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LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/2R	.	Floor: RC
03/07/2018 02:38 PM	.	03/08/2018 12:10 PM
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Senator Hutson moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (a) of subsection (1), subsection (3),  
and paragraphs (b) and (c) of subsection (10) of section  
285.710, Florida Statutes, are amended to read:

285.710 Compact authorization.—

(1) As used in this section, the term:

(a) "Compact" means the Gaming Compact between the Seminole  
Tribe of Florida and the State of Florida, ~~executed on April 7,~~



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12 ~~2010.~~

13       (3) (a) The Gaming Compact between the Seminole Tribe of  
14 Florida and the State of Florida, executed by the Governor and  
15 the Tribe on April 7, 2010, was is ratified and approved by  
16 chapter 2010-29, Laws of Florida. The Governor shall cooperate  
17 with the Tribe in seeking approval of the compact from the  
18 United States Secretary of the Interior.

19       (b) The Governor, on behalf of this state, is hereby  
20 authorized and directed to execute a new compact with the Tribe  
21 as set forth in paragraph (c), and the Legislature hereby  
22 signifies in advance its approval and ratification of such  
23 compact, provided that it is identical to the compact set forth  
24 in paragraph (c) and becomes effective on or before January 1,  
25 2019. The Governor shall cooperate with the Tribe in seeking  
26 approval of such compact ratified and approved under this  
27 paragraph from the Secretary of the Department of the Interior.  
28 Upon becoming effective, such compact supersedes the Gaming  
29 Compact ratified and approved under paragraph (a), which shall  
30 then become null and void.

31       (c) The Legislature hereby approves and ratifies the  
32 following Gaming Compact between the State of Florida and the  
33 Seminole Tribe of Florida, provided that such compact becomes  
34 effective on or before January 1, 2019:

35  
36               Gaming Compact Between the Seminole Tribe of Florida  
37                               and the State of Florida

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39               This compact is made and entered into by and between the  
40 Seminole Tribe of Florida and the State of Florida, with respect



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41 to the operation of covered games, as defined herein, on the  
42 Tribe's Indian lands, as defined by the Indian Gaming Regulatory  
43 Act, 25 U.S.C. ss. 2701 et seq.

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PART I

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47 TITLE.—This document shall be referred to as the "Gaming  
48 Compact between the Seminole Tribe of Florida and the State of  
49 Florida."

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PART II

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LEGISLATIVE FINDINGS.—

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(1) The Seminole Tribe of Florida is a federally recognized  
tribal government that possesses sovereign powers and rights of  
self-government.

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(2) The State of Florida is a state of the United States of  
America that possesses the sovereign powers and rights of a  
state.

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(3) The State of Florida and the Seminole Tribe of Florida  
maintain a government-to-government relationship.

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(4) The United States Supreme Court has long recognized the  
right of an Indian Tribe to regulate activity on lands within  
its jurisdiction, but the United States Congress, through the  
Indian Gaming Regulatory Act, has given states a role in the  
conduct of tribal gaming in accordance with negotiated tribal-  
state compacts.

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(5) Pursuant to the Seminole Tribe Amended Gaming  
Ordinance, adopted by Resolution No. C-195-06, and approved by



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70 the Chairman of the National Indian Gaming Commission on July  
71 10, 2006, hereafter referred to as the "Seminole Tribal Gaming  
72 Code," the Seminole Tribe of Florida desires to offer the play  
73 of covered games, as defined in Part III, as a means of  
74 generating revenues for purposes authorized by the Indian Gaming  
75 Regulatory Act, including, without limitation, the support of  
76 tribal governmental programs, such as health care, housing,  
77 sewer and water projects, police, fire suppression, general  
78 assistance for tribal elders, day care for children, economic  
79 development, educational opportunities, per capita payments to  
80 tribal members, and other typical and valuable governmental  
81 services and programs for tribal members.

82 (6) This compact is the only gaming compact between the  
83 Tribe and the state. This compact supersedes the Gaming Compact  
84 between the Tribe and the state executed on or about April 7,  
85 2010, which was subsequently ratified by the Legislature and  
86 went into effect on or about July 6, 2010.

87 (7) It is in the best interests of the Seminole Tribe of  
88 Florida and the State of Florida for the state to enter into a  
89 compact with the Tribe that recognizes the Tribe's right to  
90 offer certain Class III gaming and provides substantial  
91 exclusivity of such activities in conjunction with a reasonable  
92 revenue sharing arrangement between the Tribe and the state that  
93 will entitle the state to significant revenue participation.

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95 PART III

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97 DEFINITIONS.—As used in this compact, the term:

98 (1) "Annual oversight assessment" means the amount owed by



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99 the Tribe to the state for reimbursement for the actual and  
100 reasonable costs incurred by the state compliance agency to  
101 perform the monitoring functions set forth under the compact.

102 (2) "Class II video bingo terminals" means any electronic  
103 aid to a Class II bingo game that includes a video spinning reel  
104 or mechanical spinning reel display.

105 (3) "Class III gaming" means the forms of Class III gaming  
106 defined in 25 U.S.C. s. 2703(8) and by the regulations of the  
107 National Indian Gaming Commission, as of January 1, 2018.

108 (4) "Commission" means the Seminole Tribal Gaming  
109 Commission, which is the tribal governmental agency that has the  
110 authority to carry out the Tribe's regulatory and oversight  
111 responsibilities under this compact.

112 (5) "Compact" means this Gaming Compact between the  
113 Seminole Tribe of Florida and the State of Florida.

114 (6) "Covered game" or "covered gaming activity" means the  
115 following Class III gaming activities:

116 (a) Slot machines, which may use spinning reels, video  
117 displays, or both, and which machines must meet all of the  
118 following requirements:

119 1. Any mechanical or electrical contrivance, terminal that  
120 may or may not be capable of downloading slot games from a  
121 central server system, machine, or other device.

122 2. Require, for play or operation, the insertion of a coin,  
123 bill, ticket, token, or similar object, or payment of any  
124 consideration whatsoever, including the use of any electronic  
125 payment system, except a credit card or debit card, unless state  
126 law authorizes the use of an electronic payment system that uses  
127 a credit or debit card payment, in which case the Tribe is



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128 authorized to use such payment system.

129 3. Are available to play or operate, the play or operation  
130 of which, whether by reason of skill or application of the  
131 element of chance or both, may deliver or entitle the person or  
132 persons playing or operating the contrivance, terminal, machine,  
133 or other device to receive cash, billets, tickets, tokens, or  
134 electronic credits to be exchanged for cash or to receive  
135 merchandise or anything of value whatsoever, whether the payoff  
136 is made automatically from the machine or manually.

137 4. Include associated equipment necessary to conduct the  
138 operation of the contrivance, terminal, machine, or other  
139 device.

140 (b) Banking or banked card games, such as baccarat, chemin  
141 de fer, and blackjack or 21.

142 (c) Raffles and drawings.

143 (d) Live table games.

144 (e) Any new game, if expressly authorized by the  
145 Legislature pursuant to legislation enacted subsequent to the  
146 effective date of this compact and lawfully conducted by any  
147 person for any purpose pursuant to such authorization.

148 (7) "Covered game employee" or "covered employee" means an  
149 individual employed and licensed by the Tribe whose  
150 responsibilities include the rendering of services with respect  
151 to the operation, maintenance, or management of covered games,  
152 including, but not limited to, managers and assistant managers;  
153 accounting personnel; commission officers; surveillance and  
154 security personnel; cashiers, supervisors, and floor personnel;  
155 cage personnel; and any other employee whose employment duties  
156 require or authorize access to areas of the facility related to



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157 the conduct of covered games or the technical support or storage  
158 of covered game components. The term does not include the  
159 Tribe's elected officials, provided that such individuals are  
160 not directly involved in the operation, maintenance, or  
161 management of covered games or covered games components.

162 (8) "Documents" means books, records, electronic, magnetic,  
163 and computer media documents, and other writings and materials,  
164 copies of such documents and writings, and information contained  
165 in such documents and writings.

166 (9) "Effective date" means the date on which the compact  
167 becomes effective pursuant to subsection (1) of Part XVI.

168 (10) "Electronic bingo machine" means a card minding  
169 device, which may only be used in connection with a bingo game  
170 as defined in s. 849.0931(1) (a), Florida Statutes, which is  
171 certified in advance by an independent testing laboratory  
172 approved by the Division of Pari-Mutuel Wagering as a bingo aid  
173 device that meets all of the following requirements:

174 (a) Aids a bingo game player by:

175 1. Storing in the memory of the device not more than three  
176 bingo faces of tangible bingo cards as defined by s.  
177 849.0931(1) (b), Florida Statutes, purchased by a player.

178 2. Comparing the numbers drawn and individually entered  
179 into the device by the player to the bingo faces previously  
180 stored in the memory of the device.

181 3. Identifying preannounced winning bingo patterns marked  
182 or covered on the stored bingo faces.

183 (b) Is not capable of accepting or dispensing any coins,  
184 currency, or tokens.

185 (c) Is not capable of monitoring any bingo card face other



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186 than the faces of the tangible bingo card or cards purchased by  
187 the player for that game.

188 (d) Is not capable of displaying or representing the game  
189 result through any means other than highlighting the winning  
190 numbers marked or covered on the bingo card face or giving an  
191 audio alert that the player's card has a prize-winning pattern.  
192 No casino game graphics, themes, or titles, including, but not  
193 limited to, depictions of slot machine-style symbols, cards,  
194 craps, roulette, or lottery may be used.

195 (e) Is not capable of determining the outcome of any game.

196 (f) Does not award progressive prizes of more than \$2,500.

197 (g) Does not award prizes exceeding \$1,000, other than  
198 progressive prizes not exceeding \$2,500.

199 (h) Does not contain more than one player position for  
200 playing bingo.

201 (i) Does not contain or does not link to more than one  
202 video display.

203 (j) Awards prizes based solely on the results of the bingo  
204 game, with no additional element of chance.

205 (11) "Facility" means a building or buildings of the Tribe  
206 in which the covered games authorized by this compact are  
207 conducted.

208 (12) "Guaranteed minimum compact term payment" means a  
209 minimum total payment for the guarantee payment period of \$3  
210 billion, which shall include all revenue share payments during  
211 the guarantee payment period.

212 (13) "Guarantee payment period" means the seven-year period  
213 beginning July 1, 2018, and ending June 30, 2025.

214 (14) "Guaranteed revenue sharing cycle payment" means the





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215 payments as provided in Part XI.

216 (15) "Historic racing machine" means an individual historic  
217 race terminal linked to a central server as part of a network-  
218 based video game, where the terminals allow pari-mutuel wagering  
219 by players on the results of previously conducted horse or  
220 greyhound races, but only if the game is certified in advance by  
221 an independent testing laboratory approved by the Division of  
222 Pari-Mutuel Wagering as complying with all of the following  
223 requirements:

224 (a) Stores all data on previously conducted horse or  
225 greyhound races in a secure format on the central server, which  
226 is located at the pari-mutuel facility.

227 (b) Uses only horse or greyhound races that were recorded  
228 at licensed pari-mutuel facilities in the United States after  
229 January 1, 2000.

230 (c) Offers one or more of the following three bet types on  
231 all historic racing machines: win-place-show, quinella, or tri-  
232 fecta.

233 (d) Offers one or more of the following racing types:  
234 thoroughbreds, harness, or greyhounds.

235 (e) Does not award progressive prizes of more than \$2,500.

236 (f) Does not award prizes exceeding \$1,000, other than  
237 progressive prizes not exceeding \$2,500.

238 (g) After each wager is placed, displays a video of at  
239 least the final eight seconds of the horse or greyhound race  
240 before any prize is awarded or indicated on the historic racing  
241 machine.

242 (h) The display of the video of the horse or greyhound race  
243 occupies at least 70 percent of the historic racing machine's



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244 video screen and does not contain and is not linked to more than  
245 one video display.

246 (i) Does not use casino game graphics, themes, or titles,  
247 including but not limited to, depictions of slot machine-style  
248 symbols, cards, craps, roulette, lottery, or bingo.

249 (j) Does not use video or mechanical reel displays.

250 (k) Does not contain more than one player position for  
251 placing wagers.

252 (l) Does not dispense coins, currency, or tokens.

253 (m) Awards prizes solely on the results of a previously  
254 conducted horse or greyhound race with no additional element of  
255 chance.

256 (n) Uses a random number generator to select the race from  
257 the central server to be displayed to the player and the numbers  
258 or other designations of race entrants that will be used in the  
259 various bet types for any "Quick Pick" bets. To prevent an  
260 astute player from recognizing the race based on the entrants  
261 and thus knowing the results before placing a wager, the  
262 entrants of the race may not be identified until after all  
263 wagers for that race have been placed.

264 (16) "Indian Gaming Regulatory Act" means the Indian Gaming  
265 Regulatory Act, Pub. L. 100-497, Oct. 17, 1988, 102 Stat. 2467,  
266 codified at 25 U.S.C. ss. 2701 et seq. and 18 U.S.C. ss. 1166 to  
267 1168.

268 (17) "Indian lands" means the lands defined in 25 U.S.C. s.  
269 2703(4).

270 (18) "Initial payment period" means the period beginning on  
271 the effective date of the compact and ending on June 30, 2018.

272 (19) "Live table games" means dice games, such as craps,



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273 sic-bo and any similar variations thereof, and wheel games, such  
274 as roulette, big six, and any similar variations thereof, but  
275 not including any game that is authorized as a slot machine,  
276 banking or banked card game, raffle, or drawing.

277 (20) "Lottery vending machine" means any of the following  
278 four types of machines:

279 (a) A machine that dispenses pre-printed paper instant  
280 lottery tickets, but that does not read or reveal the results of  
281 the ticket or allow a player to redeem any ticket. The machine,  
282 or any machine or device linked to the machine, does not include  
283 or make use of video reels or mechanical reels or other video  
284 depictions of slot machine or casino game themes or titles for  
285 game play, but does not preclude the use of casino game themes  
286 or titles on such tickets or signage or advertising displays on  
287 the machines.

288 (b) A machine that dispenses pre-determined electronic  
289 instant lottery tickets and displays an image of the ticket on a  
290 video screen on the machine, where the player touches the image  
291 of the ticket on the video screen to reveal the outcome of the  
292 ticket, provided the machine does not permit a player to redeem  
293 winnings, does not make use of video reels or mechanical reels,  
294 and does not simulate the play of any casino game, and the  
295 lottery retailer is paid the same amount as would be paid for  
296 the sale of paper instant lottery tickets.

297 (c) A machine that dispenses a paper lottery ticket with  
298 numbers selected by the player or randomly by the machine, but  
299 does not reveal the winning numbers. Such winning numbers are  
300 selected at a subsequent time and different location through a  
301 drawing conducted by the state lottery. The machine, or any



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302 machine or device linked to the machine, does not include or  
303 make use of video reels or mechanical reels or other video  
304 depictions of slot machine or casino game themes or titles for  
305 game play. The machine is not used to redeem a winning ticket.  
306 This does not preclude the use of casino game themes, titles for  
307 signage, or advertising displays on the machine.

308 (d) A point-of-sale system to sell tickets for draw lottery  
309 games at gasoline pumps at retail fuel stations, provided the  
310 system dispenses a paper lottery receipt after the purchaser  
311 uses a credit card or debit card to purchase the ticket;  
312 processes transactions through a platform that is certified or  
313 otherwise approved by the Florida Lottery; does not directly  
314 dispense money or permit payment of winnings at the point-of-  
315 sale terminal; and does not include or make use of video reels  
316 or mechanical reels or other slot machine or casino game themes  
317 or titles.

318 (21) "Monthly payment" means the monthly revenue share  
319 payment which the Tribe remits to the state on the 15th day of  
320 the month following each month of the revenue sharing cycle.

321 (22) "Net revenue base" means the net win for the 12 month  
322 period immediately preceding the offering of, for public or  
323 private use, Class III or other casino-style gaming at any of  
324 the licensed pari-mutuel facilities in Broward and Miami-Dade  
325 Counties, except that if the commencement of such new gaming is  
326 made during the initial payment period, "net revenue base" means  
327 net win for the 12-month period immediately preceding this  
328 compact.

329 (23) "Net win" means the total receipts from the play of  
330 all covered games less all prize payouts and free play or



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331 promotional credits issued by the Tribe.

332 (24) "Pari-mutuel wagering activities" means those  
333 activities authorized on January 1, 2018, by chapter 550, which  
334 do not include any casino-style game or device that include  
335 video reels or mechanical reels or other slot machine or casino  
336 game themes or titles.

337 (25) "Patron" means any person who is on the premises of a  
338 facility, or who enters the Tribe's Indian lands for the purpose  
339 of playing covered games authorized by this compact.

340 (26) "Regular payment period" means the period beginning on  
341 July 1, 2025, and terminating at the end of the term of this  
342 compact.

343 (27) "Revenue share payment" means the periodic payment by  
344 the Tribe to the state provided for in Part XI.

345 (28) "Revenue sharing cycle" means the annual 12-month  
346 period of the Tribe's operation of covered games in its  
347 facilities beginning on July 1 of each fiscal year, except for  
348 during the initial payment period, when the first revenue  
349 sharing cycle begins on July 1 of the previous year, and the  
350 Tribe receives a credit for any amount paid to the state under  
351 the 2010 Compact for that revenue sharing cycle.

352 (29) "Rules and regulations" means the rules and  
353 regulations promulgated by the commission for implementation of  
354 this compact.

355 (30) "State" means the State of Florida.

356 (31) "State compliance agency" means the state agency  
357 designated by the Florida Legislature that has the authority to  
358 carry out the state's oversight responsibilities under this  
359 compact.



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360           (32) "Tribe" means the Seminole Tribe of Florida or any  
361 affiliate thereof conducting activities pursuant to this compact  
362 under the authority of the Seminole Tribe of Florida.

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PART IV

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AUTHORIZATION AND LOCATION OF COVERED GAMES.—

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(1) The Tribe and state agree that the Tribe is authorized  
to operate covered games on its Indian lands, as defined in the  
Indian Gaming Regulatory Act, in accordance with the provisions  
of this compact. Nothing in the compact is intended to prohibit  
the Tribe from operating slot machines that employ video or  
mechanical displays of roulette, wheels, or other table game  
themes. Except for the provisions in subsection (1) of Part XI,  
nothing in this compact shall limit the Tribe's right to operate  
any Class II gaming under the Indian Gaming Regulatory Act.

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- (2) The Tribe is authorized to conduct covered games under  
this compact only at the following seven existing facilities,  
which may be expanded or replaced as provided in subsection (3)  
on Indian lands:
- (a) Seminole Indian Casino-Brighton in Okeechobee, FL.
- (b) Seminole Indian Casino-Coconut Creek in Coconut Creek,  
FL.
- (c) Seminole Indian Casino-Hollywood in Hollywood, FL.
- (d) Seminole Indian Casino-Immokalee in Immokalee, FL.
- (e) Seminole Indian Casino-Big Cypress in Clewiston, FL.
- (f) Seminole Hard Rock Hotel & Casino-Hollywood in  
Hollywood, FL.
- (g) Seminole Hard Rock Hotel & Casino-Tampa in Tampa, FL.





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418 shall be operated in strict compliance with tribal internal  
419 control standards that provide a level of control that equals or  
420 exceeds those set forth in the National Indian Gaming  
421 Commission's Minimum Internal Control Standards, 25 C.F.R. part  
422 542 (2015), even if the 2015 regulations are determined to be  
423 invalid or are subsequently withdrawn by the National Indian  
424 Gaming Commission. The Tribe may amend or supplement its  
425 internal control standards from time to time, provided that such  
426 changes continue to provide a level of control that equals or  
427 exceeds those set forth in 25 C.F.R. part 542 (2015).

428 (3) The Tribe and the commission shall retain all documents  
429 in compliance with the requirements set forth in the Tribe's  
430 Record Retention Policies and Procedures.

431 (4) The Tribe shall continue and maintain its program to  
432 combat problem gambling and curtail compulsive gambling and work  
433 with the Florida Council on Compulsive Gambling or other  
434 organizations dedicated to assisting problem gamblers. The Tribe  
435 shall continue to maintain the following safeguards against  
436 problem gambling:

437 (a) The Tribe shall provide to every new gaming employee a  
438 comprehensive training and education program designed in  
439 cooperation with the Florida Council on Compulsive Gambling or  
440 other organization dedicated to assisting problem gamblers.

