

By Senator Geller

31-733-04

1                           A bill to be entitled  
2           An act relating to cardrooms; amending s.  
3           849.086, F.S.; providing a definition;  
4           authorizing cardroom operators to host  
5           high-stakes poker tournaments at certain  
6           pari-mutuel facilities; providing limitations;  
7           providing an effective date.

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

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11           Section 1. Subsection (2) of section 849.086, Florida  
12   Statutes, is amended, present subsections (9) through (17) are  
13   renumbered as subsections (10) through (18), respectively, and  
14   a new subsection (9) is added to that section, to read:

15           849.086 Cardrooms authorized.--

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

17           (a) "Authorized game" means a game or series of games  
18   of poker which are played in a nonbanking manner.

19           (b) "Banking game" means a game in which the house is  
20   a participant in the game, taking on players, paying winners,  
21   and collecting from losers or in which the cardroom  
22   establishes a bank against which participants play.

23           (c) "Cardroom" means a facility where authorized card  
24   games are played for money or anything of value and to which  
25   the public is invited to participate in such games and charged  
26   a fee for participation by the operator of such facility.  
27   Authorized games and cardrooms do not constitute casino gaming  
28   operations.

29           (d) "Cardroom management company" means any individual  
30   not an employee of the cardroom operator, any proprietorship,  
31   partnership, corporation, or other entity that enters into an

1 agreement with a cardroom operator to manage, operate, or  
2 otherwise control the daily operation of a cardroom.

3 (e) "Cardroom distributor" means any business that  
4 distributes cardroom paraphernalia such as card tables,  
5 betting chips, chip holders, drop boxes, banking supplies,  
6 playing cards, card shufflers, and other associated equipment  
7 to authorized cardrooms.

8 (f) "Cardroom operator" means a licensed pari-mutuel  
9 permitholder which holds a valid permit and license issued by  
10 the division pursuant to chapter 550 and which also holds a  
11 valid cardroom license issued by the division pursuant to this  
12 section which authorizes such person to operate a cardroom and  
13 to conduct authorized games in such cardroom.

14 (g) "Division" means the Division of Pari-mutuel  
15 Wagering of the Department of Business and Professional  
16 Regulation.

17 (h) "Gross receipts" means the total amount of money  
18 received by a cardroom from any person for participation in  
19 authorized games.

20 (i) "High stakes poker" means a game of poker without  
21 limits on the amount wagered in any game or series of games  
22 and without limits on the rounds of betting established in  
23 this section.

24 ~~(j)(i)~~ "House" means the cardroom operator and all  
25 employees of the cardroom operator.

26 ~~(k)(j)~~ "Net proceeds" means the total amount of gross  
27 receipts received by a cardroom operator from cardroom  
28 operations less direct operating expenses related to cardroom  
29 operations, including labor costs, admission taxes only if a  
30 separate admission fee is charged for entry to the cardroom  
31 facility, gross receipts taxes imposed on cardroom operators

1 by this section, the annual cardroom license fees imposed by  
2 this section on each table operated at a cardroom, and  
3 reasonable promotional costs excluding officer and director  
4 compensation, interest on capital debt, legal fees, real  
5 estate taxes, bad debts, contributions or donations, or  
6 overhead and depreciation expenses not directly related to the  
7 operation of the cardrooms.

8 (1)~~(\*)~~ "Rake" means a set fee or percentage of the pot  
9 assessed by a cardroom operator for providing the services of  
10 a dealer, table, or location for playing the authorized game.

11 (9) HIGH STAKES POKER TOURNAMENTS.--A cardroom  
12 operator may host a high-stakes poker tournament twice a year  
13 for 1 week at a pari-mutuel facility authorized to operate  
14 cardrooms, during the hours the pari-mutuel facility is open  
15 to conduct business. Such tournament may be conducted only  
16 once in any 6-month period.

17 Section 2. This act shall take effect July 1, 2004.

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19 SENATE SUMMARY

20 Authorizes cardroom operators to host high-stakes poker  
21 tournaments at certain pari-mutuel facilities.  
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