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A bill to be entitled
 An act relating to pari-mutuel wagering; amending s.
 550.3551, F.S.; removing a restriction on receiving
 certain broadcasts of horseraces conducted at other
 described horse racetracks; clarifying provisions relating
 to a licensed horse racetrack receiving and engaging in
 pari-mutuel wagering on simulcast horseraces; amending s.
 550.5251, F.S.; removing certain restrictions on when
 certain horseraces, cardroom operations, and receiving or
 rebroadcasting of certain races are permitted; removing a
 requirement that certain applicants elect either operating
 a cardroom or engaging in simulcasting; amending s.
 550.615, F.S.; removing certain restrictions on intertrack
 wagers on specified races and games; providing that any
 permitholder may receive broadcasts of and accept wagers
 on any other permitholder under specified conditions;
 amending s. 550.6305, F.S.; revising requirements of
 certain permitholders which accept wagers on a simulcast
 signal; providing an effective date.

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

Section 1. Subsection (3) of section 550.3551, Florida
 Statutes, is amended, and subsection (15) is added to said
 section, to read:

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

(3) Any horse track licensed under this chapter may
 receive broadcasts of horseraces conducted at other horse



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30 racetracks located outside this state at the racetrack enclosure
 31 of the licensee ~~during its racing meet.~~

32 (a) All broadcasts of horseraces received from locations
 33 outside this state must comply with the provisions of the
 34 Interstate Horseracing Act of 1978, 92 Stat. 1811, 15 U.S.C. ss.
 35 3001 et seq.

36 (b) Wagers accepted at the horse track in this state may
 37 be, but are not required to be, included in the pari-mutuel
 38 pools of the out-of-state horse track that broadcasts the race.
 39 Notwithstanding any contrary provisions of this chapter, if the
 40 horse track in this state elects to include wagers accepted on
 41 such races in the pari-mutuel pools of the out-of-state horse
 42 track that broadcasts the race, from the amount wagered by
 43 patrons at the horse track in this state and included in the
 44 pari-mutuel pools of the out-of-state horse track, the horse
 45 track in this state shall deduct as the takeout from the amount
 46 wagered by patrons at the horse track in this state and included
 47 in the pari-mutuel pools of the out-of-state horse track a
 48 percentage equal to the percentage deducted from the amount
 49 wagered at the out-of-state racetrack as is authorized by the
 50 laws of the jurisdiction exercising regulatory authority over
 51 the out-of-state horse track.

52 (c) All forms of pari-mutuel wagering are allowed on races
 53 broadcast under this section, and all money wagered by patrons
 54 on such races shall be computed as part of the total amount of
 55 money wagered at each racing performance for purposes of
 56 taxation under ss. 550.0951, 550.09512, and 550.09515. Section
 57 550.2625(2)(a), (b), and (c) does not apply to any money wagered
 58 on races broadcast under this section. Similarly, the takeout
 59 shall be increased by breaks and uncashed tickets for wagers on



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60 races broadcast under this section, notwithstanding any contrary
61 provision of this chapter.

62 (15) Nothing in this chapter shall be construed as
63 preventing a licensed horse track from receiving and engaging in
64 pari-mutuel wagering on simulcast horseraces.

65 Section 2. Subsections (4), (5), (6), and (7) of section
66 550.5251, Florida Statutes, are amended to read:

67 550.5251 Florida thoroughbred racing; certain permits;
68 operating days.--

69 ~~(4) A thoroughbred racing permitholder may not begin any~~
70 ~~race later than 7 p.m. However, any thoroughbred permitholder in~~
71 ~~a county in which the authority for cardrooms has been approved~~
72 ~~by the board of county commissioners may elect not to operate a~~
73 ~~cardroom when conducting live races during its current race meet~~
74 ~~and instead to receive and rebroadcast out-of-state races after~~
75 ~~the hour of 7 p.m. on any day during which the permitholder~~
76 ~~conducts live races. However, such permitholder may not engage~~
77 ~~in both operating a cardroom and receiving or rebroadcasting~~
78 ~~out-of-state races after 7 p.m. Permitholders shall be required~~
79 ~~to elect between either operating a cardroom or engaging in~~
80 ~~simuleasting after 7 p.m. at the time of submitting its~~
81 ~~application for its annual license pursuant to this section.~~

