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LEGISLATIVE ACTION

Senate

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House

Senator Jones moved the following:

Senate Amendment (with title amendment)

Delete lines 291 - 1233

and insert:

A jai alai permitholder or quarter horse racing permitholder may elect not to conduct live racing or games. A harness horse racing permitholder or thoroughbred permitholder must conduct live racing. A greyhound permitholder, jai alai permitholder, or quarter horse racing permitholder that does not conduct live racing or games retains its permit; is a pari-mutuel facility as defined in s. 550.002(23); if such permitholder has been issued



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a slot machine license, the facility where such permit is located remains an eligible facility as defined in s. 551.102(4), continues to be eligible for a slot machine license pursuant to s. 551.104(3), and is exempt from ss. 551.104(4)(c) and (10) and 551.114(2); is eligible, but not required, to be a guest track; and remains eligible for a cardroom license.

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

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

(d) Notwithstanding any other provision of law, other than a permitholder issued a permit pursuant to s. 550.3345, a pari-mutuel permitholder may not be issued an operating license for the conduct of pari-mutuel wagering, slot machine gaming, or the operation of a cardroom if the permitholder did not hold an operating license for the conduct of pari-mutuel wagering for fiscal year 2020-2021.

(2) After the first license has been issued to a permitholder, all subsequent annual applications for a license



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shall be accompanied by proof, in such form as the division may by rule require, that the permitholder continues to possess the qualifications prescribed by this chapter, and that the permit has not been disapproved at a later election.

(3) The division shall issue each license no later than March 15. Each permitholder shall operate all performances at the date and time specified on its license. The division shall have the authority to approve minor changes in racing dates after a license has been issued. The division may approve changes in racing dates after a license has been issued when there is no objection from any operating permitholder that is conducting live racing or games and that is located within 50 miles of the permitholder requesting the changes in operating dates. In the event of an objection, the division shall approve or disapprove the change in operating dates based upon the impact on operating permitholders located within 50 miles of the permitholder requesting the change in operating dates. In making the determination to change racing dates, the division shall take into consideration the impact of such changes on state revenues. Notwithstanding any other provision of law, and for the 2021-2022 state fiscal year only, the division may approve changes in operating dates for a jai alai permitholder, harness horse racing permitholder, or quarter horse racing permitholder if the request for such changes is received before October 1, 2021.

(4) In the event that a permitholder fails to operate all performances specified on its license at the date and time specified, the division shall hold a hearing to determine whether to fine or suspend the permitholder's license, unless



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such failure was the direct result of fire, strike, war, hurricane, pandemic, or other disaster or event beyond the ability of the permitholder to control. Financial hardship to the permitholder shall not, in and of itself, constitute just cause for failure to operate all performances on the dates and at the times specified.

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

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

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

550.0235 Limitation of civil liability.—No permitholder licensed to conduct pari-mutuel wagering ~~permittee conducting a racing meet~~ pursuant to the provisions of this chapter; no division director or employee of the division; and no steward, judge, or other person appointed to act pursuant to this chapter shall be held liable to any person, partnership, association, corporation, or other business entity for any cause whatsoever arising out of, or from, the performance by such permittee,



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99 director, employee, steward, judge, or other person of her or
100 his duties and the exercise of her or his discretion with
101 respect to the implementation and enforcement of the statutes
102 and rules governing the conduct of pari-mutuel wagering, so long
103 as she or he acted in good faith. This section shall not limit
104 liability in any situation in which the negligent maintenance of
105 the premises or the negligent conduct of a race contributed to
106 an accident; nor shall it limit any contractual liability.

107 Section 5. Subsection (8) of section 550.0351, Florida
108 Statutes, is redesignated as subsection (7) and subsection (1)
109 and present subsection (7) are amended to read:

110 550.0351 Charity racing days.—

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

115 ~~(7) In addition to the charity days authorized by this~~
116 ~~section, any dogracing permitholder may allow its facility to be~~
117 ~~used for conducting "hound dog derbies" or "mutt derbies" on any~~
118 ~~day during each racing season by any charitable, civic, or~~
119 ~~nonprofit organization for the purpose of conducting "hound dog~~
120 ~~derbies" or "mutt derbies" if only dogs other than those usually~~
121 ~~used in dogracing (greyhounds) are permitted to race and if~~
122 ~~adults and minors are allowed to participate as dog owners or~~
123 ~~spectators. During these racing events, betting, gambling, and~~
124 ~~the sale or use of alcoholic beverages is prohibited.~~

