

By the Committee on Fiscal Policy & Resources and
Representative Fasano

1 A bill to be entitled
2 An act relating to pari-mutuel wagering;
3 requiring dogracing permitholders to provide a
4 greyhound adoption booth at each dogracing
5 facility in the state; requiring that
6 information concerning the adoption of a
7 greyhound be made available to the public at
8 the facility; requiring the permitholder to
9 provide adoption information in racing programs
10 and to identify greyhounds that will become
11 available for adoption; authorizing the
12 permitholder to hold an additional charity day
13 that is designated as "Greyhound Adopt-A-Pet
14 Day"; requiring that profits derived from the
15 charity day be used to fund activities
16 promoting the adoption of greyhounds;
17 authorizing the Division of Pari-mutuel
18 Wagering within the Department of Business and
19 Professional Regulation to adopt rules;
20 providing penalties; amending s. 550.1647,
21 F.S., relating to unclaimed tickets and breaks
22 with respect to greyhound racing; defining the
23 term "bona fide organization that promotes or
24 encourages the adoption of greyhounds";
25 amending s. 550.5251, F.S.; revising
26 requirements for the operation of cardrooms by
27 thoroughbred racing permitholders; amending s.
28 849.086, F.S.; revising requirements for the
29 operation of cardrooms; revising a definition;
30 authorizing a permitholder to amend an
31 application for license renewal; providing

1 requirements for licensure of certain
2 permitholders; providing for licensing fees;
3 revising conditions for operating a cardroom;
4 authorizing cardrooms to award prizes; limiting
5 the amount of a bet; revising the rate of the
6 gross receipts tax on admissions; revising the
7 percentage of the tax which must be used for
8 specified purposes; providing an effective
9 date.

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

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13 Section 1. Greyhound adoptions.--

14 (1) Each dogracing permitholder operating a dogracing
15 facility in this state shall provide for a greyhound adoption
16 booth to be located at the facility. The greyhound adoption
17 booth must be operated on weekends by personnel or volunteers
18 from a bona fide organization that promotes or encourages the
19 adoption of greyhounds pursuant to s. 550.1647, Florida
20 Statutes. As used in this section, the term "weekend"
21 includes the hours during which live greyhound racing is
22 conducted on Friday, Saturday, or Sunday. Information
23 pamphlets and application forms shall be provided to the
24 public upon request. In addition, the kennel operator or
25 owner shall notify the permitholder that a greyhound is
26 available for adoption, and the permitholder shall provide
27 information concerning the adoption of a greyhound in each
28 race program and shall post adoption information at
29 conspicuous locations throughout the dogracing facility. Any
30 greyhound that is participating in a race and that will be
31 available for future adoption must be noted in the race

1 program. The permitholder shall allow greyhounds to be walked
2 through the track facility to publicize the greyhound adoption
3 program.

4 (2) In addition to the charity days authorized under
5 s. 550.0351, Florida Statutes, a greyhound permitholder may
6 fund the greyhound adoption program by holding a charity
7 racing day designated as "Greyhound Adopt-A-Pet Day." All
8 profits derived from the operation of the charity day must be
9 placed into a fund used to support activities at the racing
10 facility which promote the adoption of greyhounds. The
11 Division of Pari-mutuel Wagering may adopt rules for
12 administering the fund. Proceeds from the charity day
13 authorized in this subsection may not be used as a source of
14 funds for the purposes set forth in s. 550.1647, Florida
15 Statutes.

16 (3)(a) Upon a violation of this section by a
17 permitholder or licensee, the Division of Pari-mutuel Wagering
18 may impose a penalty as set forth in s. 550.0251(10), Florida
19 Statutes, and require the permitholder to take corrective
20 action.

21 (b) A penalty imposed under s. 550.0201(10), Florida
22 Statutes, does not exclude a prosecution for cruelty to
23 animals or for any other criminal act.

