

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

26 | greyhound racing or dogracing in connection with any
27 | wager for money or any other thing of value in the
28 | state; providing administrative and civil penalties;
29 | providing requirements for the funds generated from
30 | such penalties; prohibiting operating licenses from
31 | being issued to a pari-mutuel permitholder unless a
32 | specified requirement is met; authorizing the Division
33 | of Pari-mutuel Wagering to approve a change in racing
34 | dates for certain permitholders if the request for a
35 | change is received before a specified date and under
36 | certain circumstances for a specified fiscal year;
37 | deleting a provision authorizing the conversion of
38 | certain permits to a jai alai permit under certain
39 | circumstances; conforming provisions to changes made
40 | by the act; amending s. 550.0235, F.S.; conforming
41 | provisions to changes made by the act; amending s.
42 | 550.0351, F.S.; deleting a provision relating to hound
43 | dog derbies and mutt derbies; conforming provisions to
44 | changes made by the act; amending s. 550.0425, F.S.;
45 | deleting a provision authorizing certain minors to be
46 | granted access to kennel compound areas under certain
47 | circumstances; amending s. 550.054, F.S.; requiring
48 | the division to revoke the permit of certain
49 | permitholders; providing that such revoked permit is
50 | void and may not be reissued; revising requirements to

51 hold a permit for the operation of a pari-mutuel
52 facility and an associated cardroom or slot machine
53 facility; providing that certain permits held on a
54 specified date are ratified for specified purposes;
55 prohibiting new permits for the conduct of pari-mutuel
56 wagering from being issued after a specified date;
57 prohibiting a permit to conduct pari-mutuel wagering
58 from being converted to another class of permit;
59 conforming provisions to changes made by the act;
60 amending s. 550.0745, F.S.; authorizing summer jai
61 alai permitholders to conduct pari-mutuel wagering
62 throughout the year; deleting provisions relating to
63 the conversion of a pari-mutuel permit to a summer jai
64 alai permit; amending s. 550.09511, F.S.; deleting a
65 provision relating to the payment of certain taxes and
66 fees by jai alai permitholders conducting fewer than a
67 specified number of live performances; amending s.
68 550.09512, F.S.; revising the circumstances for which
69 a harness horse permitholder's permit is voided for
70 failing to pay certain taxes; prohibiting the reissue
71 of such permit; amending ss. 550.105, 550.1155, and
72 550.1647, F.S.; conforming provisions to changes made
73 by the act; repealing s. 550.1648, F.S., relating to
74 greyhound adoptions; amending ss. 550.175, 550.1815,
75 and 550.24055, F.S.; conforming provisions to changes

76 | made by the act; amending s. 550.2415, F.S.; deleting
77 | provisions relating to the testing, euthanasia,
78 | training, and medication levels of racing greyhounds;
79 | amending s. 550.334, F.S.; conforming provisions to
80 | changes made by the act; amending s. 550.3345, F.S.;
81 | requiring that net revenues derived from specified
82 | licenses issued to not-for-profit corporations be
83 | dedicated to certain purposes; prohibiting the
84 | transfer of licenses issued to not-for-profit
85 | corporations under chapter 849; providing
86 | construction; amending s. 550.3551, F.S.; conforming
87 | provisions to changes made by the act; amending s.
88 | 550.3615, F.S.; conforming provisions to changes made
89 | by the act; prohibiting a person convicted of
90 | bookmaking from attending or being admitted to a pari-
91 | mutuel facility; requiring pari-mutuel facility
92 | employees to notify certain persons of unlawful
93 | activities; providing civil penalties; requiring a
94 | permittee to display certain warnings relating to
95 | bookmaking at his or her pari-mutuel facility;
96 | revising applicability; creating s. 550.3616, F.S.;
97 | prohibiting persons authorized to conduct gaming or
98 | pari-mutuel operations in this state from racing
99 | greyhounds or other dogs in connection with any wager
100 | for value; providing criminal penalties; prohibiting

101 the suspension, deferment, or withholding of
102 adjudication of guilt of certain persons; providing
103 applicability; amending s. 550.475, F.S.; revising
104 provisions relating to leasing pari-mutuel facilities;
105 amending s. 550.5251, F.S.; deleting a prohibition
106 against thoroughbred racing permitholders beginning
107 races after a specified time; deleting provisions
108 relating to the operation of cardrooms by thoroughbred
109 racing permitholders after a specified time and
110 receiving and rebroadcasting out-of-state races after
111 a specified time under certain circumstances; amending
112 s. 550.615, F.S.; revising requirements relating to
113 intertrack wagering; providing that greyhound
114 permitholders are qualified to receive certain
115 broadcasts and accept specified wagers; amending s.
116 550.6305, F.S.; conforming provisions to changes made
117 by the act; amending s. 550.6308, F.S.; revising
118 requirements for a limited intertrack wagering
119 license; revising requirements for intertrack
120 wagering; deleting requirements for limited intertrack
121 wagering licensees to make specified payments;
122 amending s. 551.104, F.S.; conforming provisions to
123 changes made by the act; amending s. 551.114, F.S.;
124 revising requirements for the location of designated
125 slot machine gaming areas; amending s. 551.116, F.S.;

126 authorizing slot machine gaming areas to be open 24
127 hours per day throughout the year; amending s.
128 551.121, F.S.; deleting a provision prohibiting
129 complimentary or reduced-cost alcoholic beverages to
130 be served to a person playing a slot machine; amending
131 s. 565.02, F.S.; conforming provisions to changes made
132 by the act; amending s. 849.086, F.S.; prohibiting a
133 cardroom license from being issued to certain
134 permitholders; providing requirements for an initial
135 cardroom license to be issued to a thoroughbred
136 permitholder; authorizing cardrooms to be open 24
137 hours per day; conforming provisions to changes made
138 by the act; amending s. 849.14, F.S.; enhancing
139 criminal penalties for betting on results of trials or
140 contests of skill; creating s. 849.142, F.S.;

141 providing that certain activities are not subject to
142 certain gambling related prohibitions; creating s.
143 849.251, F.S.; prohibiting persons from wagering or
144 accepting anything of value on certain dograces;
145 prohibiting persons from taking certain actions
146 related to people associated with or interested in
147 dogracing; providing criminal penalties; prohibiting
148 the suspension, deferment, or withholding of
149 adjudication of guilt of certain persons; providing
150 applicability; reenacting ss. 380.0651(2)(c),

151 402.82(4)(c), and 480.0475(1), F.S., relating to
 152 statewide guidelines, the electronic benefits transfer
 153 program, and massage establishments, respectively, to
 154 incorporate the amendments made to s. 550.002, F.S.,
 155 in references thereto; providing severability;
 156 providing contingent effective dates.

157

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

159

160 Section 1. Present subsections (24) through (28) of
 161 section 550.002, Florida Statutes, are redesignated as
 162 subsections (25) through (29), respectively, a new subsection
 163 (24) is added to that section, and subsections (11), (17), (20),
 164 (21), (22), (23), present subsections (26) and (29), and
 165 subsection (31) of that section are amended, to read:

166 550.002 Definitions.—As used in this chapter, the term:

167 (11) "Full schedule of live racing or games" means, for a
 168 ~~greyhound~~ or jai alai permitholder, the conduct of a combination
 169 of at least 100 live evening or matinee performances during the
 170 preceding year; for a permitholder who has a converted permit or
 171 filed an application on or before June 1, 1990, for a converted
 172 permit, the conduct of a combination of at least 100 live
 173 evening and matinee wagering performances during either of the 2
 174 preceding years; for a jai alai permitholder who does not
 175 operate slot machines in its pari-mutuel facility, who has

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176 | conducted at least 100 live performances per year for at least
177 | 10 years after December 31, 1992, and whose handle on live jai
178 | alai games conducted at its pari-mutuel facility has been less
179 | than \$4 million per state fiscal year for at least 2 consecutive
180 | years after June 30, 1992, the conduct of a combination of at
181 | least 40 live evening or matinee performances during the
182 | preceding year; for a jai alai permitholder who operates slot
183 | machines in its pari-mutuel facility, the conduct of a
184 | combination of at least 150 performances during the preceding
185 | year; for a harness permitholder, the conduct of at least 100
186 | live regular wagering performances during the preceding year;
187 | for a quarter horse permitholder at its facility unless an
188 | alternative schedule of at least 20 live regular wagering
189 | performances is agreed upon by the permitholder and either the
190 | Florida Quarter Horse Racing Association or the horsemen's
191 | association representing the majority of the quarter horse
192 | owners and trainers at the facility and filed with the division
193 | along with its annual date application, in the 2010-2011 fiscal
194 | year, the conduct of at least 20 regular wagering performances,
195 | in the 2011-2012 and 2012-2013 fiscal years, the conduct of at
196 | least 30 live regular wagering performances, and for every
197 | fiscal year after the 2012-2013 fiscal year, the conduct of at
198 | least 40 live regular wagering performances; for a quarter horse
199 | permitholder leasing another licensed racetrack, the conduct of
200 | 160 events at the leased facility; and for a thoroughbred

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201 | permitholder, the conduct of at least 40 live regular wagering
202 | performances during the preceding year. For a permitholder which
203 | is restricted by statute to certain operating periods within the
204 | year when other members of its same class of permit are
205 | authorized to operate throughout the year, the specified number
206 | of live performances which constitute a full schedule of live
207 | racing or games shall be adjusted pro rata in accordance with
208 | the relationship between its authorized operating period and the
209 | full calendar year and the resulting specified number of live
210 | performances shall constitute the full schedule of live games
211 | for such permitholder and all other permitholders of the same
212 | class within 100 air miles of such permitholder. A live
213 | performance must consist of no fewer than eight races or games
214 | conducted live for each of a minimum of three performances each
215 | week at the permitholder's licensed facility under a single
216 | admission charge.

