

Bill No. CS for SB 1692

Amendment No. Barcode 403260

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Wasserman Schultz moved the following amendment:

Senate Amendment (with title amendment)
Delete everything after the enacting clause

and insert:

Section 1. Greyhound adoptions.--

(1) Each dogracing permitholder operating a dogracing facility in this state shall provide for a greyhound-adoption booth to be located at the facility. The greyhound-adoption booth must be operated on weekends by personnel or volunteers from a bona fide organization that promotes or encourages the adoption of greyhounds pursuant to s. 550.1647. As used in this section, the term "weekend" includes the hours during which live greyhound racing is conducted on Friday, Saturday, or Sunday. Information pamphlets and application forms shall be provided to the public upon request. In addition, the kennel operator or owner shall notify the permitholder that a greyhound is available for adoption and the permitholder shall provide information concerning the adoption of a greyhound in each race program and shall post adoption information at

Bill No. CS for SB 1692

Amendment No. ____ Barcode 403260

1 conspicuous locations throughout the dogracing facility. Any
2 greyhound that is participating in a race and that will be
3 available for future adoption must be noted in the race
4 program. The permitholder shall allow greyhounds to be walked
5 through the track facility to publicize the greyhound-adoption
6 program.

7 (2) In addition to the charity days authorized under
8 section 550.0351, Florida Statutes, a greyhound permitholder
9 may fund the greyhound-adoption program by holding a charity
10 racing day designated as "Greyhound Adopt-A-Pet Day." All
11 profits derived from the operation of the charity day must be
12 placed into a fund used to support activities at the racing
13 facility which promote the adoption of greyhounds. The
14 division may adopt rules for administering the fund. Proceeds
15 from the charity day authorized in this subsection may not be
16 used as a source of funds for the purposes set forth in s.
17 550.1647.

18 (3)(a) Upon a violation of this section by a
19 permitholder or licensee, the division may impose a penalty as
20 provided in s. 550.0251(10) and require the permitholder to
21 take corrective action.

22 (b) A penalty imposed under s. 550.0251(10) does not
23 exclude a prosecution for cruelty to animals or for any other
24 criminal act.

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

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

Bill No. CS for SB 1692

Amendment No. ____ Barcode 403260

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

25 Section 3. Subsection (2) of section 550.0351, Florida
26 Statutes, is amended to read:

27 550.0351 Charity racing days.--

28 (2) The proceeds of charity performances shall be paid
29 to qualified beneficiaries selected by the permitholders from
30 an authorized list of charities on file with the division.
31 Eligible charities include the Racing Scholarship Trust Fund,

Bill No. CS for SB 1692

Amendment No. ____ Barcode 403260

1 the Historical Resources Operating Trust Fund, major state and
 2 private institutions of higher learning in this state, state
 3 community colleges, and any charity that provides evidence of
 4 compliance with the provisions of chapter 496 and evidence of
 5 possession of a valid exemption from federal taxation issued
 6 by the Internal Revenue Service. However, all proceeds donated
 7 to a charity under this section must be used to directly fund
 8 programs and operations within this state and may not be used
 9 to fund, directly or indirectly, any program or operation
 10 outside this state. ~~In addition, the authorized list must~~
 11 ~~include the Racing Scholarship Trust Fund, the Historical~~
 12 ~~Resources Operating Trust Fund, major state and private~~
 13 ~~institutions of higher learning, and Florida community~~
 14 ~~colleges.~~

15 Section 4. Subsection (4) of section 550.5251, Florida
 16 Statutes, is amended to read:

17 550.5251 Florida thoroughbred racing; certain permits;
 18 operating days.--

19 (4) A thoroughbred racing permitholder may not begin
 20 any race later than 7 p.m. ~~However, Any thoroughbred~~
 21 ~~permitholder in a county in which the authority for cardrooms~~
 22 ~~has been approved by the board of county commissioners may~~
 23 ~~elect not to operate a cardroom and, when conducting live~~
 24 ~~races during its current race meet, may and instead to receive~~
 25 ~~and rebroadcast out-of-state races after the hour of 7 p.m. on~~
 26 ~~any day during which the permitholder conducts live races.~~
 27 ~~However, such permitholder may not engage in both operating a~~
 28 ~~cardroom and receiving or rebroadcasting out-of-state races~~
 29 ~~after 7 p.m. Permitholders shall be required to elect between~~
 30 ~~either operating a cardroom or engaging in simulcasting after~~
 31 ~~7 p.m. at the time of submitting its application for its~~

Bill No. CS for SB 1692

Amendment No. ____ Barcode 403260

1 ~~annual license pursuant to this section.~~

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

6 849.086 Cardrooms authorized.--

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

8 (a) "Authorized game"~~"Authorized games"~~ means a game
9 or series of games of poker, pinochle, bridge, rummy, canasta,
10 hearts, dominoes, or mah-jongg ~~only those games authorized by~~
11 ~~s. 849.085(2)(a) and which is~~ are played in a nonbanking
12 manner.

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

16 (b) After the initial cardroom license is granted, the
17 application for the annual license renewal shall be made in
18 conjunction with the applicant's annual application for its
19 pari-mutuel license. If a permitholder operated a cardroom
20 during the previous fiscal year and fails to include a renewal
21 request for the operation of the cardroom in its annual
22 application for license renewal, the permitholder may amend
23 its annual application to include operation of the cardroom.
24 In order for a cardroom license to be renewed the applicant
25 must have requested, as part of its pari-mutuel annual license
26 application, to conduct at least 90 percent of the total
27 number of live performances conducted by such permitholder
28 during either the state fiscal year in which its initial
29 cardroom license was issued or the state fiscal year
30 immediately prior thereto. If the application is for a harness
31 permitholder cardroom, the applicant must have requested

Bill No. CS for SB 1692

Amendment No. ____ Barcode 403260

1 authorization to conduct a minimum of 140 live performances
2 during the state fiscal year immediately prior thereto. If
3 more than one permitholder is operating at a facility, each
4 permitholder must have applied for a license to conduct a full
5 schedule of live racing.

