

1 A bill to be entitled
2 An act relating to pari-mutuel wagering;
3 providing a short title; requiring dogracing
4 permitholders to provide a greyhound-adoption
5 booth at each dogracing facility in the state;
6 requiring that the booth be operated by certain
7 qualified persons on weekends; requiring that
8 information concerning the adoption of a
9 greyhound be made available to the public at
10 the facility; requiring the permitholder to
11 provide adoption information in racing programs
12 and to identify greyhounds that will become
13 available for adoption; authorizing the
14 permitholder to hold an additional charity day
15 that is designated as "Greyhound Adopt-A-Pet
16 Day"; requiring that profits derived from the
17 charity day be used to fund activities
18 promoting the adoption of greyhounds;
19 authorizing the Division of Pari-mutuel
20 Wagering within the Department of Business and
21 Professional Regulation to adopt rules;
22 providing penalties; amending s. 550.1647,
23 F.S., relating to unclaimed tickets and breaks
24 with respect to greyhound racing; defining the
25 term "bona fide organization that promotes or
26 encourages the adoption of greyhounds";
27 amending s. 550.26165, F.S.; revising criteria
28 for making breeders' awards for racehorses;
29 amending s. 550.2625, F.S.; providing for
30 payment of special racing awards; amending s.
31 550.5251, F.S.; allowing a thoroughbred racing

1 permitholder to operate a cardroom; amending s.
2 849.086, F.S.; redefining the term "authorized
3 games"; allowing the amendment of a
4 permitholder's annual application to include
5 operation of a cardroom; providing restrictions
6 relating to harness permitholder cardrooms;
7 revising standards relating to when cardrooms
8 may be operated and relating to bets;
9 authorizing facilities to award prizes;
10 providing an effective date.

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

13
14 Section 1. This act may be cited as "The Debbie
15 Wasserman Schultz Act of 2002."

16 Section 2. Greyhound adoptions.--

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

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

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

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

23 (b) A penalty imposed under section 550.0251(10),
24 Florida Statutes, does not exclude a prosecution for cruelty
25 to animals or for any other criminal act.

26 Section 3. Section 550.1647, Florida Statutes, is
27 amended to read:

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

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

26 Section 4. Subsections (1) and (2) of section
27 550.26165, Florida Statutes, are amended to read:

28 550.26165 Breeders' awards.--

29 (1) The purpose of this section is to encourage the
30 agricultural activity of breeding and training racehorses in
31 this state. Moneys dedicated in this chapter for use as

1 breeders' awards and stallion awards are to be used for awards
2 to breeders of registered Florida-bred horses winning
3 horseraces and for similar awards to the owners of stallions
4 who sired Florida-bred horses winning stakes races, if the
5 stallions are registered as Florida stallions standing in this
6 state. Such awards shall be given at a uniform rate to all
7 winners of the awards, shall not be greater than 20 percent of
8 the announced gross purse, and shall not be less than 15
9 percent of the announced gross purse if funds are available.
10 In addition, no less than 17 percent nor more than 40 percent,
11 as determined by the Florida Thoroughbred Breeders'
12 Association, of the moneys dedicated in this chapter for use
13 as breeders' awards and stallion awards for thoroughbreds
14 shall be returned pro rata to the permitholders that generated
15 the moneys for special racing awards to be distributed by the
16 permitholders to owners of ~~registered Florida-bred~~
17 thoroughbred horses participating winning in prescribed
18 thoroughbred stakes races, non-stakes races, or both ~~and~~
19 ~~winning or placing in thoroughbred stakes races~~, all in
20 accordance with a written agreement establishing the rate,
21 procedure, and eligibility requirements for such awards
22 entered into ~~plan established annually no later than 120 days~~
23 ~~before the first day of the permitholders' racing meet and~~
24 ~~agreed upon~~ by the permitholder, the Florida Thoroughbred
25 Breeders' Association, and the Florida Horsemen's Benevolent
26 and Protective Association, Inc., except that the plan for the
27 distribution by any permitholder located in the area described
28 in s. 550.615(9) shall be agreed upon by that permitholder,
29 the Florida Thoroughbred Breeders' Association, and the
30 association representing a majority of the thoroughbred
31 racehorse owners and trainers at that location. Awards for

1 thoroughbred races are to be paid through the Florida
2 Thoroughbred Breeders' Association, and awards for
3 standardbred races are to be paid through the Florida
4 Standardbred Breeders and Owners Association. Among other
5 sources specified in this chapter, moneys for thoroughbred
6 breeders' awards will come from the 0.955 percent of handle
7 for thoroughbred races conducted, received, broadcast, or
8 simulcast under this chapter as provided in s. 550.2625(3).
9 The moneys for quarter horse and harness breeders' awards will
10 come from the breaks and uncashed tickets on live quarter
11 horse and harness racing performances and 1 percent of handle
12 on intertrack wagering. The funds for these breeders' awards
13 shall be paid to the respective breeders' associations by the
14 permitholders conducting the races.

