

Bill No. SB 1174

Barcode 682828

CHAMBER ACTION

Senate

House

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The Committee on Regulated Industries (Jones) recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. Chapter 551, Florida Statutes, consisting of sections 551.101, 551.102, 551.103, 551.104, 551.105, 551.106, 551.107, 551.108, 551.109, 551.110, 551.111, 551.112, 551.113, 551.114, 551.115, 551.116, 551.117, and 551.118, are created to read:

CHAPTER 551

SLOT MACHINES

551.101 Slot machine gaming authorized.--Any existing, licensed pari-mutuel facility located in Miami-Dade County or Broward County at the time of adoption of s. 23, Art. X of the State Constitution that has conducted live racing or games during calendar years 2002 and 2003 may possess slot machines and conduct slot machine gaming at the location where the pari-mutuel permitholder is authorized to conduct pari-mutuel

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1 wagering activities pursuant to such permitholder's valid  
 2 pari-mutuel permit or as otherwise authorized by law provided  
 3 a majority of voters in a countywide referendum have approved  
 4 the possession of slot machines at such facility in the  
 5 respective county. Notwithstanding any other provision of law,  
 6 it is not a crime for a person to participate in slot machine  
 7 gaming at a pari-mutuel facility licensed to possess and  
 8 conduct slot machine gaming or to participate in slot machine  
 9 gaming described in this chapter.

10 551.102 Definitions.--As used in this chapter, unless  
 11 the context clearly requires otherwise, the term:

12 (1) "Central control computer" means a central site  
 13 computer controlled and accessible by the division to which  
 14 all slot machines communicate for the purpose of auditing  
 15 capacity, real-time information retrieval of the details of  
 16 any financial event that occurs in the operation of a slot  
 17 machine, including, but not limited to, coin in, coin out,  
 18 ticket in, ticket out, jackpots, machine door openings and  
 19 power failure, and remote machine activation and disabling of  
 20 slot machines.

21 (2) "Designated slot machine gaming area" means those  
 22 areas of an eligible facility in which slot machine gaming may  
 23 be conducted in accordance with the provisions of this  
 24 chapter.

25 (3) "Distributor" means any person that sells, leases,  
 26 or offers or otherwise provides, distributes, or services any  
 27 slot machine or associated equipment for use or play of slot  
 28 machines in this state. A manufacturer may be a distributor  
 29 within the state.

30 (4) "Division" means the Division of Pari-mutuel  
 31 Wagering of the Department of Business and Professional

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1 Regulation.

2       (5) "Eligible facility" means any existing licensed  
3 pari-mutuel facility located in Miami-Dade County or Broward  
4 County at the time of adoption of s. 23, Art X of the State  
5 Constitution that has conducted live racing or games during  
6 calendar years 2002 and 2003 and approved by a majority of  
7 voters in a countywide referendum to have slot machines at  
8 such facility in the respective county.

9       (6) "Independent testing laboratory" means a  
10 laboratory of national reputation that is demonstrably  
11 competent and qualified to scientifically test and evaluate  
12 slot machines for compliance with this chapter and to  
13 otherwise perform the functions assigned to it in this  
14 chapter. An independent testing laboratory shall not be owned  
15 or controlled by a licensee. The use of an independent testing  
16 laboratory for any purpose related to the conduct of slot  
17 machine gaming by a licensee under this chapter shall be made  
18 from a list of one or more laboratories approved by the  
19 division.

20       (7) "Manufacturer" means any person who manufactures,  
21 builds, rebuilds, fabricates, assembles, produces, programs,  
22 designs, or otherwise makes modifications to any slot machine  
23 or associated equipment for use or play of slot machines in  
24 this state for gaming purposes. A manufacturer may be a  
25 distributor within the state.

26       (8) "Progressive system" means a computerized system  
27 linking slot machines in one or more licensed facilities  
28 within this state and offering one or more common progressive  
29 payouts based on the amounts wagered.

