

By Senators Campbell, Jones and Bennett

32-740-03

1 A bill to be entitled
2 An act relating to pari-mutuel wagering;
3 amending s. 550.3551, F.S.; deleting a
4 limitation on horsetracks receiving broadcasts
5 of races conducted out of this state; providing
6 clarification regarding simulcast horseraces;
7 amending s. 550.5251, F.S.; deleting a
8 limitation on beginning thoroughbred races
9 after 7 p.m.; amending s. 550.615, F.S.;
10 deleting a limitation on accepting certain
11 intertrack wagers; amending s. 550.6305, F.S.;
12 authorizing certain intertrack wagering;
13 providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Subsection (3) of section 550.3551, Florida
18 Statutes; is amended, and subsection (15) is added to that
19 section, to read:

20 550.3551 Transmission of racing and jai alai
21 information; commingling of pari-mutuel pools.--

22 (3) Any horse track licensed under this chapter may
23 receive broadcasts of horseraces conducted at other horse
24 racetracks located outside this state at the racetrack
25 enclosure of the licensee ~~during its racing meet.~~

26 (a) All broadcasts of horseraces received from
27 locations outside this state must comply with the provisions
28 of the Interstate Horseracing Act of 1978, 92 Stat. 1811, 15
29 U.S.C. ss. 3001 et seq.

30 (b) Wagers accepted at the horse track in this state
31 may be, but are not required to be, included in the

1 pari-mutuel pools of the out-of-state horse track that
2 broadcasts the race. Notwithstanding any contrary provisions
3 of this chapter, if the horse track in this state elects to
4 include wagers accepted on such races in the pari-mutuel pools
5 of the out-of-state horse track that broadcasts the race, from
6 the amount wagered by patrons at the horse track in this state
7 and included in the pari-mutuel pools of the out-of-state
8 horse track, the horse track in this state shall deduct as the
9 takeout from the amount wagered by patrons at the horse track
10 in this state and included in the pari-mutuel pools of the
11 out-of-state horse track a percentage equal to the percentage
12 deducted from the amount wagered at the out-of-state racetrack
13 as is authorized by the laws of the jurisdiction exercising
14 regulatory authority over the out-of-state horse track.

15 (c) All forms of pari-mutuel wagering are allowed on
16 races broadcast under this section, and all money wagered by
17 patrons on such races shall be computed as part of the total
18 amount of money wagered at each racing performance for
19 purposes of taxation under ss. 550.0951, 550.09512, and
20 550.09515. Section 550.2625(2)(a), (b), and (c) does not
21 apply to any money wagered on races broadcast under this
22 section. Similarly, the takeout shall be increased by breaks
23 and uncashed tickets for wagers on races broadcast under this
24 section, notwithstanding any contrary provision of this
25 chapter.

26 (15) This chapter does not prevent a licensed horse
27 track from receiving and engaging in pari-mutuel wagering on
28 simulcast horseraces.

29 Section 2. Subsections (4), (5), (6), and (7) of
30 section 550.5251, Florida Statutes, are amended to read:

31

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

3 ~~(4) A thoroughbred racing permitholder may not begin~~
4 ~~any race later than 7 p.m. However, any thoroughbred~~
5 ~~permitholder in a county in which the authority for cardrooms~~
6 ~~has been approved by the board of county commissioners may~~
7 ~~elect not to operate a cardroom when conducting live races~~
8 ~~during its current race meet and instead to receive and~~
9 ~~rebroadcast out-of-state races after the hour of 7 p.m. on any~~
10 ~~day during which the permitholder conducts live races.~~
11 ~~However, such permitholder may not engage in both operating a~~
12 ~~cardroom and receiving or rebroadcasting out-of-state races~~
13 ~~after 7 p.m. Permitholders shall be required to elect between~~
14 ~~either operating a cardroom or engaging in simulcasting after~~
15 ~~7 p.m. at the time of submitting its application for its~~
16 ~~annual license pursuant to this section.~~

17 (4)(5)(a) Each licensed thoroughbred permitholder in
18 this state must run an average of one race per racing day in
19 which horses bred in this state and duly registered with the
20 Florida Thoroughbred Breeders' Association have preference as
21 entries over non-Florida-bred horses. All licensed
22 thoroughbred racetracks shall write the conditions for such
23 races in which Florida-bred horses are preferred so as to
24 assure that all Florida-bred horses available for racing at
25 such tracks are given full opportunity to run in the class of
26 races for which they are qualified. The opportunity of
27 running must be afforded to each class of horses in the
28 proportion that the number of horses in this class bears to
29 the total number of Florida-bred horses available. A track is
30 not required to write conditions for a race to accommodate a
31

1 class of horses for which a race would otherwise not be run at
2 the track during its meeting.

