

By Senator Latvala

19-890-00

1 A bill to be entitled
2 An act relating to thoroughbred horse racing;
3 amending s. 550.155, F.S.; requiring counties
4 to approve certain capital improvements by
5 permitholders in certain situations; amending
6 s. 550.2614, F.S.; providing for membership in
7 a horsemen's association for owners and
8 trainers; authorizing payment of a percentage
9 of the purse to provide assistance or relief to
10 certain persons associated with thoroughbred
11 racing; authorizing the Division of Pari-mutuel
12 Wagering of the Department of Business and
13 Professional Regulation to adopt rules and to
14 audit the use of such funds; amending s.
15 550.3551, F.S.; conforming provisions;
16 providing an effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Section 550.2614, Florida Statutes, is
21 amended to read:22 (Substantial rewording of section. See23 s. 550.2614, F.S., for present text.)24 550.2614 Horsemen's association; membership;25 responsibilities.--26 (1) Upon receiving a license, each thoroughbred owner27 and trainer shall receive automatic membership in Florida28 Horsemen's Benevolent and Protective Association, Inc., unless29 within 30 calendar days after receiving a license, the30 individual declines such membership in writing. The division31 shall monitor the membership rolls of the association to

1 ensure that complete, accurate, and timely listings are
2 maintained for the purposes specified in this section and s.
3 550.3551.

4 (2) Each licensee that holds a permit for thoroughbred
5 horse racing shall deduct from the total purse pool 1 percent
6 of the total purse pool and shall pay that amount to the
7 Florida Horsemen's Benevolent and Protective Association, Inc.
8 or its affiliate for the purpose of providing for the benefit,
9 aid, assistance, and relief of thoroughbred owners, trainers,
10 exercise riders, grooms, stable attendants, and other
11 thoroughbred racing personnel employed in connection with
12 racing, and their spouses and children, who demonstrate a need
13 for financial assistance connected with death, illness, or
14 off-the-job injury and who are not otherwise covered by health
15 or welfare plans, workers' compensation, social security,
16 public assistance, or any type of health, medical, death, or
17 accident insurance. The Florida Horsemen's Benevolent and
18 Protective Association, Inc. shall represent all horsemen's
19 interests and property rights in dealing with thoroughbred
20 permitholders and shall generally promote the sport of
21 thoroughbred horse racing.

22 (3) The division shall adopt rules to administer this
23 section and shall audit the distribution of the funds to
24 assure that the funds are being used in accordance with this
25 section.

26 Section 2. Paragraph (a) of subsection (6) of section
27 550.3551, Florida Statutes, is amended to read:

28 550.3551 Transmission of racing and jai alai
29 information; commingling of pari-mutuel pools.--

30 (6)(a) A maximum of 20 percent of the total number of
31 races on which wagers are accepted by a greyhound permitholder

1 not located as specified in s. 550.615(6) may be received from
2 locations outside this state. A permitholder may not conduct
3 fewer than eight live races or games on any authorized race
4 day except as provided in this subsection. A thoroughbred
5 permitholder may not conduct fewer than eight live races on
6 any race day without the written approval of the Florida
7 Thoroughbred Breeders' Association and the Florida Horsemen's
8 Benevolent and Protective Association, Inc.~~horsemen's group~~
9 ~~representing the majority of thoroughbred racehorse owners and~~
10 ~~trainers in this state.~~ A harness permitholder may conduct
11 fewer than eight live races on any authorized race day, except
12 that such permitholder must conduct a full schedule of live
13 racing during its race meet consisting of at least eight live
14 races per authorized race day for at least 100 days. Any
15 harness horse permitholder that during the preceding racing
16 season conducted a full schedule of live racing may, at any
17 time during its current race meet, receive full-card
18 broadcasts of harness horse races conducted at harness
19 racetracks outside this state at the harness track of the
20 permitholder and accept wagers on such harness races. With
21 specific authorization from the division for special racing
22 events, a permitholder may conduct fewer than eight live races
23 or games when the permitholder also broadcasts out-of-state
24 races or games. The division may not grant more than two such
25 exceptions a year for a permitholder in any 12-month period,
26 and those two exceptions may not be consecutive.

27 Section 3. Subsection (2) of section 550.155, Florida
28 Statutes, is amended to read:

29 550.155 Pari-mutuel pool within track enclosure;
30 takeouts; breaks; penalty for purchasing part of a pari-mutuel
31 pool for or through another in specified circumstances.--

1 (2) The permitholder's share of the takeout is that
2 portion of the takeout that remains after the pari-mutuel tax
3 imposed upon the contributions to the pari-mutuel pool is
4 deducted from the takeout and paid by the permitholder. The
5 takeout is deducted from all pari-mutuel pools but may be
6 different depending on the type of pari-mutuel pool. The
7 permitholder shall inform the patrons, either through the
8 official program or via the posting of signs at conspicuous
9 locations, as to the takeout currently being applied to handle
10 at the facility. A capital improvement proposed by a
11 permitholder licensed under this chapter to a pari-mutuel
12 facility existing on June 23, 1981, which capital improvement
13 requires, pursuant to any municipal or county ordinance,
14 resolution, or regulation, the qualification or approval of
15 the municipality or county wherein the permitholder conducts
16 its business operations, shall receive approval unless the
17 municipality or county is able to show that the proposed
18 improvement presents a justifiable and immediate hazard to the
19 health and safety of municipal or county residents, provided
20 the permitholder pays to the municipality or county the cost
21 of a building permit and provided the capital improvement
22 meets the following criteria:

23 (a) The improvement does not qualify as a development
24 of regional impact as defined in s. 380.06; and

25 (b) The improvement is contiguous to or within the
26 existing pari-mutuel facility site. To be contiguous, the
27 site of the improvement must share a sufficient common
28 boundary with the present pari-mutuel facility to allow full
29 and free access without crossing a public roadway, public
30 waterway, or similar barrier.

31 Section 4. This act shall take effect July 1, 2000.

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SENATE SUMMARY

Revises provisions related to thoroughbred racing. Provides that owners and trainers are automatically members of the Florida Horsemen's Benevolent and Protective Association, Inc., unless they decline membership upon licensure. Requires permitholders to contribute 1 percent of the total purse to the association to provide benefits for specified horsemen and their families in certain situations. Provides for the adoption of rules and for audits. Requires counties to approve certain capital improvements by permitholders. (See bill for details.)