30       (9) "Slot machine" means, for purposes of this chapter  
31 any mechanical or electrical contrivance, terminal, machine or

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1 other device which upon insertion of a coin, bill, ticket,  
 2 token or similar object or upon payment of any consideration  
 3 whatsoever, including the use of any electronic payment system  
 4 except a credit card or debit card, is available to play or  
 5 operate, the play or operation of which, whether by reason of  
 6 skill or application of the element of chance or both, may  
 7 deliver or entitle the person or persons playing or operating  
 8 the contrivance, terminal, machine or other device to receive  
 9 cash, billets, tickets, tokens or electronic credits to be  
 10 exchanged for cash or to receive merchandise or anything of  
 11 value whatsoever, whether the payoff is made automatically  
 12 from machine or manually. A slot machine:

13       (a) May utilize spinning reels or video displays or  
 14 both.

15       (b) May or may not dispense coins, tickets or tokens  
 16 to winning patrons.

17       (c) May use an electronic credit system for receiving  
 18 wagers and making payouts.

19  
 20 The term shall include associated equipment necessary to  
 21 conduct the operation of the contrivance, terminal, machine or  
 22 other device.

23       (10) "Slot machine license" means a license issued by  
 24 the division authorizing an eligible facility to place and  
 25 operate slot machines as required by laws of this chapter and  
 26 the rules

27       (11) "Slot machine licensee" means an eligible  
 28 facility that holds a slot machine license.

29       (12) "Slot machine operator" means a person employed  
 30 or contracted by the owner of an eligible facility to conduct  
 31 slot machine gaming at that eligible facility.

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1       (13) "Slot machine owner" means a person who holds a  
2 material interest in the slot machines.

3       (14) "Slot machine revenues" means the total of all  
4 cash and property received by the slot machine licensee from  
5 slot machine gaming operations less the amount of cash, cash  
6 equivalents, credits, and prizes paid to winners of slot  
7 machine gaming.

8       551.103 Powers and duties.--

9       (1) The division shall adopt, pursuant to the  
10 provisions of ss. 120.536(1) and 120.54, all rules necessary  
11 to implement, administer, and regulate slot machine gaming as  
12 authorized in this chapter. Such rules shall include:

13       (a) Procedures for applying for a license and renewal  
14 of a license.

15       (b) Establishing technical requirements in addition to  
16 the qualifications which shall be necessary to receive a slot  
17 machine license or slot machine occupational license.

18       (c) Procedures relating to slot machine revenues,  
19 including verifying and accounting for such revenues,  
20 auditing, and collecting taxes and fees consistent with this  
21 chapter.

22       (d) Procedures for regulating, managing, and auditing  
23 the operation, financial data, and program information  
24 relating to slot machines through the central control  
25 computer.

26       (e) Requiring each licensee at his or her own cost and  
27 expense to supply the division with a bond with the penal sum  
28 of \$2 million payable to the Governor and his or her  
29 successors in office for the licensee's first year of slot  
30 machine operations; and, thereafter, the licensee shall file a  
31 bond with the penal sum as determined by the division pursuant

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1 to rules promulgated to approximate anticipated state revenues  
 2 from the licensee's slot machine operations. Any bond shall be  
 3 issued by a surety or sureties to be approved by the division  
 4 and the Chief Financial Officer, conditioned to faithfully  
 5 make the payments to the Chief Financial Officer in his or her  
 6 capacity as treasurer of the division. The licensee shall be  
 7 required to keep its books and records and make reports as  
 8 provided in this chapter and to conduct its slot machine  
 9 operations in conformity with this chapter and all other  
 10 provisions of law. The division may review the bond for  
 11 adequacy and require adjustments each fiscal year. Such bond  
 12 shall be separate and distinct from the bond required in s.  
 13 550.125.

14 (f) Requiring licensees to maintain specified records  
 15 and submit any data, information, record, or report, including  
 16 financial and income records, required by this chapter or  
 17 determined by the division to be necessary to the proper  
 18 implementation and enforcement of this chapter.

19 (g) Requiring that the payout percentage of a slot  
 20 machine shall be no less than 85 percent per facility.