15 (2) Each breeders' association shall develop a plan
16 each year that will provide for a uniform rate of payment and
17 procedure for breeders' and stallion awards ~~payment~~. The plan
18 for payment of breeders' and stallion awards may set a cap on
19 winnings and may limit, exclude, or defer payments on ~~to~~
20 certain classes of races, such as the Florida stallion stakes
21 races, in order to assure that there are adequate revenues to
22 meet the proposed uniform rate. Priority shall be placed on
23 imposing such restrictions in lieu of allowing the uniform
24 rate for breeders' and stallion awards to be less than 15
25 percent of the total purse payment. The plan must provide for
26 the maximum possible payments within revenues.

27 Section 5. Subsection (3) of section 550.2625, Florida
28 Statutes, is amended to read:

29 550.2625 Horseracing; minimum purse requirement,
30 Florida breeders' and owners' awards.--

31

1 (3) Each horseracing permitholder conducting any
2 thoroughbred race under this chapter, including any intertrack
3 race taken pursuant to ss. 550.615-550.6305 or any interstate
4 simulcast taken pursuant to s. 550.3551(3) shall pay a sum
5 equal to 0.955 percent on all pari-mutuel pools conducted
6 during any such race for the payment of breeders', and
7 stallion, or special racing awards as authorized in this
8 chapter section. This subsection also applies to all
9 Breeder's Cup races conducted outside this state taken
10 pursuant to s. 550.3551(3). On any race originating live in
11 this state which is broadcast out-of-state to any location at
12 which wagers are accepted pursuant to s. 550.3551(2), the host
13 track is required to pay 3.475 percent of the gross revenue
14 derived from such out-of-state broadcasts as breeders', and
15 stallion, or special racing awards. The Florida Thoroughbred
16 Breeders' Association is authorized to receive these payments
17 from the permitholders and make payments of awards earned.
18 The Florida Thoroughbred Breeders' Association has the right
19 to withhold up to 10 percent of the permitholder's payments
20 under this section as a fee for administering the payments of
21 awards and for general promotion of the industry. The
22 permitholder shall remit these payments to the Florida
23 Thoroughbred Breeders' Association by the 5th day of each
24 calendar month for such sums accruing during the preceding
25 calendar month and shall report such payments to the division
26 as prescribed by the division. With the exception of the
27 10-percent fee, the moneys paid by the permitholders shall be
28 maintained in a separate, interest-bearing account, and such
29 payments together with any interest earned shall be used
30 exclusively for the payment of breeders', awards and stallion,
31

1 or special racing awards in accordance with the following
2 provisions:

3 (a) The breeder of each Florida-bred thoroughbred
4 horse winning a thoroughbred horse race is entitled to an
5 award of up to, but not exceeding, 20 percent of the announced
6 gross purse, including nomination fees, eligibility fees,
7 starting fees, supplementary fees, and moneys added by the
8 sponsor of the race.

9 (b) The owner or owners of the sire of a Florida-bred
10 thoroughbred horse that wins a stakes race is entitled to a
11 stallion award of up to, but not exceeding, 20 percent of the
12 announced gross purse, including nomination fees, eligibility
13 fees, starting fees, supplementary fees, and moneys added by
14 the sponsor of the race.

15 (c) The owners of ~~registered Florida-bred~~ thoroughbred
16 horses participating winning or placing in thoroughbred stakes
17 races, non-stakes races, or both may receive a special racing
18 ~~an~~ award in accordance with the agreement a plan established
19 pursuant to ~~in~~ s. 550.26165(1).

20 (d) In order for a breeder of a Florida-bred
21 thoroughbred horse to be eligible to receive a breeder's
22 award, ~~or for the owners of a registered Florida-bred~~
23 ~~thoroughbred horse to be eligible to receive an award under~~
24 ~~paragraph (c),~~ the horse must have been registered as a
25 Florida-bred horse with the Florida Thoroughbred Breeders'
26 Association, and the Jockey Club certificate for the horse
27 must show that it has been duly registered as a Florida-bred
28 horse as evidenced by the seal and proper serial number of the
29 Florida Thoroughbred Breeders' Association registry. The
30 Florida Thoroughbred Breeders' Association shall be permitted
31

1 to charge the registrant a reasonable fee for this
2 verification and registration.