82 (4)(5)(a) Each licensed thoroughbred permitholder in this
83 state must run an average of one race per racing day in which
84 horses bred in this state and duly registered with the Florida
85 Thoroughbred Breeders' Association have preference as entries
86 over non-Florida-bred horses. All licensed thoroughbred
87 racetracks shall write the conditions for such races in which
88 Florida-bred horses are preferred so as to assure that all
89 Florida-bred horses available for racing at such tracks are



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90 given full opportunity to run in the class of races for which
91 they are qualified. The opportunity of running must be afforded
92 to each class of horses in the proportion that the number of
93 horses in this class bears to the total number of Florida-bred
94 horses available. A track is not required to write conditions
95 for a race to accommodate a class of horses for which a race
96 would otherwise not be run at the track during its meeting.

97 (b) Each licensed thoroughbred permitholder in this state
98 may run one additional race per racing day composed exclusively
99 of Arabian horses registered with the Arabian Horse Registry of
100 America. Any licensed thoroughbred permitholder that elects to
101 run one additional race per racing day composed exclusively of
102 Arabian horses registered with the Arabian Horse Registry of
103 America is not required to provide stables for the Arabian
104 horses racing under this paragraph.

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

109 ~~(5)~~⁽⁶⁾ Notwithstanding the provisions of subsection (2), a
110 thoroughbred permitholder who fails to operate all performances
111 on its 2001-2002 license does not lose its right to retain its
112 permit. Such thoroughbred permitholder is eligible for issuance
113 of an annual license pursuant to s. 550.0115 for subsequent
114 thoroughbred racing seasons. The division shall take no
115 disciplinary action against such thoroughbred permitholder for
116 failure to operate all licensed performances for the 2001-2002
117 license pursuant to this section or s. 550.01215. This section
118 may not be interpreted to prohibit the division from taking
119 disciplinary action against a thoroughbred permitholder for



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120 failure to pay taxes on performances operated pursuant to its
 121 2001-2002 license. This subsection expires July 1, 2003.

122 (6)~~(7)~~ A thoroughbred permitholder shall file an amendment
 123 with the division no later than July 1, 2002, that indicates
 124 that it will not be able to operate the performances scheduled
 125 on its 2002-2003 license without imposition of any penalty for
 126 failure to operate all licensed performances provided in this
 127 chapter. This subsection expires July 1, 2003.

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

130 550.615 Intertrack wagering.--

131 (6) Notwithstanding the provisions of subsection (3), in
 132 any area of the state where there are three or more horserace
 133 permitholders within 25 miles of each other, intertrack wagering
 134 between permitholders in said area of the state shall only be
 135 authorized under the following conditions: Any permitholder,
 136 ~~other than a thoroughbred permitholder, may accept intertrack~~
 137 ~~wagers on races or games conducted live by a permitholder of the~~
 138 ~~same class or any harness permitholder located within such area~~
 139 ~~and any harness permitholder may accept wagers on games~~
 140 ~~conducted live by any jai alai permitholder located within its~~
 141 ~~market area and from a jai alai permitholder located within the~~
 142 ~~area specified in this subsection when no jai alai permitholder~~
 143 ~~located within its market area is conducting live jai alai~~
 144 ~~performances; any greyhound or jai alai permitholder may receive~~
 145 broadcasts of and accept wagers on any other permitholder ~~of the~~
 146 ~~other class~~ provided that a permitholder, other than the host
 147 track, of such other class is not operating a contemporaneous
 148 live performance within the market area.



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

151 550.6305 Intertrack wagering; guest track payments;
152 accounting rules.--

153 (9) A host track that has contracted with an out-of-state
154 horse track to broadcast live races conducted at such out-of-
155 state horse track pursuant to s. 550.3551(5) may broadcast,
156 during its live meet, such out-of-state races to any guest track
157 and accept wagers thereon in the same manner as is provided in
158 s. 550.3551.

159 (a) For purposes of this section, "net proceeds" means the
160 amount of takeout remaining after the payment of state taxes,
161 purses required pursuant to s. 550.0951(3)(c)1., the cost to the
162 permitholder required to be paid to the out-of-state horse
163 track, and breeders' awards paid to the Florida Thoroughbred
164 Breeders' Association and the Florida Standardbred Breeders and
165 Owners Association, to be used as set forth in s. 550.625(2)(a)
166 and (b).