21 (2) The division shall conduct such investigations  
 22 that the division determines necessary to fulfill its  
 23 responsibilities under the provisions of this chapter.

24 (3) The division shall investigate all criminal  
 25 violations of this chapter or any other criminal violation of  
 26 law occurring on the facilities of a slot machine licensee and  
 27 such investigations may be conducted in conjunction with the  
 28 statewide prosecutor or appropriate state attorney and  
 29 appropriate law enforcement agencies. The division and its  
 30 employees and agents shall have such other law enforcement  
 31 powers as specified in ss. 943.04 and 943.10.

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1       (4) The division shall have unrestricted access to the  
 2 slot machine licensee facility at all times and shall require  
 3 of each slot machine licensee strict compliance with the laws  
 4 of this state relating to the transaction of such business.

5 The division:

6       (a) May inspect and examine premises where slot  
 7 machines are offered for play.

8       (b) May inspect slot machines and related equipment  
 9 and supplies.

10       (c) May collect taxes, assessments, fees, and  
 11 penalties.

12       (d) May deny, revoke, suspend, or place conditions on  
 13 the license of a person who violates any provision of this  
 14 chapter or rule adopted pursuant thereto.

15       (5) The division shall revoke or suspend the license  
 16 of any person who is no longer qualified or who is found,  
 17 after receiving a license, to have been unqualified at the  
 18 time of application for the license.

19       551.104 License to conduct slot machine gaming.--

20       (1) Upon application and a finding by the division  
 21 after investigation that the application is complete and the  
 22 applicant is qualified, and payment of the initial license fee  
 23 the division shall issue a license to conduct slot machine  
 24 gaming in the designated slot machine gaming area of the slot  
 25 machine licensee's facility. Once licensed, slot machine  
 26 gaming may be conducted subject to the requirements of this  
 27 chapter and rules adopted pursuant thereto.

28       (2) An application may be approved by the division  
 29 only after the voters of the county where the applicant's  
 30 facility is located have authorized by referendum slot  
 31 machines within pari-mutuel facilities in that county as

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1 specified in s. 23, Art. X of the State Constitution.

2 (3) A slot machine license may only be issued to a  
3 licensed pari-mutuel permitholder and slot machine gaming may  
4 only be conducted at the same facility at which the  
5 permitholder is authorized under its valid pari-mutuel  
6 wagering permit to conduct pari-mutuel wagering activities.

7 (4) As a condition of licensure and to maintain  
8 continued authority for the conduct of slot machine gaming the  
9 slot machine licensee shall:

10 (a) Continue to be in compliance with this chapter.

11 (b) Continue to be in compliance with chapter 550,  
12 where applicable, and maintain the pari-mutuel permit and  
13 license in good standing pursuant to the provisions of chapter  
14 550.

15 (c) Conduct no fewer than the greater number of live  
16 races or games that were conducted at that pari-mutuel  
17 facility in calendar year 2002 or calendar year 2003.

18 (d) Upon approval of any changes relating to the  
19 pari-mutuel permit by the division be responsible for  
20 providing appropriate current and accurate documentation on a  
21 timely basis to the division in order to continue the slot  
22 machine license in good standing.

23 (e) Allow unrestricted access and right of inspection  
24 by the division to facilities of a slot machine licensee in  
25 which any activity relative to the conduct of slot machine  
26 gaming is conducted.

27 (f) Submit a security plan, including a slot machine  
28 floor plan, location of security cameras, and the listing of  
29 security equipment which shall be capable of observing and  
30 electronically recording activities being conducted in the  
31 designated slot machine gaming area.



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1       (5) A slot machine license shall not be transferable.

2       551.105 Slot machine license renewal.--

3       (1) Slot machine licenses shall be renewed annually.

4 The application for renewal shall contain all revisions to the  
5 information submitted in the prior year's application that are  
6 necessary to maintain such information as both accurate and  
7 current.

8       (2) The applicant for renewal shall attest that any  
9 information changes do not affect the applicant's  
10 qualifications for license renewal.