217 | (17) "Intertrack wager" or "intertrack wagering" means a
218 | particular form of pari-mutuel wagering in which wagers are
219 | accepted at a permitted, in-state track, fronton, or pari-mutuel
220 | facility on a race or game transmitted from and performed live
221 | at, or simulcast signal rebroadcast from, another in-state pari-
222 | mutuel facility.

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

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

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

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

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

242 ~~(27)~~ ~~(26)~~ "Post time" means the time set for the arrival at
 243 the starting point of the horses ~~or greyhounds~~ in a race or the
 244 beginning of a game in jai alai.

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

249 (31) "Same class of races, games, or permit" means, with
 250 respect to a jai alai permitholder, jai alai games or other jai

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251 alai permitholders; with respect to a greyhound permitholder,
 252 ~~greyhound races or~~ other greyhound permitholders conducting
 253 pari-mutuel wagering; with respect to a thoroughbred
 254 permitholder, thoroughbred races or other thoroughbred
 255 permitholders; with respect to a harness permitholder, harness
 256 races or other harness permitholders; with respect to a quarter
 257 horse permitholder, quarter horse races or other quarter horse
 258 permitholders.

259 Section 2. Section 550.0115, Florida Statutes, is amended
 260 to read:

261 550.0115 Permitholder operating license.—After a permit
 262 has been issued by the division, and after the permit has been
 263 approved by election, the division shall issue to the
 264 permitholder an annual operating license to conduct pari-mutuel
 265 wagering operations at the location specified in the permit
 266 pursuant to the provisions of this chapter.

267 Section 3. Section 550.01215, Florida Statutes, is amended
 268 to read:

269 550.01215 License application; periods of operation;
 270 license fees; ~~bond, conversion of permit.~~—

271 (1) Each permitholder shall annually, during the period
 272 between December 15 and January 4, file in writing with the
 273 division its application for an operating a license for a pari-
 274 mutuel facility for the conduct of pari-mutuel wagering during
 275 the next state fiscal year, including intertrack and simulcast

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276 ~~race wagering to conduct performances during the next state~~
277 ~~fiscal year.~~ Each application for live performances must ~~shall~~
278 specify the number, dates, and starting times of all live
279 performances that ~~which~~ the permitholder intends to conduct. It
280 must ~~shall~~ also specify which performances will be conducted as
281 charity or scholarship performances.

282 (a) ~~In addition,~~ Each application for an operating a
283 license also must ~~shall~~ include:
284

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

286 2. For each permitholder that ~~which~~ elects to operate a
287 cardroom, the dates and periods of operation the permitholder
288 intends to operate the cardroom. ~~or,~~

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

293 (b)1. A greyhound permitholder may not conduct live
294 racing. A jai alai permitholder, harness horse racing
295 permitholder, or quarter horse racing permitholder may elect not
296 to conduct live racing or games. A thoroughbred permitholder
297 must conduct live racing. A greyhound permitholder, jai alai
298 permitholder, harness horse racing permitholder, or quarter
299 horse racing permitholder that does not conduct live racing or
300 games retains its permit; is a pari-mutuel facility as defined

301 in s. 550.002(23); if such permitholder has been issued a slot
302 machine license, the facility where such permit is located
303 remains an eligible facility as defined in s. 551.102(4),
304 continues to be eligible for a slot machine license pursuant to
305 s. 551.104(3), and is exempt from ss. 551.104(4)(c) and (10) and
306 551.114(2); is eligible, but not required, to be a guest track
307 and, if the permitholder is a harness horse racing permitholder,
308 to be a host track for purposes of intertrack wagering and
309 simulcasting pursuant to ss. 550.3551, 550.615, 550.625, and
310 550.6305; and remains eligible for a cardroom license.

311 2. A permitholder or licensee may not conduct live
312 greyhound racing or dogracing in connection with any wager for
313 money or any other thing of value in the state. The division may
314 deny, suspend, or revoke any permit or license under this
315 chapter if a permitholder or licensee conducts live greyhound
316 racing or dogracing in violation of this subparagraph. In
317 addition to, or in lieu of, denial, suspension, or revocation of
318 such permit or license, the division may impose a civil penalty
319 of up to \$5,000 against the permitholder or licensee for a
320 violation of this subparagraph. All penalties imposed and
321 collected must be deposited with the Chief Financial Officer to
322 the credit of the General Revenue Fund.

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

325 (d) Notwithstanding any other provision of law, other than

326 a permit holder issued a permit pursuant to s. 550.3345, a pari-
327 mutuel permit holder may not be issued an operating license for
328 the conduct of pari-mutuel wagering, slot machine gaming, or the
329 operation of a cardroom if the permit holder did not hold an
330 operating license for the conduct of pari-mutuel wagering for
331 fiscal year 2020-2021.

332 (2) After the first license has been issued to a
333 permit holder, all subsequent annual applications for a license
334 shall be accompanied by proof, in such form as the division may
335 by rule require, that the permit holder continues to possess the
336 qualifications prescribed by this chapter, and that the permit
337 has not been disapproved at a later election.

338 (3) The division shall issue each license no later than
339 March 15. Each permit holder shall operate all performances at
340 the date and time specified on its license. The division shall
341 have the authority to approve minor changes in racing dates
342 after a license has been issued. The division may approve
343 changes in racing dates after a license has been issued when
344 there is no objection from any operating permit holder that is
345 conducting live racing or games and that is located within 50
346 miles of the permit holder requesting the changes in operating
347 dates. In the event of an objection, the division shall approve
348 or disapprove the change in operating dates based upon the
349 impact on operating permit holders located within 50 miles of the
350 permit holder requesting the change in operating dates. In making

351 the determination to change racing dates, the division shall
352 take into consideration the impact of such changes on state
353 revenues. Notwithstanding any other provision of law, and for
354 the 2021-2022 state fiscal year only, the division may approve
355 changes in operating dates for a jai alai permit holder, harness
356 horse racing permit holder, or quarter horse racing permit holder
357 if the request for such changes is received before October 1,
358 2021.

359 (4) In the event that a permit holder fails to operate all
360 performances specified on its license at the date and time
361 specified, the division shall hold a hearing to determine
362 whether to fine or suspend the permit holder's license, unless
363 such failure was the direct result of fire, strike, war,
364 hurricane, pandemic, or other disaster or event beyond the
365 ability of the permit holder to control. Financial hardship to
366 the permit holder shall not, in and of itself, constitute just
367 cause for failure to operate all performances on the dates and
368 at the times specified.

369 (5) In the event that performances licensed to be operated
370 by a permit holder are vacated, abandoned, or will not be used
371 for any reason, any permit holder shall be entitled, pursuant to
372 rules adopted by the division, to apply to conduct performances
373 on the dates for which the performances have been abandoned. The
374 division shall issue an amended license for all such replacement
375 performances which have been requested in compliance with ~~the~~

376 ~~provisions of this chapter and division rules.~~

377 ~~(6) Any permit which was converted from a jai alai permit~~
378 ~~to a greyhound permit may be converted to a jai alai permit at~~
379 ~~any time if the permitholder never conducted greyhound racing or~~
380 ~~if the permitholder has not conducted greyhound racing for a~~
381 ~~period of 12 consecutive months.~~

382 Section 4. Section 550.0235, Florida Statutes, is amended
383 to read:

384 550.0235 Limitation of civil liability.—No permitholder
385 licensed to conduct pari-mutuel wagering ~~permittee conducting a~~
386 ~~racing meet~~ pursuant to the provisions of this chapter; no
387 division director or employee of the division; and no steward,
388 judge, or other person appointed to act pursuant to this chapter
389 shall be held liable to any person, partnership, association,
390 corporation, or other business entity for any cause whatsoever
391 arising out of, or from, the performance by such permittee,
392 director, employee, steward, judge, or other person of her or
393 his duties and the exercise of her or his discretion with
394 respect to the implementation and enforcement of the statutes
395 and rules governing the conduct of pari-mutuel wagering, so long
396 as she or he acted in good faith. This section shall not limit
397 liability in any situation in which the negligent maintenance of
398 the premises or the negligent conduct of a race contributed to
399 an accident; nor shall it limit any contractual liability.

400 Section 5. Subsection (8) of section 550.0351, Florida

401 Statutes, is redesignated as subsection (7) and subsection (1)
 402 and present subsection (7) are amended to read:

403 550.0351 Charity racing days.—

404 (1) The division shall, upon the request of a
 405 permitholder, authorize each horseracing permitholder, ~~dogracing~~
 406 ~~permitholder~~, and jai alai permitholder up to five charity or
 407 scholarship days in addition to the regular racing days
 408 authorized by law.