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

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

12 (a) A cardroom may ~~only~~ be operated only at the
13 location specified on the cardroom license issued by the
14 division, and such location may only be the location at which
15 the pari-mutuel permitholder is authorized to conduct
16 pari-mutuel wagering activities pursuant to such
17 permitholder's valid pari-mutuel permit or as otherwise
18 authorized by law ~~and current license.~~

19 (b) A cardroom may be operated at the facility only
20 when the facility is authorized to accept wagers on
21 pari-mutuel events ~~during its authorized meet.~~ A cardroom may
22 begin operations within 2 hours prior to the post time of the
23 first pari-mutuel event ~~conducted live at the pari-mutuel~~
24 ~~facility~~ on which wagers are accepted by the facility and must
25 cease operations by 2 a.m. on the following day ~~within 2 hours~~
26 ~~after the conclusion of the last pari-mutuel event conducted~~
27 ~~live at the pari-mutuel facility on which wagers are accepted.~~

28 (c) A cardroom operator must at all times employ and
29 provide a nonplaying dealer for each table on which authorized
30 card games which traditionally utilize a dealer are conducted
31 at the cardroom. Such dealers may not have any participatory

Bill No. CS for SB 1692

Amendment No. ____ Barcode 403260

1 interest in any game other than the dealing of cards and may
2 not have an interest in the outcome of the game. The
3 providing of such dealers by a licensee shall not be construed
4 as constituting the conducting of a banking game by the
5 cardroom operator.

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

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

19 (f)~~(e)~~ The cardroom facility shall be subject to
20 inspection by the division or any law enforcement agency
21 during the licensee's regular business hours. The inspection
22 will specifically encompass the permitholder internal control
23 procedures approved by the division.

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

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

31 (a) No wagering may be conducted using money or other

Bill No. CS for SB 1692

Amendment No. ____ Barcode 403260

1 negotiable currency. Games may only be played utilizing a
2 wagering system whereby all players' money is first converted
3 by the house to tokens or chips which shall be used for
4 wagering only at that specific cardroom.

5 (b) The cardroom operator may limit the amount wagered
6 in any game or series of games, but the maximum bet ~~The~~
7 ~~winnings of any player in a single round, hand, or game~~ may
8 not exceed ~~\$2510~~ \$2510 in value. There may not be more than three
9 raises in any round of betting. The fee charged by the
10 cardroom for participation in the game shall not be included
11 in the calculation of the limitation on the bet amount ~~pot~~
12 ~~size~~ provided in this paragraph.

13 (13) TAXES AND OTHER PAYMENTS.--

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

17 (d) Each greyhound and jai alai permitholder that
18 ~~which~~ operates a cardroom facility shall use ~~utilize~~ at least
19 10 ~~4~~ percent of such permitholder's cardroom monthly gross
20 receipts to supplement greyhound purses or jai alai prize
21 money, respectively, during the permitholder's next ensuing
22 pari-mutuel meet. Each thoroughbred and harness horse racing
23 permitholder that ~~which~~ operates a cardroom facility shall use
24 ~~utilize~~ at least 50 percent of such permitholder's cardroom
25 monthly net proceeds as follows: 47 percent to supplement
26 purses and 3 percent to supplement breeders' awards during the
27 permitholder's next ensuing racing meet.

28 Section 6. This act shall take effect July 1, 2001.
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Bill No. CS for SB 1692

Amendment No. ____ Barcode 403260

1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 Delete everything before the enacting clause

4

5 and insert:

6

A bill to be entitled

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An act relating to pari-mutuel wagering;

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requiring dogracing permitholders to provide a

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greyhound-adoption booth at each dogracing

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facility in the state; requiring that the booth

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be operated by certain qualified persons on

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weekends; requiring that information concerning

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the adoption of a greyhound be made available

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to the public at the facility; requiring the

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permitholder to provide adoption information in

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racing programs and to identify greyhounds that

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will become available for adoption; authorizing

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the permitholder to hold an additional charity

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day that is designated as "Greyhound

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Adopt-A-Pet Day"; requiring that profits

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derived from the charity day be used to fund

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activities promoting the adoption of

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greyhounds; authorizing the Division of

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Pari-mutuel Wagering within the Department of

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Business and Professional Regulation to adopt

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rules; providing penalties; amending s.

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550.1647, F.S., relating to unclaimed tickets

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and breaks with respect to greyhound racing;

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defining the term "bona fide organization that

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promotes or encourages the adoption of

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greyhounds"; amending s. 550.0351, F.S.;

Bill No. CS for SB 1692

Amendment No. ____ Barcode 403260

1 requiring charity day proceeds to be used to
2 fund programs and operations within the state;
3 amending s. 550.5251, F.S.; revising
4 requirements for the operation of cardrooms by
5 thoroughbred racing permitholders; amending s.
6 849.086, F.S.; revising requirements for the
7 operation of cardrooms; redefining the term
8 "authorized games"; authorizing a permitholder
9 to amend an application for license renewal;
10 providing requirements for licensure of certain
11 permitholders; providing for licensing fees;
12 revising the conditions for operating a
13 cardroom; authorizing cardrooms to award
14 prizes; limiting the amount of a bet; revising
15 the rate of the gross receipts tax on
16 admissions; revising the percentage of the tax
17 which must be used for specified purposes;
18 providing an effective date.

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