

By the Committee on Regulated Industries; and Senator Garcia

315-2296-02

1 A bill to be entitled
2 An act relating to thoroughbred horse racing;
3 amending s. 550.09515, F.S.; revising
4 provisions governing the payment of
5 thoroughbred horse taxes; amending s. 550.5251,
6 F.S.; revising provisions governing
7 thoroughbred racing permits; amending s.
8 550.334, F.S.; revising criteria for
9 substitutions in quarter horse races; providing
10 for retroactive application; providing an
11 effective date.

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

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15 Section 1. Subsection (8) is added to section
16 550.09515, Florida Statutes, to read:

17 550.09515 Thoroughbred horse taxes; abandoned interest
18 in a permit for nonpayment of taxes.--

19 (8) If a thoroughbred permitholder fails to operate
20 all performances on its 2001-2002 license, failure to pay tax
21 on handle for a full schedule of live races for those
22 performances in the 2001-2002 fiscal year does not constitute
23 failure to pay taxes on handle for a full schedule of live
24 races in a fiscal year for the purposes of subsection (3).
25 This subsection may not be construed as forgiving a
26 thoroughbred permitholder from paying taxes on performances
27 conducted at its facility pursuant to its 2001-2002 license
28 other than for failure to operate all performances on its
29 2001-2002 license.

30 Section 2. Subsections (6) and (7) are added to
31 section 550.5251, Florida Statutes, to read:

1 550.5251 Florida thoroughbred racing; certain permits;
2 operating days.--

3 (6) Notwithstanding the provisions of subsection (2),
4 a thoroughbred permitholder who fails to operate all
5 performances on its 2001-2002 license does not lose its right
6 to retain its permit. Such thoroughbred permitholder is
7 eligible for issuance of an annual license pursuant to s.
8 550.0115 for subsequent thoroughbred racing seasons. The
9 division shall take no disciplinary action against such
10 thoroughbred permitholder for failure to operate all licensed
11 performances for the 2001-2002 license pursuant to this
12 section or s. 550.01215. This section may not be interpreted
13 to prohibit the division from taking disciplinary action
14 against a thoroughbred permitholder for failure to pay taxes
15 on performances operated pursuant to its 2001-2002 license.

16 (7) A thoroughbred permitholder shall file an
17 amendment with the division no later than May 31, 2002, that
18 indicates that it will not be able to operate the performances
19 scheduled on its 2002-2003 license without imposition of any
20 penalty for failure to operate all licensed performances
21 provided in this chapter.

22 Section 3. Paragraph (a) of subsection (7) of section
23 550.334, Florida Statutes, is amended to read:

24 550.334 Quarter horse racing; substitutions.--

25 (7)(a) Any quarter horse racing permitholder operating
26 under a valid permit issued before January 1, 2002,by the
27 division which has not been relocated after December 31, 2001,
28 to a county other than the county that appears on the original
29 permit application is authorized to substitute other races of
30 other breeds of horses which are, respectively, registered
31 with the American Paint Horse Association, Appaloosa Horse

1 Club, Arabian Horse Registry of America, Jockey Club, Palomino
2 Horse Breeders of America, or United States Trotting
3 Association, for no more than 50 percent of the quarter horse
4 races daily.

5 Section 4. Except as otherwise expressly provided in
6 this act, this act shall take effect upon becoming a law and
7 apply retroactively to any thoroughbred permitholder that
8 obtained a license for the 2001-2002 racing season.

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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 SB 1422

4 -Provides that if a thoroughbred permitholder fails to operate
5 all performances on its 2001-2002 license, failure to pay tax
6 on handle for a full schedule of live races for those
7 performances does not constitute failure to pay taxes on
8 handle for a full schedule of live races in a fiscal year for
9 the purposes of subsection s. 550.09515(3), F.S. Provides that
10 this subsection may not be construed as forgiving a
11 thoroughbred permitholder from paying taxes on performances
12 conducted at its facility pursuant to its 2001-2002 license
13 other than for failure to operate all performances on its
14 2001-2002 license.

15 - Provides that notwithstanding the provisions of s.
16 550.5251(2), F.S., a thoroughbred permitholder who fails to
17 operate all performances on its 2002-2002 license does not
18 lose its right to retain its permit. The permitholder is
19 eligible for issuance of an annual license pursuant to s.
20 550.0115, F.S., for subsequent thoroughbred racing seasons.
21 Provides that the Division of Pari-mutuel Wagering shall take
22 no disciplinary action against the permitholder for failure to
23 operate all licensed performances for the 2001-2002 license
24 pursuant to this section or s. 550.01215, F.S. Provides that
25 this section may not be interpreted to prohibit the division
26 from taking disciplinary action against a thoroughbred
27 permitholder for failure to pay taxes on performances operated
28 pursuant to its 2001-2002 license.

29 - Provides that a thoroughbred permitholder shall file an
30 amendment with the division no later than May 31, 2002, that
31 indicates that it will not be able to operate the performances
scheduled on its 2002-2003 license without imposition of any
penalty for failure to operate all licensed performances
provided in ch. 550, F.S.

- Provides that any quarter horse racing permitholder issued a
permit in Florida prior to January 1, 2002, that has not
relocated after December 31, 2001, to a county other than the
county appearing on the permitholder's original permit
application may substitute other races of other breeds of
horses.

- Provides that except as otherwise expressly provided in this
act, the act takes effect upon becoming a law and applies
retroactively to any thoroughbred permitholder that obtained a
license for the 2001-2002 racing season.