441 (b) The Tribe shall make printed materials available to  
442 patrons, which include contact information for the Florida  
443 Council on Compulsive Gambling 24-hour helpline or other hotline  
444 dedicated to assisting problem gamblers, and will work with the  
445 Florida Council on Compulsive Gambling or other organization  
446 dedicated to assisting problem gamblers to provide contact





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447 information for the Florida Council on Compulsive Gambling or  
448 other organization dedicated to assisting problem gamblers, and  
449 to provide such information on the facility's website. The Tribe  
450 shall continue to display within the facilities all literature  
451 from the Florida Council on Compulsive Gambling or other  
452 organization dedicated to assisting problem gamblers.

453 (c)1. The commission shall establish a list of patrons  
454 voluntarily excluded from the Tribe's facilities, pursuant to  
455 subparagraph 3.

456 2. The Tribe shall employ its best efforts to exclude  
457 patrons on such list from entry into its facilities; provided  
458 that nothing in this compact shall create for patrons who are  
459 excluded but gain access to the facilities, or any other person,  
460 a cause of action or claim against the state, the Tribe or the  
461 commission, or any other person, entity, or agency for failing  
462 to enforce such exclusion.

463 3. Patrons who believe they may be compulsively playing  
464 covered games may request that their names be placed on the list  
465 of patrons voluntarily excluded from the Tribe's facilities.

466 (d) All covered game employees shall receive training on  
467 identifying compulsive gamblers and shall be instructed to ask  
468 such persons to leave. The facility shall make available signs  
469 bearing a toll-free help-line number and educational and  
470 informational materials at conspicuous locations and automated  
471 teller machines in each facility, which materials aim at the  
472 prevention of problem gaming and which specify where patrons may  
473 receive counseling or assistance for gambling problems. All  
474 covered games employees shall also be screened by the Tribe for  
475 compulsive gambling habits. Nothing in this subsection shall



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476 create for patrons, or any other person, a cause of action or  
477 claim against the state, the Tribe or the commission, or any  
478 other person, entity, or agency for failing to identify a patron  
479 or person who is a compulsive gambler or ask that person to  
480 leave.

481 (e) The Tribe shall follow the rules for exclusion of  
482 patrons set forth in the Seminole Tribal Gaming Code.

483 (f) The Tribe shall make diligent efforts to prevent  
484 underage individuals from loitering in the area of each facility  
485 where the covered games take place.

486 (g) The Tribe shall ensure that any advertising and  
487 marketing of covered games at the facilities contains a  
488 responsible gambling message and a toll-free help-line number  
489 for problem gamblers, where practical, and that such advertising  
490 and marketing make no false or misleading claims.

491 (5) The state may secure an annual independent audit of the  
492 conduct of covered games subject to this compact, as set forth  
493 in Part VIII.

494 (6) The facility shall visibly display summaries of the  
495 rules for playing covered games and promotional contests and  
496 shall make available complete sets of rules upon request. The  
497 Tribe shall provide copies of all such rules to the state  
498 compliance agency within 30 calendar days after issuance or  
499 amendment.

500 (7) The Tribe shall provide the commission and state  
501 compliance agency with a chart of the supervisory lines of  
502 authority with respect to those directly responsible for the  
503 conduct of covered games, and shall promptly notify those  
504 agencies of any material changes to the chart.



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505       (8) The Tribe shall continue to maintain proactive  
506 approaches to prevent improper alcohol sales, drunk driving,  
507 underage drinking, and underage gambling. These approaches shall  
508 involve intensive staff training, screening and certification,  
509 patron education, and the use of security personnel and  
510 surveillance equipment in order to enhance patrons' enjoyment of  
511 the facilities and provide for patron safety.

512       (a) Staff training includes specialized employee training  
513 in nonviolent crisis intervention, driver license verification,  
514 and detection of intoxication.

515       (b) Patron education shall be carried out through notices  
516 transmitted on valet parking stubs, posted signs in the  
517 facilities, and in brochures.

518       (c) Roving and fixed security officers, along with  
519 surveillance cameras, shall assist in the detection of  
520 intoxicated patrons, investigate problems, and engage with  
521 patrons to deescalate volatile situations.

522       (d) To help prevent alcohol-related crashes, the Tribe will  
523 continue to operate the "Safe Ride Home Program," a free taxi  
524 service.

525       (e) The Tribe shall maintain these programs and policies in  
526 its Alcohol Beverage Control Act for the duration of the compact  
527 but may replace such programs and policies with stricter or more  
528 extensive programs and policies. The Tribe shall provide the  
529 state with written notice of any changes to the Tribe's Alcohol  
530 Beverage Control Act, which notice shall include a copy of such  
531 changes and shall be sent on or before the effective date of the  
532 change. Nothing in this subsection shall create for patrons, or  
533 any other person, a cause of action or claim against the state,



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534 the Tribe or the commission, or any other person, entity, or  
535 agency for failing to fulfill the requirements of this  
536 subsection.

537 (9) A person under 21 years of age may not play covered  
538 games, unless otherwise permitted by state law.

539 (10) The Tribe may establish and operate facilities that  
540 operate covered games only on its Indian lands as defined by the  
541 Indian Gaming Regulatory Act and as specified in Part IV.

542 (11) The commission shall keep a record of, and shall  
543 report at least quarterly to the state compliance agency, the  
544 number of covered games in each facility, by the name or type of  
545 each game and its identifying number.

546 (12) The Tribe and the commission shall make available, to  
547 any member of the public upon request, within 10 business days,  
548 a copy of the National Indian Gaming Commission's Minimum  
549 Internal Control Standards, 25 C.F.R. part 542 (2015), the  
550 Seminole Tribal Gaming Code, this compact, the rules of each  
551 covered game operated by the Tribe, and the administrative  
552 procedures for addressing patron tort claims under Part VI.

553  
554 PART VI  
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556 PATRON DISPUTES, WORKERS' COMPENSATION, TORT CLAIMS; PRIZE  
557 CLAIMS; LIMITED CONSENT TO SUIT.-

558 (1) All patron disputes involving gaming shall be resolved  
559 in accordance with the procedures established in the Seminole  
560 Tribal Gaming Code.

561 (2) Tort claims by employees of the Tribe's facilities will  
562 be handled pursuant to the provisions of the Tribe's Workers'



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563 Compensation Ordinance, which shall provide workers the same or  
564 better protections as provided in state workers' compensation  
565 laws.

566 (3) Disputes involving employees of the Tribe's facilities  
567 will be handled pursuant to the provisions of the Tribe's policy  
568 for gaming employees, as set forth in the Employee Fair  
569 Treatment and Dispute Resolution Policy.

570 (4) A patron who claims to have been injured after the  
571 effective date of the compact at one of the Tribe's facilities  
572 in which covered games are played is required to provide written  
573 notice to the Tribe's Risk Management Department or the  
574 facility, in a reasonable and timely manner, but no longer than  
575 three years after the date of the incident giving rise to the  
576 claimed injury, or the claim shall be forever barred.

577 (5) The Tribe shall have 30 days to respond to a claim made  
578 by a patron. If the Tribe fails to respond within 30 days, the  
579 patron may file suit against the Tribe. When the Tribe responds  
580 to an incident alleged to have caused a patron's injury or  
581 illness, the Tribe shall provide a claim form to the patron. The  
582 form must include the address for the Tribe's Risk Management  
583 Department and provide notice of the Tribe's administrative  
584 procedures for addressing patron tort claims, including notice  
585 of the relevant deadlines that may bar such claims if the  
586 Tribe's administrative procedures are not followed. It is the  
587 patron's responsibility to complete the form and forward the  
588 form to the Tribe's Risk Management Department within a  
589 reasonable period of time, and in a reasonable and timely  
590 manner. Nothing herein shall interfere with any claim a patron  
591 might have arising under the Federal Tort Claim Act.



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592       (6) Upon receiving written notification of the claim, the  
593 Tribe's Risk Management Department shall forward the  
594 notification to the Tribe's insurance carrier. The Tribe shall  
595 use its best efforts to ensure that the insurance carrier  
596 contacts the patron within a reasonable period of time after  
597 receipt of the claim.

598       (7) The insurance carrier shall handle the claim to  
599 conclusion. If the patron, Tribe, and insurance carrier are not  
600 able to resolve the claim in good faith within one year after  
601 the patron provided written notice to the Tribe's Risk  
602 Management Department or the facility, the patron may bring a  
603 tort claim against the Tribe in any court of competent  
604 jurisdiction in the county in which the incident alleged to have  
605 caused injury occurred, as provided in this compact, and subject  
606 to a four-year statute of limitations, which shall begin to run  
607 from the date of the incident of the injury alleged in the  
608 claim. A patron's notice of injury to the Tribe pursuant to  
609 subsection (4) and the fulfillment of the good faith attempt at  
610 resolution pursuant to this part are conditions precedent to  
611 filing suit.

612       (8) For tort claims of patrons made pursuant to subsection  
613 (4), the Tribe agrees to waive its tribal sovereign immunity to  
614 the same extent as the state waives its sovereign immunity, as  
615 specified in s. 768.28(1) and (5), Florida Statutes, as such  
616 provision may be amended from time to time by the Legislature.  
617 In no event shall the Tribe be deemed to have waived its tribal  
618 immunity from suit beyond the limits set forth in s. 768.28(5),  
619 Florida Statutes. These limitations are intended to include  
620 liability for compensatory damages, costs, pre-judgment



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621 interest, and attorney fees if otherwise allowable under state  
622 law arising out of any claim brought or asserted against the  
623 Tribe, its subordinate governmental and economic units, any  
624 Tribal officials, employees, servants, or agents in their  
625 official capacities and any entity which is owned, directly or  
626 indirectly, by the Tribe. All patron tort claims brought  
627 pursuant to this provision shall be brought solely against the  
628 Tribe, as the sole party in interest.

629 (9) Notices explaining the procedures and time limitations  
630 with respect to making a tort claim shall be prominently  
631 displayed in the facilities, posted on the Tribe's website, and  
632 provided to any patron for whom the Tribe has notice of the  
633 injury or property damage giving rise to the tort claim. Such  
634 notices shall explain:

635 (a) The method and places for making a tort claim,  
636 including where the patron must submit the claim.

637 (b) That the process is the exclusive method for asserting  
638 a tort claim arising under this section against the Tribe.

639 (c) That the Tribe and its insurance carrier have one year  
640 from the date the patron gives notice of the claim to resolve  
641 the matter, and that after that time, the patron may file suit  
642 in a court of competent jurisdiction.

643 (d) That the exhaustion of the process is a prerequisite to  
644 filing a claim in state court.

645 (e) That claims that fail to follow this process shall be  
646 forever barred.

647 (10) The Tribe shall maintain an insurance policy that  
648 shall:

649 (a) Prohibit the insurer or the Tribe from invoking tribal



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650 sovereign immunity for claims up to the limits to which the  
651 state has waived sovereign immunity as set forth in s.  
652 768.28(5), Florida Statutes, or its successor statute.

653 (b) Include covered claims made by a patron or invitee for  
654 personal injury or property damage.

655 (c) Permit the insurer or the Tribe to assert any statutory  
656 or common law defense other than sovereign immunity.

657 (d) Provide that any award or judgment rendered in favor of  
658 a patron or invitee shall be satisfied solely from insurance  
659 proceeds.

660 (11) The Tribal Council of the Seminole Tribe of Florida  
661 may, in its discretion, consider claims for compensation in  
662 excess of the limits of the Tribe's waiver of its sovereign  
663 immunity.

664  
665 PART VII  
666

667 ENFORCEMENT OF COMPACT PROVISIONS.—

668 (1) The Tribe, the commission, and the state compliance  
669 agency, to the extent authorized by this compact, shall be  
670 responsible for regulating activities pursuant to this compact.  
671 As part of its responsibilities, the Tribe shall adopt or issue  
672 standards designed to ensure that the facilities are  
673 constructed, operated, and maintained in a manner that  
674 adequately protects the environment and public health and  
675 safety. Additionally, the Tribe and the commission shall ensure  
676 that:

677 (a) Operation of the conduct of covered games is in strict  
678 compliance with:





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- 679           1. The Seminole Tribal Gaming Code.
- 680           2. All rules, regulations, procedures, specifications, and  
681 standards lawfully adopted by the National Indian Gaming  
682 Commission and the commission.
- 683           3. The provisions of this compact, including, but not  
684 limited to, the Tribe's standards and rules.
- 685           (b) Reasonable measures are taken to:
- 686           1. Ensure the physical safety of facility patrons,  
687 employees, and any other person while in the facility.
- 688           2. Prevent illegal activity at the facilities or with  
689 regard to the operation of covered games, including, but not  
690 limited to, the maintenance of employee procedures and a  
691 surveillance system.
- 692           3. Ensure prompt notification is given, in accordance with  
693 applicable law, to appropriate law enforcement authorities of  
694 persons who may be involved in illegal acts.
- 695           4. Ensure that the construction and maintenance of the  
696 facilities complies with the standards of the Florida Building  
697 Code, the provisions of which the Tribe has adopted as the  
698 Seminole Tribal Building Code.
- 699           5. Ensure adequate emergency access plans have been  
700 prepared to ensure the health and safety of all covered game  
701 patrons.
- 702           (2) All licenses for members and employees of the  
703 commission shall be issued according to the same standards and  
704 terms applicable to facility employees. The commission's  
705 officers shall be independent of the Tribal gaming operations,  
706 and shall be supervised by and accountable only to the  
707 commission. A commission officer shall be available to the



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708 facility during all hours of operation upon reasonable notice,  
709 and shall have immediate access to any and all areas of the  
710 facility for the purpose of ensuring compliance with the  
711 provisions of this compact. The commission shall investigate any  
712 suspected or reported violation of this part and shall  
713 officially enter into its files timely written reports of  
714 investigations and any action taken thereon, and shall forward  
715 copies of such investigative reports to the state compliance  
716 agency within 30 calendar days after such filing. The scope of  
717 such reporting shall be determined by the commission and the  
718 state compliance agency as soon as practicable after the  
719 effective date of this compact. Any such violations shall be  
720 reported immediately to the commission, and the commission shall  
721 immediately forward such reports to the state compliance agency.  
722 In addition, the commission shall promptly report to the state  
723 compliance agency any such violations which it independently  
724 discovers.

725 (3) In order to develop and foster a positive and effective  
726 relationship in the enforcement of the provisions of this  
727 compact, representatives of the commission and the state  
728 compliance agency shall meet at least annually to review past  
729 practices and examine methods to improve the regulatory scheme  
730 created by this compact. The meetings shall take place at a  
731 location mutually agreed upon by the commission and the state  
732 compliance agency. The state compliance agency, before or during  
733 such meetings, shall disclose to the commission any concerns,  
734 suspected activities, or pending matters reasonably believed to  
735 constitute violations of the compact by any person,  
736 organization, or entity, if such disclosure will not compromise



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737 the interest sought to be protected.

738

739 PART VIII

740

741 STATE MONITORING OF COMPACT.—

742 (1) It is the express intent of the Tribe and the state for  
743 the Tribe to regulate its own gaming activities.

744 Notwithstanding, the state shall conduct random inspections as  
745 provided for in this part to ensure that the Tribe is operating  
746 in accordance with the terms of the compact. The state may  
747 secure an annual independent audit of the conduct of covered  
748 games subject to this compact and the Tribe shall cooperate with  
749 such audit. The audit shall:

750 (a) Examine the covered games operated by the Tribe to  
751 ensure compliance with the Tribe's Internal Control Policies and  
752 Procedures and any other standards, policies, or procedures  
753 adopted by the Tribe, the commission, or the National Indian  
754 Gaming Commission which govern the play of covered games.

755 (b) Examine revenues in connection with the conduct of  
756 covered games and include only those matters necessary to verify  
757 the determination of net win and the basis and amount of the  
758 payments the Tribe is required to make to the state pursuant to  
759 Part XI and as defined by this compact.

760 (2) A copy of the audit report for the conduct of covered  
761 games shall be submitted to the commission and the state  
762 compliance agency within 30 calendar days after completion.  
763 Representatives of the state compliance agency may, upon  
764 request, meet with the Tribe and its auditors to discuss the  
765 audit or any matters in connection therewith; provided that such



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766 discussions are limited to covered games information. The annual  
767 independent audit shall be performed by an independent firm  
768 selected by the state which has experience in auditing casino  
769 operations, subject to the consent of the Tribe, which shall not  
770 be unreasonably withheld. The Tribe shall pay for the cost of  
771 the annual independent audit.

772 (3) As provided herein, the state compliance agency may  
773 monitor the conduct of covered games to ensure that the covered  
774 games are conducted in compliance with the provisions of this  
775 compact. In order to properly monitor the conduct of covered  
776 games, agents of the state compliance agency shall have  
777 reasonable access, without prior notice, to all public areas of  
778 the facilities related to the conduct of covered games.

779 (a) The state compliance agency may review whether the  
780 Tribe's facilities are in compliance with the provisions of this  
781 compact and the Tribe's rules and regulations applicable to  
782 covered games and may advise on such issues as it deems  
783 appropriate. In the event of a dispute or disagreement between  
784 Tribal and state compliance agency regulators, the dispute or  
785 disagreement shall be resolved in accordance with the dispute  
786 resolution provisions of Part XIII.

787 (b) In order to fulfill its oversight responsibilities, the  
788 state compliance agency may perform on a routine basis specific  
789 oversight testing procedures as set forth in paragraph (c).

790 (c)1. The state compliance agency may inspect any covered  
791 games in operation at the facilities on a random basis, provided  
792 that such inspections may not exceed one inspection per facility  
793 per calendar month and the inspection may not exceed 16 hours  
794 spread over those two consecutive days, unless the state



795 compliance agency determines that additional inspection hours  
796 are needed to address the issues of substantial noncompliance,  
797 provided that the state compliance agency provides the Tribe  
798 with written notification of the need for additional inspection  
799 hours and a written summary of the substantial noncompliance  
800 issues that need to be addressed during the additional  
801 inspection hours. The total number of hours of random  
802 inspections and audit reviews per year may not exceed 1,600  
803 hours. Inspection hours shall be calculated on the basis of the  
804 actual amount of time spent by the state compliance agency  
805 conducting the inspections at a facility, without accounting for  
806 a multiple for the number of state compliance agency inspectors  
807 or agents engaged in the inspection activities. The purpose of  
808 the random inspections is to confirm that the covered games  
809 function properly pursuant to the manufacturer's technical  
810 standards and are conducted in compliance with the Tribe's  
811 Internal Control Policies and Procedures and any other  
812 standards, policies, or procedures adopted by the Tribe, the  
813 commission, or the National Indian Gaming Commission which  
814 govern the play of covered games. The state compliance agency  
815 shall provide notice to the commission of such inspection at or  
816 before the commencement of a random inspection and a commission  
817 agent may accompany the inspection.

818 2. For each facility, the state compliance agency may  
819 perform one annual review of the Tribe's slot machine compliance  
820 audit.

821 3. At least annually, the state compliance agency may meet  
822 with the Tribe's Internal Audit Department for Gaming to review  
823 internal controls and the record of violations for each



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824 facility.

825 (d) The state compliance agency shall cooperate with and  
826 obtain the assistance of the commission in the resolution of any  
827 conflicts in the management of the facilities, and the state and  
828 the Tribe shall make their best efforts to resolve disputes  
829 through negotiation whenever possible. Therefore, to foster a  
830 spirit of cooperation and efficiency, the state compliance  
831 agency and Tribe shall resolve disputes between the state  
832 compliance agency staff and commission regulators about the day-  
833 to-day regulation of the facilities through meeting and  
834 conferring in good faith. Notwithstanding, the parties may seek  
835 other relief that may be available when circumstances require  
836 such relief. In the event of a dispute or disagreement between  
837 tribal and state compliance agency regulators, the dispute or  
838 disagreement shall be resolved in accordance with the dispute  
839 resolution provisions of Part XIII.

