

HB 0073

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A bill to be entitled  
 An act relating to jai alai; amending s. 550.002, F.S.;  
 revising the definition of the term "full schedule of live  
 racing or games" for jai alai permitholders; amending s.  
 550.09511, F.S.; revising provisions for payment of taxes  
 by jai alai permitholders; providing an effective date.

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

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

550.002 Definitions.--As used in this chapter, the term:  
 (11) "Full schedule of live racing or games" means, for a  
 greyhound or jai alai permitholder, the conduct of a combination  
 of at least 100 live evening or matinee performances during the  
 preceding year; for a permitholder who has a converted permit or  
 filed an application on or before June 1, 1990, for a converted  
 permit, the conduct of a combination of at least 100 live  
 evening and matinee wagering performances during either of the 2  
 preceding years; for a harness permitholder, the conduct of at  
 least 100 live regular wagering performances during the  
 preceding year; for a quarter horse permitholder, or for a jai  
 alai permitholder that conducted at least 100 live performances  
 during state fiscal year 2002-2003, the conduct of at least 40  
 live regular wagering performances during the preceding year;  
 and for a thoroughbred permitholder, the conduct of at least 40  
 live regular wagering performances during the preceding year.  
 For a permitholder which is restricted by statute to certain  
 operating periods within the year when other members of its same

CODING: Words **stricken** are deletions; words **underlined** are additions.

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30 class of permit are authorized to operate throughout the year,  
 31 the specified number of live performances which constitute a  
 32 full schedule of live racing or games shall be adjusted pro rata  
 33 in accordance with the relationship between its authorized  
 34 operating period and the full calendar year and the resulting  
 35 specified number of live performances shall constitute the full  
 36 schedule of live games for such permitholder and all other  
 37 permitholders of the same class within 100 air miles of such  
 38 permitholder. A live performance must consist of no fewer than  
 39 eight races or games conducted live for each of a minimum of  
 40 three performances each week at the permitholder's licensed  
 41 facility under a single admission charge.

42 Section 2. Subsection (4) of section 550.09511, Florida  
 43 Statutes, is renumbered as subsection (5) and a new subsection  
 44 (4) is added to said section to read:

45 550.09511 Jai alai taxes; abandoned interest in a permit  
 46 for nonpayment of taxes.--

47 (4) A jai alai permitholder conducting fewer than 100 live  
 48 performances in any state fiscal year shall pay to the state the  
 49 same aggregate amount of daily license fees on live jai alai  
 50 games, admissions tax, and tax on live handle as that  
 51 permitholder paid to the state during the most recent prior  
 52 state fiscal year in which the jai alai permitholder conducted  
 53 at least 100 live performances.

54 (5)~~(4)~~ In the event that a court of competent jurisdiction  
 55 determines any of the provisions of this section to be  
 56 unconstitutional, it is the intent of the Legislature that the  
 57 provisions contained in this section shall be null and void and  
 58 that the provisions of s. 550.0951 shall apply to all jai alai

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59 | permitholders beginning on the date of such judicial  
60 | determination. To this end, the Legislature declares that it  
61 | would not have enacted any of the provisions of this section  
62 | individually and, to that end, expressly finds them not to be  
63 | severable.

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