409 ~~(7) In addition to the charity days authorized by this~~
 410 ~~section, any dogracing permitholder may allow its facility to be~~
 411 ~~used for conducting "hound dog derbies" or "mutt derbies" on any~~
 412 ~~day during each racing season by any charitable, civic, or~~
 413 ~~nonprofit organization for the purpose of conducting "hound dog~~
 414 ~~derbies" or "mutt derbies" if only dogs other than those usually~~
 415 ~~used in dogracing (greyhounds) are permitted to race and if~~
 416 ~~adults and minors are allowed to participate as dog owners or~~
 417 ~~spectators. During these racing events, betting, gambling, and~~
 418 ~~the sale or use of alcoholic beverages is prohibited.~~

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

421 550.0425 Minors attendance at pari-mutuel performances;
 422 restrictions.—

423 ~~(4) Minor children of licensed greyhound trainers, kennel~~
 424 ~~operators, or other licensed persons employed in the kennel~~
 425 ~~compound areas may be granted access to kennel compound areas~~

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426 ~~without being licensed, provided they are in no way employed~~
427 ~~unless properly licensed, and only when under the direct~~
428 ~~supervision of one of their parents or legal guardian.~~

429 Section 7. Subsection (2) of section 550.054, Florida
430 Statutes, is amended, paragraph (c) is added to subsection (9)
431 of that section, and subsection (15) is added to that section,
432 to read:

433 550.054 Application for permit to conduct pari-mutuel
434 wagering.—

435 (2) Upon each application filed and approved, a permit
436 shall be issued to the applicant setting forth the name of the
437 permitholder, the location of the pari-mutuel facility, the type
438 of pari-mutuel activity desired to be conducted, and a statement
439 showing qualifications of the applicant to conduct pari-mutuel
440 performances under this chapter; however, a permit is
441 ineffectual to authorize any pari-mutuel performances until
442 approved by a majority of the electors participating in a
443 ratification election in the county in which the applicant
444 proposes to conduct pari-mutuel wagering activities. In
445 addition, an application may not be considered, nor may a permit
446 be issued by the division or be voted upon in any county, to
447 conduct horseraces, harness horse races, or pari-mutuel wagering
448 ~~degraces~~ at a location within 100 miles of an existing pari-
449 mutuel facility, or for jai alai within 50 miles of an existing
450 pari-mutuel facility; this distance shall be measured on a

451 straight line from the nearest property line of one pari-mutuel
452 facility to the nearest property line of the other facility.

453 (9)

454 (c) The division shall revoke the permit of any
455 permitholder, other than a permitholder issued a permit pursuant
456 to s. 550.3345, who did not hold an operating license for the
457 conduct of pari-mutuel wagering for fiscal year 2020-2021. A
458 permit revoked under this paragraph is void and may not be
459 reissued.

460 (15)(a) Notwithstanding any other provision of law, a
461 permit for the conduct of pari-mutuel wagering and associated
462 cardroom or slot machine licenses may only be held by a
463 permitholder who held an operating license for the conduct of
464 pari-mutuel wagering for fiscal year 2020-2021.

465 (b) All permits issued under this chapter held by
466 permitholders on January 1, 2021, are deemed valid for the sole
467 and exclusive purpose of satisfying all conditions for the valid
468 issuance of the permits if such permitholder held an operating
469 license for the conduct of pari-mutuel wagering for fiscal year
470 2020-2021.

471 (c) Additional permits for the conduct of pari-mutuel
472 wagering may not be approved or issued by the division after
473 January 1, 2021.

474 (d) A permit to conduct pari-mutuel wagering may not be
475 converted to another class of permit.

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476 Section 8. Section 550.0745, Florida Statutes, is amended
477 to read:

478 550.0745 ~~Conversion of pari-mutuel permit to~~ Summer jai
479 alai permit periods of operation. A permit holder issued a permit
480 under former subsection (1) of this section, 2020 Florida
481 Statutes, for the operation of a jai alai fronton during the
482 summer season may conduct pari-mutuel wagering throughout the
483 year

484 ~~(1) The owner or operator of a pari-mutuel permit who is~~
485 ~~authorized by the division to conduct pari-mutuel pools on~~
486 ~~exhibition sports in any county having five or more such pari-~~
487 ~~mutuel permits and whose mutuel play from the operation of such~~
488 ~~pari-mutuel pools for the 2 consecutive years next prior to~~
489 ~~filing an application under this section has had the smallest~~
490 ~~play or total pool within the county may apply to the division~~
491 ~~to convert its permit to a permit to conduct a summer jai alai~~
492 ~~fronton in such county during the summer season commencing on~~
493 ~~May 1 and ending on November 30 of each year on such dates as~~
494 ~~may be selected by such permittee for the same number of days~~
495 ~~and performances as are allowed and granted to winter jai alai~~
496 ~~frontons within such county. If a permittee who is eligible~~
497 ~~under this section to convert a permit declines to convert, a~~
498 ~~new permit is hereby made available in that permittee's county~~
499 ~~to conduct summer jai alai games as provided by this section,~~
500 ~~notwithstanding mileage and permit ratification requirements. If~~

501 ~~a permittee converts a quarter horse permit pursuant to this~~
502 ~~section, nothing in this section prohibits the permittee from~~
503 ~~obtaining another quarter horse permit. Such permittee shall pay~~
504 ~~the same taxes as are fixed and required to be paid from the~~
505 ~~pari-mutuel pools of winter jai alai permittees and is bound by~~
506 ~~all of the rules and provisions of this chapter which apply to~~
507 ~~the operation of winter jai alai frontons. Such permittee shall~~
508 ~~only be permitted to operate a jai alai fronton after its~~
509 ~~application has been submitted to the division and its license~~
510 ~~has been issued pursuant to the application. The license is~~
511 ~~renewable from year to year as provided by law.~~

512 ~~(2) Such permittee is entitled to the issuance of a~~
513 ~~license for the operation of a jai alai fronton during the~~
514 ~~summer season as fixed in this section. A permittee granted a~~
515 ~~license under this section may not conduct pari-mutuel pools~~
516 ~~during the summer season except at a jai alai fronton as~~
517 ~~provided in this section. Such license authorizes the permittee~~
518 ~~to operate at any jai alai permittee's plant it may lease or~~
519 ~~build within such county.~~

520 ~~(3) Such license for the operation of a jai alai fronton~~
521 ~~shall never be permitted to be operated during the jai alai~~
522 ~~winter season; and neither the jai alai winter licensee or the~~
523 ~~jai alai summer licensee shall be permitted to operate on the~~
524 ~~same days or in competition with each other. This section does~~
525 ~~not prevent the summer jai alai permittee from leasing the~~

526 ~~facilities of the winter jai alai permittee for the operation of~~
 527 ~~the summer meet.~~

528 ~~(4) The provisions of this chapter which prohibit the~~
 529 ~~location and operation of jai alai frontons within a specified~~
 530 ~~distance from the location of another jai alai fronton or other~~
 531 ~~permittee and which prohibit the division from granting any~~
 532 ~~permit at a location within a certain designated area do not~~
 533 ~~apply to the provisions of this section and do not prevent the~~
 534 ~~issuance of a license under this section.~~

535 Section 9. Subsection (4) of section 550.09511, Florida
 536 Statutes, is amended to read:

537 550.09511 Jai alai taxes; abandoned interest in a permit
 538 for nonpayment of taxes.—

539 ~~(4) A jai alai permitholder conducting fewer than 100 live~~
 540 ~~performances in any calendar year shall pay to the state the~~
 541 ~~same aggregate amount of daily license fees on live jai alai~~
 542 ~~games, admissions tax, and tax on live handle as that~~
 543 ~~permitholder paid to the state during the most recent prior~~
 544 ~~calendar year in which the jai alai permitholder conducted at~~
 545 ~~least 100 live performances.~~

546 Section 10. Paragraph (a) of subsection (3) of section
 547 550.09512, Florida Statutes, is amended to read:

548 550.09512 Harness horse taxes; abandoned interest in a
 549 permit for nonpayment of taxes.—

550 (3) (a) The permit of a harness horse permitholder who is

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551 conducting live harness horse performances and who does not pay
552 tax on handle for any such ~~live harness horse performances~~
553 ~~conducted for a full schedule of live races~~ during any 2
554 consecutive state fiscal years shall be void and may not be
555 reissued ~~shall escheat to and become the property of the state~~
556 unless such failure to operate and pay tax on handle was the
557 direct result of fire, strike, war, hurricane, pandemic, or
558 other disaster or event beyond the ability of the permitholder
559 to control. Financial hardship to the permitholder shall not, in
560 and of itself, constitute just cause for failure to operate and
561 pay tax on handle.

562 Section 11. Subsections (2) and (9) of section 550.105,
563 Florida Statutes, are amended to read:

564 550.105 Occupational licenses of racetrack employees;
565 fees; denial, suspension, and revocation of license; penalties
566 and fines.—

567 (2) (a) The following licenses shall be issued to persons
568 or entities with access to the backside, racing animals, jai
569 alai players' room, jockeys' room, drivers' room, totalisator
570 room, the mutuels, or money room, or to persons who, by virtue
571 of the position they hold, might be granted access to these
572 areas or to any other person or entity in one of the following
573 categories and with fees not to exceed the following amounts for
574 any 12-month period:

575 1. Business licenses: any business such as a vendor,

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576 contractual concessionaire, ~~contract kennel~~, business owning
577 racing animals, trust or estate, totalisator company, stable
578 name, or other fictitious name: \$50.

