

1 A bill to be entitled
2 An act relating to jai alai; amending s.
3 550.002, F.S.; redefining the term "full
4 schedule of live racing or games" for purposes
5 of ch. 550, F.S., to include a jai alai
6 permitholder that conducted a certain number of
7 live performances in a specified time period;
8 amending s. 550.09511, F.S.; providing the
9 amount of license fees and taxes for a jai alai
10 permitholder that conducts fewer than 100 live
11 performances in any fiscal year; providing an
12 effective date.

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

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16 Section 1. Subsection (11) of section 550.002, Florida
17 Statutes, is amended to read:

18 550.002 Definitions.--As used in this chapter, the
19 term:

20 (11) "Full schedule of live racing or games" means,
21 for a greyhound or jai alai permitholder, the conduct of a
22 combination of at least 100 live evening or matinee
23 performances during the preceding year; for a permitholder who
24 has a converted permit or filed an application on or before
25 June 1, 1990, for a converted permit, the conduct of a
26 combination of at least 100 live evening and matinee wagering
27 performances during either of the 2 preceding years; for a jai
28 alai permitholder under whose permit a minimum of 100 live
29 performances per year were conducted for at least 10 years
30 after December 31, 1992, the conduct of a combination of at
31 least 40 live evening or matinee performances during the

1 preceding year; for a harness permitholder, the conduct of at
2 least 100 live regular wagering performances during the
3 preceding year; for a quarter horse permitholder, the conduct
4 of at least 40 live regular wagering performances during the
5 preceding year; and for a thoroughbred permitholder, the
6 conduct of at least 40 live regular wagering performances
7 during the preceding year. For a permitholder which is
8 restricted by statute to certain operating periods within the
9 year when other members of its same class of permit are
10 authorized to operate throughout the year, the specified
11 number of live performances which constitute a full schedule
12 of live racing or games shall be adjusted pro rata in
13 accordance with the relationship between its authorized
14 operating period and the full calendar year and the resulting
15 specified number of live performances shall constitute the
16 full schedule of live games for such permitholder and all
17 other permitholders of the same class within 100 air miles of
18 such permitholder. A live performance must consist of no fewer
19 than eight races or games conducted live for each of a minimum
20 of three performances each week at the permitholder's licensed
21 facility under a single admission charge.

22 Section 2. Present subsection (4) of section
23 550.09511, Florida Statutes, is redesignated as subsection
24 (5), and a new subsection (4) is added to that section to
25 read:

26 550.09511 Jai alai taxes; abandoned interest in a
27 permit for nonpayment of taxes.--

28 (4) A jai alai permitholder conducting fewer than 100
29 live performances in any calendar year shall pay to the state
30 the same aggregate amount of daily license fees on live jai
31 alai games, admissions tax, and tax on live handle as that

1 permitholder paid to the state during the most recent prior
2 calendar year in which the jai alai permitholder conducted at
3 least 100 live performances.

4 (5)~~(4)~~ In the event that a court of competent
5 jurisdiction determines any of the provisions of this section
6 to be unconstitutional, it is the intent of the Legislature
7 that the provisions contained in this section shall be null
8 and void and that the provisions of s. 550.0951 shall apply to
9 all jai alai permitholders beginning on the date of such
10 judicial determination. To this end, the Legislature declares
11 that it would not have enacted any of the provisions of this
12 section individually and, to that end, expressly finds them
13 not to be severable.

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