and Professional Regulation~~ which is
975 designated as the state agency having the authority to carry out
976 the state's oversight responsibilities under the compact.

977 (7) The Florida Gaming Control Commission ~~The Division of~~
978 ~~Pari-mutuel Wagering of the Department of Business and~~
979 ~~Professional Regulation~~ is designated as the state compliance
980 agency having the authority to carry out the state's oversight
981 responsibilities under the compact authorized by this section.

982 Section 11. (1) Effective July 1, 2022, all powers, duties,
983 functions, records, offices, personnel, associated
984 administrative support positions, property, pending issues,
985 existing contracts, administrative authority, administrative
986 rules, and unexpended balances of appropriations, allocations,

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987 and other funds in the Department of Business and Professional
988 Regulation related to the oversight responsibilities by the
989 state compliance agency for authorized gaming compacts under s.
990 285.710, Florida Statutes, the regulation of pari-mutuel
991 wagering under chapter 550, Florida Statutes, the regulation of
992 slot machines and slot machine gaming under chapter 551, Florida
993 Statutes, and the regulation of cardrooms under s. 849.086,
994 Florida Statutes, are transferred by a type two transfer, as
995 defined in s. 20.06(2), Florida Statutes, to the Florida Gaming
996 Control Commission within the Department of Legal Affairs,
997 Office of the Attorney General.

998 (2) Notwithstanding chapter 60L-34, Florida Administrative
999 Code, or any law to the contrary, employees who are transferred
1000 from the Department of Business and Professional Regulation to
1001 the Florida Gaming Control Commission within the Department of
1002 Legal Affairs, Office of the Attorney General, to fill positions
1003 transferred by this act retain and transfer any accrued annual
1004 leave, sick leave, and regular and special compensatory leave
1005 balances.

1006 (3) Effective July 1, 2022, the Pari-mutuel Wagering Trust
1007 Fund under s. 455.116, Florida Statutes, is transferred from the
1008 Department of Business and Professional Regulation to the
1009 Florida Gaming Control Commission.

1010 Section 12. Paragraph (a) of subsection (2) of section
1011 932.701, Florida Statutes, is amended to read:

1012 932.701 Short title; definitions.—

1013 (2) As used in the Florida Contraband Forfeiture Act:

1014 (a) "Contraband article" means:

1015 1. Any controlled substance as defined in chapter 893 or

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1016 any substance, device, paraphernalia, or currency or other means
1017 of exchange that was used, was attempted to be used, or was
1018 intended to be used in violation of any provision of chapter
1019 893, if the totality of the facts presented by the state is
1020 clearly sufficient to meet the state's burden of establishing
1021 probable cause to believe that a nexus exists between the
1022 article seized and the narcotics activity, whether or not the
1023 use of the contraband article can be traced to a specific
1024 narcotics transaction.

1025 2. Any equipment, gambling device, apparatus, material of
1026 gaming, proceeds, substituted proceeds, real or personal
1027 property, Internet domain name, gambling paraphernalia, lottery
1028 tickets, money, currency, or other means of exchange which was
1029 obtained, received, used, ~~was~~ attempted to be used, or intended
1030 to be used in violation of the gambling laws of the state,
1031 including any violation of chapter 24, part II of chapter 285,
1032 chapter 546, chapter 550, chapter 551, or chapter 849.

1033 3. Any equipment, liquid or solid, which was being used, is
1034 being used, was attempted to be used, or intended to be used in
1035 violation of the beverage or tobacco laws of the state.

1036 4. Any motor fuel upon which the motor fuel tax has not
1037 been paid as required by law.

1038 5. Any personal property, including, but not limited to,
1039 any vessel, aircraft, item, object, tool, substance, device,
1040 weapon, machine, vehicle of any kind, money, securities, books,
1041 records, research, negotiable instruments, or currency, which
1042 was used or was attempted to be used as an instrumentality in
1043 the commission of, or in aiding or abetting in the commission
1044 of, any felony, whether or not comprising an element of the

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1045 felony, or which is acquired by proceeds obtained as a result of
1046 a violation of the Florida Contraband Forfeiture Act.

1047 6. Any real property, including any right, title,
1048 leasehold, or other interest in the whole of any lot or tract of
1049 land, which was used, is being used, or was attempted to be used
1050 as an instrumentality in the commission of, or in aiding or
1051 abetting in the commission of, any felony, or which is acquired
1052 by proceeds obtained as a result of a violation of the Florida
1053 Contraband Forfeiture Act.

1054 7. Any personal property, including, but not limited to,
1055 equipment, money, securities, books, records, research,
1056 negotiable instruments, currency, or any vessel, aircraft, item,
1057 object, tool, substance, device, weapon, machine, or vehicle of
1058 any kind in the possession of or belonging to any person who
1059 takes aquaculture products in violation of s. 812.014(2)(c).