579 2. Professional occupational licenses: professional
580 persons with access to the backside of a racetrack or players'
581 quarters in jai alai such as trainers, officials, veterinarians,
582 doctors, nurses, EMT's, jockeys and apprentices, drivers, jai
583 alai players, owners, trustees, or any management or officer or
584 director or shareholder or any other professional-level person
585 who might have access to the jockeys' room, the drivers' room,
586 the backside, racing animals, ~~kennel compound~~, or managers or
587 supervisors requiring access to mutuels machines, the money
588 room, or totalisator equipment: \$40.

589 3. General occupational licenses: general employees with
590 access to the jockeys' room, the drivers' room, racing animals,
591 the backside of a racetrack or players' quarters in jai alai,
592 such as grooms, ~~kennel helpers~~, leadouts, pelota makers, cesta
593 makers, or ball boys, or a practitioner of any other occupation
594 who would have access to the animals or, the backside, ~~or the~~
595 ~~kennel compound~~, or who would provide the security or
596 maintenance of these areas, or mutuel employees, totalisator
597 employees, money-room employees, or any employee with access to
598 mutuels machines, the money room, or totalisator equipment or
599 who would provide the security or maintenance of these areas:
600 \$10.

601
602 The individuals and entities that are licensed under this
603 paragraph require heightened state scrutiny, including the
604 submission by the individual licensees or persons associated
605 with the entities described in this chapter of fingerprints for
606 a Federal Bureau of Investigation criminal records check.

607 (b) The division shall adopt rules pertaining to pari-
608 mutuel occupational licenses, licensing periods, and renewal
609 cycles.

610 (9) The tax imposed by this section is in lieu of all
611 license, excise, or occupational taxes to the state or any
612 county, municipality, or other political subdivision, except
613 that, if a race meeting or game is held or conducted in a
614 municipality, the municipality may assess and collect an
615 additional tax against any person conducting live racing or
616 games within its corporate limits, which tax may not exceed \$150
617 per day for horseracing or \$50 per day for ~~dogracing~~ or jai
618 alai. Except as provided in this chapter, a municipality may not
619 assess or collect any additional excise or revenue tax against
620 any person conducting race meetings within the corporate limits
621 of the municipality or against any patron of any such person.

622 Section 12. Section 550.1155, Florida Statutes, is amended
623 to read:

624 550.1155 Authority of stewards, judges, panel of judges,
625 or player's manager to impose penalties against occupational

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626 licensees; disposition of funds collected.-

627 (1) The stewards at a horse racetrack; ~~the judges at a dog~~
 628 ~~track;~~ or the judges, a panel of judges, or a player's manager
 629 at a jai alai fronton may impose a civil penalty against any
 630 occupational licensee for violation of the pari-mutuel laws or
 631 any rule adopted by the division. The penalty may not exceed
 632 \$1,000 for each count or separate offense or exceed 60 days of
 633 suspension for each count or separate offense.

634 (2) All penalties imposed and collected pursuant to this
 635 section at each horse ~~or dog~~ racetrack or jai alai fronton shall
 636 be deposited into a board of relief fund established by the
 637 pari-mutuel permitholder. Each association shall name a board of
 638 relief composed of three of its officers, with the general
 639 manager of the permitholder being the ex officio treasurer of
 640 such board. Moneys deposited into the board of relief fund shall
 641 be disbursed by the board for the specific purpose of aiding
 642 occupational licenseholders and their immediate family members
 643 at each pari-mutuel facility.

644 Section 13. Section 550.1647, Florida Statutes, is amended
 645 to read:

646 550.1647 Greyhound permitholders; unclaimed tickets;
 647 breaks.-All money or other property represented by any
 648 unclaimed, uncashed, or abandoned pari-mutuel ticket which has
 649 remained in the custody of or under the control of any greyhound
 650 permitholder authorized to conduct ~~greyhound racing~~ pari-mutuel

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651 wagering pools in this state for a period of 1 year after the
652 date the pari-mutuel ticket was issued, if the rightful owner or
653 owners thereof have made no claim or demand for such money or
654 other property within that period of time, shall, ~~with respect~~
655 ~~to live races conducted by the permitholder,~~ be remitted to the
656 state pursuant to s. 550.1645; however, such permitholder shall
657 be entitled to a credit in each state fiscal year in an amount
658 equal to the actual amount remitted in the prior state fiscal
659 year which may be applied against any taxes imposed pursuant to
660 this chapter. In addition, each permitholder shall pay, from any
661 source, ~~including the proceeds from performances conducted~~
662 ~~pursuant to s. 550.0351,~~ an amount not less than 10 percent of
663 the amount of the credit provided by this section to any bona
664 fide organization that promotes or encourages the adoption of
665 greyhounds. As used in this chapter, the term "bona fide
666 organization that promotes or encourages the adoption of
667 greyhounds" means any organization that provides evidence of
668 compliance with chapter 496 and possesses a valid exemption from
669 federal taxation issued by the Internal Revenue Service. Such
670 bona fide organization, as a condition of adoption, must provide
671 sterilization of greyhounds by a licensed veterinarian before
672 relinquishing custody of the greyhound to the adopter. The fee
673 for sterilization may be included in the cost of adoption.

674 Section 14. Section 550.1648, Florida Statutes, is
675 repealed.

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676 Section 15. Section 550.175, Florida Statutes, is amended
677 to read:

678 550.175 Petition for election to revoke permit.—Upon
679 petition of 20 percent of the qualified electors of any county
680 wherein any pari-mutuel wagering ~~racing~~ has been licensed and
681 conducted under this chapter, the county commissioners of such
682 county shall provide for the submission to the electors of such
683 county at the then next succeeding general election the question
684 of whether any permit or permits theretofore granted shall be
685 continued or revoked, and if a majority of the electors voting
686 on such question in such election vote to cancel or recall the
687 permit theretofore given, the division may not thereafter grant
688 any license on the permit so recalled. Every signature upon
689 every recall petition must be signed in the presence of the
690 clerk of the board of county commissioners at the office of the
691 clerk of the circuit court of the county, and the petitioner
692 must present at the time of such signing her or his registration
693 receipt showing the petitioner's qualification as an elector of
694 the county at the time of the signing of the petition. Not more
695 than one permit may be included in any one petition; and, in all
696 elections in which the recall of more than one permit is voted
697 on, the voters shall be given an opportunity to vote for or
698 against the recall of each permit separately. Nothing in this
699 chapter shall be construed to prevent the holding of later
700 referendum or recall elections.

701 Section 16. Subsection (1) of section 550.1815, Florida
 702 Statutes, is amended to read:

703 550.1815 Certain persons prohibited from holding racing or
 704 jai alai permits; suspension and revocation.—

705 (1) A corporation, general or limited partnership, sole
 706 proprietorship, business trust, joint venture, or unincorporated
 707 association, or other business entity may not hold any
 708 horseracing or greyhound ~~dogracing~~ permit or jai alai fronton
 709 permit in this state if any one of the persons or entities
 710 specified in paragraph (a) has been determined by the division
 711 not to be of good moral character or has been convicted of any
 712 offense specified in paragraph (b).

- 713 (a)1. The permitholder;
 714 2. An employee of the permitholder;
 715 3. The sole proprietor of the permitholder;
 716 4. A corporate officer or director of the permitholder;
 717 5. A general partner of the permitholder;
 718 6. A trustee of the permitholder;
 719 7. A member of an unincorporated association permitholder;
 720 8. A joint venturer of the permitholder;
 721 9. The owner of more than 5 percent of any equity interest
 722 in the permitholder, whether as a common shareholder, general or
 723 limited partner, voting trustee, or trust beneficiary; or
 724 10. An owner of any interest in the permit or
 725 permitholder, including any immediate family member of the

726 owner, or holder of any debt, mortgage, contract, or concession
 727 from the permitholder, who by virtue thereof is able to control
 728 the business of the permitholder.

729 (b)1. A felony in this state;

730 2. Any felony in any other state which would be a felony
 731 if committed in this state under the laws of this state;

732 3. Any felony under the laws of the United States;

733 4. A felony under the laws of another state if related to
 734 gambling which would be a felony under the laws of this state if
 735 committed in this state; or

736 5. Bookmaking as defined in s. 849.25.

737 Section 17. Subsection (2) of section 550.24055, Florida
 738 Statutes, is amended to read:

739 550.24055 Use of controlled substances or alcohol
 740 prohibited; testing of certain occupational licensees; penalty;
 741 evidence of test or action taken and admissibility for criminal
 742 prosecution limited.—

743 (2) The occupational licensees, by applying for and
 744 holding such licenses, are deemed to have given their consents
 745 to submit to an approved chemical test of their breath for the
 746 purpose of determining the alcoholic content of their blood and
 747 to a urine or blood test for the purpose of detecting the
 748 presence of controlled substances. Such tests shall only be
 749 conducted upon reasonable cause that a violation has occurred as
 750 shall be determined solely by the stewards at a horseracing

751 meeting or the judges or board of judges at a ~~dog track or jai~~
752 alai meet. The failure to submit to such test may result in a
753 suspension of the person's occupational license for a period of
754 10 days or until this section has been complied with, whichever
755 is longer.

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

762 (b) If there was at the time of the test an excess of 0.05
763 percent but less than 0.08 percent by weight of alcohol in the
764 person's blood, that fact does not give rise to any presumption
765 that the person was or was not under the influence of alcoholic
766 beverages to the extent that the person's faculties were
767 impaired, but the stewards, judges, or board of judges may
768 consider that fact in determining whether or not the person will
769 be allowed to officiate or participate in any given race or jai
770 alai game.