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

127 550.0425 Minors attendance at pari-mutuel performances;



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restrictions.—

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

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

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

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



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

(9)

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

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

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

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

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

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

550.0745 ~~Conversion of pari-mutuel permit to Summer jai alai permit periods of operation.~~ A permitholder issued a permit



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under former subsection (1) of this section, 2020 Florida Statutes, for the operation of a jai alai fronton during the summer season may conduct pari-mutuel wagering throughout the year

~~(1) The owner or operator of a pari-mutuel permit who is authorized by the division to conduct pari-mutuel pools on exhibition sports in any county having five or more such pari-mutuel permits and whose mutuel play from the operation of such pari-mutuel pools for the 2 consecutive years next prior to filing an application under this section has had the smallest play or total pool within the county may apply to the division to convert its permit to a permit to conduct a summer jai alai fronton in such county during the summer season commencing on May 1 and ending on November 30 of each year on such dates as may be selected by such permittee for the same number of days and performances as are allowed and granted to winter jai alai frontons within such county. If a permittee who is eligible under this section to convert a permit declines to convert, a new permit is hereby made available in that permittee's county to conduct summer jai alai games as provided by this section, notwithstanding mileage and permit ratification requirements. If a permittee converts a quarter horse permit pursuant to this section, nothing in this section prohibits the permittee from obtaining another quarter horse permit. Such permittee shall pay the same taxes as are fixed and required to be paid from the pari-mutuel pools of winter jai alai permittees and is bound by all of the rules and provisions of this chapter which apply to the operation of winter jai alai frontons. Such permittee shall only be permitted to operate a jai alai fronton after its~~



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~~application has been submitted to the division and its license has been issued pursuant to the application. The license is renewable from year to year as provided by law.~~

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

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

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

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

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



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

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

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

(3)(a) The permit of a harness horse permitholder who does not pay tax on handle for live harness horse performances ~~for a full schedule of live races~~ during any 2 consecutive state fiscal years shall be void and may not be reissued ~~shall escheat to and become the property of the state~~ unless such failure to operate and pay tax on handle was the direct result of fire, strike, war, hurricane, pandemic, or other disaster or event beyond the ability of the permitholder to control. Financial hardship to the permitholder shall not, in and of itself, constitute just cause for failure to operate and pay tax on handle.

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

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

(2)(a) The following licenses shall be issued to persons or entities with access to the backside, racing animals, jai alai



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273 players' room, jockeys' room, drivers' room, totalisator room,
274 the mutuels, or money room, or to persons who, by virtue of the
275 position they hold, might be granted access to these areas or to
276 any other person or entity in one of the following categories
277 and with fees not to exceed the following amounts for any 12-
278 month period:

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

283 2. Professional occupational licenses: professional persons
284 with access to the backside of a racetrack or players' quarters
285 in jai alai such as trainers, officials, veterinarians, doctors,
286 nurses, EMT's, jockeys and apprentices, drivers, jai alai
287 players, owners, trustees, or any management or officer or
288 director or shareholder or any other professional-level person
289 who might have access to the jockeys' room, the drivers' room,
290 the backside, racing animals, ~~kennel compound~~, or managers or
291 supervisors requiring access to mutuels machines, the money
292 room, or totalisator equipment: \$40.

293 3. General occupational licenses: general employees with
294 access to the jockeys' room, the drivers' room, racing animals,
295 the backside of a racetrack or players' quarters in jai alai,
296 such as grooms, ~~kennel helpers~~, leadouts, pelota makers, cesta
297 makers, or ball boys, or a practitioner of any other occupation
298 who would have access to the animals or, the backside, ~~or the~~
299 ~~kennel compound~~, or who would provide the security or
300 maintenance of these areas, or mutuel employees, totalisator
301 employees, money-room employees, or any employee with access to



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mutuels machines, the money room, or totalisator equipment or who would provide the security or maintenance of these areas: \$10.