11       (3) Upon determination by the division that the  
12 application for renewal is complete and qualifications have  
13 been met, including payment of the renewal fee, the slot  
14 machine license shall be renewed annually.

15       551.106 License fee; machine fee; tax rate.--

16       (1) LICENSE FEE.--Upon approval of the application for  
17 a slot machine license, the licensee must pay to the division  
18 an initial license fee of \$400,000 for the first year of  
19 operation. Thereafter, an annual license fee of \$400 per slot  
20 machine shall be paid. Such payment shall be made directly to  
21 the Pari-mutuel Wagering Trust Fund established pursuant to s.  
22 455.116. Such payments shall be accounted for separately from  
23 taxes or fees paid pursuant to the provisions of chapter  
24 550. Such funds in such trust fund may be appropriated  
25 annually by the Legislature to the division for its  
26 administration of this chapter and carrying out of its  
27 regulatory functions set forth in this chapter.

28       (2) TAX ON SLOT MACHINE REVENUES. (a) The tax rate  
29 on slot machine revenues on each facility shall be:

30           1. 30 percent on revenue of \$100 million or less;

31           2. 32.5 percent on revenue greater than \$100 million,

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1 but less than or equal to \$200 million; and

2 3. 35 percent on all revenue greater than \$200  
3 million.

4 (b) The tax shall be collected on a daily basis and  
5 deposited into the Education Enhancement Trust Fund.

6 (c) The division shall notify the eligible facility  
7 concerning the appropriate tax rate to apply to the slot  
8 machines revenues.

9 (3) PAYMENT PROCEDURES.--Tax payments shall be  
10 remitted daily, as determined by rule of the division. The  
11 slot machine licensee shall file a report under oath by the  
12 5th day of each calendar month for all taxes remitted during  
13 the preceding calendar month that shall show all slot machine  
14 activities for the preceding calendar month and such other  
15 information as may be required by the division.

16 (4) FAILURE TO PAY TAX; PENALTIES.--A slot machine  
17 licensee who fails to make tax payments as required under this  
18 section shall be subject to an administrative penalty of up to  
19 \$1,000 for each day the tax payment is not remitted. All  
20 administrative penalties imposed and collected shall be  
21 deposited into the Pari Mutuel Wagering Trust Fund in the  
22 Department of Business and Professional Regulation. If any  
23 slot machine licensee fails to pay penalties imposed by order  
24 of the division under this subsection, the division may  
25 suspend, revoke, or fail to renew the license of the slot  
26 machine licensee.

27 (5) FAILURE TO PAY TAX; GROUNDS TO SUSPEND, REVOKE, OR  
28 FAIL TO RENEW THE LICENSE.--In addition to the penalties  
29 imposed under subsection (4), any willful or wanton failure by  
30 a slot machine licensee to make payments of the tax  
31 constitutes sufficient grounds for the division to suspend,

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1 revoke, or fail to renew the license of the slot machine  
2 licensee.

3 (6) SUBMISSION OF FUNDS.--The division may require  
4 slot machine licensees to remit taxes, fees, fines, and  
5 assessments by electronic funds transfer.

6 551.107 Occupational license required; application;  
7 fee.--

8 (1) The individuals and entities that are licensed  
9 under this section require heightened state scrutiny,  
10 including the submission by the individual licensees or  
11 persons associated with the entities described in this chapter  
12 of fingerprints for a criminal records check.

13 (2)(a) The following licenses shall be issued to  
14 persons or entities with access to the designated slot machine  
15 gaming area or to persons who, by virtue of the position they  
16 hold, might be granted access to these areas or to any other  
17 person or entity in one of the following categories:

18 1. General occupational licenses for general  
19 employees, food service, maintenance, and other similar  
20 service and support employees with access to the designated  
21 slot machine gaming area. Service and support employees with a  
22 current pari-mutuel occupational license issued pursuant to  
23 chapter 550 and a current background check are not required to  
24 submit to an additional background check for a slot machine  
25 occupational license as long as the pari-mutuel occupational  
26 license remains in good standing.