840 (e) The state compliance agency shall have access to each  
841 facility during the facility's operating hours only. No advance  
842 notice is required when the state compliance agency inspection  
843 is limited to public areas of the facility; however,  
844 representatives of the state compliance agency shall provide  
845 notice and photographic identification to the commission of  
846 their presence before beginning any such inspections.

847 (f) The state compliance agency agents, to ensure that a  
848 commission officer is available to accompany the state  
849 compliance agency agents at all times, shall provide one hour  
850 notice and photographic identification to the commission before  
851 entering any nonpublic area of a facility. Agents of the state  
852 compliance agency shall be accompanied in nonpublic areas of the



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853 facility by a commission officer.

854 (g) Any suspected or claimed violations of this compact or  
855 law shall be directed in writing to the commission. The state  
856 compliance agency, in conducting the functions assigned them  
857 under this compact, shall not unreasonably interfere with the  
858 functioning of any facility.

859 (4) Subject to the provisions herein, the state compliance  
860 agency may review and request copies of documents of the  
861 facility related to its conduct of covered games during normal  
862 business hours unless otherwise allowed by the Tribe. The Tribe  
863 may not refuse said inspection and copying of such documents,  
864 provided that the inspectors do not require copies of documents  
865 in such volume that it unreasonably interferes with the normal  
866 functioning of the facilities or covered games. To the extent  
867 that the Tribe provides the state with information that the  
868 Tribe claims to be confidential and proprietary, or a trade  
869 secret, the Tribe shall clearly mark such information with the  
870 following designation: "Trade Secret, Confidential, and  
871 Proprietary." If the state receives a request under chapter 119  
872 that would include such designated information, the state shall  
873 promptly notify the Tribe of such a request and the Tribe shall  
874 promptly notify the state about its intent to seek judicial  
875 protection from disclosure. Upon such notice from the Tribe, the  
876 state may not release the requested information until a judicial  
877 determination is made. This designation and notification  
878 procedure does not excuse the state from complying with the  
879 requirements of the state's public records law, but is intended  
880 to provide the Tribe the opportunity to seek whatever judicial  
881 remedy it deems appropriate. Notwithstanding the foregoing



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882 procedure, the state compliance agency may provide copies of  
883 tribal documents to federal law enforcement and other state  
884 agencies or state consultants that the state deems reasonably  
885 necessary in order to conduct or complete any investigation of  
886 suspected criminal activity in connection with the Tribe's  
887 covered games or the operation of the facilities or in order to  
888 assure the Tribe's compliance with this compact.

889 (5) At the completion of any state compliance agency  
890 inspection or investigation, the state compliance agency shall  
891 forward any written report thereof to the commission, containing  
892 all pertinent, nonconfidential, nonproprietary information  
893 regarding any violation of applicable laws or this compact which  
894 was discovered during the inspection or investigation unless  
895 disclosure thereof would adversely impact an investigation of  
896 suspected criminal activity. Nothing herein prevents the state  
897 compliance agency from contacting tribal or federal law  
898 enforcement authorities for suspected criminal wrongdoing  
899 involving the commission.

900 (6) Except as expressly provided in this compact, nothing  
901 in this compact shall be deemed to authorize the state to  
902 regulate the Tribe's government, including the commission, or to  
903 interfere in any way with the Tribe's selection of its  
904 governmental officers, including members of the commission.

905  
906 PART IX  
907

908 JURISDICTION.—The obligations and rights of the state and  
909 the Tribe under this compact are contractual in nature and are  
910 to be construed in accordance with the laws of the state. This





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911 compact does not alter tribal, federal, or state civil  
912 adjudicatory or criminal jurisdiction in any way.

913

914 PART X

915

916 LICENSING.—The Tribe and the commission shall comply with  
917 the licensing and hearing requirements set forth in 25 C.F.R.  
918 parts 556 and 558, as well as the applicable licensing and  
919 hearing requirements set forth in Articles IV, V, and VI of the  
920 Seminole Tribal Gaming Code. The commission shall notify the  
921 state compliance agency of any disciplinary hearings or  
922 revocation or suspension of licenses.

923

924 PART XI

925

926 PAYMENTS TO THE STATE OF FLORIDA.—

927 (1) The parties acknowledge and recognize that this compact  
928 provides the Tribe with partial but substantial exclusivity and  
929 other valuable consideration consistent with the goals of the  
930 Indian Gaming Regulatory Act, including special opportunities  
931 for tribal economic development through gaming within the  
932 external boundaries of the state with respect to the play of  
933 covered games. In consideration thereof, the Tribe covenants and  
934 agrees, subject to the conditions agreed upon in Part XII, to  
935 make payments to the state derived from net win as set forth in  
936 subsections (2) and (7). The Tribe further agrees that it will  
937 not purchase or lease any new Class II video bingo terminals or  
938 their equivalents for use at its facilities after the effective  
939 date of this compact.



940           (2) The Tribe shall make periodic revenue share payments to  
941 the state derived from net win as set forth in this subsection,  
942 and any such payments shall be made to the state via electronic  
943 funds transfer. Of the amounts paid by the Tribe to the state,  
944 three percent shall be distributed to local governments,  
945 including both counties and municipalities, in the state  
946 affected by the Tribe's operation of covered games. Revenue  
947 share payments by the Tribe to the state shall be calculated as  
948 follows:

949           (a) During the initial payment period, the Tribe agrees to  
950 pay the state a revenue share payment in accordance with this  
951 subparagraph.

952           1. 13 percent of all amounts up to \$2 billion of net win  
953 received by the Tribe from the operation and play of covered  
954 games during each revenue sharing cycle;

955           2. 17.5 percent of all amounts greater than \$2 billion up  
956 to and including \$3.5 billion of net win received by the Tribe  
957 from the operation and play of covered games during each revenue  
958 sharing cycle;

959           3. 20 percent of all amounts greater than \$3.5 billion up  
960 to and including \$4 billion of net win received by the Tribe  
961 from the operation and play of covered games during each revenue  
962 sharing cycle;

963           4. 22.5 percent of all amounts greater than \$4 billion up  
964 to and including \$4.5 billion of net win received by the Tribe  
965 from the operation and play of covered games during each revenue  
966 sharing cycle; or

967           5. 25 percent of all amounts greater than \$4.5 billion of  
968 net win received by the Tribe from the operation and play of



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969 covered games during each revenue sharing cycle.

970 (b) During the guarantee payment period, the Tribe agrees  
971 to make fixed payments in accordance with this paragraph. In  
972 addition, within 90 days after the end of the guarantee payment  
973 period, the Tribe shall make an additional payment to the state  
974 equal to the amount above \$3 billion, if any, that would have  
975 been owed by the Tribe to the state had the percentages set  
976 forth in paragraph (c) been applicable during the guarantee  
977 payment period.

978 1. A payment of \$325 million during the first revenue  
979 sharing cycle;

980 2. A payment of \$350 million during the second revenue  
981 sharing cycle;

982 3. A payment of \$375 million during the third revenue  
983 sharing cycle;

984 4. A payment of \$425 million during the fourth revenue  
985 sharing cycle;

986 5. A payment of \$475 million during the fifth revenue  
987 sharing cycle;

988 6. A payment of \$500 million during the sixth revenue  
989 sharing cycle; and

990 7. A payment of \$550 million during the seventh revenue  
991 sharing cycle.

992 (c) During the regular payment period, the Tribe agrees to  
993 pay a revenue share payment, for each revenue sharing cycle, to  
994 the state equal to the amount calculated in accordance with this  
995 paragraph.

996 1. 13 percent of all amounts up to \$2 billion of net win  
997 received by the Tribe from the operation and play of covered



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998 games during each revenue sharing cycle;  
999 2. 17.5 percent of all amounts greater than \$2 billion up  
1000 to and including \$3.5 billion of net win received by the Tribe  
1001 from the operation and play of covered games during each revenue  
1002 sharing cycle;  
1003 3. 20 percent of all amounts greater than \$3.5 billion up  
1004 to and including \$4 billion of net win received by the Tribe  
1005 from the operation and play of covered games during each revenue  
1006 sharing cycle;  
1007 4. 22.5 percent of all amounts greater than \$4 billion up  
1008 to and including \$4.5 billion of net win received by the Tribe  
1009 from the operation and play of covered games during each revenue  
1010 sharing cycle; or  
1011 5. 25 percent of all amounts greater than \$4.5 billion of  
1012 net win received by the Tribe from the operation and play of  
1013 covered games during each revenue sharing cycle.  
1014 (3) The Tribe shall remit monthly payments as follows:  
1015 (a) On or before the 15th day of the month following each  
1016 month of the revenue sharing cycle, the Tribe will remit to the  
1017 state or its assignee the monthly payment. For purposes of this  
1018 section, the monthly payment shall be 8.3333 percent of the  
1019 estimated revenue share payment to be paid by the Tribe during  
1020 such revenue sharing cycle.  
1021 (b) The Tribe shall make available to the state at the time  
1022 of the monthly payment the basis for the calculation of the  
1023 payment.  
1024 (c) The Tribe shall, on a monthly basis, reconcile the  
1025 calculation of the estimated revenue share payment based on the  
1026 Tribe's unaudited financial statements related to covered games.



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1027       (4) The Tribe shall have an audit conducted as follows:  
1028       (a) On or before the 45th day after the third month, sixth  
1029 month, ninth month, and twelfth month of each revenue sharing  
1030 cycle, provided that the 12-month period does not coincide with  
1031 the Tribe's fiscal year end date as indicated in paragraph (c),  
1032 the Tribe shall provide the state with an audit report by its  
1033 independent auditors as to the annual revenue share calculation.  
1034       (b) For each quarter within revenue sharing cycle, the  
1035 Tribe shall engage its independent auditors to conduct a review  
1036 of the unaudited net revenue from covered games. On or before  
1037 the 120th day after the end of the Tribe's fiscal year, the  
1038 Tribe shall require its independent auditors to provide an audit  
1039 report with respect to net win for covered games and the related  
1040 payment of the annual revenue share.  
1041       (c) If the twelfth month of the revenue sharing cycle does  
1042 not coincide with the Tribe's fiscal year, the Tribe shall  
1043 deduct net win from covered games for any of the months outside  
1044 of the revenue sharing cycle and include net win from covered  
1045 games for those months outside of the Tribe's audit period but  
1046 within the revenue sharing cycle, before issuing the audit  
1047 report.  
1048       (d) No later than 30 calendar days after the day the audit  
1049 report is issued, the Tribe shall remit to the state any  
1050 underpayment of the annual revenue share, and the state shall  
1051 either reimburse to the Tribe any overpayment of the annual  
1052 revenue share or authorize the overpayment to be deducted from  
1053 the next successive monthly payment or payments.  
1054       (5) If, after any change in state law to affirmatively  
1055 allow internet or online gaming, or any functionally equivalent



1056 remote gaming system that permits a person to play from home or  
1057 any other location that is remote from a casino or other  
1058 commercial gaming facility, but excluding any fantasy contest  
1059 conducted pursuant to s. 546.13, the Tribe's net win from the  
1060 operation of covered games at all of its facilities combined  
1061 drops more than five percent below its net win from the previous  
1062 12-month period, the Tribe shall no longer be required to make  
1063 payments to the state based on the guaranteed minimum compact  
1064 term payment and shall not be required to make the guaranteed  
1065 minimum compact term payment. However, the Tribe shall continue  
1066 to make payments based on the percentage revenue share amount.  
1067 The Tribe shall resume making the guaranteed minimum compact  
1068 term payment for any subsequent revenue sharing cycle in which  
1069 its net win rises above the level described in this subsection.  
1070 This subsection does not apply if:

1071 (a) The decline in net win is due to acts of God, war,  
1072 terrorism, fires, floods, or accidents causing damage to or  
1073 destruction of one or more of its facilities or property  
1074 necessary to operate the facility of facilities; or

1075 (b) The Tribe offers internet or online gaming or any  
1076 functionally equivalent remote gaming system that permits a  
1077 person to game from home or any other location that is remote  
1078 from any of the Tribe's facilities, as authorized by law.

1079 (6) The annual oversight assessment, which shall not exceed  
1080 \$250,000 per year, indexed for inflation as determined by the  
1081 Consumer Price Index, shall be determined and paid in quarterly  
1082 installments within 30 calendar days after receipt by the Tribe  
1083 of an invoice from the state compliance agency. The Tribe  
1084 reserves the right to audit the invoices on an annual basis, a



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1085 copy of which will be provided to the state compliance agency,  
1086 and any discrepancies found therein shall be reconciled within  
1087 45 calendar days after receipt of the audit by the state  
1088 compliance agency.

1089 (7) The Tribe shall make an annual donation to the Florida  
1090 Council on Compulsive Gaming as an assignee of the state in an  
1091 amount not less than \$250,000 per facility.

1092 (8) Except as expressly provided in this part, nothing in  
1093 this compact shall be deemed to require the Tribe to make  
1094 payments of any kind to the state or any of its agencies.

1095  
1096 PART XII  
1097

1098 REDUCTION OF TRIBAL PAYMENTS BECAUSE OF LOSS OF EXCLUSIVITY  
1099 OR OTHER CHANGES IN STATE LAW.—The intent of this compact is to  
1100 provide the Tribe with the right to operate covered games on an  
1101 exclusive basis throughout the state, subject to the exceptions  
1102 and provisions in this part.

1103 (1) For purposes of this part, the terms "Class III gaming"  
1104 or "other casino-style gaming" include, but are not limited to,  
1105 slot machines, electronically assisted bingo, electronically  
1106 assisted pull-tab games, noncard table games, video lottery  
1107 terminals, or any similar games, whether or not such games are  
1108 determined through the use of a random number generator. For the  
1109 purposes of this part, the terms "Class III gaming" and "other  
1110 casino-style gaming" do not include fantasy contests conducted  
1111 pursuant to s. 546.13 or designated player games of poker  
1112 authorized pursuant to s. 849.086, as those statutes are in  
1113 effect on January 1, 2019.



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1114           (a) If, after January 1, 2019, state law is amended,  
1115 implemented, or interpreted to allow the operation of Class III  
1116 gaming or other casino-style gaming at any location under the  
1117 jurisdiction of the state that was not in operation as of  
1118 January 1, 2019, or a new form of Class III gaming or other  
1119 casino-style gaming that was not in operation as of January 1,  
1120 2019, and such gaming is offered to the public as a result of  
1121 the amendment, implementation, or interpretation, the Tribe, no  
1122 fewer than 30 days after the commencement of such new gaming or  
1123 90 days after the state's receipt of written notice from the  
1124 Tribe pursuant to paragraph (b), whichever occurs later, may  
1125 elect to begin making the affected portion of its payments due  
1126 to the state pursuant to subsections (2) and (7) of Part XI,  
1127 into an escrow account.

1128           (b) In order to exercise the provisions of paragraph (a),  
1129 the Tribe must first notify the state, within 90 days after such  
1130 amendment, implementation, or interpretation of state law, of  
1131 the Tribe's objections to such action or interpretation and  
1132 further specify the basis for the Tribe's contention that such  
1133 action or interpretation infringes upon the substantial  
1134 exclusivity afforded under this compact. As part of its written  
1135 notice, the Tribe must also indicate, if applicable, its  
1136 intention to begin making the affected portion of its payments  
1137 due to the state into an escrow account.

1138           (c) Upon receipt of written notice from the Tribe, the  
1139 state may elect to:

1140           1. Invoke the dispute resolution provisions of Part XIII to  
1141 determine whether the Tribe's contention is well-founded. In  
1142 such proceeding, the Tribe carries the burden of proof and





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1143 persuasion. The pendency of such proceeding tolls the time  
1144 periods set forth in paragraph (1)(a) of Part XII for the  
1145 duration of the dispute or litigation; or

1146 2. Seek through enforcement action, legislation, or other  
1147 means to stop the conduct of such new games.

1148 (d)1. If, within 15 months following the state's receipt of  
1149 written notice from the Tribe, the Tribe's contention is deemed  
1150 not to be well-founded at the conclusion of dispute resolution  
1151 or new gaming is made illegal and is halted, then all funds  
1152 being held in the escrow account shall be released to the state  
1153 and all further payments due to the state pursuant to  
1154 subsections (2) and (7) of Part XI shall promptly resume.

1155 2. If, after 15 months following the state's receipt of  
1156 written notice from the Tribe, the Tribe's contention is deemed  
1157 to be well-founded at the conclusion of dispute resolution and  
1158 such gaming is not made illegal and halted, then all funds being  
1159 held in escrow shall be returned to the Tribe and all further  
1160 payments due to the state pursuant to subsections (2) and (7) of  
1161 Part XI shall cease or be reduced as provided in subsection (2)  
1162 until such gaming is no longer operated, in which event the  
1163 payments shall promptly resume.

1164 (2) The following are exceptions to the exclusivity  
1165 provisions of subsection (1):

1166 (a) Any Class III gaming authorized by a compact between  
1167 the state and any other federally recognized tribe pursuant to  
1168 Indian Gaming Regulatory Act, provided that the tribe has land  
1169 in federal trust in the state as of January 1, 2018.

1170 (b) The operation of slot machines, which does not include  
1171 any game played with tangible playing cards, at:



1172 1. Each of the four currently operating licensed pari-  
1173 mutuel facilities in Broward County and the four currently  
1174 operating licensed pari-mutuel facilities in Miami-Dade County,  
1175 whether or not currently operating slot machines, provided that  
1176 such licenses are not transferred or otherwise used to move or  
1177 operate such slot machines at any other location; or

1178 2. Licensed pari-mutuel facilities in counties, other than  
1179 Broward County or Miami-Dade County, which have been authorized  
1180 by referendum in each of those counties after January 1, 2012,  
1181 and on or before September 1, 2018, pursuant to state law as of  
1182 January 1, 2019.

1183 (c)1. If state law is amended to allow for the play of any  
1184 additional type of Class III or other casino-style gaming at any  
1185 of the presently operating licensed pari-mutuel facilities in  
1186 Broward and Miami-Dade Counties, the Tribe may be entitled to a  
1187 reduction in the revenue sharing payment as described in  
1188 subparagraph 2.

1189 2. If the Tribe's annual net win from its facilities  
1190 located in Broward County for the 12 month period after the  
1191 gaming specified in subparagraph 1. begins to be offered for  
1192 public or private use is less than the net revenue base, the  
1193 revenue share payments due to the state, pursuant to paragraph  
1194 (2) (b) of Part XI, for the next revenue sharing cycle and future  
1195 revenue sharing cycles shall be calculated by reducing the  
1196 Tribe's payment on revenue generated from its facilities in  
1197 Broward County by 50 percent of that reduction in annual net win  
1198 from its facilities in Broward County. This paragraph does not  
1199 apply if the decline in net win is due to acts of God, war,  
1200 terrorism, fires, floods, or accidents causing damage to or



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1201 destruction of one or more of its facilities or property  
1202 necessary to operate the facility or facilities.

1203 3. If the Tribe's annual net win from its facilities  
1204 located in Broward County subsequently equals or exceeds the net  
1205 revenue base, then the Tribe's payments due to the state  
1206 pursuant to paragraph (2) (b) of Part XI shall again be  
1207 calculated without any reduction, but may be reduced again under  
1208 the provisions set forth in subparagraph 2.

1209 (d) If state law is amended to allow the play of Class III  
1210 gaming or other casino-style gaming, as defined in this part, at  
1211 any location in Miami-Dade County or Broward County under the  
1212 jurisdiction of the state that is not presently licensed for the  
1213 play of such games at such locations, other than those  
1214 facilities set forth in paragraph (c) and this paragraph, and  
1215 such games were not in play as of January 1, 2018, and such  
1216 gaming begins to be offered for public or private use, the  
1217 payments due the state pursuant to subparagraph (c)2., shall be  
1218 calculated by excluding the net win from the Tribe's facilities  
1219 in Broward County.

1220 (e) The operation of a combined total of not more than 350  
1221 historic racing machines, connected to a central server at that  
1222 facility, and electronic bingo machines at each pari-mutuel  
1223 facility licensed as of January 1, 2018, and not located in  
1224 either Broward County or Miami-Dade County.

1225 (f) The operation of pari-mutuel wagering activities at  
1226 pari-mutuel facilities licensed by the state.