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

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

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

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

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



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

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

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

550.1647 Greyhound permitholders; unclaimed tickets; breaks.—All money or other property represented by any unclaimed, uncashed, or abandoned pari-mutuel ticket which has remained in the custody of or under the control of any greyhound permitholder authorized to conduct ~~greyhound racing~~ pari-mutuel wagering pools in this state for a period of 1 year after the date the pari-mutuel ticket was issued, if the rightful owner or owners thereof have made no claim or demand for such money or other property within that period of time, shall, ~~with respect to live races conducted by the permitholder,~~ be remitted to the



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state pursuant to s. 550.1645; however, such permitholder shall be entitled to a credit in each state fiscal year in an amount equal to the actual amount remitted in the prior state fiscal year which may be applied against any taxes imposed pursuant to this chapter. In addition, each permitholder shall pay, from any source, ~~including the proceeds from performances conducted pursuant to s. 550.0351,~~ an amount not less than 10 percent of the amount of the credit provided by this section to any bona fide organization that promotes or encourages the adoption of greyhounds. As used in this chapter, the term "bona fide organization that promotes or encourages the adoption of greyhounds" means any organization that provides evidence of compliance with chapter 496 and possesses a valid exemption from federal taxation issued by the Internal Revenue Service. Such bona fide organization, as a condition of adoption, must provide sterilization of greyhounds by a licensed veterinarian before relinquishing custody of the greyhound to the adopter. The fee for sterilization may be included in the cost of adoption.

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

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

550.175 Petition for election to revoke permit.—Upon petition of 20 percent of the qualified electors of any county wherein any pari-mutuel wagering racing has been licensed and conducted under this chapter, the county commissioners of such county shall provide for the submission to the electors of such county at the then next succeeding general election the question of whether any permit or permits theretofore granted shall be



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continued or revoked, and if a majority of the electors voting on such question in such election vote to cancel or recall the permit theretofore given, the division may not thereafter grant any license on the permit so recalled. Every signature upon every recall petition must be signed in the presence of the clerk of the board of county commissioners at the office of the clerk of the circuit court of the county, and the petitioner must present at the time of such signing her or his registration receipt showing the petitioner's qualification as an elector of the county at the time of the signing of the petition. Not more than one permit may be included in any one petition; and, in all elections in which the recall of more than one permit is voted on, the voters shall be given an opportunity to vote for or against the recall of each permit separately. Nothing in this chapter shall be construed to prevent the holding of later referendum or recall elections.

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

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

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

(a)1. The permitholder;



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- 418 2. An employee of the permitholder;
419 3. The sole proprietor of the permitholder;
420 4. A corporate officer or director of the permitholder;
421 5. A general partner of the permitholder;
422 6. A trustee of the permitholder;
423 7. A member of an unincorporated association permitholder;
424 8. A joint venturer of the permitholder;
425 9. The owner of more than 5 percent of any equity interest
426 in the permitholder, whether as a common shareholder, general or
427 limited partner, voting trustee, or trust beneficiary; or
428 10. An owner of any interest in the permit or permitholder,
429 including any immediate family member of the owner, or holder of
430 any debt, mortgage, contract, or concession from the
431 permitholder, who by virtue thereof is able to control the
432 business of the permitholder.

- 433 (b)1. A felony in this state;
434 2. Any felony in any other state which would be a felony if
435 committed in this state under the laws of this state;
436 3. Any felony under the laws of the United States;
437 4. A felony under the laws of another state if related to
438 gambling which would be a felony under the laws of this state if
439 committed in this state; or
440 5. Bookmaking as defined in s. 849.25.

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

443 550.24055 Use of controlled substances or alcohol
444 prohibited; testing of certain occupational licensees; penalty;
445 evidence of test or action taken and admissibility for criminal
446 prosecution limited.—



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(2) The occupational licensees, by applying for and holding such licenses, are deemed to have given their consents to submit to an approved chemical test of their breath for the purpose of determining the alcoholic content of their blood and to a urine or blood test for the purpose of detecting the presence of controlled substances. Such tests shall only be conducted upon reasonable cause that a violation has occurred as shall be determined solely by the stewards at a horseracing meeting or the judges or board of judges at a ~~dog track~~ or jai alai meet. The failure to submit to such test may result in a suspension of the person's occupational license for a period of 10 days or until this section has been complied with, whichever is longer.

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

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

(c) If there was at the time of the test 0.08 percent or more by weight of alcohol in the person's blood, that fact is



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prima facie evidence that the person was under the influence of alcoholic beverages to the extent that the person's normal faculties were impaired, and the stewards or judges may take action as set forth in this section, but the person may not officiate at or participate in any race or jai alai game on the day of such test.