771 (c) If there was at the time of the test 0.08 percent or
772 more by weight of alcohol in the person's blood, that fact is
773 prima facie evidence that the person was under the influence of
774 alcoholic beverages to the extent that the person's normal
775 faculties were impaired, and the stewards or judges may take

776 action as set forth in this section, but the person may not
777 officiate at or participate in any race or jai alai game on the
778 day of such test.

779

780 All tests relating to alcohol must be performed in a manner
781 substantially similar, or identical, to the provisions of s.
782 316.1934 and rules adopted pursuant to that section. Following a
783 test of the urine or blood to determine the presence of a
784 controlled substance as defined in chapter 893, if a controlled
785 substance is found to exist, the stewards, judges, or board of
786 judges may take such action as is permitted in this section.

787 Section 18. Paragraphs (e) and (f) of subsection (5) of
788 section 550.2415, Florida Statutes, are redesignated as
789 paragraphs (d) and (e), respectively, paragraphs (d) and (e) of
790 subsection (6) are redesignated as paragraphs (b) and (c),
791 respectively, and paragraph (d) of subsection (5), paragraphs
792 (b) and (c) of subsection (6), paragraph (a) of subsection (9),
793 and subsection (13) of that section are amended to read:

794 550.2415 Racing of animals under certain conditions
795 prohibited; penalties; exceptions.—

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

798 ~~(d) For the testing of a racing greyhound, if there is an~~
799 ~~insufficient quantity of the secondary (split) sample for~~
800 ~~confirmation of the division laboratory's positive result, the~~

801 ~~division may commence administrative proceedings as prescribed~~
802 ~~in this chapter and consistent with chapter 120.~~

803 (6)

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

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

813 (9) (a) The division may conduct a postmortem examination
814 of any animal that is injured at a permitted racetrack while in
815 training or in competition and that subsequently expires or is
816 destroyed. The division may conduct a postmortem examination of
817 any animal that expires while housed at a permitted racetrack,
818 association compound, or licensed ~~kennel~~ or farm. Trainers and
819 owners shall be requested to comply with this paragraph as a
820 condition of licensure.

821 ~~(13) The division may implement by rule medication levels~~
822 ~~for racing greyhounds recommended by the University of Florida~~
823 ~~College of Veterinary Medicine developed pursuant to an~~
824 ~~agreement between the Division of Pari-mutuel Wagering and the~~
825 ~~University of Florida College of Veterinary Medicine. The~~

826 ~~University of Florida College of Veterinary Medicine may provide~~
827 ~~written notification to the division that it has completed~~
828 ~~research or review on a particular drug pursuant to the~~
829 ~~agreement and when the College of Veterinary Medicine has~~
830 ~~completed a final report of its findings, conclusions, and~~
831 ~~recommendations to the division.~~

832 Section 19. Subsection (8) of section 550.334, Florida
833 Statutes, is amended to read:

834 550.334 Quarter horse racing; substitutions.—

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

838 Section 20. Paragraphs (a) and (e) of subsection (2) and
839 subsection (3) of section 550.3345, Florida Statutes, are
840 amended to read:

841 550.3345 Conversion of quarter horse permit to a limited
842 thoroughbred permit.—

843 (2) Notwithstanding any other provision of law, the holder
844 of a quarter horse racing permit issued under s. 550.334 may,
845 within 1 year after the effective date of this section, apply to
846 the division for a transfer of the quarter horse racing permit
847 to a not-for-profit corporation formed under state law to serve
848 the purposes of the state as provided in subsection (1). The
849 board of directors of the not-for-profit corporation must be
850 comprised of 11 members, 4 of whom shall be designated by the

851 applicant, 4 of whom shall be designated by the Florida
852 Thoroughbred Breeders' Association, and 3 of whom shall be
853 designated by the other 8 directors, with at least 1 of these 3
854 members being an authorized representative of another
855 thoroughbred permitholder in this state. The not-for-profit
856 corporation shall submit an application to the division for
857 review and approval of the transfer in accordance with s.
858 550.054. Upon approval of the transfer by the division, and
859 notwithstanding any other provision of law to the contrary, the
860 not-for-profit corporation may, within 1 year after its receipt
861 of the permit, request that the division convert the quarter
862 horse racing permit to a permit authorizing the holder to
863 conduct pari-mutuel wagering meets of thoroughbred racing.
864 Neither the transfer of the quarter horse racing permit nor its
865 conversion to a limited thoroughbred permit shall be subject to
866 the mileage limitation or the ratification election as set forth
867 under s. 550.054(2) or s. 550.0651. Upon receipt of the request
868 for such conversion, the division shall timely issue a converted
869 permit. The converted permit and the not-for-profit corporation
870 shall be subject to the following requirements:

871 (a) All net revenues derived by the not-for-profit
872 corporation under the thoroughbred horse racing permit and any
873 license issued to the not-for-profit corporation under chapter
874 849, after the funding of operating expenses and capital
875 improvements, shall be dedicated to the enhancement of

876 | thoroughbred purses and breeders', stallion, and special racing
 877 | awards under this chapter; the general promotion of the
 878 | thoroughbred horse breeding industry; and the care in this state
 879 | of thoroughbred horses retired from racing.

880 | (e) A ~~Ne~~ permit converted under this section and a license
 881 | issued to the not-for-profit corporation under chapter 849 are
 882 | not is eligible for transfer to another person or entity.

883 | (3) Unless otherwise provided in this section, after
 884 | conversion, the permit and the not-for-profit corporation shall
 885 | be treated under the laws of this state as a thoroughbred permit
 886 | and as a thoroughbred permitholder, respectively, with the
 887 | exception of ss. 550.09515(3) and 550.6308 ~~s. 550.09515(3)~~.

888 | Section 21. Subsections (2) and (4), paragraph (a) of
 889 | subsection (6), and subsection (11) of section 550.3551, Florida
 890 | Statutes, are amended to read:

891 | 550.3551 Transmission of racing and jai alai information;
 892 | commingling of pari-mutuel pools.—

893 | (2) Any horse track, ~~dog track,~~ or fronton licensed under
 894 | this chapter may transmit broadcasts of races or games conducted
 895 | at the enclosure of the licensee to locations outside this
 896 | state.

897 | (a) All broadcasts of horseraces transmitted to locations
 898 | outside this state must comply with the provisions of the
 899 | Interstate Horseracing Act of 1978, 92 Stat. 1811, 15 U.S.C. ss.
 900 | 3001 et seq.

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901 (b) Wagers accepted by any out-of-state pari-mutuel
902 permitholder or licensed betting system on a race broadcasted
903 under this subsection may be, but are not required to be,
904 included in the pari-mutuel pools of the horse track in this
905 state that broadcasts the race upon which wagers are accepted.
906 The handle, as referred to in s. 550.0951(3), does not include
907 any wagers accepted by an out-of-state pari-mutuel permitholder
908 or licensed betting system, irrespective of whether such wagers
909 are included in the pari-mutuel pools of the Florida
910 permitholder as authorized by this subsection.

911 (4) Any greyhound permitholder or jai alai permitholder
912 ~~dog track or fronton~~ licensed under this chapter may receive at
913 its licensed location broadcasts of dograces or jai alai games
914 conducted at other tracks or frontons located outside the state
915 ~~at the track enclosure of the licensee during its operational~~
916 ~~meeting~~. All forms of pari-mutuel wagering are allowed on
917 dograces or jai alai games broadcast under this subsection. All
918 money wagered by patrons on dograces broadcast under this
919 subsection shall be computed in the amount of money wagered each
920 performance for purposes of taxation under ss. 550.0951 and
921 550.09511.

922 (6) (a) ~~A maximum of 20 percent of the total number of~~
923 ~~races on which wagers are accepted by a greyhound permitholder~~
924 ~~not located as specified in s. 550.615(6) may be received from~~
925 ~~locations outside this state.~~ A permitholder conducting live

926 | races or games may not conduct fewer than eight live races or
927 | games on any authorized race day except as provided in this
928 | subsection. A thoroughbred permitholder may not conduct fewer
929 | than eight live races on any race day without the written
930 | approval of the Florida Thoroughbred Breeders' Association and
931 | the Florida Horsemen's Benevolent and Protective Association,
932 | Inc., unless it is determined by the department that another
933 | entity represents a majority of the thoroughbred racehorse
934 | owners and trainers in the state. If conducting live racing, a
935 | harness permitholder may conduct fewer than eight live races on
936 | any authorized race day, ~~except that such permitholder must~~
937 | ~~conduct a full schedule of live racing during its race meet~~
938 | ~~consisting of at least eight live races per authorized race day~~
939 | ~~for at least 100 days.~~ Any harness horse permitholder ~~that~~
940 | ~~during the preceding racing season conducted a full schedule of~~
941 | ~~live racing may, at any time during its current race meet,~~
942 | receive full-card broadcasts of harness horse races conducted at
943 | harness racetracks outside this state at the harness track of
944 | the permitholder and accept wagers on such harness races. ~~With~~
945 | ~~specific authorization from the division for special racing~~
946 | ~~events, a permitholder may conduct fewer than eight live races~~
947 | ~~or games when the permitholder also broadcasts out-of-state~~
948 | ~~races or games. The division may not grant more than two such~~
949 | ~~exceptions a year for a permitholder in any 12-month period, and~~
950 | ~~those two exceptions may not be consecutive.~~

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

955 Section 22. Subsections (1), (3), (4), (5), and (6) of
956 section 550.3615, Florida Statutes, are amended to read:

957 550.3615 Bookmaking on the grounds of a permitholder;
958 penalties; reinstatement; duties of track employees; penalty;
959 exceptions.—

960 (1) Any person who engages in bookmaking, as defined in s.
961 849.25, on the grounds or property of a pari-mutuel facility
962 ~~commits permitholder of a horse or dog track or jai alai fronton~~
963 ~~is guilty of~~ a felony of the third degree, punishable as
964 provided in s. 775.082, s. 775.083, or s. 775.084.