1227 (g) The operation by the Department of the Lottery of those  
1228 types of lottery games authorized under chapter 24 as of January  
1229 1, 2018, but not including any player-activated or operated



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1230 machine or device other than a lottery vending machine or any  
1231 banked or banking card or table game. However, not more than ten  
1232 lottery vending machines may be installed at any facility or  
1233 location and no lottery vending machine that dispenses  
1234 electronic instant tickets may be installed at any licensed  
1235 pari-mutuel facility.

1236 (h) The operation of games of poker, including designated  
1237 player games of poker, as authorized by chapter 849 as of  
1238 January 1, 2019.

1239 (i) The operation of games permitted by chapters 546 and  
1240 849, Florida Statutes, as of January 1, 2019.

1241 (j) The following events shall not trigger any remedy under  
1242 this compact and do not affect the exclusivity provisions of  
1243 this compact:

1244 1. Any change to the tax rate paid to the state by the  
1245 licensed pari-mutuel permitholders for the operation of slot  
1246 machines, provided the effective tax rate is not less than 25  
1247 percent. If the effective tax rate is less than 25 percent, then  
1248 the Tribe shall be relieved of its obligations to make the  
1249 guaranteed minimum compact term payment and any further  
1250 guaranteed revenue sharing cycle payment, but instead shall make  
1251 payments to the state for all future revenue sharing cycles  
1252 based on the percentage payments set forth in paragraph (2)(c)  
1253 of Part XI, but shall be permitted to exclude all revenue  
1254 generated by slot machines at its facilities in Broward County;  
1255 and

1256 2. Any change in state law that removes the requirement for  
1257 pari-mutuel permitholders to conduct performances of live races  
1258 or games in order to operate other authorized gaming activities.





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1288 any factual basis for the claim. Representatives of the Tribe  
1289 and state shall meet within 30 calendar days after receipt of  
1290 notice in an effort to resolve the dispute, unless they mutually  
1291 agree to extend this period.

1292 (2) A party asserting noncompliance or seeking an  
1293 interpretation of this compact under this part shall be deemed  
1294 to have certified that to the best of the party's knowledge,  
1295 information, and belief formed after reasonable inquiry, the  
1296 claim of noncompliance or the request for interpretation of this  
1297 compact is warranted and made in good faith and not for any  
1298 improper purpose, such as to harass or to cause unnecessary  
1299 delay or the needless incurring of the cost of resolving the  
1300 dispute.

1301 (3) If the parties are unable to resolve a dispute through  
1302 the process specified in subsections (1) and (2), either party  
1303 may call for mediation under the Commercial Mediation Procedures  
1304 of the American Arbitration Association or any successor  
1305 procedures, provided that such mediation does not last more than  
1306 60 calendar days, unless an extension to this time limit is  
1307 negotiated by the parties. Only matters arising under the terms  
1308 of this compact may be available for resolution through  
1309 mediation. If the parties are unable to resolve a dispute  
1310 through the process specified in this part, notwithstanding any  
1311 other provision of law, either party may bring an action in a  
1312 United States District Court having venue regarding a dispute  
1313 arising under this compact. If the court declines to exercise  
1314 jurisdiction, or federal precedent exists that holds that the  
1315 court would not have jurisdiction over such a dispute, either  
1316 party may bring the action in the appropriate court of the



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1317 Seventeenth Judicial Circuit in Broward County, Florida. The  
1318 parties are entitled to all rights of appeal permitted by law in  
1319 the court system in which the action is brought.

1320 (4) For purposes of actions based on disputes between the  
1321 state and the Tribe that arise under this compact and the  
1322 enforcement of any judgment resulting from such action, the  
1323 Tribe and the state each expressly waive the right to assert  
1324 sovereign immunity from suit and from enforcement of any ensuing  
1325 judgment, and further consent to be sued in federal or state  
1326 court, including the right of appeal specified above, as the  
1327 case may be, provided that:

1328 (a) The dispute is limited solely to issues arising under  
1329 this compact.

1330 (b) There is no claim for monetary damages, except that  
1331 payment of any money required by the terms of this compact, as  
1332 well as injunctive relief or specific performance enforcing a  
1333 provision of this compact requiring the payment of money to the  
1334 state may be sought.

1335 (c) Nothing herein shall be construed to constitute a  
1336 waiver of the sovereign immunity of the Tribe with respect to  
1337 any third party that is made a party or intervenes as a party to  
1338 the action. In the event that intervention, joinder, or other  
1339 participation by any additional party in any action between the  
1340 state and the Tribe would result in the waiver of the Tribe's  
1341 sovereign immunity as to that additional party, the waiver of  
1342 the Tribe may be revoked.

1343 (5) The state may not be precluded from pursuing any  
1344 mediation or judicial remedy against the Tribe on the grounds  
1345 that the state has failed to exhaust its Tribal administrative



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1346 remedies.

1347 (6) Notwithstanding any other provision of this part, any  
1348 failure of the Tribe to remit the payments pursuant to the terms  
1349 of Part XI entitles the state to seek injunctive relief in  
1350 federal or state court, at the state's election, to compel the  
1351 payments after the dispute resolution process in subsections (1)  
1352 and (2) is exhausted.

1353

1354 PART XIV

1355

1356 CONSTRUCTION OF COMPACT; SEVERANCE; FEDERAL APPROVAL.—

1357 (1) Each provision of this compact shall stand separate and  
1358 independent of every other provision. In the event that a  
1359 federal district court in Florida or other court of competent  
1360 jurisdiction shall find any provision of this compact to be  
1361 invalid, the remaining provisions shall remain in full force and  
1362 effect, provided that severing the invalidated provision does  
1363 not undermine the overall intent of the parties in entering into  
1364 this compact. However, if subsection (6) of Part III, Part XI,  
1365 or Part XII are held by a court of competent jurisdiction to be  
1366 invalid, this compact will become null and void.

1367 (2) It is understood that Part XII, which provides for a  
1368 cessation of the payments to the state under Part XI, does not  
1369 create any duty on the state but only a remedy for the Tribe if  
1370 gaming under state jurisdiction is expanded.

1371 (3) This compact is intended to meet the requirements of  
1372 the Indian Gaming Regulatory Act as it reads on the effective  
1373 date of this compact, and where reference is made to the Indian  
1374 Gaming Regulatory Act, or to an implementing regulation thereof,





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1375 the reference is deemed to have been incorporated into this  
1376 document. Subsequent changes to the Indian Gaming Regulatory Act  
1377 that diminish the rights of the state or Tribe may not be  
1378 applied retroactively to alter the terms of this compact, except  
1379 to the extent that federal law validly mandates that retroactive  
1380 application without the respective consent of the state or the  
1381 Tribe. In the event that a subsequent change in the Indian  
1382 Gaming Regulatory Act, or to an implementing regulation thereof,  
1383 mandates retroactive application without the respective consent  
1384 of the state or the Tribe, the parties agree that this compact  
1385 is voidable by either party if the subsequent change materially  
1386 alters the provisions in the compact relating to the play of  
1387 covered games, revenue sharing payments, suspension or reduction  
1388 of payments, or exclusivity.

1389 (4) Neither the presence of language that is not included  
1390 in this compact, nor the absence in this compact of language  
1391 that is present in another state-tribal compact shall be a  
1392 factor in construing the terms of this compact.

1393 (5) The Tribe and the state shall defend the validity of  
1394 this compact.

1395 (6) The parties shall cooperate in seeking approval of this  
1396 compact from the Secretary of the Department of the Interior.

1397

1398

PART XV

1399

1400 NOTICES.—All notices required under this compact shall be  
1401 given by certified mail, return receipt requested, commercial  
1402 overnight courier service, or personal delivery, to the  
1403 Governor, the President of the Senate, the Speaker of the House



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1404 of Representatives, and the Chairman and General Counsel of the  
1405 Seminole Tribe of Florida.

1406

1407 PART XVI

1408

1409 EFFECTIVE DATE AND TERM.—

1410 (1) This compact, if identical to the version ratified by  
1411 the Legislature in s. 285.710(3)(c), Florida Statutes, in 2018,  
1412 shall become effective upon its approval as a tribal-state  
1413 compact within the meaning of the Indian Gaming Regulatory Act  
1414 either by action of the Secretary of the Department of the  
1415 Interior or by operation of law under 25 U.S.C. s. 2710(d)(8)  
1416 upon publication of a notice of approval in the Federal Register  
1417 under 25 U.S.C. s. 2710(d)(8)(D).

1418 (2) This compact shall have a term of twenty-two years  
1419 beginning on the first day of the month following the month in  
1420 which the compact becomes effective under subsection (1).

1421 (3) The Tribe's authorization to offer covered games under  
1422 this compact shall automatically terminate twenty-two years  
1423 after the effective date unless renewed by an affirmative act of  
1424 the Legislature.

1425

1426 PART XVII

1427

1428 AMENDMENT OF COMPACT AND REFERENCES.—

1429 (1) Amendment of this compact may only be made by written  
1430 agreement of the parties, subject to approval by the Secretary  
1431 of the Department of the Interior, either by publication of the  
1432 notice of approval in the Federal Register or by operation of



1433 law under 25 U.S.C. s. 2710(d)(8).

1434 (2) Legislative ratification is required for any amendment  
1435 to the compact that alters the provisions relating to covered  
1436 games, the amount of revenue sharing payments, suspension or  
1437 reduction in payments, or exclusivity.

1438 (3) Changes in the provisions of tribal ordinances,  
1439 regulations, and procedures referenced in this compact may be  
1440 made by the Tribe with 30 days' advance notice to the state. If  
1441 the state has an objection to any change to the tribal  
1442 ordinance, regulation, or procedure which is the subject of the  
1443 notice on the ground that its adoption would be a violation of  
1444 the Tribe's obligations under this compact, the state may invoke  
1445 the dispute resolution provisions provided in Part XIII.

1446

1447 PART XVIII

1448

1449 MISCELLANEOUS.—

1450 (1) Except to the extent expressly provided in this  
1451 compact, this compact is not intended to, and shall not be  
1452 construed to, create any right on the part of a third party to  
1453 bring an action to enforce any of its terms.

1454 (2) If, after the effective date of this compact, the state  
1455 enters into a compact with any other Tribe that contains more  
1456 favorable terms with respect to the provisions of this Compact  
1457 and the Secretary of the Department of the Interior approves  
1458 such compact, either by publication of the notice of approval in  
1459 the Federal Register or by operation of law under 25 U.S.C. s.  
1460 2710(d)(8), upon tribal notice to the state and the Secretary,  
1461 this compact shall be deemed amended to contain the more



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1462 favorable terms, unless the state objects to the change and can  
1463 demonstrate, in a proceeding commenced under Part XIII, that the  
1464 terms in question are not more favorable.

1465 (3) Upon the occurrence of certain events beyond the  
1466 Tribe's control, including acts of God, war, terrorism, fires,  
1467 floods, or accidents causing damage to or destruction of one or  
1468 more of its facilities or property necessary to operate the  
1469 facility or facilities, the Tribe's obligation to pay the  
1470 guaranteed minimum compact term payment described in Part XI  
1471 shall be reduced pro rata to reflect the percentage of the total  
1472 net win lost to the Tribe from the impacted facility or  
1473 facilities and the net win specified under subsection (2) of  
1474 Part XII for purposes of determining whether the Tribe's  
1475 payments described in Part XI shall cease, shall be reduced pro  
1476 rata to reflect the percentage of the total net win lost to the  
1477 Tribe from the impacted facility or facilities. The foregoing  
1478 shall not excuse any obligations of the Tribe to make payments  
1479 to the state as and when required hereunder or in any related  
1480 document or agreement.

1481 (4) The Tribe and the state recognize that opportunities to  
1482 engage in gaming in smoke-free or reduced-smoke environments  
1483 provides both health and other benefits to patrons, and the  
1484 Tribe has instituted a nonsmoking section at its Seminole Hard  
1485 Rock Hotel & Casino-Hollywood Facility. As part of its  
1486 continuing commitment to this issue, the Tribe shall:

1487 (a) Install and utilize a ventilation system at all new  
1488 construction at its facilities, which system exhausts tobacco  
1489 smoke to the extent reasonably feasible under existing state-of-  
1490 the-art technology.



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1491 (b) Designate a smoke-free area for slot machines at all  
1492 new construction at its facilities.

1493 (c) Install nonsmoking, vented tables for table games  
1494 installed in its facilities sufficient to reasonably respond to  
1495 demand for such tables.

1496 (d) Designate a nonsmoking area for gaming within all of  
1497 its facilities within five years after the effective date of the  
1498 compact.

1499 (5) The annual average minimum pay-out of all slot machines  
1500 in each facility may not be less than 85 percent.

1501 (6) Nothing in this compact shall alter any of the existing  
1502 memoranda of understanding, contracts, or other agreements  
1503 entered into between the Tribe and any other federal, state, or  
1504 local governmental entity.

1505 (7) The Tribe currently has, as set forth in its Employee  
1506 Fair Treatment and Dispute Resolution Policy, and agrees to  
1507 maintain, standards that are comparable to the standards  
1508 provided in federal laws and state laws forbidding employers  
1509 from discrimination in connection with the employment of persons  
1510 working at the facilities on the basis of race, color, religion,  
1511 national origin, gender, age, disability, or marital status.

1512 Nothing herein shall preclude the Tribe from giving preference  
1513 in employment, promotion, seniority, lay-offs, or retention to  
1514 members of the Tribe and other federally recognized tribes.

1515 (8) The Tribe shall, with respect to any facility where  
1516 covered games are played, adopt and comply with tribal  
1517 requirements that meet the same minimum state requirements  
1518 applicable to businesses in the state with respect to  
1519 environmental and building standards.



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PART XIX

EXECUTION.—The Governor of the State of Florida affirms that he has authority to act for the state in this matter and that, provided that this compact is identical to the compact ratified by the Legislature pursuant to s. 285.710(3)(c), Florida Statutes, no further action by the state or any state official is necessary for this compact to take effect upon federal approval by action of the Secretary of the Department of the Interior or by operation of law under 25 U.S.C. s. 2710(d)(8) by publication of the notice of approval in the Federal Register. The Governor affirms that he will proceed with obtaining such federal approval and take all other appropriate action to effectuate the purposes and intent of this Compact. The undersigned Chairman of the Tribal Council of the Seminole Tribe of Florida affirms that he is duly authorized and has the authority to execute this Compact on behalf of the Tribe. The Chairman also affirms that he will assist in obtaining federal approval and take all other appropriate action to effectuate the purposes and intent of this Compact.

(10) The calculations necessary to determine the local government share distributions shall be made by the state compliance agency based upon the net win per facility as provided by the Tribe. The local government share attributable to each casino shall be distributed as follows:

(b) Broward County shall receive 25 percent, the City of Hollywood shall receive 45 ~~55~~ percent, the Town of Davie shall receive 20 ~~10~~ percent, and the City of Dania Beach shall receive



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1549 10 percent of the local government share derived from the  
1550 Seminole Indian Casino-Hollywood.

1551 (c) Broward County shall receive 25 percent, the City of  
1552 Hollywood shall receive 45 ~~55~~ percent, the Town of Davie shall  
1553 receive 20 ~~40~~ percent, and the City of Dania Beach shall receive  
1554 10 percent of the local government share derived from the  
1555 Seminole Hard Rock Hotel & Casino-Hollywood.

1556 Section 2. Subsection (4) of section 285.712, Florida  
1557 Statutes, is amended to read:

1558 285.712 Tribal-state gaming compacts.-

1559 (4) Upon execution receipt of an ~~act ratifying~~ a tribal-  
1560 state compact entered pursuant to s. 285.710(3)(b), the Governor  
1561 shall provide a copy to the Secretary of State who shall forward  
1562 a copy of the executed compact and the ratifying act to the  
1563 United States Secretary of the Interior for his or her review  
1564 and approval, in accordance with 25 U.S.C. s. 2710(d)(8)  
1565 2710(8)(d).

1566 Section 3. Section 546.13, Florida Statutes, is created to  
1567 read:

1568 546.13 Fantasy contests and fantasy contest operators.-

1569 (1) DEFINITIONS.-As used in this section, the term:

1570 (a) "Entry fee" means cash or a cash equivalent that is  
1571 required to be paid by a participant in order to participate in  
1572 a fantasy contest.

1573 (b) "Fantasy contest" means a fantasy or simulated game or  
1574 contest in which:

1575 1. The value of all prizes and awards offered to winning  
1576 participants is established and made known to the participants  
1577 in advance of the contest and is unrelated to the number of



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1578 participants in the contest;

1579 2. All winning outcomes reflect the relative knowledge and  
1580 skill of the participants and are determined predominantly by  
1581 accumulated statistical results of the performance of  
1582 individuals, including athletes in the case of sporting events;

1583 3. No winning outcome is based on the score, point spread,  
1584 or any performance or performances of any single actual team or  
1585 combination of such teams, solely on any single performance of  
1586 an individual athlete or player in any single actual event, or  
1587 on the performances of participants in collegiate, high school,  
1588 or youth sporting events; and

1589 4. No casino graphics, themes, or titles, including, but  
1590 not limited to, depictions of slot machine-style symbols, cards,  
1591 craps, roulette, or lotto, are displayed or depicted.

1592 (c) "Fantasy contest operator" means a person or an entity,  
1593 including any employee or agent, that offers or conducts a  
1594 fantasy contest with an entry fee for a cash prize or award and  
1595 that is not a participant in the fantasy contest.

1596 (2) EXEMPTIONS.—The Department of Business and Professional  
1597 Regulation may not regulate and the offenses established in ss.  
1598 849.01, 849.08, 849.09, 849.11, 849.14, and 849.25 do not  
1599 include or apply to a fantasy contest operated or conducted by  
1600 a:

1601 (a) Fantasy contest operator.

1602 (b) Natural person who is a participant in the fantasy  
1603 contest, serves as the commissioner of not more than 10 fantasy  
1604 contests in a calendar year, and distributes all entry fees for  
1605 the fantasy contest as prizes or awards to the participants in  
1606 that fantasy contest.





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1607 Section 4. Subsections (1) and (3) of section 550.01215,  
1608 Florida Statutes, are amended to read:

1609 550.01215 License application; periods of operation; bond,  
1610 conversion of permit.—

1611 (1) Each permitholder shall annually, during the period  
1612 between December 15 and January 4, file in writing with the  
1613 division its application for an operating a license to conduct  
1614 pari-mutuel wagering during the next state fiscal year,  
1615 including intertrack and simulcast race wagering for greyhound  
1616 racing permitholders, jai alai permitholders, thoroughbred horse  
1617 racing permitholders, harness horse racing permitholders, and  
1618 quarter horse racing permitholders that do not ~~to~~ conduct live  
1619 performances during the next state fiscal year. Each application  
1620 for live performances must ~~shall~~ specify the number, dates, and  
1621 starting times of all live performances that ~~which~~ the  
1622 permitholder intends to conduct. It must ~~shall~~ also specify  
1623 which performances will be conducted as charity or scholarship  
1624 performances.

1625 (a) ~~In addition,~~ Each application for an operating a  
1626 license also must ~~shall~~ include:~~7~~

1627 1. For each permitholder, whether the permitholder intends  
1628 to accept wagers on intertrack or simulcast events.

1629 2. For each permitholder that elects ~~which elects~~ to  
1630 operate a cardroom, the dates and periods of operation the  
1631 permitholder intends to operate the cardroom. ~~or~~

1632 3. For each thoroughbred racing permitholder that ~~which~~  
1633 elects to receive or rebroadcast out-of-state races after 7  
1634 p.m., the dates for all performances which the permitholder  
1635 intends to conduct.