27 2. Professional occupational licenses for any person,  
28 proprietorship, partnership, corporation, or other entity that  
29 is authorized by a slot machine licensee to manage, oversee,  
30 or otherwise control daily operations as a slot machine  
31 manager, floor supervisor, security personnel, or any other

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1 similar position of oversight of gaming operations.

2       3. Business occupational licenses for any slot machine  
3 management company or slot machine business associated with  
4 slot machine gaming or a person who manufactures, distributes,  
5 or sells slot machines, slot machine paraphernalia, or other  
6 associated equipment to slot machine licensees or any person  
7 not an employee of the slot machine licensee who provides  
8 maintenance, repair, or upgrades or otherwise services a slot  
9 machine or other slot machine equipment.

10       (b) Slot machine occupational licenses are not  
11 transferable.

12       (3) A slot machine licensee shall not employ or  
13 otherwise allow a person to work at a slot machine facility  
14 unless such person holds a valid occupational license. A slot  
15 machine licensee shall not contract or otherwise do business  
16 with a business required to hold a slot machine occupational  
17 license unless the business holds such a license. A slot  
18 machine licensee shall not employ or otherwise allow a person  
19 to work in a supervisory or management professional level at a  
20 slot machine facility unless such person holds a valid  
21 occupational license.

22       (4)(a) A person seeking a slot machine occupational  
23 license, or renewal thereof, shall make application on forms  
24 prescribed by the division and include payment of the  
25 appropriate application fee. Initial and renewal applications  
26 for slot machine occupational licenses shall contain all the  
27 information the division, by rule, may determine is required  
28 to ensure eligibility.

29       (b) The division shall establish, by rule, a schedule  
30 for the annual renewal of slot machine occupational licenses.

31       (c) Pursuant to rules adopted by the division, any

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1 person may apply for and, if qualified, be issued an  
 2 occupational license valid for a period of 3 years upon  
 3 payment of the full occupational license fee for each of the 3  
 4 years for which the license is issued. The occupational  
 5 license shall be valid during its specified term at any slot  
 6 machine facility where slot machine gaming is authorized to be  
 7 conducted.

8       (d) The slot machine occupational license fee for  
 9 initial application and annual renewal shall be determined by  
 10 rule of the division but shall not exceed \$50 for a general or  
 11 professional occupational license for an employee of the slot  
 12 machine licensee or \$1,000 for a business occupational license  
 13 for nonemployees of the licensee providing goods or services  
 14 to the slot machine licensee. License fees for general  
 15 occupational licensees shall be paid for by the slot machine  
 16 licensee. Failure to pay the required fee shall be grounds for  
 17 disciplinary action by the division against the slot machine  
 18 license but shall not be considered a violation of this  
 19 chapter or rules of the division by the general occupational  
 20 licensee or a prohibition against the issuance of the initial  
 21 or the renewal of the general occupational license.

22       (5) If the state gaming commission or other similar  
 23 regulatory authority of another state or jurisdiction extends  
 24 to the division reciprocal courtesy to maintain disciplinary  
 25 control, the division may:

26       (a) Deny an application for or revoke, suspend, or  
 27 place conditions or restrictions on a license of a person or  
 28 entity who has been refused a license by any other state  
 29 gaming commission or similar authority; or

30       (b) Deny an application for or suspend or place  
 31 conditions on a license of any person or entity who is under

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1 suspension or has unpaid fines in another jurisdiction.

2       (6)(a) The division may deny, suspend, revoke, or  
3 declare ineligible any occupational license if the applicant  
4 for or holder thereof has violated the provisions of this  
5 chapter or the rules of the division governing the conduct of  
6 persons connected with slot machine gaming. In addition, the  
7 division may deny, suspend, revoke, or declare ineligible any  
8 occupational license if the applicant for such license has  
9 been convicted in this state, in any other state, or under the  
10 laws of the United States of a capital felony, a felony, or an  
11 offense in any other state which would be a felony under the  
12 laws of this state involving arson; trafficking in, conspiracy  
13 to traffic in, smuggling, importing, conspiracy to smuggle or  
14 import, or delivery, sale, or distribution of a controlled  
15 substance; or a crime involving a lack of good moral  
16 character, or has had a slot machine gaming license revoked by  
17 this state or any other jurisdiction for an offense related to  
18 slot machine gaming.