965 Notwithstanding the provisions of s. 948.01, any person
966 convicted under the provisions of this subsection shall not have
967 adjudication of guilt suspended, deferred, or withheld.

968 (3) Any person who has been convicted of bookmaking in
969 this state or any other state of the United States or any
970 foreign country shall be denied admittance to and shall not
971 attend any pari-mutuel facility ~~racetrack or fronton~~ in this
972 state during its racing seasons or operating dates, including
973 any practice or preparational days, for a period of 2 years
974 after the date of conviction or the date of final appeal.

975 Following the conclusion of the period of ineligibility, the

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976 director of the division may authorize the reinstatement of an
977 individual following a hearing on readmittance. Any such person
978 who knowingly violates this subsection commits ~~is guilty of~~ a
979 misdemeanor of the first degree, punishable as provided in s.
980 775.082 or s. 775.083.

981 (4) If the activities of a person show that this law is
982 being violated, and such activities are either witnessed by or
983 are common knowledge of ~~by~~ any pari-mutuel facility ~~track or~~
984 ~~fronton~~ employee, it is the duty of that employee to bring the
985 matter to the immediate attention of the permitholder, manager,
986 or her or his designee, who shall notify a law enforcement
987 agency having jurisdiction. Willful failure by the pari-mutuel
988 facility ~~on the part of any track or fronton~~ employee to comply
989 with the provisions of this subsection is a ground for the
990 division to suspend or revoke that employee's license for pari-
991 mutuel facility ~~track or fronton~~ employment.

992 (5) Each permittee shall display, in conspicuous places at
993 a pari-mutuel facility ~~track or fronton~~ and in all race and jai
994 alai daily programs, a warning to all patrons concerning the
995 prohibition and penalties of bookmaking contained in this
996 section and s. 849.25. The division shall adopt rules concerning
997 the uniform size of all warnings and the number of placements
998 throughout a pari-mutuel facility ~~track or fronton~~. Failure on
999 the part of the permittee to display such warnings may result in
1000 the imposition of a \$500 fine by the division for each offense.

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1001 (6) This section does not apply to any person ~~attending a~~
1002 ~~track or fronton or~~ employed by or attending a pari-mutuel
1003 facility ~~a track or fronton~~ who places a bet through the
1004 legalized pari-mutuel pool for another person, provided such
1005 service is rendered gratuitously and without fee or other
1006 reward.

1007 Section 23. Effective October 1, 2021, section 550.3616,
1008 Florida Statutes, is created to read:

1009 550.3616 Racing greyhounds or other dogs prohibited;
1010 penalty.—A person authorized to conduct gaming or pari-mutuel
1011 operations in this state may not race greyhounds or any member
1012 of the Canis familiaris subspecies in connection with any wager
1013 for money or any other thing of value in this state. A person
1014 who violates this section commits a misdemeanor of the first
1015 degree, punishable as provided in s. 775.082 or s. 775.083. A
1016 person who commits a second or subsequent violation commits a
1017 felony of the third degree, punishable as provided in s.
1018 775.082, s. 775.083, or s. 775.084. Notwithstanding the
1019 provisions of s. 948.01, any person convicted under this section
1020 may not have adjudication of guilt suspended, deferred, or
1021 withheld.

1022 Section 24. Section 550.475, Florida Statutes, is amended
1023 to read:

1024 550.475 Lease of pari-mutuel facilities by pari-mutuel
1025 permitholders.—Holders of valid pari-mutuel permits for the

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1026 | conduct of any pari-mutuel wagering ~~jai alai games, dogracing,~~
 1027 | ~~or thoroughbred and standardbred horse racing~~ in this state are
 1028 | entitled to lease any and all of their facilities to any other
 1029 | holder of a same class valid pari-mutuel permit ~~for jai alai~~
 1030 | ~~games, dogracing, or thoroughbred or standardbred horse racing,~~
 1031 | when located within a 35-mile radius of each other; and such
 1032 | lessee is entitled to a permit and license to conduct intertrack
 1033 | wagering and operate its race meet or jai alai games at the
 1034 | leased premises.

1035 | Section 25. Subsection (2) of section 550.5251, Florida
 1036 | Statutes, is amended to read:

1037 | 550.5251 Florida thoroughbred racing; certain permits;
 1038 | operating days.—

1039 | ~~(2) A thoroughbred racing permitholder may not begin any~~
 1040 | ~~race later than 7 p.m. Any thoroughbred permitholder in a county~~
 1041 | ~~in which the authority for cardrooms has been approved by the~~
 1042 | ~~board of county commissioners may operate a cardroom and, when~~
 1043 | ~~conducting live races during its current race meet, may receive~~
 1044 | ~~and rebroadcast out-of-state races after the hour of 7 p.m. on~~
 1045 | ~~any day during which the permitholder conducts live races.~~

1046 | Section 26. Subsections (1), (2), and (8) of section
 1047 | 550.615, Florida Statutes, are amended, and subsection (11) is
 1048 | added to that section, to read:

1049 | 550.615 Intertrack wagering.—

1050 | (1) Any thoroughbred ~~horserace~~ permitholder licensed under

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1051 this chapter which has conducted a full schedule of live racing
1052 may, at any time, receive broadcasts of horseraces and accept
1053 wagers on horseraces conducted by horserace permitholders
1054 licensed under this chapter at its facility.

1055 (2) Except as provided in subsection (1), a pari-mutuel
1056 permitholder that has met the applicable requirement for that
1057 permitholder to conduct live racing or games under s.
1058 550.01215(1)(b), if any, for fiscal year 2020-2021 ~~Any track or~~
1059 ~~fronton licensed under this chapter which in the preceding year~~
1060 ~~conducted a full schedule of live racing~~ is qualified to, at any
1061 time, receive broadcasts of any class of pari-mutuel race or
1062 game and accept wagers on such races or games conducted by any
1063 class of permitholders licensed under this chapter.

1064 (8) In any three contiguous counties of the state where
1065 there are only three permitholders, all of which are greyhound
1066 permitholders, if any permitholder leases the facility of
1067 another permitholder for all or any portion of the conduct of
1068 its live race meet pursuant to s. 550.475, such lessee may
1069 conduct intertrack wagering at its pre-lease permitted facility
1070 throughout the entire year, ~~including while its live meet is~~
1071 ~~being conducted at the leased facility, if such permitholder has~~
1072 ~~conducted a full schedule of live racing during the preceding~~
1073 ~~fiscal year at its pre-lease permitted facility or at a leased~~
1074 ~~facility, or combination thereof.~~

1075 (11) Any greyhound permitholder licensed under this

1076 chapter to conduct pari-mutuel wagering is qualified to, at any
1077 time, receive broadcasts of any class of pari-mutuel race or
1078 game and accept wagers on such races or games conducted by any
1079 class of permitholders licensed under this chapter.

1080 Section 27. Subsection (2) of section 550.6305, Florida
1081 Statutes, is amended to read:

1082 550.6305 Intertrack wagering; guest track payments;
1083 accounting rules.—

1084 (2) For the purposes of calculation of odds and payoffs
1085 and distribution of the pari-mutuel pools, all intertrack wagers
1086 shall be combined with the pari-mutuel pools at the host track.
1087 ~~Notwithstanding this subsection or subsection (4), a greyhound~~
1088 ~~pari-mutuel permitholder may conduct intertrack wagering without~~
1089 ~~combining pari-mutuel pools on not more than three races in any~~
1090 ~~week, not to exceed 20 races in a year. All other provisions~~
1091 ~~concerning pari-mutuel takeout and payments, including state tax~~
1092 ~~payments, apply as if the pool had been combined.~~

1093 Section 28. Subsections (1), (4), and (5) of section
1094 550.6308, Florida Statutes, are amended to read:

1095 550.6308 Limited intertrack wagering license.—In
1096 recognition of the economic importance of the thoroughbred
1097 breeding industry to this state, its positive impact on tourism,
1098 and of the importance of a permanent thoroughbred sales facility
1099 as a key focal point for the activities of the industry, a
1100 limited license to conduct intertrack wagering is established to

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1101 ensure the continued viability and public interest in
 1102 thoroughbred breeding in Florida.