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1636           (b) A greyhound racing permitholder that conducted a full  
1637 schedule of live racing for a period of at least 10 consecutive  
1638 state fiscal years after the 1996-1997 state fiscal year, or  
1639 that converted its permit to a permit to conduct greyhound  
1640 racing after the 1996-1997 state fiscal year, irrevocably may  
1641 elect not to conduct live racing if the election is made within  
1642 36 months after the effective date of this act. A greyhound  
1643 racing permitholder that makes such election retains its permit;  
1644 is a pari-mutuel facility as defined in s. 550.002(23); if such  
1645 permitholder has been issued a slot machine license, the  
1646 facility where such permit is located remains an eligible  
1647 facility as defined in s. 551.102(4), continues to be eligible  
1648 for a slot machine license, and is exempt from ss. 551.104(3)  
1649 and (4)(c)1. and 551.114(2) and (4); is eligible, but not  
1650 required, to be a guest track for purposes of intertrack  
1651 wagering and simulcasting pursuant to ss. 550.3551, 550.615, and  
1652 550.6305; and remains eligible for a cardroom license  
1653 notwithstanding any requirement in s. 849.086 for the conduct of  
1654 live performances. A greyhound racing permitholder may receive  
1655 an operating license to conduct pari-mutuel wagering activities  
1656 at another permitholder's greyhound racing facility pursuant to  
1657 s. 550.475.

1658           (c)1. A thoroughbred horse racing permitholder that has  
1659 conducted live racing for at least 5 years irrevocably may elect  
1660 not to conduct live racing if the election is made within 30  
1661 days after the effective date of this act. A thoroughbred horse  
1662 racing permitholder that makes such election may retain such  
1663 permit, must specify in future applications for an operating  
1664 license that it does not intend to conduct live racing, and is a



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1665 pari-mutuel facility as defined in s. 550.002(23).  
1666 2. A thoroughbred horse racing permitholder that makes such  
1667 election:  
1668 a. If such permitholder has been issued a slot machine  
1669 license, the facility where such permit is located remains an  
1670 eligible facility as defined in s. 551.102(4), continues to be  
1671 eligible for a slot machine license, and is exempt from ss.  
1672 550.5251, 551.104(3) and (4)(c)1. and 551.114(2) and (4);  
1673 b. Is eligible, but not required, to be a guest track for  
1674 purposes of intertrack wagering and simulcasting pursuant to ss.  
1675 550.3551, 550.615, and 550.6305; and  
1676 c. Remains eligible for a cardroom license notwithstanding  
1677 any requirement in s. 849.086 for the conduct of live racing.  
1678 3. A thoroughbred horse racing permitholder that makes such  
1679 election shall comply with all contracts regarding contributions  
1680 by such permitholder to thoroughbred horse purse supplements or  
1681 breeders' awards entered into before the effective date of this  
1682 act pursuant to s. 551.104(10)(a). At the time of such election,  
1683 such permitholder shall file with the division an irrevocable  
1684 consent that such contributions shall be allowed to be used for  
1685 purses and awards on live races at other thoroughbred horse  
1686 racing facilities in this state. Such permitholder may offset  
1687 its contributions to thoroughbred horse purse supplements and  
1688 breeders' awards under such a contract entered before the  
1689 effective date of this act against the payments required  
1690 pursuant to s. 551.104(4)(c)2.a. This subparagraph and s.  
1691 551.104(10)(a) do not apply after December 31, 2020, to a  
1692 thoroughbred horse racing permitholder that made such election.  
1693 (d) A jai alai permitholder, harness horse racing



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1694 permitholder or a quarter horse racing permitholder that has  
1695 conducted live racing or games for at least 5 years irrevocably  
1696 may elect not to conduct live racing or games if the election is  
1697 made within 36 months after the effective date of this act. A  
1698 permitholder that makes such election retains its permit; is a  
1699 pari-mutuel facility as defined in s. 550.002(23); if such  
1700 permitholder has been issued a slot machine license, the  
1701 facility where such permit is located remains an eligible  
1702 facility as defined in s. 551.102(4), continues to be eligible  
1703 for a slot machine license, and is exempt from ss. 551.104(3)  
1704 and (4)(c)1. and 551.114(2) and (4); is eligible, but not  
1705 required, to be a guest track and, if the permitholder is a  
1706 harness horse racing permitholder, to be a host track for  
1707 purposes of intertrack wagering and simulcasting pursuant to ss.  
1708 550.3551, 550.615, 550.625, and 550.6305; and remains eligible  
1709 for a cardroom license notwithstanding any requirement in s.  
1710 849.086 to conduct live performances.

1711 (e) Permitholders ~~may shall be entitled to~~ amend their  
1712 applications through February 28.

1713 (3) The division shall issue each license no later than  
1714 March 15. Each permitholder shall operate all performances at  
1715 the date and time specified on its license. The division shall  
1716 have the authority to approve minor changes in racing dates  
1717 after a license has been issued. The division may approve  
1718 changes in racing dates after a license has been issued when  
1719 there is no objection from any operating permitholder located  
1720 within 50 miles of the permitholder requesting the changes in  
1721 operating dates. In the event of an objection, the division  
1722 shall approve or disapprove the change in operating dates based



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1723 upon the impact on operating permitholders located within 50  
1724 miles of the permitholder requesting the change in operating  
1725 dates. In making the determination to change racing dates, the  
1726 division shall take into consideration the impact of such  
1727 changes on state revenues. Notwithstanding any other provision  
1728 of law, and for the 2018-2019 fiscal year only, the division may  
1729 approve changes in racing dates for permitholders if the request  
1730 for such changes is received before May 31, 2018.

1731 Section 5. Subsections (9), (13), (14), and paragraph (a)  
1732 of subsection (11) of section 550.054, Florida Statutes, are  
1733 amended to read:

1734 550.054 Application for permit to conduct pari-mutuel  
1735 wagering.—

1736 (9) (a) After a permit has been granted by the division and  
1737 has been ratified and approved by the majority of the electors  
1738 participating in the election in the county designated in the  
1739 permit, the division shall grant to the lawful permitholder,  
1740 subject to the conditions of this chapter, a license to conduct  
1741 pari-mutuel operations under this chapter, ~~and, except as~~  
1742 ~~provided in s. 550.5251,~~ the division shall fix annually the  
1743 time, place, and number of days during which pari-mutuel  
1744 operations may be conducted by the permitholder at the location  
1745 fixed in the permit and ratified in the election. After the  
1746 first license has been issued to the holder of a ratified permit  
1747 for racing in any county, all subsequent annual applications for  
1748 a license by that permitholder must be accompanied by proof, in  
1749 such form as the division requires, that the ratified  
1750 permitholder still possesses all the qualifications prescribed  
1751 by this chapter and that the permit has not been recalled at a



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1752 later election held in the county.

1753 (b) The division may revoke or suspend any permit or  
1754 license issued under this chapter upon a the willful violation  
1755 by the permitholder or licensee of any provision of chapter 551,  
1756 chapter 849, or this chapter or rules of any rule adopted  
1757 pursuant to those chapters. With the exception of the revocation  
1758 of permits required in paragraphs (c) and (e) under this  
1759 chapter. In lieu of suspending or revoking a permit or license,  
1760 the division, in lieu of suspending or revoking a permit or  
1761 license, may impose a civil penalty against the permitholder or  
1762 licensee for a violation of this chapter or rules adopted  
1763 pursuant thereto any rule adopted by the division. The penalty  
1764 so imposed may not exceed \$1,000 for each count or separate  
1765 offense. All penalties imposed and collected must be deposited  
1766 with the Chief Financial Officer to the credit of the General  
1767 Revenue Fund.

1768 (c)1. The division shall revoke the permit of any  
1769 permitholder that fails to make payments due pursuant to chapter  
1770 550, chapter 551, or s. 849.086 for more than 24 consecutive  
1771 months unless such failure was the direct result of fire,  
1772 strike, war, or other disaster or event beyond the  
1773 permitholder's control. Financial hardship to the permitholder  
1774 does not, in and of itself, constitute just cause for failure to  
1775 make payments.

1776 2. The division shall revoke the permit of any permitholder  
1777 that has not obtained an operating license in accordance with s.  
1778 550.01215 for a period of more than 24 consecutive months after  
1779 June 30, 2012. The division shall revoke the permit upon  
1780 adequate notice to the permitholder. Financial hardship to the



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1781 permitholder does not, in and of itself, constitute just cause  
1782 for failure to operate.

1783 (d) A new permit to conduct pari-mutuel wagering may not be  
1784 approved or issued after January 1, 2018.

1785 (e) A permit revoked under this subsection is void and may  
1786 not be reissued.

1787 (11) (a) A permit granted under this chapter may not be  
1788 transferred or assigned except upon written approval by the  
1789 division pursuant to s. 550.1815, ~~except that the holder of any~~  
1790 ~~permit that has been converted to a jai alai permit may lease or~~  
1791 ~~build anywhere within the county in which its permit is located.~~

1792 (13) ~~(a)~~ Notwithstanding any provisions of this chapter or  
1793 chapter 551, a pari-mutuel no thoroughbred horse racing permit  
1794 or license issued under this chapter may not shall be  
1795 transferred, or reissued when such reissuance is in the nature  
1796 of a transfer so as to permit or authorize a licensee to change  
1797 the location of a pari-mutuel facility, or a cardroom or slot  
1798 machine facility, except through the relocation of the pari-  
1799 mutuel permit pursuant to s. 550.0555 thoroughbred horse  
1800 ~~racetrack except upon proof in such form as the division may~~  
1801 ~~prescribe that a referendum election has been held:~~

1802 1. ~~If the proposed new location is within the same county~~  
1803 ~~as the already licensed location, in the county where the~~  
1804 ~~licensee desires to conduct the race meeting and that a majority~~  
1805 ~~of the electors voting on that question in such election voted~~  
1806 ~~in favor of the transfer of such license.~~

1807 2. ~~If the proposed new location is not within the same~~  
1808 ~~county as the already licensed location, in the county where the~~  
1809 ~~licensee desires to conduct the race meeting and in the county~~



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1810 ~~where the licensee is already licensed to conduct the race~~  
1811 ~~meeting and that a majority of the electors voting on that~~  
1812 ~~question in each such election voted in favor of the transfer of~~  
1813 ~~such license.~~

1814 ~~(b) Each referendum held under the provisions of this~~  
1815 ~~subsection shall be held in accordance with the electoral~~  
1816 ~~procedures for ratification of permits, as provided in s.~~  
1817 ~~550.0651. The expense of each such referendum shall be borne by~~  
1818 ~~the licensee requesting the transfer.~~

1819 ~~(14)(a) Notwithstanding any other provision of law, a pari-~~  
1820 ~~mutuel permit, cardroom, or slot machine facility may not be~~  
1821 ~~relocated, except through the relocation of the pari-mutuel~~  
1822 ~~permit pursuant to s. 550.0555, and a pari-mutuel permit may not~~  
1823 ~~be converted to another class of permit. Any holder of a permit~~  
1824 ~~to conduct jai alai may apply to the division to convert such~~  
1825 ~~permit to a permit to conduct greyhound racing in lieu of jai~~  
1826 ~~alai if:~~

1827 ~~1. Such permit is located in a county in which the division~~  
1828 ~~has issued only two pari-mutuel permits pursuant to this~~  
1829 ~~section;~~

1830 ~~2. Such permit was not previously converted from any other~~  
1831 ~~class of permit; and~~

1832 ~~3. The holder of the permit has not conducted jai alai~~  
1833 ~~games during a period of 10 years immediately preceding his or~~  
1834 ~~her application for conversion under this subsection.~~

1835 ~~(b) The division, upon application from the holder of a jai~~  
1836 ~~alai permit meeting all conditions of this section, shall~~  
1837 ~~convert the permit and shall issue to the permitholder a permit~~  
1838 ~~to conduct greyhound racing. A permitholder of a permit~~





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1839 ~~converted under this section shall be required to apply for and~~  
1840 ~~conduct a full schedule of live racing each fiscal year to be~~  
1841 ~~eligible for any tax credit provided by this chapter. The holder~~  
1842 ~~of a permit converted pursuant to this subsection or any holder~~  
1843 ~~of a permit to conduct greyhound racing located in a county in~~  
1844 ~~which it is the only permit issued pursuant to this section who~~  
1845 ~~operates at a leased facility pursuant to s. 550.475 may move~~  
1846 ~~the location for which the permit has been issued to another~~  
1847 ~~location within a 30-mile radius of the location fixed in the~~  
1848 ~~permit issued in that county, provided the move does not cross~~  
1849 ~~the county boundary and such location is approved under the~~  
1850 ~~zoning regulations of the county or municipality in which the~~  
1851 ~~permit is located, and upon such relocation may use the permit~~  
1852 ~~for the conduct of pari-mutuel wagering and the operation of a~~  
1853 ~~cardroom. The provisions of s. 550.6305(9)(d) and (f) shall~~  
1854 ~~apply to any permit converted under this subsection and shall~~  
1855 ~~continue to apply to any permit which was previously included~~  
1856 ~~under and subject to such provisions before a conversion~~  
1857 ~~pursuant to this section occurred.~~

1858 Section 6. Section 550.0745, Florida Statutes, is repealed.

1859 Section 7. Subsection (3) of section 550.09512, Florida  
1860 Statutes, is amended to read:

1861 550.09512 Harness horse taxes; abandoned interest in a  
1862 permit for nonpayment of taxes.-

1863 (3) ~~(a)~~ The division shall revoke the permit of a harness  
1864 horse racing permitholder who does not pay tax on handle for  
1865 live harness horse performances for a full schedule of live  
1866 races for more than 24 consecutive months ~~during any 2~~  
1867 ~~consecutive state fiscal years shall be void and shall escheat~~



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1868 ~~to and become the property of the state unless such failure to~~  
1869 ~~operate and pay tax on handle was the direct result of fire,~~  
1870 ~~strike, war, or other disaster or event beyond the ability of~~  
1871 ~~the permitholder to control. Financial hardship to the~~  
1872 ~~permitholder does shall not, in and of itself, constitute just~~  
1873 ~~cause for failure to operate and pay tax on handle. A permit~~  
1874 ~~revoked under this subsection is void and may not be reissued.~~

1875 ~~(b) In order to maximize the tax revenues to the state, the~~  
1876 ~~division shall reissue an escheated harness horse permit to a~~  
1877 ~~qualified applicant pursuant to the provisions of this chapter~~  
1878 ~~as for the issuance of an initial permit. However, the~~  
1879 ~~provisions of this chapter relating to referendum requirements~~  
1880 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~  
1881 ~~escheated harness horse permit. As specified in the application~~  
1882 ~~and upon approval by the division of an application for the~~  
1883 ~~permit, the new permitholder shall be authorized to operate a~~  
1884 ~~harness horse facility anywhere in the same county in which the~~  
1885 ~~escheated permit was authorized to be operated, notwithstanding~~  
1886 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

1887 Section 8. Subsections (3) and (7) of section 550.09515,  
1888 Florida Statutes, are amended to read:

1889 550.09515 Thoroughbred horse taxes; abandoned interest in a  
1890 permit for nonpayment of taxes.-

1891 (3) ~~(a)~~ The division shall revoke the permit of a  
1892 thoroughbred racing horse permitholder that who does not pay tax  
1893 on handle for live thoroughbred horse performances for a full  
1894 schedule of live races for more than 24 consecutive months  
1895 ~~during any 2 consecutive state fiscal years shall be void and~~  
1896 ~~shall escheat to and become the property of the state unless~~



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1897 such failure to operate and pay tax on handle was the direct  
1898 result of fire, strike, war, or other disaster or event beyond  
1899 the ability of the permitholder to control. Financial hardship  
1900 to the permitholder does ~~shall~~ not, in and of itself, constitute  
1901 just cause for failure to operate and pay tax on handle. A  
1902 permit revoked under this subsection is void and may not be  
1903 reissued.

1904 ~~(b) In order to maximize the tax revenues to the state, the~~  
1905 ~~division shall reissue an escheated thoroughbred horse permit to~~  
1906 ~~a qualified applicant pursuant to the provisions of this chapter~~  
1907 ~~as for the issuance of an initial permit. However, the~~  
1908 ~~provisions of this chapter relating to referendum requirements~~  
1909 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~  
1910 ~~escheated thoroughbred horse permit. As specified in the~~  
1911 ~~application and upon approval by the division of an application~~  
1912 ~~for the permit, the new permitholder shall be authorized to~~  
1913 ~~operate a thoroughbred horse facility anywhere in the same~~  
1914 ~~county in which the escheated permit was authorized to be~~  
1915 ~~operated, notwithstanding the provisions of s. 550.054(2)~~  
1916 ~~relating to mileage limitations.~~

1917 ~~(7) If a thoroughbred permitholder fails to operate all~~  
1918 ~~performances on its 2001-2002 license, failure to pay tax on~~  
1919 ~~handle for a full schedule of live races for those performances~~  
1920 ~~in the 2001-2002 fiscal year does not constitute failure to pay~~  
1921 ~~taxes on handle for a full schedule of live races in a fiscal~~  
1922 ~~year for the purposes of subsection (3). This subsection may not~~  
1923 ~~be construed as forgiving a thoroughbred permitholder from~~  
1924 ~~paying taxes on performances conducted at its facility pursuant~~  
1925 ~~to its 2001-2002 license other than for failure to operate all~~



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1926 ~~performances on its 2001-2002 license. This subsection expires~~  
1927 ~~July 1, 2003.~~

1928 Section 9. Paragraph (a) of subsection (1) of section  
1929 550.2415, Florida Statutes, is amended to read:

1930 550.2415 Racing of animals under certain conditions  
1931 prohibited; penalties; exceptions.—

1932 (1) (a) The racing of an animal that has been impermissibly  
1933 medicated or determined to have a prohibited substance present  
1934 is prohibited. It is a violation of this section for a person to  
1935 impermissibly medicate an animal or for an animal to have a  
1936 prohibited substance present resulting in a positive test for  
1937 such medications or substances based on samples taken from the  
1938 animal before or immediately after the racing of that animal. It  
1939 is a violation of this section for a greyhound to have anabolic  
1940 steroids present resulting in a positive test for such steroids  
1941 based on samples taken from the greyhound before or immediately  
1942 after the racing of that greyhound. Test results and the  
1943 identities of the animals being tested and of their trainers and  
1944 owners of record are confidential and exempt from s. 119.07(1)  
1945 and from s. 24(a), Art. I of the State Constitution for 10 days  
1946 after testing of all samples collected on a particular day has  
1947 been completed and any positive test results derived from such  
1948 samples have been reported to the director of the division or  
1949 administrative action has been commenced.

1950 Section 10. Section 550.3345, Florida Statutes, is amended  
1951 to read:

1952 550.3345 ~~Conversion of quarter horse permit to a Limited~~  
1953 ~~thoroughbred~~ racing permit.—

1954 (1) In recognition of the important and long-standing



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1955 economic contribution of the thoroughbred horse breeding  
1956 industry to this state and the state's vested interest in  
1957 promoting the continued viability of this agricultural activity,  
1958 the state intends to provide a limited opportunity for the  
1959 conduct of live thoroughbred horse racing with the net revenues  
1960 from such racing dedicated to the enhancement of thoroughbred  
1961 purses and breeders', stallion, and special racing awards under  
1962 this chapter; the general promotion of the thoroughbred horse  
1963 breeding industry; and the care in this state of thoroughbred  
1964 horses retired from racing.

1965 (2) A limited thoroughbred racing permit previously  
1966 converted from ~~Notwithstanding any other provision of law, the~~  
1967 ~~holder of a quarter horse racing permit pursuant to chapter~~  
1968 2010-29, Laws of Florida, issued under s. 550.334 may only be  
1969 held by, within 1 year after the effective date of this section,  
1970 ~~apply to the division for a transfer of the quarter horse racing~~  
1971 ~~permit to~~ a not-for-profit corporation formed under state law to  
1972 serve the purposes of the state as provided in subsection (1).  
1973 The board of directors of the not-for-profit corporation must be  
1974 composed ~~comprised~~ of 11 members, 4 of whom shall be designated  
1975 by the applicant, 4 of whom shall be designated by the Florida  
1976 Thoroughbred Breeders' Association, and 3 of whom shall be  
1977 designated by the other 8 directors, with at least 1 of these 3  
1978 members being an authorized representative of another  
1979 thoroughbred racing permitholder in this state. A limited  
1980 thoroughbred racing ~~The not-for-profit corporation shall submit~~  
1981 ~~an application to the division for review and approval of the~~  
1982 ~~transfer in accordance with s. 550.054. Upon approval of the~~  
1983 ~~transfer by the division, and notwithstanding any other~~



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1984 ~~provision of law to the contrary, the not-for-profit corporation~~  
1985 ~~may, within 1 year after its receipt of the permit, request that~~  
1986 ~~the division convert the quarter horse racing permit to a permit~~  
1987 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~  
1988 ~~thoroughbred racing. Neither the transfer of the quarter horse~~  
1989 ~~racing permit nor its conversion to a limited thoroughbred~~  
1990 ~~permit shall be subject to the mileage limitation or the~~  
1991 ~~ratification election as set forth under s. 550.054(2) or s.~~  
1992 ~~550.0651. Upon receipt of the request for such conversion, the~~  
1993 ~~division shall timely issue a converted permit. The converted~~  
1994 ~~permit and the not-for-profit corporation are shall be subject~~  
1995 ~~to the following requirements:~~

1996 (a) All net revenues derived by the not-for-profit  
1997 corporation under the thoroughbred ~~horse~~ racing permit, after  
1998 the funding of operating expenses and capital improvements,  
1999 shall be dedicated to the enhancement of thoroughbred purses and  
2000 breeders', stallion, and special racing awards under this  
2001 chapter; the general promotion of the thoroughbred horse  
2002 breeding industry; and the care in this state of thoroughbred  
2003 horses retired from racing.