19       (b) The division may deny, declare ineligible, or  
20 revoke any occupational license if the applicant for such  
21 license or the licensee has been convicted of a felony or  
22 misdemeanor in this state, in any other state, or under the  
23 laws of the United States, if such felony or misdemeanor is  
24 related to gambling or bookmaking as contemplated in s.  
25 849.25.

26       (7) Fingerprints for all slot machine occupational  
27 license applications shall be taken in a manner approved by  
28 the division and shall be submitted to the Florida Department  
29 of Law Enforcement and the Federal Bureau of Investigation for  
30 a level II criminal records check upon initial application and  
31 every 5 years thereafter. The division may by rule require an

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1 annual or less frequent records check not to exceed every 5  
 2 years of all renewal applications for a slot machine  
 3 occupational license. The cost of processing fingerprints and  
 4 conducting a records check shall be borne by the applicant.

5 (8) All moneys collected pursuant to this section  
 6 shall be deposited into the Pari-Mutuel Wagering Trust Fund.

7 551.108 Prohibited relationships.--

8 (1) A person employed by or performing any function on  
 9 behalf of the division shall not:

10 (a) Be an officer, director, owner, or employee of any  
 11 person or entity licensed by the division.

12 (b) Have or hold any interest, direct or indirect, in  
 13 or engage in any commerce or business relationship with any  
 14 person licensed by the division.

15 (2) A manufacturer or distributor of slot machines or  
 16 slot machine management company or other business occupational  
 17 licensee shall not enter into any contract with a slot machine  
 18 licensee that provides for any revenue sharing of any kind or  
 19 nature that is, directly or indirectly, calculated on the  
 20 basis of a percentage of slot machine revenues. Any maneuver,  
 21 shift, or device whereby this provision is violated shall be a  
 22 violation of this chapter and shall render any such agreement  
 23 void.

24 (3) A manufacturer or distributor of slot machines or  
 25 any equipment necessary for the operation of slot machines or  
 26 an officer, director, or employee of any such manufacturer or  
 27 distributor shall not have any ownership or financial interest  
 28 in a slot machine license or in any business owned by the slot  
 29 machine licensee.

30 551.109 Prohibited acts.--

31 (1) Except as otherwise provided by law and in

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1 addition to any other penalty, any person who intentionally  
 2 makes or causes to be made or aids, assists, or procures  
 3 another to make a false statement in any report, disclosure,  
 4 application, or any other document required under this chapter  
 5 or any rule adopted under this chapter is subject to an  
 6 administrative fine or civil penalty of up to \$10,000.

7       (2) Except as otherwise provided by law and in  
 8 addition to any other penalty, any person who possesses a slot  
 9 machine without the license required by this chapter or who  
 10 possesses a slot machine at any location other than at the  
 11 slot machine licensee facility is subject to an administrative  
 12 fine or civil penalty of up to \$10,000.

13       (3) Except as otherwise provided by law and in  
 14 addition to any other penalty, any person who intentionally  
 15 excludes, or takes any action in an attempt to exclude,  
 16 anything or its value from the deposit, counting, collection,  
 17 or computation of revenues from slot machine activity is  
 18 subject to an administrative fine or civil penalty of up to  
 19 \$25,000.

20       (4) Any person who, with intent to manipulate the  
 21 outcome, payoff, or operation of a slot machine by physical  
 22 tampering, or by use of any object, instrument, or device,  
 23 whether mechanical, electrical, magnetic, or other means,  
 24 manipulates the outcome, payoff, or operation of a slot  
 25 machine commits a felony of the third degree, punishable as  
 26 provided in s. 775.082, s. 775.083, or s. 775.084.

27       (5) All penalties imposed and collected must be  
 28 deposited into the Pari-Mutuel Wagering Trust Fund in the  
 29 department.

