

By the Committee on Regulated Industries; and Senator Wasserman Schultz

315-966-04

1                                   A bill to be entitled  
2           An act relating to pari-mutuel wagering;  
3           requiring dogracing permitholders to provide a  
4           greyhound-adoption booth at each dogracing  
5           facility in the state; requiring that the booth  
6           be operated by certain qualified persons on  
7           weekends; requiring that information concerning  
8           the adoption of a greyhound be made available  
9           to the public at the facility; requiring the  
10          permitholder to provide adoption information in  
11          racing programs and to identify greyhounds that  
12          will become available for adoption; authorizing  
13          the permitholder to hold an additional charity  
14          day that is designated as "Greyhound  
15          Adopt-A-Pet Day"; requiring that profits  
16          derived from the charity day be used to fund  
17          activities promoting the adoption of  
18          greyhounds; authorizing the Division of  
19          Pari-mutuel Wagering within the Department of  
20          Business and Professional Regulation to adopt  
21          rules; providing penalties; amending s.  
22          550.1647, F.S., relating to unclaimed tickets  
23          and breaks with respect to greyhound racing;  
24          defining the term "bona fide organization that  
25          promotes or encourages the adoption of  
26          greyhounds"; providing an effective date.

27  
28 Be It Enacted by the Legislature of the State of Florida:

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30           Section 1.   Greyhound adoptions.--  
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1       (1) Each dogracing permitholder operating a dogracing  
2 facility in this state shall provide for a greyhound-adoption  
3 booth to be located at the facility. The greyhound-adoption  
4 booth must be operated on weekends by personnel or volunteers  
5 from a bona fide organization that promotes or encourages the  
6 adoption of greyhounds pursuant to section 550.1647, Florida  
7 Statutes. As used in this section, the term "weekend" includes  
8 the hours during which live greyhound racing is conducted on  
9 Friday, Saturday, or Sunday. Information pamphlets and  
10 application forms shall be provided to the public upon  
11 request. In addition, the kennel operator or owner shall  
12 notify the permitholder that a greyhound is available for  
13 adoption and the permitholder shall provide information  
14 concerning the adoption of a greyhound in each race program  
15 and shall post adoption information at conspicuous locations  
16 throughout the dogracing facility. Any greyhound that is  
17 participating in a race and that will be available for future  
18 adoption must be noted in the race program. The permitholder  
19 shall allow greyhounds to be walked through the track facility  
20 to publicize the greyhound-adoption program.

21       (2) In addition to the charity days authorized under  
22 section 550.0351, Florida Statutes, a greyhound permitholder  
23 may fund the greyhound-adoption program by holding a charity  
24 racing day designated as "Greyhound Adopt-A-Pet Day." All  
25 profits derived from the operation of the charity day must be  
26 placed into a fund used to support activities at the racing  
27 facility which promote the adoption of greyhounds. The  
28 division may adopt rules for administering the fund. Proceeds  
29 from the charity day authorized in this subsection may not be  
30 used as a source of funds for the purposes set forth in  
31 section 550.1647, Florida Statutes.

1           (3)(a) Upon a violation of this section by a  
2 permitholder or licensee, the division may impose a penalty as  
3 provided in section 550.0251(10), Florida Statutes, and  
4 require the permitholder to take corrective action.

5           (b) A penalty imposed under section 550.0251(10),  
6 Florida Statutes, does not exclude a prosecution for cruelty  
7 to animals or for any other criminal act.

8           Section 2. Section 550.1647, Florida Statutes, is  
9 amended to read:

10           550.1647 Greyhound permitholders; unclaimed tickets;  
11 breaks.--All money or other property represented by any  
12 unclaimed, uncashed, or abandoned pari-mutuel ticket which has  
13 remained in the custody of or under the control of any  
14 permitholder authorized to conduct greyhound racing  
15 pari-mutuel pools in this state for a period of 1 year after  
16 the date the pari-mutuel ticket was issued, if the rightful  
17 owner or owners thereof have made no claim or demand for such  
18 money or other property within that period of time, shall,  
19 with respect to live races conducted by the permitholder, be  
20 remitted to the state pursuant to s. 550.1645; however, such  
21 permitholder shall be entitled to a credit in each state  
22 fiscal year in an amount equal to the actual amount remitted  
23 in the prior state fiscal year which may be applied against  
24 any taxes imposed pursuant to this chapter. In addition, each  
25 permitholder shall pay, from any source, including the  
26 proceeds from performances conducted pursuant to s. 550.0351,  
27 an amount not less than 10 percent of the amount of the credit  
28 provided by this section to any bona fide organization that  
29 promotes or encourages the adoption of greyhounds. As used in  
30 this chapter, the term "bona fide organization that promotes  
31 or encourages the adoption of greyhounds" means any

1 organization that provides evidence of compliance with chapter  
2 496 and possesses a valid exemption from federal taxation  
3 issued by the Internal Revenue Service. Such bona fide  
4 organization, as a condition of adoption, must provide  
5 sterilization of greyhounds by a licensed veterinarian before  
6 relinquishing custody of the greyhound to the adoptor. The fee  
7 for sterilization may be included in the cost of adoption.

8 Section 3. This act shall take effect July 1, 2004.

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10 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
11 COMMITTEE SUBSTITUTE FOR  
12 SB 176

13 The committee substitute provides that the definition of "bona  
14 fide organization" applies to ch. 550, F.S., rather than just  
15 s. 550.1647, F.S.