3 (e) In order for an owner of the sire of a
4 thoroughbred horse winning a stakes race to be eligible to
5 receive a stallion award, the stallion must have been
6 registered with the Florida Thoroughbred Breeders'
7 Association, and the breeding of the registered Florida-bred
8 horse must have occurred in this state. The stallion must be
9 standing permanently in this state during the period of time
10 between February 1 and June 15 of each year or, if the
11 stallion is dead, must have stood permanently in this state
12 for a period of not less than 1 year immediately prior to its
13 death. The removal of a stallion from this state during the
14 period of time between February 1 and June 15 of any year for
15 any reason, other than exclusively for prescribed medical
16 treatment, as approved by the Florida Thoroughbred Breeders'
17 Association, renders the owner or owners of the stallion
18 ineligible to receive a stallion award under any circumstances
19 for offspring sired prior to removal; however, if a removed
20 stallion is returned to this state, all offspring sired
21 subsequent to the return make the owner or owners of the
22 stallion eligible for the stallion award but only for those
23 offspring sired subsequent to such return to this state. The
24 Florida Thoroughbred Breeders' Association shall maintain
25 complete records showing the date the stallion arrived in this
26 state for the first time, whether or not the stallion remained
27 in the state permanently, the location of the stallion, and
28 whether the stallion is still standing in this state and
29 complete records showing awards earned, received, and
30 distributed. The association may charge the owner, owners, or
31 breeder a reasonable fee for this service.

1 (f) A permitholder conducting a thoroughbred horse
2 race under the provisions of this chapter shall, within 30
3 days after the end of the race meet during which the race is
4 conducted, certify to the Florida Thoroughbred Breeders'
5 Association such information relating to the thoroughbred
6 horses winning a stakes or other horserace at the meet as may
7 be required to determine the eligibility for payment of
8 breeders', ~~awards and~~ stallion, and special racing awards.

9 (g) The Florida Thoroughbred Breeders' Association
10 shall maintain complete records showing the starters and
11 winners in all races conducted at thoroughbred tracks in this
12 state; shall maintain complete records showing awards earned,
13 received, and distributed; and may charge the owner, owners,
14 or breeder a reasonable fee for this service.

15 (h) The Florida Thoroughbred Breeders' Association
16 shall annually establish a uniform rate and procedure for the
17 payment of breeders' and stallion awards and shall make
18 breeders' and stallion award payments in strict compliance
19 with the established uniform rate and procedure plan. The
20 plan may set a cap on winnings and may limit, exclude, or
21 defer payments to certain classes of races, such as the
22 Florida stallion stakes races, in order to assure that there
23 are adequate revenues to meet the proposed uniform rate. Such
24 plan must include proposals for the general promotion of the
25 industry. Priority shall be placed upon imposing such
26 restrictions in lieu of allowing the uniform rate to be less
27 than 15 percent of the total purse payment. The uniform rate
28 and procedure plan must be approved by the division before
29 implementation. In the absence of an approved plan and
30 procedure, the authorized rate for breeders' and stallion
31 awards is 15 percent of the announced gross purse for each

1 race. Such purse must include nomination fees, eligibility
2 fees, starting fees, supplementary fees, and moneys added by
3 the sponsor of the race. If the funds in the account for
4 payment of breeders' and stallion awards are not sufficient to
5 meet all earned breeders' and stallion awards, those breeders
6 and stallion owners not receiving payments have first call on
7 any subsequent receipts in that or any subsequent year.

8 (i) The Florida Thoroughbred Breeders' Association
9 shall keep accurate records showing receipts and disbursements
10 of such payments and shall annually file a full and complete
11 report to the division showing such receipts and disbursements
12 and the sums withheld for administration. The division may
13 audit the records and accounts of the Florida Thoroughbred
14 Breeders' Association to determine that payments have been
15 made to eligible breeders and stallion owners in accordance
16 with this section.

17 (j) If the division finds that the Florida
18 Thoroughbred Breeders' Association has not complied with any
19 provision of this section, the division may order the
20 association to cease and desist from receiving funds and
21 administering funds received under this section. If the
22 division enters such an order, the permitholder shall make the
23 payments authorized in this section to the division for
24 deposit into the Pari-mutuel Wagering Trust Fund; and any
25 funds in the Florida Thoroughbred Breeders' Association
26 account shall be immediately paid to the Division of
27 Pari-mutuel Wagering for deposit to the Pari-mutuel Wagering
28 Trust Fund. The division shall authorize payment from these
29 funds to any breeder or stallion owner entitled to an award
30 that has not been previously paid by the Florida Thoroughbred
31 Breeders' Association in accordance with the applicable rate.

1 Section 6. Subsection (4) of section 550.5251, Florida
2 Statutes, is amended to read:

3 550.5251 Florida thoroughbred racing; certain permits;
4 operating days.--

5 (4) A thoroughbred racing permitholder may not begin
6 any race later than 7 p.m. ~~However, Any thoroughbred~~
7 permitholder in a county in which the authority for cardrooms
8 has been approved by the board of county commissioners may
9 ~~elect not to~~ operate a cardroom and, when conducting live
10 races during its current race meet, may and instead to receive
11 and rebroadcast out-of-state races after the hour of 7 p.m. on
12 any day during which the permitholder conducts live races.