2004 (b) From December 1 through April 30, ~~no~~ live thoroughbred  
2005 racing may not be conducted under the permit on any day during  
2006 which another thoroughbred racing permitholder is conducting  
2007 live thoroughbred racing within 125 air miles of the not-for-  
2008 profit corporation's pari-mutuel facility unless the other  
2009 thoroughbred racing permitholder gives its written consent.

2010 (c) After ~~the conversion of the quarter horse racing permit~~  
2011 ~~and the~~ issuance of its initial license to conduct pari-mutuel  
2012 wagering meets of thoroughbred racing, the not-for-profit



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2013 corporation shall annually apply to the division for a license  
2014 ~~pursuant to s. 550.5251.~~

2015 (d) Racing under the permit may take place ~~only~~ at the  
2016 location for which the original quarter horse racing permit was  
2017 issued, which may be leased by the not-for-profit corporation  
2018 for that purpose, notwithstanding s. 550.475; however, the not-  
2019 for-profit corporation may, without the conduct of any  
2020 ratification election pursuant to s. 550.054(13) or s. 550.0651,  
2021 move the location of the permit to another location in the same  
2022 county or counties, if a permit is situated in such a manner  
2023 that it is located in more than one county, provided that such  
2024 relocation is approved under the zoning and land use regulations  
2025 of the applicable county or municipality.

2026 (e) A limited thoroughbred racing ~~no~~ permit may not be  
2027 transferred ~~converted under this section is eligible for~~  
2028 ~~transfer~~ to another person or entity.

2029 (3) Unless otherwise provided in this section, ~~after~~  
2030 ~~conversion~~, the permit and the not-for-profit corporation shall  
2031 be treated under the laws of this state as a thoroughbred racing  
2032 permit and as a thoroughbred racing permitholder, respectively,  
2033 with the exception of ss. 550.054(9)(c) and 550.09515(3) ~~s.~~  
2034 ~~550.09515(3)~~.

2035 Section 11. Section 550.5251, Florida Statutes, is amended  
2036 to read:

2037 550.5251 Florida thoroughbred racing; certain permits;  
2038 operating days.—

2039 (1) ~~Each thoroughbred permitholder shall annually, during~~  
2040 ~~the period commencing December 15 of each year and ending~~  
2041 ~~January 4 of the following year, file in writing with the~~



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2042 ~~division its application to conduct one or more thoroughbred~~  
2043 ~~racing meetings during the thoroughbred racing season commencing~~  
2044 ~~on the following July 1. Each application shall specify the~~  
2045 ~~number and dates of all performances that the permitholder~~  
2046 ~~intends to conduct during that thoroughbred racing season. On or~~  
2047 ~~before March 15 of each year, the division shall issue a license~~  
2048 ~~authorizing each permitholder to conduct performances on the~~  
2049 ~~dates specified in its application. Up to February 28 of each~~  
2050 ~~year, each permitholder may request and shall be granted changes~~  
2051 ~~in its authorized performances; but thereafter, as a condition~~  
2052 ~~precedent to the validity of its license and its right to retain~~  
2053 ~~its permit, each permitholder must operate the full number of~~  
2054 ~~days authorized on each of the dates set forth in its license.~~

2055 ~~(2) A thoroughbred racing permitholder may not begin any~~  
2056 ~~race later than 7 p.m. Any thoroughbred permitholder in a county~~  
2057 ~~in which the authority for cardrooms has been approved by the~~  
2058 ~~board of county commissioners may operate a cardroom and, when~~  
2059 ~~conducting live races during its current race meet, may receive~~  
2060 ~~and rebroadcast out of state races after the hour of 7 p.m. on~~  
2061 ~~any day during which the permitholder conducts live races.~~

2062 ~~(3)(a) Each licensed thoroughbred permitholder in this~~  
2063 ~~state must run an average of one race per racing day in which~~  
2064 ~~horses bred in this state and duly registered with the Florida~~  
2065 ~~Thoroughbred Breeders' Association have preference as entries~~  
2066 ~~over non-Florida-bred horses, unless otherwise agreed to in~~  
2067 ~~writing by the permitholder, the Florida Thoroughbred Breeders'~~  
2068 ~~Association, and the association representing a majority of the~~  
2069 ~~thoroughbred racehorse owners and trainers at that location. All~~  
2070 ~~licensed thoroughbred racetracks shall write the conditions for~~





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2071 such races in which Florida-bred horses are preferred so as to  
2072 assure that all Florida-bred horses available for racing at such  
2073 tracks are given full opportunity to run in the class of races  
2074 for which they are qualified. The opportunity of running must be  
2075 afforded to each class of horses in the proportion that the  
2076 number of horses in this class bears to the total number of  
2077 Florida-bred horses available. A track is not required to write  
2078 conditions for a race to accommodate a class of horses for which  
2079 a race would otherwise not be run at the track during its meet.

2080 (2) ~~(b)~~ Each licensed thoroughbred permitholder in this  
2081 state may run one additional race per racing day composed  
2082 exclusively of Arabian horses registered with the Arabian Horse  
2083 Registry of America. Any licensed thoroughbred permitholder that  
2084 elects to run one additional race per racing day composed  
2085 exclusively of Arabian horses registered with the Arabian Horse  
2086 Registry of America is not required to provide stables for the  
2087 Arabian horses racing under this subsection ~~paragraph~~.

2088 (3) ~~(c)~~ Each licensed thoroughbred permitholder in this  
2089 state may run up to three additional races per racing day  
2090 composed exclusively of quarter horses registered with the  
2091 American Quarter Horse Association.

2092 Section 12. Subsections (1), (4), and (5) of section  
2093 550.6308, Florida Statutes, are amended to read:

2094 550.6308 Limited intertrack wagering license.—In  
2095 recognition of the economic importance of the thoroughbred  
2096 breeding industry to this state, its positive impact on tourism,  
2097 and of the importance of a permanent thoroughbred sales facility  
2098 as a key focal point for the activities of the industry, a  
2099 limited license to conduct intertrack wagering is established to



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2100 ensure the continued viability and public interest in  
2101 thoroughbred breeding in Florida.

2102 (1) Upon application to the division on or before January  
2103 31 of each year, any person that is licensed to conduct public  
2104 sales of thoroughbred horses pursuant to s. 535.01 and, that has  
2105 conducted at least 8 ~~15~~ days of thoroughbred horse sales at a  
2106 permanent sales facility in this state for at least 3  
2107 consecutive years, ~~and that has conducted at least 1 day of~~  
2108 ~~nonwagering thoroughbred racing in this state, with a purse~~  
2109 ~~structure of at least \$250,000 per year for 2 consecutive years~~  
2110 before such application, shall be issued a license, subject to  
2111 the conditions set forth in this section, to conduct intertrack  
2112 wagering at such a permanent sales facility ~~during the following~~  
2113 ~~periods:~~

2114 (a) ~~Up to 21 days in connection with thoroughbred sales;~~

2115 (b) ~~Between November 1 and May 8;~~

2116 (c) ~~Between May 9 and October 31 at such times and on such~~  
2117 ~~days as any thoroughbred, jai alai, or a greyhound permitholder~~  
2118 ~~in the same county is not conducting live performances; provided~~  
2119 ~~that any such permitholder may waive this requirement, in whole~~  
2120 ~~or in part, and allow the licensee under this section to conduct~~  
2121 ~~intertrack wagering during one or more of the permitholder's~~  
2122 ~~live performances; and~~

2123 (d) ~~During the weekend of the Kentucky Derby, the~~  
2124 ~~Preakness, the Belmont, and a Breeders' Cup Meet that is~~  
2125 ~~conducted before November 1 and after May 8.~~

2126

2127 Only ~~No more than~~ one such license may be issued, and no such  
2128 license may be issued for a facility located within 50 miles of



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2129 any for-profit thoroughbred permitholder's track.

2130 ~~(4) Intertrack wagering under this section may be conducted~~  
2131 ~~only on thoroughbred horse racing, except that intertrack~~  
2132 ~~wagering may be conducted on any class of pari-mutuel race or~~  
2133 ~~game conducted by any class of permitholders licensed under this~~  
2134 ~~chapter if all thoroughbred, jai alai, and greyhound~~  
2135 ~~permitholders in the same county as the licensee under this~~  
2136 ~~section give their consent.~~

2137 ~~(4)(5) The licensee shall be considered a guest track under~~  
2138 ~~this chapter. The licensee shall pay 2.5 percent of the total~~  
2139 ~~contributions to the daily pari-mutuel pool on wagers accepted~~  
2140 ~~at the licensee's facility on greyhound races or jai alai games~~  
2141 ~~to the thoroughbred permitholder that is conducting live races~~  
2142 ~~for purses to be paid during its current racing meet. If more~~  
2143 ~~than one thoroughbred permitholder is conducting live races on a~~  
2144 ~~day during which the licensee is conducting intertrack wagering~~  
2145 ~~on greyhound races or jai alai games, the licensee shall~~  
2146 ~~allocate these funds between the operating thoroughbred~~  
2147 ~~permitholders on a pro rata basis based on the total live handle~~  
2148 ~~at the operating permitholders' facilities.~~

2149 Section 13. Subsections (4), (10), and (11) of section  
2150 551.102, Florida Statutes, are amended to read:

2151 551.102 Definitions.—As used in this chapter, the term:

2152 (4) "Eligible facility" means any licensed pari-mutuel  
2153 facility ~~located in Miami Dade County or Broward County existing~~  
2154 ~~at the time of adoption of s. 23, Art. X of the State~~  
2155 ~~Constitution that has conducted live racing or games during~~  
2156 ~~calendar years 2002 and 2003 and has been approved by a majority~~  
2157 ~~of voters in a countywide referendum to have slot machines at~~



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2158 ~~such facility in the respective county; any licensed pari-mutuel~~  
2159 ~~facility located within a county as defined in s. 125.011,~~  
2160 ~~provided such facility has conducted live racing for 2~~  
2161 ~~consecutive calendar years immediately preceding its application~~  
2162 ~~for a slot machine license, pays the required license fee, and~~  
2163 ~~meets the other requirements of this chapter; or any licensed~~  
2164 ~~pari-mutuel facility in any other county in which a majority of~~  
2165 ~~voters have approved slot machines at such facilities in a~~  
2166 ~~countywide referendum held pursuant to a statutory or~~  
2167 ~~constitutional authorization after the effective date of this~~  
2168 ~~section in the respective county, provided such facility has~~  
2169 ~~conducted a full schedule of live racing for 2 consecutive~~  
2170 ~~calendar years immediately preceding its application for a slot~~  
2171 ~~machine license, pays the required licensed fee, and meets the~~  
2172 ~~other requirements of this chapter.~~

2173 (10) "Slot machine license" means a license issued by the  
2174 division authorizing a pari-mutuel permitholder to place and  
2175 operate slot machines as provided in ~~by s. 23, Art. X of the~~  
2176 ~~State Constitution, the provisions of this chapter,~~ and by  
2177 division rule ~~rules~~.

2178 (11) "Slot machine licensee" means a pari-mutuel  
2179 permitholder which ~~who~~ holds a license issued by the division  
2180 pursuant to this chapter which ~~that~~ authorizes such person to  
2181 possess a slot machine ~~within facilities specified in s. 23,~~  
2182 ~~Art. X of the State Constitution~~ and allows slot machine gaming.

2183 Section 14. Subsections (1) and (2) and paragraph (c) of  
2184 subsection (4) of section 551.104, Florida Statutes, are amended  
2185 to read:

2186 551.104 License to conduct slot machine gaming.-



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2187 (1) Upon application, ~~and~~ a finding by the division after  
2188 investigation that the application is complete and that the  
2189 applicant is qualified, and payment of the initial license fee,  
2190 the division may issue a license to conduct slot machine gaming  
2191 in the designated slot machine gaming area of the eligible  
2192 facility. Once licensed, slot machine gaming may be conducted  
2193 subject to ~~the requirements of~~ this chapter and rules adopted  
2194 pursuant thereto. The division may not issue a slot machine  
2195 license to any pari-mutuel permitholder that includes, or  
2196 previously included within its ownership group, an ultimate  
2197 equitable owner that was also an ultimate equitable owner of a  
2198 pari-mutuel permitholder whose permit was voluntarily or  
2199 involuntarily surrendered, suspended, or revoked by the division  
2200 within 10 years before the date of the permitholder's filing of  
2201 an application for a slot machine license.

2202 (2) An application may be approved by the division only  
2203 after:

2204 (a) The voters of the county where the applicant's facility  
2205 is located have authorized by referendum slot machines within  
2206 pari-mutuel facilities located in: that county as specified in  
2207 s. 23, Art. X of the State Constitution

2208 1. Miami-Dade County or Broward County existing at the time  
2209 of adoption of s. 23, Art. X of the State Constitution which  
2210 conducted live racing or games during calendar years 2002 and  
2211 2003, if such permitholder pays the required license fee and  
2212 meets the other requirements of this chapter.

2213 2. A county as defined in s. 125.011, provided such  
2214 facility has conducted live racing for 2 consecutive calendar  
2215 years immediately preceding its application for a slot machine



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2216 license, pays the required license fee, and meets the other  
2217 requirements of this chapter.

2218 3. Any other county, provided:

2219 a. The permitholder of such facility has conducted a full  
2220 schedule of live racing or games, as defined in s. 550.002(11),  
2221 for 2 consecutive calendar years immediately preceding its  
2222 application for a slot machine license, pays the required  
2223 license fee, and meets the other requirements of this chapter,  
2224 and such referendum was conducted after January 1, 2012, and on  
2225 or before September 1, 2018; or

2226 b. Such facility is located on or contiguous with property  
2227 of the qualified project of a public-private partnership between  
2228 the permitholder and a responsible public entity in accordance  
2229 with s. 255.065 and for which a comprehensive agreement has been  
2230 executed pursuant to s. 255.065 (7), has conducted a full  
2231 schedule of live racing or games, as defined in s. 550.002(11),  
2232 for 2 consecutive calendar years immediately preceding its  
2233 application, pays the required license fee and meets the other  
2234 requirements of this chapter, and such referendum is conducted  
2235 after the effective date of this act and on or before September  
2236 1, 2018.

2237 (b) The applicant, for a facility described in subparagraph  
2238 (a)3., irrevocably surrenders to the division one greyhound  
2239 racing permit or one jai alai permit issued pursuant to chapter  
2240 550 and, after surrendering such permit, continues to hold the  
2241 permit authorizing pari-mutuel wagering activities at the  
2242 location at which the applicant intends to operate slot machine  
2243 gaming. For a permit to be qualified for surrender by an  
2244 applicant under this paragraph, the holder of such greyhound



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2245  racing permit or jai alai permit, including any previous owner  
2246  of such permit, must have conducted a full schedule of live  
2247  racing or games, as defined in s. 550.002(11), under such permit  
2248  for not less than the 5 state fiscal years immediately prior to  
2249  state fiscal year 2018-2019. Upon the surrender of such  
2250  greyhound racing permit or jai alai permit, the surrendered  
2251  permit is void and may not be reissued.

2252 (4) As a condition of licensure and to maintain continued  
2253 authority for the conduct of slot machine gaming,  a ~~the~~ slot  
2254  machine licensee shall:

2255 (c)1. Conduct no ~~less~~ ~~fewer~~ than a full schedule of live  
2256  racing or games as defined in s. 550.002(11), unless conducting  
2257  less than a full schedule of live racing or games pursuant to s.  
2258  550.01215(1) (b), (c), or (d). A permitholder's responsibility to  
2259  conduct a full schedule ~~such number~~ of live races or games, as  
2260  defined in s. 550.002(11), shall be reduced by the number of  
2261  races or games that could not be conducted due to the direct  
2262  result of fire, war, hurricane, or other disaster or event  
2263  beyond the control of the permitholder. A permitholder may  
2264  conduct live races or games at another pari-mutuel facility  
2265  pursuant to s. 550.475 if such permitholder has operated its  
2266  live races or games by lease for at least 5 consecutive years  
2267  immediately prior to the permitholder's application for a slot  
2268  machine license.

2269  2.a. If not licensed to conduct a full schedule of live  
2270  racing or games, as defined in s. 550.002(11), pursuant to s.  
2271  550.01215(1) (b), (c), or (d), remit each month to each qualified  
2272  thoroughbred permitholder, by electronic funds transfer, an  
2273  amount equal to one-twelfth of the lesser of \$1.5 million or



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2274 2.75 percent of its slot machine revenues from the previous  
2275 state fiscal year, divided by the total number of qualified  
2276 thoroughbred permitholders for the applicable state fiscal year.

2277 b. Notwithstanding sub-subparagraph a., if not licensed to  
2278 conduct a full schedule of live racing or games, as defined in  
2279 s. 550.002(11), pursuant to s. 550.01215(1)(c), remit each month  
2280 after the expiration of a contract entered before the effective  
2281 date of this act pursuant to s. 551.104(10)(a), to each  
2282 qualified thoroughbred permitholder, by electronic funds  
2283 transfer, an amount equal to one-twelfth of \$3.5 million during  
2284 calendar year 2021, \$3 million during calendar year 2022, \$2.5  
2285 million during calendar year 2023, and \$2 million during  
2286 calendar year 2024. This sub-subparagraph does not apply in  
2287 calendar year 2025 and thereafter.

2288 c. Qualified thoroughbred permitholders shall use such  
2289 payments exclusively for purses and awards for live thoroughbred  
2290 horse races held at the qualified thoroughbred permitholder's  
2291 racing facility. For the purposes of this subparagraph, the term  
2292 "qualified thoroughbred permitholder" means a thoroughbred  
2293 permitholder conducting, in the applicable state fiscal year, no  
2294 less than a full schedule of live racing or games, as defined in  
2295 s. 550.002(11), and no fewer live thoroughbred horse racing  
2296 performances than such permitholder conducted in state fiscal  
2297 year 2017-2018. The term does not include a permitholder whose  
2298 permit was issued pursuant to s. 550.3345 or a permitholder  
2299 leasing at another thoroughbred permitholder's facility pursuant  
2300 to s. 550.475.

2301 d. The division shall notify each slot machine licensee  
2302 required to remit such payments, not later than 15 days after





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2303 issuing the slot machine license, of the qualified thoroughbred  
2304 permitholders to which such payments must be paid. Each  
2305 qualified thoroughbred permitholder shall provide each slot  
2306 machine licensee required to remit payments pursuant to this  
2307 subparagraph with written instructions for transmitting such  
2308 electronic payments. Such payments shall be remitted to each  
2309 qualified thoroughbred permitholder on the fifth day of each  
2310 calendar month. If the fifth day of the calendar month falls on  
2311 a weekend, such payment shall be remitted on the first Monday  
2312 following the weekend.

2313 e. A qualified thoroughbred permitholder receiving funds  
2314 under this subparagraph shall remit, within 10 days after  
2315 receipt, 10 percent of those funds to the Florida Thoroughbred  
2316 Breeders' Association, Inc., for the payment of breeders',  
2317 stallion, and special racing awards, subject to the fee  
2318 authorized in s. 550.2625(3).

