

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Jenne offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 443 and 444, insert:

5 Section 7. Section 849.161, Florida Statutes, is reenacted
6 and amended to read:

7 849.161 Amusement games or machines; when chapter
8 inapplicable.—

9 (1)(a)1. Nothing contained in this chapter shall be taken
10 or construed as applicable to an arcade amusement center having
11 amusement games or machines which operate by means of the
12 insertion of a coin and which by application of skill may
13 entitle the person playing or operating the game or machine to
14 receive points or coupons which may be exchanged for merchandise
15 only, excluding cash and alcoholic beverages, provided the cost

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16 value of the merchandise or prize awarded in exchange for such
17 points or coupons does not exceed 75 cents on any game played.

18 2. Nothing contained in this chapter shall be taken or
19 construed as applicable to any retail dealer who operates as a
20 truck stop, as defined in chapter 336 and which operates a
21 minimum of 6 functional diesel fuel pumps, having amusement
22 games or machines which operate by means of the insertion of a
23 coin or other currency and which by application of skill may
24 entitle the person playing or operating the game or machine to
25 receive points or coupons which may be exchanged for merchandise
26 limited to noncash prizes, toys, novelties, and Florida Lottery
27 products, excluding alcoholic beverages, provided the cost value
28 of the merchandise or prize awarded in exchange for such points
29 or coupons does not exceed 75 cents on any game played. This
30 subparagraph applies only to games and machines which are
31 operated for the entertainment of the general public and
32 tourists as bona fide amusement games or machines. This
33 subsection shall not apply, however, to any game or device
34 defined as a gambling device in 15 ~~24~~ U.S.C. s. 1171, which
35 requires identification of each device by permanently affixing
36 seriatim numbering and name, trade name, and date of manufacture
37 under s. 1173, and registration with the United States Attorney
38 General, unless excluded from applicability of the chapter under
39 s. 1178. This subsection shall not be construed to authorize
40 video poker games or any other game or machine that may be
41 construed as a gambling device under Florida law.

42 (b) Nothing in this subsection shall be taken or construed
43 as applicable to a coin-operated game or device designed and
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44 manufactured only for bona fide amusement purposes which game or
45 device may by application of skill entitle the player to replay
46 the game or device at no additional cost, if the game or device:
47 can accumulate and react to no more than 15 free replays; can be
48 discharged of accumulated free replays only by reactivating the
49 game or device for one additional play for such accumulated free
50 replay; can make no permanent record, directly or indirectly, of
51 free replays; and is not classified by the United States as a
52 gambling device in 15 ~~24~~ U.S.C. s. 1171, which requires
53 identification of each device by permanently affixing seriatim
54 numbering and name, trade name, and date of manufacture under s.
55 1173, and registration with the United States Attorney General,
56 unless excluded from applicability of the chapter under s. 1178.
57 This subsection shall not be construed to authorize video poker
58 games, or any other game or machine that may be construed as a
59 gambling device under Florida law.

60 (2) The term "arcade amusement center" as used in this
61 section means a place of business having at least 50 coin-
62 operated amusement games or machines on premises which are
63 operated for the entertainment of the general public and
64 tourists as a bona fide amusement facility.

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66
67 **T I T L E A M E N D M E N T**

68 Remove line 37 and insert:
69 machine; reenacting and amending s. 849.161, F.S.; correcting a
70 reference; amending s. 895.02, F.S.; revising the

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