30       551.110 Illegal devices.--Notwithstanding any  
 31 provision of law to the contrary, no slot machine



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1 manufactured, sold, distributed, possessed, or operated  
2 according to the provisions of this chapter shall be  
3 considered unlawful.

4 551.111 Exclusions of certain persons.--

5 (1) In addition to the power to exclude certain  
6 persons from any facility of a slot machine licensee in this  
7 state, the division may exclude any person from any facility  
8 of a slot machine licensee in this state for conduct that  
9 would constitute, if the person were a licensee, a violation  
10 of this chapter or the rules of the division. The division may  
11 exclude from any facility of a slot machine licensee any  
12 person who has been ejected from a facility of a slot machine  
13 licensee in this state or who has been excluded from any  
14 facility of a slot machine licensee or gaming facility in  
15 another state by the governmental department, agency,  
16 commission, or authority exercising regulatory jurisdiction  
17 over the gaming in such other state.

18 (2) This section shall not be construed to abrogate  
19 the common law right of a slot machine licensee to exclude a  
20 patron absolutely in this state.

21 (3) The division may authorize any person who has been  
22 ejected or excluded from a facility of a slot machine licensee  
23 in this state or another state to attend a facility of a slot  
24 machine licensee in this state upon a finding that the  
25 attendance of such person at a facility of a slot machine  
26 licensee would not be adverse to the public interest or to the  
27 integrity of the industry; however, this section shall not be  
28 construed to abrogate the common law right of a slot machine  
29 licensee to exclude a patron absolutely in this state.

30 551.112 Minors prohibited from playing slot  
31 machines.--

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1       (1) A slot machine licensee or agent or employee of a  
2 slot machine licensee shall not:

3           (a) Allow a person who has not attained 21 years of  
4 age to play any slot machine.

5           (b) Allow a person who has not attained 21 years of  
6 age access to the designated slot machine gaming area of a  
7 facility of a slot machine licensee.

8           (c) Allow a person who has not attained 21 years of  
9 age to be employed in any position allowing or requiring  
10 access to the designated slot machine gaming area of a  
11 facility of a slot machine licensee.

12       (2) No person licensed under this chapter, or any  
13 agent or employee of a licensee under this chapter, shall  
14 intentionally allow a person who has not attained 21 years of  
15 age to play or operate a slot machine or have access to the  
16 designated slot machine area of a facility of a slot machine  
17 licensee.

18       (3) The eligible facility shall post clear and  
19 conspicuous signage within the designated slot machine gaming  
20 areas that states the following:

21                   THE PLAYING OF SLOT MACHINES BY PERSONS

22                   UNDER THE AGE OF 21 IS AGAINST FLORIDA LAW

23                   (SECTION 551.112, FLORIDA STATUTES).

24                   PROOF OF AGE MAY BE REQUIRED AT ANYTIME

25                   A PERSON IS WITHIN THIS AREA.

26                   551.113 Designated slot machine gaming areas.--

27           (1) A slot machine licensee may make available for  
28 play slot machines within its designated slot machine gaming  
29 areas.

30           (2) A slot machine licensee shall not allow any  
31 automated teller machine or similar device designed to provide

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1 credit or dispense cash to be located within 500 feet of a  
2 designated slot machine gaming area within the facilities of  
3 the slot machine licensee.

4 (3) A slot machine licensee shall not make any loan or  
5 provide credit or advance cash to enable a person to play a  
6 slot machine.

7 (4) The slot machine operator shall display  
8 pari-mutuel races or games within the designated slot machine  
9 gaming areas and offer within the designated slot machine  
10 gaming areas the ability for patrons to engage in pari-mutuel  
11 wagering on live and simulcast races conducted or offered to  
12 patrons of the eligible facility.

13 (5) No complimentary alcoholic beverages shall be  
14 served to patrons within the designated slot machine gaming  
15 areas.

16 (6) The slot machine operator shall offer training to  
17 employees on responsible gaming and shall work with the  
18 division's compulsive gaming program to recognize problem  
19 gaming situations and to implement responsible gaming programs  
20 and practices.