2319 f. A slot machine licensee that conducts no live racing  
2320 pursuant to s. 550.01215(1)(c) and has made payments pursuant to  
2321 sub-subparagraph 2.b. may offset the total amount paid in  
2322 calendar years 2021, 2022, 2023, and 2024, that is in excess of  
2323 the total amount that would have been paid pursuant to sub-  
2324 subparagraph 2.a. in those calendar years, against the amount  
2325 required to be paid under sub-subparagraph 2.a., beginning in  
2326 calendar year 2026. Provided, however, the total amount that may  
2327 be offset each month against the total of the monthly amounts  
2328 remitted pursuant to sub-subparagraph 2.a. may not exceed one-  
2329 twelfth of \$500,000 in calendar years 2026, 2027, and 2028;  
2330 \$600,000 in calendar years 2029, 2030, and 2031; and \$700,000 in  
2331 each subsequent calendar year, until the total amount authorized



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2332 to be offset under this sub-subparagraph in all calendar years  
2333 equals \$5 million.

2334 Section 15. Subsections (3) and (5) of section 551.106,  
2335 Florida Statutes, are redesignated as subsections (4) and (6),  
2336 respectively, a new subsection (3) is added to that section, and  
2337 subsections (1), (2), and present subsection (4) of that section  
2338 are amended, to read:

2339 551.106 License fee; tax rate; penalties.—

2340 (1) LICENSE FEE.—

2341 ~~(a) Upon submission of the initial application for a slot~~  
2342 ~~machine license, and annually thereafter, on the anniversary~~  
2343 ~~date of the issuance of the initial license, the licensee must~~  
2344 ~~pay to the division a nonrefundable license fee of \$3 million~~  
2345 ~~for the succeeding 12 months of licensure. In the 2010-2011~~  
2346 ~~fiscal year, the licensee must pay the division a nonrefundable~~  
2347 ~~license fee of \$2.5 million for the succeeding 12 months of~~  
2348 ~~licensure. In the 2011-2012 fiscal year and for every fiscal~~  
2349 ~~year thereafter, the licensee must pay the division a~~  
2350 ~~nonrefundable license fee of \$2 million for the succeeding 12~~  
2351 ~~months of licensure. The license fee must ~~shall~~ be deposited~~  
2352 ~~into the Pari-mutuel Wagering Trust Fund of the Department of~~  
2353 ~~Business and Professional Regulation to be used by the division~~  
2354 ~~and the Department of Law Enforcement for investigations,~~  
2355 ~~regulation of slot machine gaming, and enforcement of slot~~  
2356 ~~machine gaming provisions under this chapter. These payments~~  
2357 ~~must ~~shall~~ be accounted for separately from taxes or fees paid~~  
2358 ~~pursuant to the provisions of chapter 550.~~

2359 ~~(b) Prior to January 1, 2007, the division shall evaluate~~  
2360 ~~the license fee and shall make recommendations to the President~~



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2361 ~~of the Senate and the Speaker of the House of Representatives~~  
2362 ~~regarding the optimum level of slot machine license fees in~~  
2363 ~~order to adequately support the slot machine regulatory program.~~

2364 (2) TAX ON SLOT MACHINE REVENUES.-

2365 (a) 1. The tax rate on slot machine revenues at each  
2366 facility ~~is shall be~~ 35 percent. Effective January 1, 2019, the  
2367 tax rate on slot machine revenues at each facility is 30  
2368 percent. Effective July 1, 2020, the tax rate on slot machine  
2369 revenues at each facility is 25 percent.

2370 2.a. If, during any state fiscal year, the aggregate amount  
2371 of tax paid to the state by ~~all~~ slot machine licensees in  
2372 Broward and Miami-Dade Counties is less than the aggregate  
2373 amount of tax paid to the state by ~~all slot machine~~ licensees in  
2374 those counties in the 2017-2018 2008-2009 fiscal year, each slot  
2375 machine licensee shall pay to the state within 45 days after the  
2376 end of the state fiscal year a surcharge ~~equal to its pro rata~~  
2377 ~~share of an amount equal to the difference between the aggregate~~  
2378 ~~amount of tax paid to the state by all slot machine licensees in~~  
2379 ~~the 2008-2009 fiscal year and the amount of tax paid during the~~  
2380 ~~fiscal year.~~

2381 b. The amount of the surcharge to be paid by each such  
2382 licensee must be calculated by dividing the aggregate amount of  
2383 slot machine taxes paid to the state by all such slot machine  
2384 licensees in the 2017-2018 fiscal year by the aggregate amount  
2385 of slot machine taxes paid by all such licensees during the  
2386 applicable state fiscal year, multiplying the result by the  
2387 amount of slot machine taxes paid by the licensee during the  
2388 applicable state fiscal year, and then subtracting from that  
2389 product the amount of slot machine taxes paid by the licensee



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2390 during the applicable state fiscal year. However, the sum of the  
2391 taxes paid by a licensee pursuant to subparagraph 1. and any  
2392 surcharge due from the licensee may not exceed 35 percent of the  
2393 slot machine revenue of that licensee in the applicable state  
2394 fiscal year ~~Each licensee's pro rata share shall be an amount~~  
2395 ~~determined by dividing the number 1 by the number of facilities~~  
2396 ~~licensed to operate slot machines during the applicable fiscal~~  
2397 ~~year, regardless of whether the facility is operating such~~  
2398 ~~machines.~~

2399 (b) The slot machine revenue tax imposed by this section on  
2400 facilities licensed pursuant to s. 551.104(2) (a)1., 2., or 3.a.  
2401 must ~~shall~~ be paid to the division for deposit into the Pari-  
2402 mutuel Wagering Trust Fund for immediate transfer by the Chief  
2403 Financial Officer for deposit into the Educational Enhancement  
2404 Trust Fund of the Department of Education. Any interest earnings  
2405 on the tax revenues must ~~shall~~ also be transferred to the  
2406 Educational Enhancement Trust Fund. The slot machine revenue tax  
2407 imposed by this section on facilities licensed pursuant to s.  
2408 551.104(2) (a)3.b. must be paid to the division for deposit into  
2409 the Pari-mutuel Wagering Trust Fund. The division must transfer  
2410 90 percent of such funds to be deposited by the Chief Financial  
2411 Officer into the Educational Enhancement Trust Fund of the  
2412 Department of Education and must transfer 10 percent of such  
2413 funds to the responsible public entity for the public-private  
2414 partnership of the slot machine licensee pursuant to ss.  
2415 551.104(2) (a)3.b. and 255.065.

2416 (c)1. Funds transferred to the Educational Enhancement  
2417 Trust Fund under paragraph (b) must ~~shall~~ be used to supplement  
2418 public education funding statewide. Funds transferred to a



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2419 responsible public entity pursuant to paragraph (b) must be used  
2420 in accordance with s. 255.065 to finance the qualifying project  
2421 of such entity and the slot machine licensee, which established  
2422 the licensee's eligibility for initial licensure pursuant to s.  
2423 551.104(2)(a)3.b.

2424       2. If necessary to comply with any covenant established  
2425 pursuant to s. 1013.68(4), s. 1013.70(1), or s. 1013.737(3),  
2426 funds transferred to the Educational Enhancement Trust Fund  
2427 under paragraph (b) must ~~shall~~ first be available to pay debt  
2428 service on lottery bonds issued to fund school construction in  
2429 the event lottery revenues are insufficient for such purpose or  
2430 to satisfy debt service reserve requirements established in  
2431 connection with lottery bonds. Moneys available pursuant to this  
2432 subparagraph are subject to annual appropriation by the  
2433 Legislature.

2434       (3) SLOT MACHINE GUARANTEE FEE; SURCHARGE.-

2435       (a) If a permitholder located within a county that has  
2436 conducted a successful slot machine referendum after January 1,  
2437 2012, does not pay at least \$10 million in total slot machine  
2438 taxes and license fees to the state in state fiscal year 2018-  
2439 2019, the permitholder shall pay to the state within 45 days  
2440 after the end of the state fiscal year a surcharge equal to the  
2441 difference between the aggregate amount of slot machine taxes  
2442 and license fees paid to the state in the fiscal year and \$10  
2443 million, regardless of whether the permitholder or licensee  
2444 operated slot machines during the fiscal year.

2445       (b) If a permitholder located within a county that has  
2446 conducted a successful slot machine referendum after January 1,  
2447 2012, does not pay at least \$20 million in total slot machine



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2448 taxes and license fees to the state in state fiscal year 2019-  
2449 2020 and any subsequent state fiscal year, the permitholder  
2450 shall pay to the state within 45 days after the end of the state  
2451 fiscal year a surcharge equal to the difference between the  
2452 aggregate amount of slot machine taxes and license fees paid to  
2453 the state in the fiscal year and \$20 million, regardless of  
2454 whether the permitholder or licensee operated slot machines  
2455 during the fiscal year.

2456 (5) ~~(4)~~ TO PAY TAX; PENALTIES.—A slot machine licensee who  
2457 fails to make tax and any applicable surcharge payments as  
2458 required under this section is subject to an administrative  
2459 penalty of up to \$10,000 for each day the tax payment is not  
2460 remitted. All administrative penalties imposed and collected  
2461 must ~~shall~~ be deposited into the Pari-mutuel Wagering Trust Fund  
2462 of the Department of Business and Professional Regulation. If  
2463 any slot machine licensee fails to pay penalties imposed by  
2464 order of the division under this subsection, the division may  
2465 deny, suspend, revoke, or refuse to renew the license of the  
2466 permitholder or slot machine licensee.

2467 Section 16. Subsections (1), (2), and (4) of section  
2468 551.114, Florida Statutes, are amended to read:

2469 551.114 Slot machine gaming areas.—

2470 (1) (a) A slot machine licensee whose initial license was  
2471 issued before January 1, 2018, may make available for play up  
2472 to:

2473 1. 1,600 ~~2,000~~ slot machines within the property of the  
2474 facilities of the slot machine licensee, if the licensee made  
2475 available for play 1,250 or more slot machines during state  
2476 fiscal year 2016-2017.



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2477           2. 1,200 slot machines within the property of the  
2478 facilities of the slot machine licensee, if the licensee made  
2479 available for play 1,000 or more slot machines, but less than  
2480 1,250 slot machines, during state fiscal year 2016-2017.

2481           3. 1,000 slot machines within the property of the  
2482 facilities of the slot machine licensee, if the licensee made  
2483 available for play less than 1,000 slot machines during state  
2484 fiscal year 2016-2017.

2485           (b)1. A slot machine licensee whose initial license was  
2486 issued on or after January 1, 2018, may make available for play  
2487 up to 750 slot machines within the property of the facilities of  
2488 the slot machine licensee; provided however, the total number of  
2489 slot machines which may be made available for play by all slot  
2490 machine licensees whose initial license was issued after January  
2491 1, 2018, may not exceed 6,000 slot machines.

2492           2. If the total number of slot machines which all licensees  
2493 whose initial license was issued on or after January 1, 2018,  
2494 would exceed 6,000 slot machines if each such licensee were to  
2495 operate 750 slot machines, the maximum number of slot machines  
2496 each such licensee may make available for play may not exceed  
2497 6,000 divided by the number of licensees whose initial license  
2498 was issued after January 1, 2018.

2499           (2) If such races or games are available to the slot  
2500 machine licensee, the slot machine licensee shall display pari-  
2501 mutuel races or games within the designated slot machine gaming  
2502 areas and offer patrons within the designated slot machine  
2503 gaming areas the ability to engage in pari-mutuel wagering on  
2504 any live, intertrack, and simulcast races conducted or offered  
2505 to patrons of the licensed facility.



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2506 (4) Designated slot machine gaming areas shall ~~may~~ be  
2507 located anywhere within the property described in a slot machine  
2508 licensee's pari-mutuel permit ~~within the current live gaming~~  
2509 ~~facility or in an existing building that must be contiguous and~~  
2510 ~~connected to the live gaming facility. If a designated slot~~  
2511 ~~machine gaming area is to be located in a building that is to be~~  
2512 ~~constructed, that new building must be contiguous and connected~~  
2513 ~~to the live gaming facility.~~

2514 Section 17. Section 551.116, Florida Statutes, is amended  
2515 to read:

2516 551.116 Days and hours of operation.—Slot machine gaming  
2517 areas may be open 24 hours per day, 7 days a week ~~daily~~  
2518 throughout the year. ~~The slot machine gaming areas may be open a~~  
2519 ~~cumulative amount of 18 hours per day on Monday through Friday~~  
2520 ~~and 24 hours per day on Saturday and Sunday and on those~~  
2521 ~~holidays specified in s. 110.117(1).~~

2522 Section 18. Present subsections (9) through (17) of section  
2523 849.086, Florida Statutes, are redesignated as subsections (10)  
2524 through (18), respectively, a new subsection (9) is added to  
2525 that section, subsections (1) and (2) of that section are  
2526 amended, paragraph (g) is added to subsection (4) of that  
2527 section, and paragraph (b) of subsection (5), paragraphs (a),  
2528 (b), and (c) of subsection (7), paragraph (a) of subsection (8),  
2529 present subsection (12), and paragraphs (d) and (h) of present  
2530 subsection (13) are amended, to read:

2531 849.086 Cardrooms authorized.—

2532 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature  
2533 to provide additional entertainment choices for the residents of  
2534 and visitors to the state, promote tourism in the state, provide





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2535 revenues to support the continuation of live pari-mutuel  
2536 activity, and provide additional state revenues through the  
2537 authorization of the playing of certain games in the state at  
2538 facilities known as cardrooms which are to be located at  
2539 licensed pari-mutuel facilities. To ensure the public confidence  
2540 in the integrity of authorized cardroom operations, this act is  
2541 designed to strictly regulate the facilities, persons, and  
2542 procedures related to cardroom operations. Furthermore, the  
2543 Legislature finds that authorized games of poker and dominoes ~~as~~  
2544 ~~herein defined~~ are considered to be pari-mutuel style games and  
2545 not casino gaming because the participants play against each  
2546 other instead of against the house.

2547 (2) DEFINITIONS.—As used in this section:

2548 (a) "Authorized game" means a game or series of games of  
2549 poker, including designated player games, played in conformance  
2550 with this section and in a manner consistent with the rules and  
2551 requirements specified in the 1974 edition of Hoyle's Modern  
2552 Encyclopedia of Card Games: Rules of All the Basic Games and  
2553 Popular Variations and including three card poker, or dominoes  
2554 played in conformance with this section ~~or dominoes which are~~  
2555 ~~played in a nonbanking manner.~~

2556 (b) "Banking game" means a game in which the house is a  
2557 participant in the game, taking on players, paying winners, and  
2558 collecting from losers ~~or in which the cardroom establishes a~~  
2559 ~~bank against which participants play.~~ A designated player game  
2560 is not a banking game.

2561 (c) "Cardroom" means a facility where authorized games are  
2562 played for money or anything of value and to which the public is  
2563 invited to participate in such games and charged a fee for



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2564 participation by the operator of such facility. Authorized games  
2565 and cardrooms do not constitute casino gaming operations if  
2566 conducted at an eligible facility.

2567 (d) "Cardroom management company" means any individual not  
2568 an employee of the cardroom operator, any proprietorship,  
2569 partnership, corporation, or other entity that enters into an  
2570 agreement with a cardroom operator to manage, operate, or  
2571 otherwise control the daily operation of a cardroom.

2572 (e) "Cardroom distributor" means any business that  
2573 distributes cardroom paraphernalia such as card tables, betting  
2574 chips, chip holders, dominoes, dominoes tables, drop boxes,  
2575 banking supplies, playing cards, card shufflers, and other  
2576 associated equipment to authorized cardrooms.

2577 (f) "Cardroom operator" means a licensed pari-mutuel  
2578 permitholder that ~~which~~ holds a valid permit and license issued  
2579 by the division pursuant to chapter 550 and which also holds a  
2580 valid cardroom license issued by the division pursuant to this  
2581 section which authorizes such person to operate a cardroom and  
2582 to conduct authorized games in such cardroom.

2583 (g) "Designated player" means the player identified for  
2584 each game by a button that rotates clockwise before each hand  
2585 begins as the player in the dealer position and seated at a  
2586 traditional player position in a designated player game who pays  
2587 winning players and collects from losing players.

2588 (h) "Designated player game" means a game in which the  
2589 players compare their cards only to the cards of the designated  
2590 player or to a combination of cards held by the designated  
2591 player and cards common and available for play by all players.

2592 (i) ~~(g)~~ "Division" means the Division of Pari-mutuel



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2593 Wagering of the Department of Business and Professional  
2594 Regulation.

2595 (j)~~(h)~~ "Dominoes" means a game of dominoes typically played  
2596 with a set of 28 flat rectangular blocks, called "bones," which  
2597 are marked on one side and divided into two equal parts, with  
2598 zero to six dots, called "pips," in each part. The term also  
2599 includes larger sets of blocks that contain a correspondingly  
2600 higher number of pips. The term also means the set of blocks  
2601 used to play the game.

2602 (k)~~(i)~~ "Gross receipts" means the total amount of money  
2603 received by a cardroom from any person for participation in  
2604 authorized games.

2605 (l)~~(j)~~ "House" means the cardroom operator and all  
2606 employees of the cardroom operator.

2607 (m)~~(k)~~ "Net proceeds" means the total amount of gross  
2608 receipts received by a cardroom operator from cardroom  
2609 operations less direct operating expenses related to cardroom  
2610 operations, including labor costs, admission taxes only if a  
2611 separate admission fee is charged for entry to the cardroom  
2612 facility, gross receipts taxes imposed on cardroom operators by  
2613 this section, the annual cardroom license fees imposed by this  
2614 section on each table operated at a cardroom, and reasonable  
2615 promotional costs excluding officer and director compensation,  
2616 interest on capital debt, legal fees, real estate taxes, bad  
2617 debts, contributions or donations, or overhead and depreciation  
2618 expenses not directly related to the operation of the cardrooms.

2619 (n)~~(l)~~ "Rake" means a set fee or percentage of the pot  
2620 assessed by a cardroom operator for providing the services of a  
2621 dealer, table, or location for playing the authorized game.



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2622            (o) ~~(m)~~ "Tournament" means a series of games that have more  
2623 than one betting round involving one or more tables and where  
2624 the winners or others receive a prize or cash award.

2625            (4) AUTHORITY OF DIVISION.—The Division of Pari-mutuel  
2626 Wagering of the Department of Business and Professional  
2627 Regulation shall administer this section and regulate the  
2628 operation of cardrooms under this section and the rules adopted  
2629 pursuant thereto, and is hereby authorized to:

2630            (g) Establish a reasonable period to respond to requests  
2631 from a licensed cardroom; provided however, the division has a  
2632 maximum of 45 days to approve:

2633            1. A cardroom's internal controls or provide the cardroom  
2634 with a list of deficiencies as to the internal controls.

2635            2. Rules for a new authorized game submitted by a licensed  
2636 cardroom or provide the cardroom with a list of deficiencies as  
2637 to those rules.

2638  
2639 No later than 10 days after the submission of revised internal  
2640 controls or revised rules addressing the deficiencies identified  
2641 by the division, the division must review and approve or reject  
2642 the revised internal controls or revised rules.

2643            (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may  
2644 operate a cardroom in this state unless such person holds a  
2645 valid cardroom license issued pursuant to this section.

