

By the Committee on Regulated Services and Representative Andrews

1                                   A bill to be entitled  
 2           An act relating to pari-mutuel wagering;  
 3           creating s. 550.654, F.S.; creating the  
 4           Pari-mutuel Consolidation Act of 2000;  
 5           providing legislative intent; providing for the  
 6           consolidation of live operations under certain  
 7           circumstances; providing for intertrack  
 8           wagering; providing limitations; providing a  
 9           definition; providing requirements for  
 10          operation under the act; providing for  
 11          application; providing for deconsolidation;  
 12          amending s. 849.086, F.S.; conforming to the  
 13          act; providing requirements if more than one  
 14          permitholder operates at a facility; providing  
 15          an effective date.

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

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 19           Section 1. Section 550.654, Florida Statutes, is  
 20 created to read:

21           550.654 Consolidation of live pari-mutuel operations  
 22 authorized.--

23           (1) This section may be cited as the "Pari-mutuel  
 24 Consolidation Act of 2000."

25           (2) It is the intent of the Legislature to allow the  
 26 pari-mutuel industry to participate in emerging technology and  
 27 to consolidate live operations in overlapping market areas in  
 28 order to better utilize and maintain facilities through  
 29 economies of scale.

30           (3) In the event that any two permitholders with the  
 31 same class of permit are located in overlapping market areas,

1 by mutual agreement either one of them may, at any time,  
2 consolidate live operations with the other by leasing the  
3 other permitholder's pari-mutuel facilities for the operation  
4 of its entire live meet. For purposes of this subsection and  
5 s. 550.475, "same class" of permit means, with respect to  
6 harness or standardbred horse permitholders, any horse track  
7 permitholder. Nothing in this subsection shall prevent more  
8 than one permitholder from consolidating live operations with  
9 one or more permitholders at a single pari-mutuel facility.

10 (4) Provided that the lessee permitholder has operated  
11 a full schedule of live racing or games during the preceding  
12 year, it shall be entitled to be licensed to conduct  
13 intertrack wagering at either the consolidated pari-mutuel  
14 facilities or at a separate intertrack facility located within  
15 its market area, provided that pari-mutuel wagering continues  
16 to be authorized in the county in which the intertrack  
17 facility is located and provided that the intertrack facility  
18 does not operate within the market area of any other  
19 permitholder of the same class during that permitholder's live  
20 meet unless it first obtains the written consent of the same  
21 class operating permitholder.

22 (5) The number of locations with pari-mutuel wagering  
23 after any consolidation of pari-mutuel permits shall not be  
24 expanded beyond the number of locations that would be  
25 permissible if all pari-mutuel permitholders were to conduct  
26 live performances at facilities of their own.

27 (6) An "intertrack facility" means a pari-mutuel  
28 facility used by a permitholder to conduct intertrack wagering  
29 as defined in s. 550.002(17), and shall constitute a guest  
30 track as defined in s. 550.002. Intertrack facilities shall be  
31 permitted to conduct intertrack wagering at any time on the

1 same class of races or games as their permitholders and on  
2 those pari-mutuel events on which the permitholders would be  
3 able to accept intertrack wagers if they were conducting live  
4 operations at the locations of their intertrack facilities,  
5 and except as provided in this section, shall be subject to  
6 the provisions of ss. 550.3551, 550.615, 550.625, and  
7 550.6305. A wager at an intertrack facility authorized by this  
8 section constitutes an intertrack wager as this term is  
9 defined in s. 550.002. The provisions of s. 565.02 shall also  
10 apply to each intertrack facility.

11 (7) Two or more permitholders participating in a  
12 consolidation of live operations may form a business entity to  
13 operate one or more intertrack facilities, provided that in no  
14 event shall the total number of live pari-mutuel and  
15 intertrack facilities exceed the number of pari-mutuel  
16 facilities that would exist if all pari-mutuel permitholders  
17 were conducting live operations at their own facilities, and  
18 further provided that no person, firm, or entity except a  
19 pari-mutuel entity shall own, directly or indirectly, any  
20 interest in an intertrack facility.

21 (8) Notwithstanding any other provision of this  
22 chapter, a permitholder which has consolidated and is  
23 conducting its live performances at the facility of another  
24 same class permitholder shall pay taxes on live and intertrack  
25 handle at a rate which is no higher than any other same class  
26 permitholder which operates at the same facility. This  
27 subsection does not apply to a consolidation between  
28 thoroughbred permitholders.

29 (9) The provisions of this section apply equally to  
30 every consolidation of live pari-mutuel operations resulting  
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1 in more than one permitholder operating at the same location,  
2 regardless of the date of such consolidation.

3 (10) Nothing contained within this chapter shall  
4 prevent a permitholder which has consolidated its live  
5 operations at the location of another permitholder from  
6 deconsolidating and operating its live performances at any  
7 other location permitted by law.

8 Section 2. Paragraphs (b) and (d) of subsection (5) of  
9 section 849.086, Florida Statutes, are amended to read:

10 849.086 Cardrooms authorized.--

11 (5) LICENSE REQUIRED; APPLICATION; FEES.--No person  
12 may operate a cardroom in this state unless such person holds  
13 a valid cardroom license issued pursuant to this section.

14 (b) After the initial cardroom license is granted, the  
15 application for the annual license renewal shall be made in  
16 conjunction with the applicant's annual application for its  
17 pari-mutuel license. In order for a cardroom license to be  
18 renewed the applicant must have requested, as part of its  
19 pari-mutuel annual license application, to conduct at least 90  
20 percent of the total number of live performances conducted by  
21 such permitholder during either the state fiscal year in which  
22 its initial cardroom license was issued or the state fiscal  
23 year immediately prior thereto, or, in the event that more  
24 than one permitholder is operating at a facility, each of the  
25 permitholders must have applied for a license to conduct a  
26 full schedule of live racing.

27 (d) The annual cardroom license fee for each facility  
28 shall be \$1,000 for the first table and \$500 for each  
29 additional table to be operated at the cardroom. This license  
30 fee shall be deposited by the division with the Treasurer to  
31 the credit of the Pari-mutuel Wagering Trust Fund.

1           Section 3. This act shall take effect upon becoming a  
2 law.  
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