3 (b) Each licensed thoroughbred permitholder in this
4 state may run one additional race per racing day composed
5 exclusively of Arabian horses registered with the Arabian
6 Horse Registry of America. Any licensed thoroughbred
7 permitholder that elects to run one additional race per racing
8 day composed exclusively of Arabian horses registered with the
9 Arabian Horse Registry of America is not required to provide
10 stables for the Arabian horses racing under this paragraph.

11 (c) Each licensed thoroughbred permitholder in this
12 state may run up to three additional races per racing day
13 composed exclusively of quarter horses registered with the
14 American Quarter Horse Association.

15 (5)~~(6)~~ Notwithstanding the provisions of subsection
16 (2), a thoroughbred permitholder who fails to operate all
17 performances on its 2001-2002 license does not lose its right
18 to retain its permit. Such thoroughbred permitholder is
19 eligible for issuance of an annual license pursuant to s.
20 550.0115 for subsequent thoroughbred racing seasons. The
21 division shall take no disciplinary action against such
22 thoroughbred permitholder for failure to operate all licensed
23 performances for the 2001-2002 license pursuant to this
24 section or s. 550.01215. This section may not be interpreted
25 to prohibit the division from taking disciplinary action
26 against a thoroughbred permitholder for failure to pay taxes
27 on performances operated pursuant to its 2001-2002 license.
28 This subsection expires July 1, 2003.

29 ~~(7) A thoroughbred permitholder shall file an~~
30 ~~amendment with the division no later than July 1, 2002, that~~
31 ~~indicates that it will not be able to operate the performances~~

1 ~~scheduled on its 2002-2003 license without imposition of any~~
2 ~~penalty for failure to operate all licensed performances~~
3 ~~provided in this chapter. This subsection expires July 1,~~
4 ~~2003.~~

5 Section 3. Subsection (6) of section 550.615, Florida
6 Statutes, is amended to read:

7 550.615 Intertrack wagering.--

8 (6) Notwithstanding the provisions of subsection (3),
9 in any area of the state where there are three or more
10 horserace permitholders within 25 miles of each other,
11 intertrack wagering between permitholders in said area of the
12 state shall only be authorized under the following conditions:
13 Any permitholder, ~~other than a thoroughbred permitholder, may~~
14 ~~accept intertrack wagers on races or games conducted live by a~~
15 ~~permitholder of the same class or any harness permitholder~~
16 ~~located within such area and any harness permitholder may~~
17 ~~accept wagers on games conducted live by any jai alai~~
18 ~~permitholder located within its market area and from a jai~~
19 ~~alai permitholder located within the area specified in this~~
20 ~~subsection when no jai alai permitholder located within its~~
21 ~~market area is conducting live jai alai performances; any~~
22 ~~greyhound or jai alai permitholder may receive broadcasts of~~
23 ~~and accept wagers on any other permitholder if of the other~~
24 ~~class provided that~~ a permitholder, other than the host track,
25 of such other class is not operating a contemporaneous live
26 performance within the market area.

27 Section 4. Subsection (9) of section 550.6305, Florida
28 Statutes, is amended to read:

29 550.6305 Intertrack wagering; guest track payments;
30 accounting rules.--

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1 (9) A host track that has contracted with an
2 out-of-state horse track to broadcast live races conducted at
3 such out-of-state horse track pursuant to s. 550.3551(5) may
4 broadcast during its live meet such out-of-state races to any
5 guest track and accept wagers thereon in the same manner as is
6 provided in s. 550.3551.

7 (a) For purposes of this section, "net proceeds" means
8 the amount of takeout remaining after the payment of state
9 taxes, purses required pursuant to s. 550.0951(3)(c)1., the
10 cost to the permitholder required to be paid to the
11 out-of-state horse track, and breeders' awards paid to the
12 Florida Thoroughbred Breeders' Association and the Florida
13 Standardbred Breeders and Owners Association, to be used as
14 set forth in s. 550.625(2)(a) and (b).

15 (b) Notwithstanding the provisions of subsection (1)
16 and s. 550.625(1) and (2)(a), the distribution of the net
17 proceeds that are retained by a thoroughbred host track from
18 the takeout on an out-of-state race rebroadcast under this
19 subsection shall be as follows:

20 1. One-third of the remainder of such proceeds shall
21 be paid to the guest track;

22 2. One-third of the remainder of such proceeds shall
23 be retained by the host track; and

24 3. One-third of the remainder of such proceeds shall
25 be paid by the host track as purses at the host track.

26 (c) All guest tracks other than thoroughbred
27 permitholders that are eligible to receive wagers on
28 out-of-state horseraces rebroadcast from a host track racing
29 under a thoroughbred horse permit shall be subject to the
30 distribution of the net proceeds as specified in paragraph (a)
31 unless the host and guest permitholders and the recognized

1 | horseman's group agree to a different distribution of their
2 | respective portions of the proceeds by contract.