24 Section 2. Section 550.1647, Florida Statutes, is
25 amended to read:

26 550.1647 Greyhound permitholders; unclaimed tickets;
27 breaks.--All money or other property represented by any
28 unclaimed, uncashed, or abandoned pari-mutuel ticket which has
29 remained in the custody of or under the control of any
30 permitholder authorized to conduct greyhound racing
31 pari-mutuel pools in this state for a period of 1 year after

1 the date the pari-mutuel ticket was issued, if the rightful
2 owner or owners thereof have made no claim or demand for such
3 money or other property within that period of time, shall,
4 with respect to live races conducted by the permitholder, be
5 remitted to the state pursuant to s. 550.1645; however, such
6 permitholder shall be entitled to a credit in each state
7 fiscal year in an amount equal to the actual amount remitted
8 in the prior state fiscal year which may be applied against
9 any taxes imposed pursuant to this chapter. In addition, each
10 permitholder shall pay, from any source, including the
11 proceeds from performances conducted pursuant to s. 550.0351,
12 an amount not less than 10 percent of the amount of the credit
13 provided by this section to any bona fide organization that
14 promotes or encourages the adoption of greyhounds. As used in
15 this section, the term "bona fide organization that promotes
16 or encourages the adoption of greyhounds" means any
17 organization that provides evidence of compliance with chapter
18 496 and possesses a valid exemption from federal taxation
19 issued by the Internal Revenue Service. Such bona fide
20 organization, as a condition of adoption, must provide
21 sterilization of greyhounds by a licensed veterinarian before
22 relinquishing custody of the greyhound to the adoptor. The
23 fee for sterilization may be included in the cost of adoption.

24 Section 3. Paragraph (4) of section 550.5251, Florida
25 Statutes, is amended to read:

26 550.5251 Florida thoroughbred racing; certain permits;
27 operating days.--

28 (4) A thoroughbred racing permitholder may not begin
29 any race later than 7 p.m. ~~However,~~ Any thoroughbred
30 permitholder in a county in which the authority for cardrooms
31 has been approved by the board of county commissioners may

1 ~~elect not to~~ operate a cardroom and,when conducting live
2 races during its current race meet, may ~~and instead to~~ receive
3 and rebroadcast out-of-state races after the hour of 7 p.m. on
4 any day during which the permitholder conducts live races.
5 ~~However, such permitholder may not engage in both operating a~~
6 ~~cardroom and receiving or rebroadcasting out-of-state races~~
7 ~~after 7 p.m. Permitholders shall be required to elect between~~
8 ~~either operating a cardroom or engaging in simulcasting after~~
9 ~~7 p.m. at the time of submitting its application for its~~
10 ~~annual license pursuant to this section.~~

11 Section 4. Paragraph (a) of subsection (2), paragraphs
12 (b) and (d) of subsection (5), subsections (7) and (8), and
13 paragraphs (a) and (d) of subsection (13) of section 849.086,
14 Florida Statutes, are amended to read:

15 849.086 Cardrooms authorized.--

16 (2) DEFINITIONS.--As used in this section:

17 (a) "Authorized game ~~games~~" means a game or series of
18 games of poker, pinochle, bridge, rummy, canasta, hearts,
19 dominoes, or mah-jongg ~~only those games authorized by s.~~
20 ~~849.085(2)(a) and~~ which are played in a nonbanking manner.

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

24 (b) After the initial cardroom license is granted, the
25 application for the annual license renewal shall be made in
26 conjunction with the applicant's annual application for its
27 pari-mutuel license. If a permitholder operated a cardroom
28 during the previous fiscal year and fails to include a renewal
29 request for the operation of the cardroom in its annual
30 application for license renewal, the permitholder may amend
31 its annual application to include operation of the cardroom.

1 In order for a cardroom license to be renewed the applicant
2 must have requested, as part of its pari-mutuel annual license
3 application, to conduct at least 90 percent of the total
4 number of live performances conducted by such permitholder
5 during either the state fiscal year in which its initial
6 cardroom license was issued or the state fiscal year
7 immediately prior thereto. If the application is for a harness
8 permitholder cardroom, the applicant must have requested
9 authorization to conduct a minimum of 140 live performances
10 during the state fiscal year immediately prior thereto. If
11 more than one permitholder is operating at a facility, each
12 permitholder must have applied for a license to conduct a full
13 schedule of live racing.

