

By the Committee on Regulated Industries; and Senator Haridopolos

315-2510-03

1 A bill to be entitled
2 An act relating to pari-mutuel wagering;
3 repealing s. 550.09515(3), F.S., relating to
4 provisions that require a thoroughbred horse
5 permit to be voided and to escheat to the state
6 for failure of a permitholder to operate
7 performances; deleting provisions for the
8 reissuance of such escheated permit; amending
9 s. 550.5251, F.S.; revising provisions
10 governing application and issuance of certain
11 thoroughbred horse permits; providing for
12 penalties for failure to operate a full
13 schedule of performances by permitholders;
14 providing procedures for electing not to
15 operate live performances; providing that such
16 election does not affect the validity of a
17 permit; exempting from penalties thoroughbred
18 permitholders who failed to operate a full
19 schedule of performances during specified
20 seasons; providing for a study of issues
21 related to permitholders under ch. 550, F.S.;
22 providing an effective date.

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24 Be It Enacted by the Legislature of the State of Florida:
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26 Section 1. Subsection (3) of section 550.09515,
27 Florida Statutes, is repealed.

28 Section 2. Subsection (2) of section 550.5251, Florida
29 Statutes, is amended to read:

30 550.5251 Florida thoroughbred racing; certain permits;
31 operating days.--

1 (2) Each permitholder referred to in subsection (1)
2 shall annually, during the period commencing December 15 of
3 each year and ending January 4 of the following year, file in
4 writing with the division its application to conduct one or
5 more thoroughbred racing meetings during the thoroughbred
6 racing season commencing on the following June 1. Each
7 application shall specify the number and dates of all
8 performances that the permitholder intends to conduct during
9 that thoroughbred racing season. ~~On or before February 15 of~~
10 ~~each year, the division shall issue a license authorizing each~~
11 ~~permitholder to conduct performances on the dates specified in~~
12 ~~its application.~~ Up to March 31 of each year, each
13 permitholder may request and shall be granted changes in its
14 authorized performances and the division shall issue a license
15 on or before April 30 of each year authorizing each
16 permitholder to conduct performances on the dates specified in
17 its application; and but thereafter, as a condition precedent
18 to the validity of its license and its right to retain its
19 permit, each permitholder must operate the full number of days
20 authorized on each of the dates set forth in its license or be
21 subject to discipline pursuant to ss. 550.01215(4) and
22 550.0251(10). On or before February 15 of each year, a
23 permitholder may elect not to operate live performances during
24 the ensuing thoroughbred racing season by filing an amendment
25 to its application indicating its irrevocable election not to
26 operate, and the division shall not issue a license to such
27 permitholder. An election not to operate does not affect the
28 continuing validity of the permit of such permitholder. For
29 the 2003-2004 Florida Thoroughbred Racing Season only, an
30 election not to operate shall be effective if delivered to the
31 division on or before July 1, 2003. Any thoroughbred

1 permitholder who failed to operate all performances that it
2 was authorized to operate under the license or licenses issued
3 to it by the division for either or both the 2001-2002 or
4 2002-2003 Florida Thoroughbred Racing Seasons shall be excused
5 from discipline by the division for its failure to operate
6 such performances, and its permit shall be deemed valid and in
7 good standing.

8 Section 3. The Department of Business and Professional
9 Regulation shall study and review chapter 550, Florida
10 Statutes, as it pertains to the issues related to the
11 pari-mutuel permitholders governed by the provisions of that
12 chapter. The department shall report the results of this study
13 to the President of the Senate and the Speaker of the House of
14 Representatives by February 1, 2004. The study shall be
15 staffed and funded from existing resources of the department.

16 Section 4. This act shall take effect upon becoming a
17 law.

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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bill 2834

4 It deletes the provision that removed the requirement that
5 broadcasts of horseraces conducted at horse racetracks located
6 outside the state may only be received by a Florida horse
7 racing track only during its racing meet.

8 It deletes the language that provided that chapter 550 does
9 not prevent a licensed horse track from receiving and engaging
10 in pari-mutuel wagering on simulcast horseraces.

11 It deletes the provision that removed the language that
12 thoroughbred tracks could not race after 7 p.m. and that the
13 horse tracks had to choose between operating a cardroom and
14 conducting simulcast wagering after 7 p.m.

15 It deletes the provision that removed the language that allows
16 a thoroughbred permitholder to file an amendment with the
17 division no later than July 1, 2002, to indicate that it would
18 not run the performance scheduled on its 2002-2003 license and
19 avoid any penalties for failure to operate those dates.

20 It deletes the provision that provided that a host track that
21 has contracted with an out of state horse track may
22 rebroadcast those live races during its live meet to any guest
23 track and accept wagers on those out of state races.

24 It deletes the requirements that thoroughbred permitholders
25 must make a simulcast signal available to other qualified
26 permitholders during its live meet.

27 It deletes the provision that removed the requirement that any
28 thoroughbred permitholder who accepts wagers on a simulcast
29 signal received after 6 p.m. must make the signal available to
30 any permitholder that is eligible to conduct intertrack
31 wagering.