

By Senator Sullivan

22-1462-99

1 A bill to be entitled
 2 An act relating to taxation on thoroughbred
 3 horse racing; amending ss. 550.0951, 550.09515,
 4 F.S.; reducing specified taxes; providing an
 5 effective date.

6
7 Be It Enacted by the Legislature of the State of Florida:

8
9 Section 1. Paragraph (c) of subsection (3) of section
10 550.0951, Florida Statutes, 1998 Supplement, is amended to
11 read:

12 550.0951 Payment of daily license fee and taxes.--

13 (3) TAX ON HANDLE.--Each permitholder shall pay a tax
14 on contributions to pari-mutuel pools, the aggregate of which
15 is hereinafter referred to as "handle," on races or games
16 conducted by the permitholder. The tax is imposed daily and is
17 based on the total contributions to all pari-mutuel pools
18 conducted during the daily performance. If a permitholder
19 conducts more than one performance daily, the tax is imposed
20 on each performance separately.

21 (c)1. The tax on handle for intertrack wagering is 2.4
22 ~~3.3~~ percent of the handle if the host track is a horse track,
23 7.6 percent if the host track is a dog track, and 7.1 percent
24 if the host track is a jai alai fronton. The tax on handle
25 for intertrack wagering on rebroadcasts of simulcast
26 horseraces is 2.4 percent of the handle. The tax shall be
27 deposited into the General Revenue Fund.

28 2. Effective October 1, 1996, the tax on handle for
29 intertrack wagers accepted by any dog track located in an area
30 of the state in which there are only three permitholders, all
31 of which are greyhound permitholders, located in three

1 contiguous counties, from any greyhound permitholder also
2 located within such area or any dog track or jai alai fronton
3 located as specified in s. 550.615(6) or (8), on races or
4 games received from the same class of permitholder located
5 within the same market area is 6 percent if the host facility
6 is a greyhound permitholder and, if the host facility is a jai
7 alai permitholder, the rate shall be 6.1 percent except that
8 it shall be 2.3 percent on handle at such time as the total
9 tax on intertrack handle paid to the division by the
10 permitholder during the current state fiscal year exceeds the
11 total tax on intertrack handle paid to the division by the
12 permitholder during the 1992-1993 state fiscal year.

13 3. Any guest track that imposes a surcharge on each
14 winning ticket cashed pursuant to s. 550.6335 shall pay an
15 additional tax equal to 5 percent of the surcharge so imposed.
16 Any taxes so imposed shall be deposited into the General
17 Revenue Fund.

18 Section 2. Paragraph (a) of subsection (2) of section
19 550.09515, Florida Statutes, 1998 Supplement, is amended to
20 read:

21 550.09515 Thoroughbred horse taxes; abandoned interest
22 in a permit for nonpayment of taxes.--

23 (2)(a) Notwithstanding the provisions of s.
24 550.0951(3)(a), the tax on handle for live thoroughbred horse
25 performances shall be subject to the following:

26 1. The tax on handle per performance for live
27 thoroughbred performances is 0.40 ~~2.0~~ percent of handle for
28 performances conducted during the period beginning on January
29 3 and ending March 16; .20 percent of handle for performances
30 conducted during the period beginning March 17 and ending May
31

1 22; and 0.40 ~~1.25~~ percent of handle for performances conducted
2 during the period beginning May 23 and ending January 2.

3 2. If any thoroughbred permitholder conducts
4 performances during more than one time period or if
5 performances are conducted during more than one period at any
6 facility, the tax on handle per performance is double the sum
7 of the tax percentages for the periods in which performances
8 are being conducted, except:

9 a. Pursuant to s. 550.01215, two permitholders, by
10 mutual written agreement, may agree to the operation by one of
11 them in the other permitholder's tax period for up to 3 days,
12 if the 3 days are either the first 3 days or the last 3 days
13 of the racing period in which the permitholders intend to
14 operate.

15 b. If, on March 31 of any year, there is no
16 permitholder holding a license for operating any one of the
17 three race periods set forth in this section or if the
18 permitholder who is licensed to operate in any period fails to
19 operate for 10 consecutive days, a permitholder already
20 licensed to operate in another period may apply for and be
21 issued a license to operate the period in question, in
22 addition to the period already licensed.

23 c. Two permitholders who operated in different periods
24 in the preceding fiscal year may, by mutual written agreement,
25 switch periods for the current racing season, even if it
26 results in either permitholder or the facility of a
27 permitholder being operated in two different periods.

28
29 However, any thoroughbred permitholder whose total handle on
30 live performances during the 1991-1992 state fiscal year was
31 not greater than \$34 million is authorized to conduct live

1 performances at any time of the year and shall pay 0.5 percent
2 on live handle per performance.

3 3. For the period beginning on April 1 and ending May
4 23 during the state fiscal year 1992-1993, any permitholder
5 which has operated less than 51 racing days in the last 18
6 months may operate said period and pay 1.25 percent tax on
7 live handle per performance. In the event this provision
8 takes effect after April 1, 1993, it shall be construed to
9 apply retroactively from April 1, 1993, through May 23, 1993.

10 4. In the event any licenses have been issued to any
11 thoroughbred permitholders for racing dates prior to April 26,
12 1993, then, notwithstanding the provisions of s. 550.525(2),
13 amendments may be filed to the racing dates up to May 1, 1993.

14 Section 3. Effective July 1, 2001, paragraph (a) of
15 subsection (2) of section 550.09515, Florida Statutes, 1998
16 Supplement, as amended by section 4, chapter 98-190, Laws of
17 Florida, is amended to read:

18 550.09515 Thoroughbred horse taxes; abandoned interest
19 in a permit for nonpayment of taxes.--

20 (2)(a) Notwithstanding the provisions of s.
21 550.0951(3)(a), the tax on handle for live thoroughbred horse
22 performances shall be subject to the following:

23 1. The tax on handle per performance for live
24 thoroughbred performances is 0.40 ~~2.25~~ percent of handle for
25 performances conducted during the period beginning on January
26 3 and ending March 16; .70 percent of handle for performances
27 conducted during the period beginning March 17 and ending May
28 22; and 0.40 ~~1.5~~ percent of handle for performances conducted
29 during the period beginning May 23 and ending January 2.

30 2. However, any thoroughbred permitholder whose total
31 handle on live performances during the 1991-1992 state fiscal

1 year was not greater than \$34 million is authorized to conduct
2 live performances at any time of the year and shall pay 0.5
3 percent on live handle per performance.

4 Section 4. This act shall take effect July 1, 1999.

5

6 *****

7 SENATE SUMMARY

8 Reduces specified taxes on thoroughbred horse racing.

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31