2646            (b) After the initial cardroom license is granted, the  
2647 application for the annual license renewal shall be made in  
2648 conjunction with the applicant's annual application for its  
2649 pari-mutuel license. If a permitholder has operated a cardroom  
2650 during any of the 3 previous fiscal years and fails to include a



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2651 renewal request for the operation of the cardroom in its annual  
2652 application for license renewal, the permitholder may amend its  
2653 annual application to include operation of the cardroom. ~~In~~  
2654 ~~order for a cardroom license to be renewed the applicant must~~  
2655 ~~have requested, as part of its pari-mutuel annual license~~  
2656 ~~application, to conduct at least 90 percent of the total number~~  
2657 ~~of live performances conducted by such permitholder during~~  
2658 ~~either the state fiscal year in which its initial cardroom~~  
2659 ~~license was issued or the state fiscal year immediately prior~~  
2660 ~~thereto if the permitholder ran at least a full schedule of live~~  
2661 ~~racing or games in the prior year. If the application is for a~~  
2662 ~~harness permitholder cardroom, the applicant must have requested~~  
2663 ~~authorization to conduct a minimum of 140 live performances~~  
2664 ~~during the state fiscal year immediately prior thereto. If more~~  
2665 ~~than one permitholder is operating at a facility, each~~  
2666 ~~permitholder must have applied for a license to conduct a full~~  
2667 ~~schedule of live racing.~~

2668 (7) CONDITIONS FOR OPERATING A CARDROOM.—

2669 (a) A cardroom may be operated only at the location  
2670 specified on the cardroom license issued by the division, and  
2671 such location may only be the location at which the pari-mutuel  
2672 permitholder is authorized to conduct pari-mutuel wagering  
2673 activities pursuant to such permitholder's valid pari-mutuel  
2674 permit or as otherwise authorized by law. ~~Cardroom operations~~  
2675 ~~may not be allowed beyond the hours provided in paragraph (b)~~  
2676 ~~regardless of the number of cardroom licenses issued for~~  
2677 ~~permitholders operating at the pari-mutuel facility.~~

2678 (b) Any cardroom operator may operate a cardroom at the  
2679 pari-mutuel facility daily throughout the year, if the



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2680 permitholder meets the requirements under paragraph (5) (b). The  
2681 cardroom may be open ~~a cumulative amount of 18 hours per day on~~  
2682 ~~Monday through Friday and 24 hours per day on Saturday and~~  
2683 ~~Sunday and on the holidays specified in s. 110.117(1).~~

2684 (c) A cardroom operator must at all times employ and  
2685 provide a nonplaying live dealer at ~~for~~ each table on which  
2686 authorized ~~card games which traditionally use a dealer~~ are  
2687 conducted ~~at the cardroom~~. Such dealers may not have a  
2688 participatory interest in any game other than the dealing of  
2689 cards and may not have an interest in the outcome of the game.  
2690 The providing of such dealers by a licensee does not constitute  
2691 the conducting of a banking game by the cardroom operator.

2692 (8) METHOD OF WAGERS; LIMITATION.—

2693 (a) ~~No~~ Wagering may not be conducted using money or other  
2694 negotiable currency. Games may only be played utilizing a  
2695 wagering system whereby all players' money is first converted by  
2696 the house to tokens or chips that may ~~which shall~~ be used for  
2697 wagering only at that specific cardroom.

2698 (9) DESIGNATED PLAYER GAMES AUTHORIZED.—

2699 (a) A cardroom operator may offer designated player games  
2700 consisting of players making wagers against the designated  
2701 player. However, not more than 50 percent of the total licensed  
2702 tables in a cardroom may offer designated player games. The  
2703 designated player must be licensed pursuant to paragraph (6) (b).  
2704 Employees of a designated player also must be licensed, and the  
2705 designated player shall pay, in addition to the business  
2706 occupational fee established pursuant to paragraph (6) (i), an  
2707 employee occupational license fee that may not exceed \$500 per  
2708 employee for any 12-month period.



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2709           (b) A cardroom operator may not serve as a designated  
2710 player in any game. The cardroom operator may not have a  
2711 financial interest in a designated player in any game. A  
2712 cardroom operator may collect a rake in accordance with the rake  
2713 structure posted at the table.

2714           (c) If there are multiple designated players at a table,  
2715 the dealer button shall be rotated in a clockwise rotation after  
2716 each hand.

2717           (d) A cardroom operator may not allow a designated player  
2718 to pay an opposing player who holds a lower-ranked hand.

2719           (e) A designated player may not be required by the rules of  
2720 a game or by the rules of a cardroom to cover more than 10 times  
2721 the maximum wager for players participating in any one game.

2722           (f) The cardroom, or any cardroom licensee, may not  
2723 contract with, or receive compensation other than a posted table  
2724 rake from, any player to participate in any game to serve as a  
2725 designated player.

2726           (13) ~~(12)~~ PROHIBITED ACTIVITIES.-

2727           (a) A ~~Ne~~ person licensed to operate a cardroom may not  
2728 conduct any banking game or any game not specifically authorized  
2729 by this section.

2730           (b) A ~~Ne~~ person who is younger than ~~under~~ 18 years of age  
2731 may not be permitted to hold a cardroom or employee license, or  
2732 to engage in any game conducted therein.

2733           (c) With the exception of mechanical card shufflers, ~~Ne~~  
2734 electronic or mechanical devices, ~~except mechanical card~~  
2735 shufflers, may not be used to conduct any authorized game in a  
2736 cardroom.

2737           (d) ~~Ne~~ Cards, game components, or game implements may not



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2738 be used in playing an authorized game unless they have ~~such has~~  
2739 been furnished or provided to the players by the cardroom  
2740 operator.

2741 (14) ~~(13)~~ TAXES AND OTHER PAYMENTS.—

2742 (d)1. Each ~~greyhound and jai alai~~ permitholder that  
2743 operates a cardroom facility shall use at least 4 percent of  
2744 such permitholder's cardroom monthly gross receipts to  
2745 supplement ~~greyhound~~ purses and awards or jai alai prize money,  
2746 respectively, during the permitholder's next ensuing pari-mutuel  
2747 meet.

2748 2.a. Any permitholder with a cardroom license and  
2749 conducting less than a full schedule of live racing or games, as  
2750 defined in s. 550.002(11), pursuant to s. 550.01215(1)(b), (c),  
2751 or (d), shall remit each month to each qualified thoroughbred  
2752 permitholder, by electronic funds transfer, an amount equal to 4  
2753 percent of its monthly cardroom gross receipts divided by the  
2754 total number of qualified thoroughbred permitholders for a  
2755 license year. Qualified thoroughbred permitholders shall use  
2756 such payments exclusively for purses and awards for live  
2757 thoroughbred horse races held at the qualified thoroughbred  
2758 permitholder's racing facility. For the purposes of this  
2759 subparagraph, the term "qualified thoroughbred permitholder"  
2760 means a thoroughbred permitholder conducting, in the applicable  
2761 state fiscal year, no less than a full schedule of live racing  
2762 or games, as defined in s. 550.002(11), and no fewer live  
2763 thoroughbred horse racing performances than such permitholder  
2764 conducted in state fiscal year 2017-2018. The term does not  
2765 include a permitholder whose permit was issued pursuant to s.  
2766 550.3345 or a permitholder leasing at another thoroughbred





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2767 permitholder's facility pursuant to s. 550.475.

2768 b. The division shall notify each cardroom licensee  
2769 required to remit such payments, not later than 15 days after  
2770 issuing the cardroom license, of the qualified thoroughbred  
2771 permitholders to which such payments must be paid. Each  
2772 qualified thoroughbred permitholder shall provide each cardroom  
2773 licensee required to remit payments pursuant to this  
2774 subparagraph with written instructions for transmitting such  
2775 electronic payments. Such payments shall be remitted to each  
2776 qualified thoroughbred permitholder on the fifth day of each  
2777 calendar month and shall be based upon the preceding month's  
2778 cardroom activities. If the fifth day of the calendar month  
2779 falls on a weekend, such payment shall be remitted on the first  
2780 Monday following the weekend.

2781 c. A qualified thoroughbred permitholder receiving funds  
2782 under this subparagraph shall remit, within 10 days after  
2783 receipt, 10 percent of those funds to the Florida Thoroughbred  
2784 Breeders' Association, Inc., for the payment of breeders',  
2785 stallion, and special racing awards, subject to the fee  
2786 authorized in s. 550.2625(3).

2787 3. Each thoroughbred and harness horse racing permitholder  
2788 that operates a cardroom facility shall use at least 50 percent  
2789 of such permitholder's cardroom monthly net proceeds as follows:  
2790 47 percent to supplement purses and 3 percent to supplement  
2791 breeders' awards during the permitholder's next ensuing racing  
2792 meet.

2793 ~~3. No cardroom license or renewal thereof shall be issued~~  
2794 ~~to an applicant holding a permit under chapter 550 to conduct~~  
2795 ~~pari-mutuel wagering meets of quarter horse racing unless the~~



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2796 ~~applicant has on file with the division a binding written~~  
2797 ~~agreement between the applicant and the Florida Quarter Horse~~  
2798 ~~Racing Association or the association representing a majority of~~  
2799 ~~the horse owners and trainers at the applicant's eligible~~  
2800 ~~facility, governing the payment of purses on live quarter horse~~  
2801 ~~races conducted at the licensee's pari-mutuel facility. The~~  
2802 ~~agreement governing purses may direct the payment of such purses~~  
2803 ~~from revenues generated by any wagering or gaming the applicant~~  
2804 ~~is authorized to conduct under Florida law. All purses shall be~~  
2805 ~~subject to the terms of chapter 550.~~

2806 (h) One-quarter of the moneys deposited into the Pari-  
2807 mutuel Wagering Trust Fund pursuant to paragraph (g) shall, by  
2808 October 1 of each year, be distributed to the local government  
2809 that approved the cardroom under subsection (17) ~~(16)~~; however,  
2810 if two or more pari-mutuel racetracks are located within the  
2811 same incorporated municipality, the cardroom funds shall be  
2812 distributed to the municipality. If a pari-mutuel facility is  
2813 situated in such a manner that it is located in more than one  
2814 county, the site of the cardroom facility shall determine the  
2815 location for purposes of disbursement of tax revenues under this  
2816 paragraph. The division shall, by September 1 of each year,  
2817 determine: the amount of taxes deposited into the Pari-mutuel  
2818 Wagering Trust Fund pursuant to this section from each cardroom  
2819 licensee; the location by county of each cardroom; whether the  
2820 cardroom is located in the unincorporated area of the county or  
2821 within an incorporated municipality; and, the total amount to be  
2822 distributed to each eligible county and municipality.

2823 Section 19. The Division of Law Revision and Information is  
2824 directed to replace the phrase "the effective date of this act"



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2825 wherever it appears in this act with the date this act becomes a  
2826 law.

2827 Section 20. This act shall take effect upon becoming a law.

2828

2829 ===== T I T L E A M E N D M E N T =====

2830 And the title is amended as follows:

2831 Delete everything before the enacting clause

2832 and insert:

2833 A bill to be entitled

2834 An act relating to gaming; amending s. 285.710, F.S.;

2835 authorizing and directing the Governor, in cooperation

2836 with the Seminole Tribe of Florida, to execute a new

2837 compact in the form provided; signifying the

2838 Legislature's approval and ratification of such

2839 compact that does not materially alter from the

2840 approved form; providing terms and conditions for the

2841 gaming compact; defining terms; authorizing the Tribe

2842 to operate covered games on its lands in accordance

2843 with the compact and at specified facilities;

2844 prohibiting specified games; providing requirements

2845 for resolution of patron disputes involving gaming,

2846 tort claims, and employee disputes; providing

2847 requirements for regulation and enforcement of the

2848 compact; requiring the state to conduct random

2849 inspections of tribal facilities; authorizing the

2850 state to conduct an independent audit; requiring the

2851 Tribe and commission to comply with specified

2852 licensing and hearing requirements; requiring the

2853 Tribe to make specified revenue share payments to the



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2854 state, with reductions authorized under certain  
2855 circumstances; requiring the Tribe to pay an annual  
2856 oversight assessment and annual donation to the  
2857 Florida Council on Compulsive Gaming; specifying that  
2858 certain events do not trigger any remedy under the  
2859 compact or affect the exclusivity provisions of the  
2860 compact; providing for dispute resolution between the  
2861 Tribe and the state; providing construction; providing  
2862 requirements for notice under the compact; providing  
2863 an effective date and termination of the compact;  
2864 providing for execution of the compact; revising the  
2865 local government share distribution percentages;  
2866 amending s. 285.712, F.S.; requiring the Governor to  
2867 provide a copy of the executed compact to specified  
2868 parties and direct the Secretary of State to forward a  
2869 copy to the Secretary of the Interior; creating s.  
2870 546.13, F.S.; defining terms; exempting a fantasy  
2871 contest from certain regulations; amending s.  
2872 550.01215, F.S.; revising application requirements for  
2873 a pari-mutuel operating license; authorizing certain  
2874 greyhound racing permitholders to elect not to conduct  
2875 live racing if such election is made within a  
2876 specified period of time; providing that a greyhound  
2877 racing permitholder that has been issued a slot  
2878 machine license remains an eligible facility,  
2879 continues to be eligible for a slot machine license,  
2880 is exempt from certain provisions of ch. 551, F.S., is  
2881 eligible to be a guest track for certain purposes, and  
2882 remains eligible for a cardroom license; authorizing a



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2883 greyhound racing permitholder to receive an operating  
2884 license to conduct pari-mutuel wagering activities at  
2885 another permitholder's greyhound racing facility;  
2886 authorizing certain thoroughbred horse racing  
2887 permitholders to elect not to conduct live racing if  
2888 such election is made within a specified period of  
2889 time; providing that a thoroughbred horse racing  
2890 permitholder that has been issued a slot machine  
2891 license remains an eligible facility, continues to be  
2892 eligible for a slot machine license, is exempt from  
2893 certain provisions of ch. 551, F.S., is eligible to be  
2894 a guest track for certain purposes, and remains  
2895 eligible for a cardroom license; requiring a  
2896 thoroughbred horse racing permitholder that makes such  
2897 election to comply with certain contracts and file a  
2898 certain irrevocable consent with the division;  
2899 authorizing such thoroughbred horse racing  
2900 permitholder to offset its contributions to certain  
2901 supplements and awards against certain payments;  
2902 providing applicability; authorizing certain jai alai  
2903 permitholders, harness horse racing permitholders, and  
2904 quarter horse racing permitholders to elect not to  
2905 conduct live racing or games if the election is made  
2906 by a specified date; specifying that such permitholder  
2907 may retain its permit and remains a pari-mutuel  
2908 facility; specifying that, if such permitholder has  
2909 been issued a slot machine license, the permitholder's  
2910 facility remains an eligible facility, continues to be  
2911 eligible for a slot machine license, is exempt from



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2912 certain provisions of chs. 550 and 551, F.S., is  
2913 eligible to be a guest track, and if the permitholder  
2914 is a harness horse racing permitholder, a host track  
2915 for intertrack wagering and simulcasting, and remains  
2916 eligible for a cardroom license; authorizing a harness  
2917 horse racing permitholder to be a host track for  
2918 purposes of intertrack wagering and simulcasting;  
2919 authorizing the division to approve a change in racing  
2920 dates for a permitholder if the request for a change  
2921 is received before a specified date and under certain  
2922 circumstances; amending s. 550.054, F.S.; requiring  
2923 the Division of Pari-Mutuel Wagering to revoke a  
2924 permit to conduct pari-mutuel wagering for a  
2925 permitholder that fails to make specified payments or  
2926 obtain an operating license; prohibiting the issuance  
2927 of new permits; prohibiting the relocation of a pari-  
2928 mutuel permit, cardroom, or slot machine facility;  
2929 providing an exception; deleting provisions related to  
2930 the conversion of permits; repealing s. 550.0745,  
2931 F.S., relating to conversion of a pari-mutuel permit  
2932 to a summer jai alai permit; amending ss. 550.09512  
2933 and 550.09515, F.S.; requiring the division to revoke  
2934 the permit of a harness horse or thoroughbred racing  
2935 permitholder, respectively, who does not pay tax on  
2936 handle for a specified period of time; deleting  
2937 provisions relating to the reissuance of escheated  
2938 permits; amending s. 550.2415, F.S.; providing that a  
2939 positive test result for anabolic steroids in certain  
2940 samples taken from a greyhound violates the



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2941 prohibition on the racing of animals that are  
2942 impermissibly medicated or determined to have a  
2943 prohibited substance present; amending s. 550.3345,  
2944 F.S.; revising provisions relating to a limited  
2945 thoroughbred racing permit previously converted from a  
2946 quarter horse racing permit; amending s. 550.5251,  
2947 F.S.; deleting provisions relating to thoroughbred  
2948 racing performances; amending s. 550.6308, F.S.;  
2949 revising the number of days of thoroughbred horse  
2950 sales required for an applicant to obtain a limited  
2951 intertrack wagering license; revising eligibility  
2952 requirements for such licenses; revising requirements  
2953 for such wagering; deleting provisions requiring a  
2954 licensee to make certain payments to the daily pari-  
2955 mutuel pool; amending s. 551.102, F.S.; revising  
2956 definitions; amending s. 551.104, F.S.; revising  
2957 conditions of licensure and conditions for maintaining  
2958 authority to conduct slot machine gaming; requiring  
2959 certain permitholders to remit certain revenues to  
2960 qualified thoroughbred permitholders; requiring  
2961 qualified thoroughbred permitholders to use such  
2962 payments for certain purposes; defining the term  
2963 "qualified thoroughbred permitholder"; providing a  
2964 process for remitting such payments; requiring  
2965 qualified thoroughbred permitholders receiving such  
2966 funds to remit a specified percentage of the funds to  
2967 a specified association; authorizing certain licensees  
2968 to offset certain amounts paid in specified calendar  
2969 years; prohibiting the offset amount from exceeding a



2970 specified amount in certain years; amending s.  
2971 551.106, F.S.; deleting obsolete provisions; revising  
2972 the tax rate on slot machine revenue effective on  
2973 specified dates; providing a formula to calculate a  
2974 surcharge amount; prohibiting the surcharge from  
2975 exceeding a certain amount; revising where slot  
2976 machine revenue tax payments must be deposited;  
2977 requiring that certain funds be used for specific  
2978 purposes; requiring certain permitholders and  
2979 licensees to pay a slot machine guarantee fee if  
2980 certain taxes and fees paid to the state during  
2981 certain periods fall below a specified amount;  
2982 amending s. 551.114, F.S.; revising the maximum number  
2983 of slot machines slot machine licensees may make  
2984 available for play; revising the areas where a  
2985 designated slot machine gaming area may be located;  
2986 amending s. 551.116, F.S.; deleting a restriction on  
2987 the number of hours per day that slot machine gaming  
2988 areas may be open; amending s. 849.086, F.S.; revising  
2989 legislative intent; revising definitions; authorizing  
2990 the division to establish a reasonable period to  
2991 respond to certain requests from a licensed cardroom;  
2992 providing that the division must approve certain  
2993 requests within 45 days; requiring the division to  
2994 review and approve or reject certain revised internal  
2995 controls or revised rules within 10 days after  
2996 submission; deleting provisions relating to the  
2997 renewal of a cardroom license; deleting provisions  
2998 relating to restrictions on hours of operation; making





2999 technical changes; authorizing certain cardroom  
3000 operators to offer a certain number of certain  
3001 designated player games; requiring the designated  
3002 player and employees of the designated player to be  
3003 licensed; requiring the designated player to pay  
3004 certain fees; prohibiting a cardroom operator from  
3005 serving as the designated player in a game and from  
3006 having a financial interest in a designated player;  
3007 authorizing a cardroom operator to collect a rake,  
3008 subject to certain requirements; requiring the dealer  
3009 button to be rotated under certain circumstances;  
3010 prohibiting a cardroom operator from allowing a  
3011 designated player to pay an opposing player under  
3012 certain circumstances; prohibiting the rules of the  
3013 game or of the cardroom to require a designated player  
3014 to cover more than 10 times the maximum wager for  
3015 players participating in any one game; prohibiting a  
3016 cardroom or cardroom licensee from contracting with or  
3017 receiving certain compensation from a player to allow  
3018 that player to participate in any game as a designated  
3019 player; requiring certain permitholders with a  
3020 cardroom license to remit a certain amount of its  
3021 monthly gross receipts to qualified thoroughbred  
3022 permitholders; requiring qualified thoroughbred  
3023 holders to use such payments for certain purposes;  
3024 defining the term "qualified thoroughbred  
3025 permitholder"; providing a process for remitting such  
3026 payments; requiring qualified thoroughbred  
3027 permitholders receiving such funds to remit a



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3028 specified percentage of the funds to a specified  
3029 association; deleting a provision relating to the  
3030 renewal or issuance of a cardroom license to a quarter  
3031 horse racing permitholder; conforming a cross-  
3032 reference; providing a directive to the Division of  
3033 Law Revision and Information; providing an effective  
3034 date.