

By Senator Flores

38-00634-11

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1 A bill to be entitled
2 An act relating to state lotteries; amending s.
3 24.112, F.S.; requiring each retailer of lottery
4 tickets to provide assistance to any individual who is
5 blind or visually impaired and has requested
6 assistance in filling out his or her lottery ticket;
7 providing a definition; providing that a retailer or
8 an employee of the retailer is not liable under
9 certain circumstances; providing an effective date.

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

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13 Section 1. Subsection (13) of section 24.112, Florida
14 Statutes, is amended to read:

15 24.112 Retailers of lottery tickets.—

16 (13) (a) Each retailer shall provide accessibility for
17 disabled persons on habitable grade levels. This paragraph
18 ~~subsection~~ does not apply to a retail location which has an
19 entrance door threshold more than 12 inches above ground level.
20 As used in this paragraph herein ~~and for purposes of this~~
21 ~~subsection only~~, the term "accessibility for disabled persons on
22 habitable grade levels" means that retailers shall provide
23 ramps, platforms, aisles and pathway widths, turnaround areas,
24 and parking spaces to the extent these are required for the
25 retailer's premises by the particular jurisdiction where the
26 retailer is located. Accessibility shall be required to only one
27 point of sale of lottery tickets for each lottery retailer
28 location. The requirements of this paragraph ~~subsection~~ shall be
29 deemed to have been met if, in lieu of the foregoing, disabled

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30 persons can purchase tickets from the retail location by means
31 of a drive-up window, provided the hours of access at the drive-
32 up window are not less than those provided at any other entrance
33 at that lottery retailer location. Inspections for compliance
34 with this paragraph ~~subsection~~ shall be performed by those
35 enforcement authorities responsible for enforcement pursuant to
36 s. 553.80 in accordance with procedures established by those
37 authorities. Those enforcement authorities shall provide to the
38 Department of the Lottery a certification of noncompliance for
39 any lottery retailer not meeting such requirements.

40 (b) Each retailer shall provide assistance to any
41 individual who is blind or visually impaired and has requested
42 assistance in filling out his or her lottery ticket. As used in
43 this paragraph, the term "assistance" means the inputting and
44 printing of the requested lottery ticket as communicated
45 verbally or in writing by the blind or visually impaired
46 individual. A retailer or an employee of the retailer is not
47 liable for any alleged or actual scrivener's error absent a
48 finding of intentional fraud or malice by a court of competent
49 jurisdiction.

50 Section 2. This act shall take effect July 1, 2011.