1060 8. Any motor vehicle offered for sale in violation of s.
1061 320.28.

1062 9. Any motor vehicle used during the course of committing
1063 an offense in violation of s. 322.34(9)(a).

1064 10. Any photograph, film, or other recorded image,
1065 including an image recorded on videotape, a compact disc,
1066 digital tape, or fixed disk, that is recorded in violation of s.
1067 810.145 and is possessed for the purpose of amusement,
1068 entertainment, sexual arousal, gratification, or profit, or for
1069 the purpose of degrading or abusing another person.

1070 11. Any real property, including any right, title,
1071 leasehold, or other interest in the whole of any lot or tract of
1072 land, which is acquired by proceeds obtained as a result of
1073 Medicaid fraud under s. 409.920 or s. 409.9201; any personal

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1074 property, including, but not limited to, equipment, money,
1075 securities, books, records, research, negotiable instruments, or
1076 currency; or any vessel, aircraft, item, object, tool,
1077 substance, device, weapon, machine, or vehicle of any kind in
1078 the possession of or belonging to any person which is acquired
1079 by proceeds obtained as a result of Medicaid fraud under s.
1080 409.920 or s. 409.9201.

1081 12. Any personal property, including, but not limited to,
1082 any vehicle, item, object, tool, device, weapon, machine, money,
1083 security, book, or record, that is used or attempted to be used
1084 as an instrumentality in the commission of, or in aiding and
1085 abetting in the commission of, a person's third or subsequent
1086 violation of s. 509.144, whether or not comprising an element of
1087 the offense.

1088 Section 13. The Division of Law Revision shall prepare a
1089 reviser's bill effective July 1, 2022, to replace references to
1090 the Division of Pari-mutuel Wagering and references to the
1091 Department of Business and Professional Regulation relating to
1092 gaming with references to the Florida Gaming Control Commission
1093 to conform the Florida Statutes to the transfer described in
1094 section 11 of this act.

1095 Section 14. (1) For the 2021-2022 fiscal year, the sum of
1096 \$2 million in nonrecurring funds from the General Revenue Fund
1097 is appropriated and 15 positions with associated salary rate of
1098 1,250,000 are authorized to the Florida Gaming Control
1099 Commission for the purposes of implementing this act. These
1100 funds shall support five commissioners, an executive director,
1101 general counsel, and other agency personnel as needed. The funds
1102 shall cover all expenditures of the commission, including, but

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1103 not limited to, salaries and benefits, travel, background
1104 investigations, and fingerprinting fees.

1105 (2) For the 2021-2022 fiscal year, the sum of \$100,000 in
1106 nonrecurring funds from the General Revenue Fund is appropriated
1107 to the Department of Business and Professional Regulation for
1108 administrative support related to the Florida Gaming Control
1109 Commission. The Department of Business and Professional
1110 Regulation shall provide administrative support to the Florida
1111 Gaming Control Commission during the 2021-2022 fiscal year,
1112 including, but not limited to, human resource management,
1113 accounting, and budgeting.

1114 Section 15. (1) The Department of Business and Professional
1115 Regulation, in coordination with the Department of Legal Affairs
1116 and the Department of Management Services, shall establish a
1117 working group to prepare the Florida Gaming Control Commission's
1118 legislative budget request for fiscal year 2022-2023 to be
1119 submitted by the Department of Business and Professional
1120 Regulation. The working group shall develop estimates for the
1121 amount of money needed for administration of the commission,
1122 including, but not limited to, costs relating to overall
1123 staffing and administrative support; infrastructure and office
1124 space; integration of technology systems and data needs and
1125 transfers; law enforcement accreditation, staffing, and
1126 training; organizational structure; and other matters deemed
1127 necessary or appropriate by the working group to assure the
1128 seamless establishment of the commission and orderly transition
1129 of the duties and responsibilities under the transfer described
1130 in section 11 of this act.

1131 (2) This section shall take effect upon this act becoming a

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1132 law.

1133 Section 16. If any law amended by this act was also amended
1134 by a law enacted during the 2021 Regular Session of the
1135 Legislature, such laws shall be construed as if they had been
1136 enacted during the same session of the Legislature, and full
1137 effect shall be given to each if possible.

1138 Section 17. Except as otherwise expressly provided in this
1139 act and except for this section, which shall take effect upon
1140 becoming a law, this act shall take effect on the same date that
1141 SB 2A or similar legislation takes effect, if such legislation
1142 is adopted in the same legislative session or an extension
1143 thereof and becomes a law.