



196234

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/11/2011	.	
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The Committee on Criminal Justice (Margolis) recommended the following:

Senate Amendment (with title amendment)

Delete line 137
and insert:

Section 1. Subsection (2), paragraph (a) of subsection (4), and paragraph (d) of subsection (5) of section 849.086, Florida Statutes, are amended, and paragraphs (h) and (i) are added to subsection (7) of that section, to read:

849.086 Cardrooms authorized.—

(2) DEFINITIONS.—As used in this section:

(a) "Authorized game" means a game or series of games of bingo, poker, or dominoes which are played in a nonbanking



196234

13 manner.

14 (b) "Banking game" means a game in which the house is a
15 participant in the game, taking on players, paying winners, and
16 collecting from losers or in which the cardroom establishes a
17 bank against which participants play.

18 (c) "Bingo" has the same meaning as s. 849.0931(1)(a).

19 (d) "Bingo card" has the same meaning as in s.
20 849.0931(1)(b).

21 (e)~~(e)~~ "Cardroom" means a facility where authorized games
22 are played for money or anything of value and to which the
23 public is invited to participate in such games and charged a fee
24 for participation by the operator of such facility. Authorized
25 games and cardrooms do not constitute casino gaming operations.

26 (f)~~(d)~~ "Cardroom management company" means any individual
27 not an employee of the cardroom operator, any proprietorship,
28 partnership, corporation, or other entity that enters into an
29 agreement with a cardroom operator to manage, operate, or
30 otherwise control the daily operation of a cardroom.

31 (g)~~(e)~~ "Cardroom distributor" means any business that
32 distributes cardroom paraphernalia such as card tables, betting
33 chips, chip holders, dominoes, dominoes tables, drop boxes,
34 banking supplies, playing cards, card shufflers, and other
35 associated equipment to authorized cardrooms.

36 (h)~~(f)~~ "Cardroom operator" means a licensed pari-mutuel
37 permitholder which holds a valid permit and license issued by
38 the division pursuant to chapter 550 and which also holds a
39 valid cardroom license issued by the division pursuant to this
40 section which authorizes such person to operate a cardroom and
41 to conduct authorized games in such cardroom.



196234

42 (i) ~~(g)~~ "Division" means the Division of Pari-mutuel
43 Wagering of the Department of Business and Professional
44 Regulation.

45 (j) ~~(h)~~ "Dominoes" means a game of dominoes typically played
46 with a set of 28 flat rectangular blocks, called "bones," which
47 are marked on one side and divided into two equal parts, with
48 zero to six dots, called "pips," in each part. The term also
49 includes larger sets of blocks that contain a correspondingly
50 higher number of pips. The term also means the set of blocks
51 used to play the game.

52 (k) ~~(i)~~ "Gross receipts" means the total amount of money
53 received by a cardroom from any person for participation in
54 authorized games.

55 (l) ~~(j)~~ "House" means the cardroom operator and all
56 employees of the cardroom operator.

57 (m) ~~(k)~~ "Net proceeds" means the total amount of gross
58 receipts received by a cardroom operator from cardroom
59 operations less direct operating expenses related to cardroom
60 operations, including labor costs, admission taxes only if a
61 separate admission fee is charged for entry to the cardroom
62 facility, gross receipts taxes imposed on cardroom operators by
63 this section, the annual cardroom license fees imposed by this
64 section on each table operated at a cardroom, and reasonable
65 promotional costs excluding officer and director compensation,
66 interest on capital debt, legal fees, real estate taxes, bad
67 debts, contributions or donations, or overhead and depreciation
68 expenses not directly related to the operation of the cardrooms.

69 (n) "Objects" has the same meaning as in s. 849.0931(1)(g).

70 (o) "Rack" has the same meaning as in s. 849.0931(1)(h).



196234

71 (p) ~~(l)~~ "Rake" means a set fee or percentage of the pot
72 assessed by a cardroom operator for providing the services of a
73 dealer, table, or location for playing the authorized game.

74 (q) "Receptacle" has the same meaning as in s.
75 849.0931(1)(i).

76 (r) ~~(m)~~ "Tournament" means a series of games that have more
77 than one betting round involving one or more tables and where
78 the winners or others receive a prize or cash award.

79 (4) AUTHORITY OF DIVISION.—The Division of Pari-mutuel
80 Wagering of the Department of Business and Professional
81 Regulation shall administer this section and regulate the
82 operation of cardrooms under this section and the rules adopted
83 pursuant thereto, and is hereby authorized to:

84 (a) Adopt rules, including, but not limited to: the
85 issuance of cardroom and employee licenses for cardroom
86 operations; the operation of authorized games; the operation of
87 a cardroom; recordkeeping and reporting requirements; and the
88 collection of all fees and taxes imposed by this section.

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

92 (d) The annual cardroom license fee for each facility shall
93 be \$1,000 for each table to be operated at the cardroom. There
94 shall be no additional fee for a cardroom to conduct bingo.
95 Tables used exclusively for the conduct of bingo shall not be
96 included in the facility's license fee calculation. The license
97 fee shall be deposited by the division with the Chief Financial
98 Officer to the credit of the Pari-mutuel Wagering Trust Fund.

99 (7) CONDITIONS FOR OPERATING A CARDROOM.—



196234

100 (h) A cardroom operator's conduct of bingo is conditioned
101 upon the return of 80 percent of all proceeds from such games
102 during the year to the players in the form of prizes and cash
103 awards. For purposes of bingo games only, the term "gross
104 receipts" means the total amount received by the cardroom
105 operator for participating in the bingo game less the total
106 amount paid to the winners or others as prizes or cash awards.

107 (i) Each bingo game shall be conducted in accordance with
108 the rules of the division and the rules established in s.
109 849.0931(12).

110 Section 2. Section 3 may be cited as the "Internet Poker
111

112
113 ===== T I T L E A M E N D M E N T =====

114 And the title is amended as follows:

115 Delete line 2

116 and insert:

117 An act relating to cardrooms; amending s. 849.086,
118 F.S.; providing for bingo games to be offered in
119 cardrooms; revising the definition of the term
120 "authorized game" to include bingo; defining the term
121 "bingo," "bingo card," "objects," "rack," and
122 "receptacle"; authorizing the division to adopt rules
123 relating to authorized games; providing that there
124 shall be no additional fee for the conduct of bingo;
125 defining the term "gross receipts" for purposes of
126 bingo games; providing that bingo games shall be
127 conducted in accordance with certain rules; creating
128 the