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

19 (7) CONDITIONS FOR OPERATING A CARDROOM.--

20 (a) A cardroom may ~~only~~ be operated only at the
21 location specified on the cardroom license issued by the
22 division, and such location may only be the location at which
23 the pari-mutuel permitholder is authorized to conduct
24 pari-mutuel wagering activities pursuant to such
25 permitholder's valid pari-mutuel permit or as otherwise
26 authorized by law ~~and current license.~~

27 (b) A cardroom may be operated at the facility only
28 when the facility is authorized to accept wagers on
29 pari-mutuel events ~~during its authorized meet.~~ A cardroom may
30 begin operations within 2 hours prior to the post time of the
31 first pari-mutuel event ~~conducted live at the pari-mutuel~~

1 ~~facility~~ on which wagers are accepted by the facility and must
2 cease operations by 2 a.m. on the following day ~~within 2 hours~~
3 ~~after the conclusion of the last pari-mutuel event conducted~~
4 ~~live at the pari-mutuel facility on which wagers are accepted.~~

5 (c) A cardroom operator must at all times employ and
6 provide a nonplaying dealer for each table on which authorized
7 card games which traditionally utilize a dealer are conducted
8 at the cardroom. Such dealers may not have any participatory
9 interest in any game other than the dealing of cards and may
10 not have an interest in the outcome of the game. The
11 providing of such dealers by a licensee shall not be construed
12 as constituting the conducting of a banking game by the
13 cardroom operator.

14 (d) A facility that operates a cardroom may award
15 giveaways or prizes to players who hold combinations of cards
16 specified by the cardroom operator.

17 (e)~~(d)~~ Each cardroom operator shall conspicuously post
18 upon the premises of the cardroom a notice which contains a
19 copy of the cardroom license; a list of authorized games
20 offered by the cardroom; the wagering limits imposed by the
21 house, if any; any additional house rules regarding operation
22 of the cardroom or the playing of any game; and all costs to
23 players to participate, including any rake by the house. In
24 addition, each cardroom operator shall post at each table a
25 notice of the minimum and maximum bets authorized at such
26 table and the fee for participation in the game conducted.

27 (f)~~(e)~~ The cardroom facility shall be subject to
28 inspection by the division or any law enforcement agency
29 during the licensee's regular business hours. The inspection
30 will specifically encompass the permitholder internal control
31 procedures approved by the division.

1 (g)~~(f)~~ A cardroom operator may refuse entry to or
2 refuse to allow to play any person who is objectionable,
3 undesirable, or disruptive, but such refusal shall not be on
4 the basis of race, creed, color, religion, sex, national
5 origin, marital status, physical handicap, or age, except as
6 provided in this section.

7 (8) METHOD OF WAGERS; LIMITATION.--

8 (a) No wagering may be conducted using money or other
9 negotiable currency. Games may only be played utilizing a
10 wagering system whereby all players' money is first converted
11 by the house to tokens or chips which shall be used for
12 wagering only at that specific cardroom.

13 (b) The cardroom operator may limit the amount wagered
14 in any game or series of games, but the maximum bet ~~winnings~~
15 ~~of any player in a single round, hand, or game~~ may not exceed
16 \$2\$10 in value. There may not be more than three raises in
17 any round of betting.The fee charged by the cardroom for
18 participation in the game shall not be included in the
19 calculation of the limitation on the bet amount ~~pot size~~
20 provided in this paragraph.

21 (13) TAXES AND OTHER PAYMENTS.--

22 (a) Each cardroom operator shall pay a tax to the
23 state of 2 ~~10~~ percent of the cardroom operation's monthly
24 gross receipts.

25 (d) Each greyhound and jai alai permitholder that
26 ~~which~~ operates a cardroom facility shall use ~~utilize~~ at least
27 10 ~~4~~ percent of such permitholder's cardroom monthly gross
28 receipts to supplement greyhound purses or jai alai prize
29 money, respectively, during the permitholder's next ensuing
30 pari-mutuel meet. Each thoroughbred and harness horse racing
31 permitholder that ~~which~~ operates a cardroom facility shall use

1 ~~utilize~~ at least 50 percent of such permitholder's cardroom
2 monthly net proceeds as follows: 47 percent to supplement
3 purses and 3 percent to supplement breeders' awards during the
4 permitholder's next ensuing racing meet.

5 Section 5. This act shall take effect July 1, 2001.
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