1103 (1) Upon application to the division on or before January
 1104 31 of each year, any person that is licensed to conduct public
 1105 sales of thoroughbred horses pursuant to s. 535.01 and, that has
 1106 conducted at least 8 ~~15~~ days of thoroughbred horse sales at a
 1107 permanent sales facility in this state for at least 3
 1108 consecutive years, ~~and that has conducted at least 1 day of~~
 1109 ~~nonwagering thoroughbred racing in this state, with a purse~~
 1110 ~~structure of at least \$250,000 per year for 2 consecutive years~~
 1111 before such application, shall be issued a license, subject to
 1112 the conditions set forth in this section, to conduct intertrack
 1113 wagering at such a permanent sales facility ~~during the following~~
 1114 ~~periods:~~

- 1115 ~~(a) Up to 21 days in connection with thoroughbred sales;~~
- 1116 ~~(b) Between November 1 and May 8;~~
- 1117 ~~(c) Between May 9 and October 31 at such times and on such~~
 1118 ~~days as any thoroughbred, jai alai, or a greyhound permitholder~~
 1119 ~~in the same county is not conducting live performances; provided~~
 1120 ~~that any such permitholder may waive this requirement, in whole~~
 1121 ~~or in part, and allow the licensee under this section to conduct~~
 1122 ~~intertrack wagering during one or more of the permitholder's~~
 1123 ~~live performances; and~~
- 1124 ~~(d) During the weekend of the Kentucky Derby, the~~
 1125 ~~Preakness, the Belmont, and a Breeders' Cup Meet that is~~

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1126 ~~conducted before November 1 and after May 8.~~

1127

1128 No more than one such license may be issued, and no such license
1129 may be issued for a facility located within 50 miles of any
1130 thoroughbred permitholder's track.

1131 ~~(4) Intertrack wagering under this section may be~~
1132 ~~conducted only on thoroughbred horse racing, except that~~
1133 ~~intertrack wagering may be conducted on any class of pari-mutuel~~
1134 ~~race or game conducted by any class of permitholders licensed~~
1135 ~~under this chapter if all thoroughbred, jai alai, and greyhound~~
1136 ~~permitholders in the same county as the licensee under this~~
1137 ~~section give their consent.~~

1138 (4)~~(5)~~ The licensee shall be considered a guest track
1139 under this chapter. ~~The licensee shall pay 2.5 percent of the~~
1140 ~~total contributions to the daily pari-mutuel pool on wagers~~
1141 ~~accepted at the licensee's facility on greyhound races or jai~~
1142 ~~alai games to the thoroughbred permitholder that is conducting~~
1143 ~~live races for purses to be paid during its current racing meet.~~
1144 ~~If more than one thoroughbred permitholder is conducting live~~
1145 ~~races on a day during which the licensee is conducting~~
1146 ~~intertrack wagering on greyhound races or jai alai games, the~~
1147 ~~licensee shall allocate these funds between the operating~~
1148 ~~thoroughbred permitholders on a pro rata basis based on the~~
1149 ~~total live handle at the operating permitholders' facilities.~~

1150 Section 29. Paragraph (c) of subsection (4) of section

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1151 551.104, Florida Statutes, is amended to read:

1152 551.104 License to conduct slot machine gaming.—

1153 (4) As a condition of licensure and to maintain continued
1154 authority for the conduct of slot machine gaming, the slot
1155 machine licensee shall:

1156 (c) If a thoroughbred permitholder, conduct no fewer than
1157 a full schedule of live racing or games as defined in s.
1158 550.002(11). A permitholder's responsibility to conduct ~~such~~
1159 ~~number of~~ live races or games shall be reduced by the number of
1160 races or games that could not be conducted due to the direct
1161 result of fire, strike, war, hurricane, pandemic, or other
1162 disaster or event beyond the control of the permitholder.

1163 Section 30. Subsection (4) of section 551.114, Florida
1164 Statutes, is amended to read:

1165 551.114 Slot machine gaming areas.—

1166 (4) Designated slot machine gaming areas must ~~may~~ be
1167 located at the address specified in the licensed permitholder's
1168 slot machine license issued for fiscal year 2020-2021 ~~within the~~
1169 ~~current live gaming facility or in an existing building that~~
1170 ~~must be contiguous and connected to the live gaming facility. If~~
1171 ~~a designated slot machine gaming area is to be located in a~~
1172 ~~building that is to be constructed, that new building must be~~
1173 ~~contiguous and connected to the live gaming facility.~~

1174 Section 31. Section 551.116, Florida Statutes, is amended
1175 to read:

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1176 551.116 Days and hours of operation.—Slot machine gaming
 1177 areas may be open 24 hours per day ~~daily~~ throughout the year.
 1178 ~~The slot machine gaming areas may be open a cumulative amount of~~
 1179 ~~18 hours per day on Monday through Friday and 24 hours per day~~
 1180 ~~on Saturday and Sunday and on those holidays specified in s.~~
 1181 ~~110.117(1).~~

1182 Section 32. Subsection (1) of section 551.121, Florida
 1183 Statutes, is amended to read:

1184 551.121 Prohibited activities and devices; exceptions.—
 1185 ~~(1) Complimentary or reduced cost alcoholic beverages may~~
 1186 ~~not be served to persons playing a slot machine. Alcoholic~~
 1187 ~~beverages served to persons playing a slot machine shall cost at~~
 1188 ~~least the same amount as alcoholic beverages served to the~~
 1189 ~~general public at a bar within the facility.~~

1190 Section 33. Subsection (5) of section 565.02, Florida
 1191 Statutes, is amended to read:

1192 565.02 License fees; vendors; clubs; caterers; and
 1193 others.—

1194 (5) A caterer at a pari-mutuel facility licensed under
 1195 chapter 550 ~~horse or dog racetrack or jai alai fronton~~ may
 1196 obtain a license upon the payment of an annual state license tax
 1197 of \$675. Such caterer's license shall permit sales only within
 1198 the enclosure in which pari-mutuel wagering is conducted ~~such~~
 1199 ~~races or jai alai games are conducted, and such licensee shall~~
 1200 ~~be permitted to sell only during the period beginning 10 days~~

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1201 ~~before and ending 10 days after racing or jai alai~~ under the
1202 authority of the Division of Pari-mutuel Wagering of the
1203 Department of Business and Professional Regulation ~~is conducted~~
1204 ~~at such racetrack or jai alai fronton~~. Except as in this
1205 subsection otherwise provided, caterers licensed hereunder shall
1206 be treated as vendors licensed to sell by the drink the
1207 beverages mentioned herein and shall be subject to all the
1208 provisions hereof relating to such vendors.

1209 Section 34. Subsection (5), paragraphs (a) and (b) of
1210 subsection (7), and paragraph (d) of subsection (13) of section
1211 849.086, Florida Statutes, are amended to read:

1212 849.086 Cardrooms authorized.—

1213 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
1214 operate a cardroom in this state unless such person holds a
1215 valid cardroom license issued pursuant to this section.

1216 (a) Only those persons holding a valid cardroom license
1217 issued by the division may operate a cardroom. A cardroom
1218 license may only be issued to a licensed pari-mutuel
1219 permitholder and an authorized cardroom may only be operated at
1220 the same facility at which the permitholder is authorized under
1221 its valid pari-mutuel wagering permit to conduct pari-mutuel
1222 wagering activities. An initial cardroom license shall be issued
1223 to a pari-mutuel permitholder only after its facilities are in
1224 place and after it conducts its first day of pari-mutuel
1225 activities on live racing or games.

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1226 (b) After the initial cardroom license is granted, the
1227 application for the annual license renewal shall be made in
1228 conjunction with the applicant's annual application for its
1229 pari-mutuel license. If a permitholder has operated a cardroom
1230 during any of the 3 previous fiscal years and fails to include a
1231 renewal request for the operation of the cardroom in its annual
1232 application for license renewal, the permitholder may amend its
1233 annual application to include operation of the cardroom.

1234 (c) Notwithstanding any other provision of law, a pari-
1235 mutuel permitholder, other than a permitholder issued a permit
1236 pursuant to s. 550.3345, may not be issued a license for the
1237 operation of a cardroom if the permitholder did not hold an
1238 operating license for the conduct of pari-mutuel wagering for
1239 fiscal year 2020-2021. In order for an initial cardroom license
1240 to be issued to a thoroughbred permitholder issued a permit
1241 pursuant s. 550.3345, the applicant must have requested, as part
1242 of its pari-mutuel annual license application, to conduct at
1243 least a full schedule of live racing. In order for a cardroom
1244 license to be renewed for a thoroughbred permitholder, the
1245 applicant must have requested, as part of its pari-mutuel annual
1246 license application, to conduct at least 90 percent of the total
1247 number of live performances conducted by such permitholder
1248 during either the state fiscal year in which its initial
1249 cardroom license was issued or the state fiscal year immediately
1250 prior thereto if the permitholder ran at least a full schedule

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1251 of live racing or games in the prior year. ~~If the application is~~
1252 ~~for a harness permitholder cardroom, the applicant must have~~
1253 ~~requested authorization to conduct a minimum of 140 live~~
1254 ~~performances during the state fiscal year immediately prior~~
1255 ~~thereto. If more than one permitholder is operating at a~~
1256 ~~facility, each permitholder must have applied for a license to~~
1257 ~~conduct a full schedule of live racing.~~

1258 (d)~~(e)~~ Persons seeking a license or a renewal thereof to
1259 operate a cardroom shall make application on forms prescribed by
1260 the division. Applications for cardroom licenses shall contain
1261 all of the information the division, by rule, may determine is
1262 required to ensure eligibility.

1263 (e)~~(d)~~ The annual cardroom license fee for each facility
1264 shall be \$1,000 for each table to be operated at the cardroom.
1265 The license fee shall be deposited by the division with the
1266 Chief Financial Officer to the credit of the Pari-mutuel
1267 Wagering Trust Fund.