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

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

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

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

~~(d) For the testing of a racing greyhound, if there is an insufficient quantity of the secondary (split) sample for confirmation of the division laboratory's positive result, the division may commence administrative proceedings as prescribed~~



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~~in this chapter and consistent with chapter 120.~~

(6)

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

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

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

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



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~~recommendations to the division.~~

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

550.334 Quarter horse racing; substitutions.—

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

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

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

(2) Notwithstanding any other provision of law, the holder of a quarter horse racing permit issued under s. 550.334 may, within 1 year after the effective date of this section, apply to the division for a transfer of the quarter horse racing permit to a not-for-profit corporation formed under state law to serve the purposes of the state as provided in subsection (1). The board of directors of the not-for-profit corporation must be comprised of 11 members, 4 of whom shall be designated by the applicant, 4 of whom shall be designated by the Florida Thoroughbred Breeders' Association, and 3 of whom shall be designated by the other 8 directors, with at least 1 of these 3 members being an authorized representative of another thoroughbred permitholder in this state. The not-for-profit corporation shall submit an application to the division for review and approval of the transfer in accordance with s. 550.054. Upon approval of the transfer by the division, and notwithstanding any other provision of law to the contrary, the



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not-for-profit corporation may, within 1 year after its receipt of the permit, request that the division convert the quarter horse racing permit to a permit authorizing the holder to conduct pari-mutuel wagering meets of thoroughbred racing. Neither the transfer of the quarter horse racing permit nor its conversion to a limited thoroughbred permit shall be subject to the mileage limitation or the ratification election as set forth under s. 550.054(2) or s. 550.0651. Upon receipt of the request for such conversion, the division shall timely issue a converted permit. The converted permit and the not-for-profit corporation shall be subject to the following requirements:

(a) All net revenues derived by the not-for-profit corporation under the thoroughbred horse racing permit and any license issued to the not-for-profit corporation under chapter 849, after the funding of operating expenses and capital improvements, shall be dedicated to the enhancement of thoroughbred purses and breeders', stallion, and special racing awards under this chapter; the general promotion of the thoroughbred horse breeding industry; and the care in this state of thoroughbred horses retired from racing.

(e) A ~~No~~ permit converted under this section and a license issued to the not-for-profit corporation under chapter 849 are not is eligible for transfer to another person or entity.

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

Section 21. Subsections (2) and (4), paragraph (a) of



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subsection (6), and subsection (11) of section 550.3551, Florida Statutes, are amended to read:

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

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

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

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

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



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money wagered by patrons on dograces broadcast under this subsection shall be computed in the amount of money wagered each performance for purposes of taxation under ss. 550.0951 and 550.09511.

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



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~~broadcasts out-of-state races or games. The division may not grant more than two such exceptions a year for a permitholder in any 12-month period, and those two exceptions may not be consecutive.~~

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

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

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

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

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

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



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

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

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

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



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reward.

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

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

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

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



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

550.5251 Florida thoroughbred racing; certain permits; operating days.—

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

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

550.615 Intertrack wagering.—

(1) Any thoroughbred ~~horserace~~ permitholder licensed under this chapter which has conducted a full schedule of live racing may, at any time, receive broadcasts of horseraces and accept wagers on horseraces conducted by horserace permitholders licensed under this chapter at its facility.

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



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

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

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

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

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



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

550.6308 Limited intertrack wagering license.—In recognition of the economic importance of the thoroughbred breeding industry to this state, its positive impact on tourism, and of the importance of a permanent thoroughbred sales facility as a key focal point for the activities of the industry, a limited license to conduct intertrack wagering is established to ensure the continued viability and public interest in thoroughbred breeding in Florida.

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

~~(a) Up to 21 days in connection with thoroughbred sales;~~
~~(b) Between November 1 and May 8;~~
~~(c) Between May 9 and October 31 at such times and on such days as any thoroughbred, jai alai, or a greyhound permitholder in the same county is not conducting live performances; provided that any such permitholder may waive this requirement, in whole or in part, and allow the licensee under this section to conduct~~



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~~intertrack wagering during one or more of the permitholder's
live performances; and~~

~~(d) During the weekend of the Kentucky Derby, the
Preakness, the Belmont, and a Breeders' Cup Meet that is
conducted before November 1 and after May 8.~~

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

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

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

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



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551.104, Florida Statutes, is amended to read:

551.104 License to conduct slot machine gaming.—

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

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

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

551.114 Slot machine gaming areas.—

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

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

551.116 Days and hours of operation.—Slot machine gaming areas may be open 24 hours per day ~~daily~~ throughout the year. ~~The slot machine gaming areas may be open a cumulative amount of~~



