



THE FLORIDA SENATE
SENATOR WILTON SIMPSON
President

MEMORANDUM

TO: All Senators
FROM: Wilton Simpson
SUBJECT: Gaming Update
DATE: April 7, 2021

This afternoon, Senator Hutson will notice a meeting of the Committee on Regulated Industries for Monday, April 12, at 3:00 p.m. The notice includes three proposed committee bills related to gaming in our state.

As you know, for the last several months, the Senate has been working closely with Governor DeSantis to update Florida's Compact with the Seminole Tribe of Florida and to find new ways to strengthen the State's relationship with existing pari-mutuel operators.

While ongoing negotiations with the Seminole Tribe have been productive and will continue, as we move into the final weeks of session, I would like to move forward with committee review of two key issues unrelated to the Compact.

Gaming Control Commission

The Committee will consider a proposed bill to create a five member Gaming Control Commission with law enforcement authority over gaming laws. The Commission will be comprised of five members appointed by the Governor, subject to confirmation by the Senate.

Responsible regulation is central to gaming, and I believe, as with other industries, such regulation should be reviewed and updated regularly. Regulation of gaming and enforcement of laws against illegal gaming not only protects the public, but the integrity of the industry.

In my view, regulation assures patrons that the games are fair and provides Floridians security that these businesses are operating responsibly in their communities. This oversight is key to protecting the legacy pari-mutuel businesses that have been a part of Florida's economy for decades. Appropriate regulatory controls build public confidence and lead to a stronger gaming industry that can spur economic growth that benefits the businesses and our state. An independent Gaming Control Commission is essential to this effort.

Current enforcement of Florida's gaming laws, other than pari-mutuel wagering, is decentralized among Florida's cities and counties, primarily left to local law enforcement. The bill grants additional investigatory and prosecutorial authority to the Office of Statewide Prosecution in the Department of Legal Affairs. While the Commission will operate independently, it will be administratively housed within the Department of Legal Affairs to allow seamless coordination with the Statewide Prosecutor and the Office of the Attorney General to collectively address violations of gaming laws.

The Committee will also consider a public records and public meetings bill to protect certain records and limited portions of the meetings of the Gaming Control Commission where details, information, and documents related to active criminal intelligence information or active criminal investigative information are discussed.

Decoupling of Greyhound, Jai Alai, Harness, and Quarter Horse Racing Pari-Mutuel Permitholders

With the passage of Amendment 13 in 2018, decoupling has already occurred in our state as dog tracks ended live racing. As the gaming industry has evolved, pari-mutuel permitholders have expressed an interest in removing antiquated provisions of law that require a certain level of live racing or competition in order to offer other authorized forms of gaming entertainment. The Committee will consider legislation that provides for decoupling of jai alai, harness, and quarter horse racing, as well as conform the statutes to the constitutional prohibition on greyhound racing.

Thoroughbred breeders, owners, trainers, and permitholders believe keeping a live racing schedule is vital to their industry and its long history in our state. As such, they are not included in this legislation. Additionally, the bill will not address other issues related to the pari-mutuel industry including the portability of permits, internet gaming, sports betting, or an expansion of the kinds of games that are currently authorized.

Florida is a diverse state and our Senators and constituents have many different opinions, beliefs and convictions regarding gaming. The fact remains, gaming is a voter-approved industry that has contributed billions of dollars to our economy for education, health care and infrastructure, while providing hundreds of thousands of jobs to Floridians over the course of nearly 100 years. As we do with other industries, we have a responsibility to ensure our laws are updated to reflect current realities of the industry and that those laws are properly enforced. These bills take that needed step without impacting ongoing negotiations with the Seminole Tribe.