

By Senator Geller

31-81A-03

1 A bill to be entitled
2 An act relating to the operation of cardrooms;
3 amending s. 849.086, F.S.; prescribing
4 licensing requirements when more than one
5 permitholder uses the same facility; providing
6 cardroom license fees; revising the amount of
7 bets allowable for each round, hand, or game;
8 authorizing facilities to award prizes;
9 revising the rate of the gross receipts tax on
10 admissions; revising the amount of cardroom
11 receipts that must be used to supplement
12 greyhound and jai alai purses; providing an
13 effective date.

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

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17 Section 1. Paragraphs (b) and (d) of subsection (5),
18 subsections (7) and (8), and paragraphs (a) and (d) of
19 subsection (13) of section 849.086, Florida Statutes, are
20 amended to read:

21 849.086 Cardrooms authorized.--

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

25 (b) After the initial cardroom license is granted, the
26 application for the annual license renewal shall be made in
27 conjunction with the applicant's annual application for its
28 pari-mutuel license. In order for a cardroom license to be
29 renewed the applicant must have requested authorization, as
30 part of its pari-mutuel annual license application, to conduct
31 at least 90 percent of the total number of live performances

1 conducted by such permitholder during ~~either~~ the state fiscal
2 year in which its initial cardroom license was issued or the
3 state fiscal year immediately prior thereto, or, if a harness
4 permitholder cardroom application, to conduct a minimum of 140
5 live performances during the state fiscal year immediately
6 prior thereto, or, if more than one permitholder is operating
7 at a facility, each of the permitholders must have applied for
8 a license to conduct a full schedule of live racing or games.

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

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

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

22 (b) A cardroom may be operated at the facility only
23 when the facility is authorized to accept wagers on
24 pari-mutuel events during its authorized meet. A cardroom may
25 begin operations within 2 hours prior to the post time of the
26 first pari-mutuel event conducted live at the pari-mutuel
27 facility on which wagers are accepted and must cease
28 operations within 2 hours after the conclusion of the last
29 pari-mutuel event conducted live at the pari-mutuel facility
30 on which wagers are accepted.

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1 (c) A cardroom operator must at all times employ and
2 provide a nonplaying dealer for each table on which authorized
3 card games which traditionally utilize a dealer are conducted
4 at the cardroom. Such dealers may not have any participatory
5 interest in any game other than the dealing of cards and may
6 not have an interest in the outcome of the game. The
7 providing of such dealers by a licensee shall not be construed
8 as constituting the conducting of a banking game by the
9 cardroom operator.

10 (d) A facility that operates a cardroom may award
11 giveaways or prizes to players who hold combinations of cards
12 specified by the cardroom operator.

13 (e)~~(d)~~ Each cardroom operator shall conspicuously post
14 upon the premises of the cardroom a notice that ~~which~~ contains
15 a copy of the cardroom license; a list of authorized games
16 offered by the cardroom; the wagering limits imposed by the
17 house, if any; any additional house rules regarding operation
18 of the cardroom or the playing of any game; and all costs to
19 players to participate, including any rake by the house. In
20 addition, each cardroom operator shall post at each table a
21 notice of the minimum and maximum bets authorized at such
22 table and the fee for participation in the game conducted.

23 (f)~~(e)~~ The cardroom facility shall be subject to
24 inspection by the division or any law enforcement agency
25 during the licensee's regular business hours. The inspection
26 will specifically encompass the permitholder internal control
27 procedures approved by the division.

28 (g)~~(f)~~ A cardroom operator may refuse entry to or
29 refuse to allow to play any person who is objectionable,
30 undesirable, or disruptive, but such refusal shall not be on
31 the basis of race, creed, color, religion, sex, national

1 origin, marital status, physical handicap, or age, except as
2 provided in this section.

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

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

9 (b) The cardroom operator may limit the amount wagered
10 in any game or series of games, but the maximum bet ~~The~~
11 ~~winnings of any player in a single round, hand, or game~~ may
12 not exceed \$2510 in value. There may be no more than three
13 raises in any round of betting. The fee charged by the
14 cardroom for participation in the game shall not be included
15 in the calculation of the limitation on the bet pot size
16 provided in this paragraph.

17 (13) TAXES AND OTHER PAYMENTS.--

18 (a) Each cardroom operator shall pay a tax to the
19 state of 2 ~~10~~ percent of the cardroom operation's monthly
20 gross receipts.

21 (d) Each greyhound and jai alai permitholder that
22 ~~which~~ operates a cardroom facility shall utilize at least 6 ~~4~~
23 percent of such permitholder's cardroom monthly gross receipts
24 to supplement greyhound purses or jai alai prize money,
25 respectively, during the permitholder's next ensuing
26 pari-mutuel meet. Each thoroughbred and harness horse racing
27 permitholder that ~~which~~ operates a cardroom facility shall
28 utilize at least 50 percent of such permitholder's cardroom
29 monthly net proceeds as follows: 47 percent to supplement
30 purses and 3 percent to supplement breeders' awards during the
31 permitholder's next ensuing racing meet.

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Section 2. This act shall take effect July 1, 2003.

SENATE SUMMARY

Authorizes a harness racing permitholder to apply for a cardroom license. Reduces the maximum amount that may be wagered from \$10 to \$2. Reduces the amount of gross receipts tax for a cardroom operator from 10 percent to 2 percent. Requires that 6 percent rather than 4 percent of gross receipts be used to supplement greyhound purses or jai alai prizes. (See bill for details.)