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

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

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

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



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178 (c) All guest tracks other than thoroughbred permitholders
179 that are eligible to receive wagers on out-of-state horseraces
180 rebroadcast from a host track racing under a thoroughbred horse
181 permit shall be subject to the distribution of the net proceeds
182 as specified in paragraph (a) unless the host and guest
183 permitholders and the recognized horseman's group agree to a
184 different distribution of their respective portions of the
185 proceeds by contract.

186 (d) Any permitholder located in any area of the state
187 where there are only two permits, one for dogracing and one for
188 jai alai, may accept wagers on rebroadcasts of out-of-state
189 thoroughbred horse races from an in-state thoroughbred horse
190 racing permitholder and shall not be subject to the provisions
191 of paragraph (b) if such thoroughbred horse racing permitholder
192 located within the area specified in this paragraph is both
193 conducting live races and accepting wagers on out-of-state
194 horseraces. In such case, the guest permitholder shall be
195 entitled to 45 percent of the net proceeds on wagers accepted at
196 the guest facility. The remaining proceeds shall be distributed
197 as follows: one-half shall be retained by the host facility and
198 one-half shall be paid by the host facility as purses at the
199 host facility.

200 (e) Notwithstanding the provisions of subsection (1) and
201 s. 550.625(1) and (2)(b), the proceeds that are retained by a
202 harness host facility from the takeout on a race broadcast under
203 this subsection shall be distributed as follows:

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



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208 2. One-third of the remainder of such proceeds shall be
209 paid to the guest facility;

210 3. One-third of the remainder of such proceeds shall be
211 retained by the host facility; and

212 4. One-third of the remainder of said proceeds shall be
213 paid by the host facility as purses at the host facility.

214 (f) Any permitholder located in any area of the state
215 where there are only two permits, one for dogracing and one for
216 jai alai, may accept wagers on rebroadcasts of out-of-state
217 harness horse races from an in-state harness horse racing
218 permitholder and shall not be subject to the provisions of
219 paragraph (b) if such harness horse racing permitholder located
220 within the area specified in this paragraph is conducting live
221 races. In such case, the guest permitholder shall be entitled to
222 45 percent of the net proceeds on wagers accepted at the guest
223 facility. The remaining proceeds shall be distributed as
224 follows: one-half shall be retained by the host facility and
225 one-half shall be paid by the host facility as purses at the
226 host facility.

227 (g)1. Any thoroughbred permitholder which accepts wagers
228 on a simulcast signal must, during its live meet, make the
229 signal available to any permitholder that is eligible to conduct
230 intertrack wagering under the provisions of ss. 550.615-
231 550.6345.

232 2. Any thoroughbred permitholder which accepts wagers on a
233 simulcast signal received after 6 p.m. must, during its live
234 meet, make such signal available to any permitholder that is
235 eligible to conduct intertrack wagering under the provisions of
236 ss. 550.615-550.6345, including any permitholder located as
237 specified in s. 550.615(6). Such guest permitholders are



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238 authorized to accept wagers on such simulcast signal,
239 notwithstanding any other provision of this chapter to the
240 contrary.

241 ~~3. Any thoroughbred permitholder which accepts wagers on a~~
242 ~~simulcast signal received after 6 p.m. must make such signal~~
243 ~~available to any permitholder that is eligible to conduct~~
244 ~~intertrack wagering under the provisions of ss. 550.615-~~
245 ~~550.6345, including any permitholder located as specified in s.~~
246 ~~550.615(9). Such guest permitholders are authorized to accept~~
247 ~~wagers on such simulcast signals for a number of performances~~
248 ~~not to exceed that which constitutes a full schedule of live~~
249 ~~races for a quarter horse permitholder pursuant to s.~~
250 ~~550.002(11), notwithstanding any other provision of this chapter~~
251 ~~to the contrary, except that the restrictions provided in s.~~
252 ~~550.615(9)(a) apply to wagers on such simulcast signals.~~

253
254 No thoroughbred permitholder shall be required to continue to
255 rebroadcast a simulcast signal to any in-state permitholder if
256 the average per performance gross receipts returned to the host
257 permitholder over the preceding 30-day period were less than
258 \$100. Subject to the provisions of s. 550.615(4), as a condition
259 of receiving rebroadcasts of thoroughbred simulcast signals
260 under this paragraph, a guest permitholder must accept
261 intertrack wagers on all live races conducted by all then-
262 operating thoroughbred permitholders.

263 Section 5. This act shall take effect upon becoming a law.