3 | (d) Any permitholder located in any area of the state
4 | where there are only two permits, one for dogracing and one
5 | for jai alai, may accept wagers on rebroadcasts of
6 | out-of-state thoroughbred horse races from an in-state
7 | thoroughbred horse racing permitholder and shall not be
8 | subject to the provisions of paragraph (b) if such
9 | thoroughbred horse racing permitholder located within the area
10 | specified in this paragraph is both conducting live races and
11 | accepting wagers on out-of-state horseraces. In such case,
12 | the guest permitholder shall be entitled to 45 percent of the
13 | net proceeds on wagers accepted at the guest facility. The
14 | remaining proceeds shall be distributed as follows: one-half
15 | shall be retained by the host facility and one-half shall be
16 | paid by the host facility as purses at the host facility.

17 | (e) Notwithstanding the provisions of subsection (1)
18 | and s. 550.625(1) and (2)(b), the proceeds that are retained
19 | by a harness host facility from the takeout on a race
20 | broadcast under this subsection shall be distributed as
21 | follows:

22 | 1. Of the total intertrack handle on the broadcast, 1
23 | percent shall be deducted from the proceeds and paid to the
24 | Florida Standardbred Breeders and Owners Association, Inc., to
25 | be used as set forth in s. 550.625(2)(b);

26 | 2. One-third of the remainder of such proceeds shall
27 | be paid to the guest facility;

28 | 3. One-third of the remainder of such proceeds shall
29 | be retained by the host facility; and

30 | 4. One-third of the remainder of said proceeds shall
31 | be paid by the host facility as purses at the host facility.

1 (f) Any permitholder located in any area of the state
2 where there are only two permits, one for dogracing and one
3 for jai alai, may accept wagers on rebroadcasts of
4 out-of-state harness horse races from an in-state harness
5 horse racing permitholder and shall not be subject to the
6 provisions of paragraph (b) if such harness horse racing
7 permitholder located within the area specified in this
8 paragraph is conducting live races. In such case, the guest
9 permitholder shall be entitled to 45 percent of the net
10 proceeds on wagers accepted at the guest facility. The
11 remaining proceeds shall be distributed as follows: one-half
12 shall be retained by the host facility and one-half shall be
13 paid by the host facility as purses at the host facility.

14 (g)1. Any thoroughbred permitholder that ~~which~~ accepts
15 wagers on a simulcast signal must, during its live meet, make
16 the signal available to any permitholder that is eligible to
17 conduct intertrack wagering under the provisions of ss.
18 550.615-550.6345.

19 2. Any thoroughbred permitholder that ~~which~~ accepts
20 wagers on a simulcast signal received after 6 p.m. must,
21 during its live meet, make such signal available to any
22 permitholder that is eligible to conduct intertrack wagering
23 under the provisions of ss. 550.615-550.6345, including any
24 permitholder located as specified in s. 550.615(6). Such
25 guest permitholders are authorized to accept wagers on such
26 simulcast signal, notwithstanding any other provision of this
27 chapter to the contrary.

28 ~~3. Any thoroughbred permitholder which accepts wagers~~
29 ~~on a simulcast signal received after 6 p.m. must make such~~
30 ~~signal available to any permitholder that is eligible to~~
31 ~~conduct intertrack wagering under the provisions of ss.~~

1 ~~550.615-550.6345, including any permitholder located as~~
2 ~~specified in s. 550.615(9). Such guest permitholders are~~
3 ~~authorized to accept wagers on such simulcast signals for a~~
4 ~~number of performances not to exceed that which constitutes a~~
5 ~~full schedule of live races for a quarter horse permitholder~~
6 ~~pursuant to s. 550.002(11), notwithstanding any other~~
7 ~~provision of this chapter to the contrary, except that the~~
8 ~~restrictions provided in s. 550.615(9)(a) apply to wagers on~~
9 ~~such simulcast signals.~~

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11 No thoroughbred permitholder shall be required to continue to
12 rebroadcast a simulcast signal to any in-state permitholder if
13 the average per performance gross receipts returned to the
14 host permitholder over the preceding 30-day period were less
15 than \$100. Subject to the provisions of s. 550.615(4), as a
16 condition of receiving rebroadcasts of thoroughbred simulcast
17 signals under this paragraph, a guest permitholder must accept
18 intertrack wagers on all live races conducted by all
19 then-operating thoroughbred permitholders.

20 Section 5. This act shall take effect July 1, 2003.

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23 SENATE SUMMARY

24 Revises provisions relating to pari-mutuel intertrack
25 wagering, expanding the scope of such wagering. (See bill
for details.)