1268 (7) CONDITIONS FOR OPERATING A CARDROOM.—

1269 (a) A cardroom may be operated only at the location
1270 specified on the cardroom license issued by the division, and
1271 such location may only be the location at which the pari-mutuel
1272 permitholder is authorized to conduct pari-mutuel wagering
1273 activities pursuant to such permitholder's valid pari-mutuel
1274 permit or as otherwise authorized by law. ~~Cardroom operations~~
1275 ~~may not be allowed beyond the hours provided in paragraph (b)~~

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1276 ~~regardless of the number of cardroom licenses issued for~~
1277 ~~permitholders operating at the pari-mutuel facility.~~

1278 (b) Any cardroom operator may operate a cardroom at the
1279 pari-mutuel facility daily throughout the year, if the
1280 permitholder meets the requirements under paragraph (5) (b). The
1281 cardroom may be open ~~a cumulative amount of 18 hours per day on~~
1282 ~~Monday through Friday and 24 hours per day on Saturday and~~
1283 ~~Sunday and on the holidays specified in s. 110.117(1).~~

1284 (13) TAXES AND OTHER PAYMENTS.—

1285 (d)1. Each ~~greyhound and~~ jai alai permitholder that
1286 conducts live performances and operates a cardroom facility
1287 shall use at least 4 percent of such permitholder's cardroom
1288 monthly gross receipts to supplement ~~greyhound purses or jai~~
1289 ~~alai prize money, respectively,~~ during the permitholder's next
1290 ensuing pari-mutuel meet.

1291 2. Each thoroughbred permitholder or ~~and~~ harness horse
1292 racing permitholder that conducts live performances and operates
1293 a cardroom facility shall use at least 50 percent of such
1294 permitholder's cardroom monthly net proceeds as follows: 47
1295 percent to supplement purses and 3 percent to supplement
1296 breeders' awards during the permitholder's next ensuing racing
1297 meet.

1298 3. No cardroom license or renewal thereof shall be issued
1299 to an applicant holding a permit under chapter 550 to conduct
1300 pari-mutuel wagering meets of quarter horse racing and

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1301 conducting live performances unless the applicant has on file
1302 with the division a binding written agreement between the
1303 applicant and the Florida Quarter Horse Racing Association or
1304 the association representing a majority of the horse owners and
1305 trainers at the applicant's eligible facility, governing the
1306 payment of purses on live quarter horse races conducted at the
1307 licensee's pari-mutuel facility. The agreement governing purses
1308 may direct the payment of such purses from revenues generated by
1309 any wagering or gaming the applicant is authorized to conduct
1310 under Florida law. All purses shall be subject to the terms of
1311 chapter 550.

1312 Section 35. Effective October 1, 2021, section 849.14,
1313 Florida Statutes, is amended to read:

1314 849.14 Unlawful to bet on result of trial or contest of
1315 skill, etc.—Whoever stakes, bets or wagers any money or other
1316 thing of value upon the result of any trial or contest of skill,
1317 speed or power or endurance of human or beast, or whoever
1318 receives in any manner whatsoever any money or other thing of
1319 value staked, bet or wagered, or offered for the purpose of
1320 being staked, bet or wagered, by or for any other person upon
1321 any such result, or whoever knowingly becomes the custodian or
1322 depositary of any money or other thing of value so staked, bet,
1323 or wagered upon any such result, or whoever aids, or assists, or
1324 abets, or influences in any manner in any of such acts all of
1325 which are hereby forbidden, commits ~~shall be guilty of a felony~~

1326 ~~misdemeanor~~ of the third ~~second~~ degree, punishable as provided
 1327 in s. 775.082 or s. 775.083.

1328 Section 36. Section 849.142, Florida Statutes, is created
 1329 to read:

1330 849.142 Exempted activities—Sections 849.01, 849.08,
 1331 849.09, 849.11, 849.14, and 849.25 do not apply to participation
 1332 in or the conduct of any of the following activities:

1333 (1) Gaming activities authorized under s. 285.710(13) and
 1334 conducted pursuant to a gaming compact ratified and approved
 1335 under s. 285.710(3).

1336 (2) Amusement games conducted pursuant to chapter 546.

1337 (3) Pari-mutuel wagering conducted pursuant to chapter
 1338 550.

1339 (4) Slot machine gaming conducted pursuant to chapter 551.

1340 (5) Games conducted pursuant to s. 849.086.

1341 (6) Bingo conducted pursuant to s. 849.0931.

1342 Section 37. Effective October 1, 2021, section 849.251,
 1343 Florida Statutes, is created to read:

1344 849.251 Wagering, aiding, abetting, or conniving to race
 1345 or wager on greyhounds or other dogs; penalty.—

1346 (1) A person in this state may not wager or accept money
 1347 or any other thing of value on the outcome of a live dog race
 1348 occurring in this state. A person who violates this subsection
 1349 commits a misdemeanor of the first degree, punishable as
 1350 provided in s. 775.082 or s. 775.083. A person who commits a

1351 second or subsequent violation commits a felony of the third
1352 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1353 775.084.

1354 (2) Any person who aids, abets, influences, or has any
1355 understanding or connivance with any person associated with or
1356 interested in any race of or wager on greyhounds or other dogs
1357 in this state, to organize or arrange a race of or wager on
1358 greyhounds or other dogs in this state, commits a misdemeanor of
1359 the first degree, punishable as provided in s. 775.082 or s.
1360 775.083. A person who commits a second or subsequent violation
1361 commits a felony of the third degree, punishable as provided in
1362 s. 775.082, s. 775.083, or s. 775.084.

1363 (3) Notwithstanding the provisions of s. 948.01, any
1364 person convicted under subsection (1) or subsection (2) may not
1365 have adjudication of guilt suspended, deferred, or withheld.

1366 (4) This section does not apply to pari-mutuel wagering
1367 authorized under chapter 550.

1368 Section 38. For the purpose of incorporating the amendment
1369 made by this act to section 550.002, Florida Statutes, in a
1370 reference thereto, paragraph (c) of subsection (2) of section
1371 380.0651, Florida Statutes, is reenacted to read:

1372 380.0651 Statewide guidelines, standards, and exemptions.—

1373 (2) STATUTORY EXEMPTIONS.—The following developments are
1374 exempt from s. 380.06:

1375 (c) Any proposed addition to an existing sports facility

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1376 complex if the addition meets the following characteristics:

1377 1. It would not operate concurrently with the scheduled
1378 hours of operation of the existing facility;

1379 2. Its seating capacity would be no more than 75 percent
1380 of the capacity of the existing facility; and

1381 3. The sports facility complex property was owned by a
1382 public body before July 1, 1983.

1383

1384 This exemption does not apply to any pari-mutuel facility as
1385 defined in s. 550.002.

1386

1387 If a use is exempt from review pursuant to paragraphs (a)-(u),
1388 but will be part of a larger project that is subject to review
1389 pursuant to s. 380.06(12), the impact of the exempt use must be
1390 included in the review of the larger project, unless such exempt
1391 use involves a development that includes a landowner, tenant, or
1392 user that has entered into a funding agreement with the state
1393 land planning agency under the Innovation Incentive Program and
1394 the agreement contemplates a state award of at least \$50
1395 million.

1396 Section 39. For the purpose of incorporating the amendment
1397 made by this act to section 550.002, Florida Statutes, in a
1398 reference thereto, paragraph (c) of subsection (4) of section
1399 402.82, Florida Statutes, is reenacted to read:

1400 402.82 Electronic benefits transfer program.—

1401 (4) Use or acceptance of an electronic benefits transfer
 1402 card is prohibited at the following locations or for the
 1403 following activities:

1404 (c) A pari-mutuel facility as defined in s. 550.002.

1405 Section 40. For the purpose of incorporating the amendment
 1406 made by this act to section 550.002, Florida Statutes, in a
 1407 reference thereto, subsection (1) of section 480.0475, Florida
 1408 Statutes, is reenacted to read:

1409 480.0475 Massage establishments; prohibited practices.—

1410 (1) A person may not operate a massage establishment
 1411 between the hours of midnight and 5 a.m. This subsection does
 1412 not apply to a massage establishment:

1413 (a) Located on the premises of a health care facility as
 1414 defined in s. 408.07; a health care clinic as defined in s.
 1415 400.9905(4); a hotel, motel, or bed and breakfast inn, as those
 1416 terms are defined in s. 509.242; a timeshare property as defined
 1417 in s. 721.05; a public airport as defined in s. 330.27; or a
 1418 pari-mutuel facility as defined in s. 550.002;

1419 (b) In which every massage performed between the hours of
 1420 midnight and 5 a.m. is performed by a massage therapist acting
 1421 under the prescription of a physician or physician assistant
 1422 licensed under chapter 458, an osteopathic physician or
 1423 physician assistant licensed under chapter 459, a chiropractic
 1424 physician licensed under chapter 460, a podiatric physician
 1425 licensed under chapter 461, an advanced practice registered

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1426 nurse licensed under part I of chapter 464, or a dentist
1427 licensed under chapter 466; or

1428 (c) Operating during a special event if the county or
1429 municipality in which the establishment operates has approved
1430 such operation during the special event.

1431 Section 41. If any provision of this act or its
1432 application to any person or circumstance is held invalid, the
1433 invalidity does not affect other provisions or applications of
1434 the act which can be given effect without the invalid provision
1435 or application, and to this end the provisions of this act are
1436 severable.

1437 Section 42. Except as otherwise expressly provided in this
1438 act, this act shall take effect on the same date that HB 1A or
1439 similar legislation takes effect, if such legislation is adopted
1440 in the same legislative session or an extension thereof and
1441 becomes a law.