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~~18 hours per day on Monday through Friday and 24 hours per day
on Saturday and Sunday and on those holidays specified in s.
110.117(1).~~

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

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

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

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

(5) A caterer at a pari-mutuel facility licensed under
chapter 550 ~~horse or dog racetrack or jai alai fronton~~ may
obtain a license upon the payment of an annual state license tax
of \$675. Such caterer's license shall permit sales only within
the enclosure in which pari-mutuel wagering is conducted ~~such~~
~~racetrack or jai alai games are conducted, and such licensee shall~~
~~be permitted to sell only during the period beginning 10 days~~
~~before and ending 10 days after racing or jai alai~~ under the
authority of the Division of Pari-mutuel Wagering of the
Department of Business and Professional Regulation ~~is conducted~~
~~at such racetrack or jai alai fronton~~. Except as in this
subsection otherwise provided, caterers licensed hereunder shall
be treated as vendors licensed to sell by the drink the
beverages mentioned herein and shall be subject to all the
provisions hereof relating to such vendors.



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

849.086 Cardrooms authorized.—

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

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

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

(c) Notwithstanding any other provision of law, a pari-mutuel permitholder, other than a permitholder issued a permit pursuant to s. 550.3345, may not be issued a license for the operation of a cardroom if the permitholder did not hold an



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operating license for the conduct of pari-mutuel wagering for
fiscal year 2020-2021. In order for an initial cardroom license
to be issued to a thoroughbred permitholder or harness horse
racing permitholder issued a permit pursuant s. 550.3345, the
applicant must have requested, as part of its pari-mutuel annual
license application, to conduct at least a full schedule of live
racing. In order for a cardroom license to be renewed for a
thoroughbred permitholder or harness horse racing permitholder,
the

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

And the title is amended as follows:

Delete lines 10 - 71

and insert:

permitholders and quarter horse racing permitholders
to elect not to conduct live racing or games;
requiring thoroughbred permitholders and harness horse
racing permitholders to conduct live racing;
specifying that certain permitholders who do not
conduct live racing or games retain their permit and
remain pari-mutuel facilities; specifying that, if
such permitholder has been issued a slot machine
license, the permitholder's facility remains an
eligible facility, continues to be eligible for a slot
machine license, is exempt from certain provisions of
ch. 551, F.S., is eligible to be a guest track, and
remains eligible for a cardroom license; prohibiting a
permitholder or licensee from conducting live
greyhound racing or dogracing in connection with any



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wager for money or any other thing of value in the state; providing administrative and civil penalties; providing requirements for the funds generated from such penalties; prohibiting operating licenses from being issued to a pari-mutuel permitholder unless a specified requirement is met; authorizing the Division of Pari-mutuel Wagering to approve a change in racing dates for certain permitholders if the request for a change is received before a specified date and under certain circumstances for a specified fiscal year; deleting a provision authorizing the conversion of certain permits to a jai alai permit under certain circumstances; conforming provisions to changes made by the act; amending s. 550.0235, F.S.; conforming provisions to changes made by the act; amending s. 550.0351, F.S.; deleting a provision relating to hound dog derbies and mutt derbies; conforming provisions to changes made by the act; amending s. 550.0425, F.S.; deleting a provision authorizing certain minors to be granted access to kennel compound areas under certain circumstances; amending s. 550.054, F.S.; requiring the division to revoke the permit of certain permitholders; specifying such revoked permit is void and may not be reissued; revising requirements to hold a permit for the operation of a pari-mutuel facility and an associated cardroom or slot machine facility; specifying certain permits held on a specified date are deemed valid for specified purposes; prohibiting new permits for the conduct of pari-mutuel wagering



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998 from being issued after a specified date; prohibiting
999 a permit to conduct pari-mutuel wagering from being
1000 converted to another class of permit; conforming
1001 provisions to changes made by the act; amending s.
1002 550.0745, F.S.; authorizing summer jai alai
1003 permitholders to conduct pari-mutuel wagering
1004 throughout the year; deleting provisions relating to
1005 the conversion of a pari-mutuel permit to a summer jai
1006 alai permit; amending s. 550.09511, F.S.; deleting a
1007 provision relating to the payment of certain taxes and
1008 fees by jai alai permitholders conducting fewer than a
1009 specified number of live performances; amending s.
1010 550.09512, F.S.; prohibiting the reissue of certain
1011 harness horse racing permits that are voided;
1012 conforming provisions to changes made by the act;
1013 amending ss. 550.105, 550.1155, and