13 ~~However, such permitholder may not engage in both operating a~~
14 ~~cardroom and receiving or rebroadcasting out-of-state races~~
15 ~~after 7 p.m. Permitholders shall be required to elect between~~
16 ~~either operating a cardroom or engaging in simulcasting after~~
17 ~~7 p.m. at the time of submitting its application for its~~
18 ~~annual license pursuant to this section.~~

19 Section 7. Paragraph (a) of subsection (2),
20 subsections (5), (7), and (8), and paragraphs (a) and (d) of
21 subsection (13) of section 849.086, Florida Statutes, are
22 amended to read:

23 849.086 Cardrooms authorized.--

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

25 (a) "Authorized game games" means a game or series of
26 games of poker only those games authorized by s. 849.085(2)(a)
27 and which are played in a nonbanking manner.

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

31

1 (a) Only those persons holding a valid cardroom
2 license issued by the division may operate a cardroom. A
3 cardroom license may only be issued to a licensed pari-mutuel
4 permitholder and an authorized cardroom may only be operated
5 at the same facility at which the permitholder is authorized
6 under its valid pari-mutuel wagering permit to conduct
7 pari-mutuel wagering activities. Cardroom licenses are not
8 transferable.

9 (b) After the initial cardroom license is granted, the
10 application for the annual license renewal shall be made in
11 conjunction with the applicant's annual application for its
12 pari-mutuel license. If a permitholder has operated a cardroom
13 during either of the 2 previous fiscal years and fails to
14 include a renewal request for the operation of the cardroom in
15 its annual application for license renewal, the permitholder
16 may amend its annual application to include operation of the
17 cardroom.In order for a cardroom license to be renewed the
18 applicant must have requested, as part of its pari-mutuel
19 annual license application, to conduct at least 90 percent of
20 the total number of live performances conducted by such
21 permitholder during either the state fiscal year in which its
22 initial cardroom license was issued or the state fiscal year
23 immediately prior thereto. If the application is for a harness
24 permitholder cardroom, the applicant must have requested
25 authorization to conduct a minimum of 140 live performances
26 during the state fiscal year immediately prior thereto. If
27 more than one permitholder is operating at a facility, each
28 permitholder must have applied for a license to conduct a full
29 schedule of live racing.

30 (c) Persons seeking a license or a renewal thereof to
31 operate a cardroom shall make application on forms prescribed

1 by the division. Applications for cardroom licenses shall
2 contain all of the information the division, by rule, may
3 determine is required to ensure eligibility.

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

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

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

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

26 (c) A cardroom operator must at all times employ and
27 provide a nonplaying dealer for each table on which authorized
28 card games which traditionally utilize a dealer are conducted
29 at the cardroom. Such dealers may not have any participatory
30 interest in any game other than the dealing of cards and may
31 not have an interest in the outcome of the game. The

1 providing of such dealers by a licensee shall not be construed
2 as constituting the conducting of a banking game by the
3 cardroom operator.

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

14 (e) The cardroom facility shall be subject to
15 inspection by the division or any law enforcement agency
16 during the licensee's regular business hours. The inspection
17 will specifically encompass the permitholder internal control
18 procedures approved by the division.

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

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

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

31

1 (b) The cardroom operator may limit the amount wagered
2 in any game or series of games, but the maximum bet ~~winnings~~
3 ~~of any player in a single round, hand, or game~~ may not exceed
4 ~~\$2\$10~~ in value. There may not be more than three raises in
5 any round of betting.The fee charged by the cardroom for
6 participation in the game shall not be included in the
7 calculation of the limitation on the bet amount ~~pot size~~
8 provided in this paragraph.

9 (13) TAXES AND OTHER PAYMENTS.--

10 (a) Each cardroom operator shall pay a tax to the
11 state of 10 percent of the cardroom operation's monthly gross
12 receipts.

13 (d) Each greyhound and jai alai permitholder that
14 ~~which~~ operates a cardroom facility shall use ~~utilize~~ at least
15 4 percent of such permitholder's cardroom monthly gross
16 receipts to supplement greyhound purses or jai alai prize
17 money, respectively, during the permitholder's next ensuing
18 pari-mutuel meet. Each thoroughbred and harness horse racing
19 permitholder that ~~which~~ operates a cardroom facility shall use
20 ~~utilize~~ at least 50 percent of such permitholder's cardroom
21 monthly net proceeds as follows: 47 percent to supplement
22 purses and 3 percent to supplement breeders' awards during the
23 permitholder's next ensuing racing meet.

24 Section 8. This act shall take effect July 1, 2002.

25
26
27
28
29
30
31