21 (7) The division shall require the posting of signs in  
22 the designated slot machine gaming areas warning of the risks  
23 and dangers of gambling, showing the odds of winning, and  
24 informing patrons of the toll-free telephone number available  
25 to provide information and referral services regarding  
26 compulsive or problem gambling.

27 (8) The division shall establish standards of approval  
28 for the physical layout and construction of any facility or  
29 building devoted to slot machine operations. The standards  
30 shall require the slot machine gaming area be connected to and  
31 contiguous within the operation of the live gaming facility.

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1 It is the intent of the Legislature that each facility:

2 (a) Possesses superior consumer amenities and  
3 conveniences to encourage and attract the patronage of  
4 tourists and other visitors from across the region, state, and  
5 nation.

6 (b) Has adequate motor vehicle parking facilities to  
7 satisfy patron requirements.

8 (c) Has a physical layout and location that  
9 facilitates access to the pari-mutuel portion of the facility.

10 551.114 Days and Hours of operation.--Slot machine  
11 gaming areas may be open 365 days a year. The slot machine  
12 gaming areas may be open only from 10:00 A.M. until 2:00 A.M.  
13 Sunday through Saturday.

14 551.115 Penalties.--The division may revoke or suspend  
15 any license issued under this chapter upon the willful  
16 violation by the licensee of any provision of this chapter or  
17 of any rule adopted under this chapter. In lieu of suspending  
18 or revoking a license, the division may impose a civil penalty  
19 against the licensee for a violation of this chapter or any  
20 rule adopted by the division. Except as otherwise provided in  
21 this chapter, the penalty so imposed may not exceed \$1,000 for  
22 each count or separate offense. All penalties imposed and  
23 collected must be deposited into the Pari-Mutuel Wagering  
24 Trust Fund in the department.

25 551.116 Compulsive gambling program.--The Mental  
26 Health Program Office within the Department of Children and  
27 Family Services shall establish a program for public  
28 education, awareness, and training regarding problem and  
29 compulsive gambling and the treatment and prevention of  
30 problem and compulsive gambling. The program shall include:

31 (1) Maintenance of a compulsive gambling advocacy

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1 organization's toll-free, problem-gambling telephone number to  
2 provide crisis counseling and referral services to families  
3 experiencing difficulty as a result of problem or compulsive  
4 gambling.

5       (2) The promotion of public awareness regarding the  
6 recognition and prevention of problem or compulsive gambling.

7       (3) Facilitation, through in-service training and  
8 other means, of the availability of effective assistance  
9 programs for problem and compulsive gamblers and family  
10 members affected by problem and compulsive gambling.

11       (4) Studies to identify adults and juveniles in this  
12 state who are, or are at risk of becoming, problem or  
13 compulsive gamblers.

14       551.117 Catering license.--A slot machine retailer is  
15 entitled to a caterer's license pursuant to s. 565.02 on days  
16 in which the pari-mutuel facility is open to the public for  
17 slot machine game play as authorized by this chapter.

18       551.118 Rulemaking.--

19       (1) The division may adopt rules pursuant to ss.  
20 120.536(1) and 120.54 to implement the provisions of this  
21 chapter.

22       (2) In order to expedite the licensing requirements of  
23 this chapter, the division may adopt emergency rules pursuant  
24 to s. 120.54(4). The Legislature finds that such emergency  
25 rules are necessary for the preservation of the rights and  
26 welfare of the people in order to provide additional funds to  
27 the benefit of the public. Therefore, in adopting such  
28 emergency rules, the division need not make the findings  
29 required by s. 120.54(4)(a).

30       Section 2. This act shall take effect upon becoming a  
31 law.

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1 ===== T I T L E   A M E N D M E N T =====

2 And the title is amended as follows:

3         Delete everything before the enacting clause

4

5 and insert:

6         An act relating to slot machine gaming;

7         creating chapter 551, F.S.; implementing s.

8         23, Art. X, of the State Constitution;

9         authorizing slot machines and slot machine

10         gaming within certain pari-mutuel facilities

11         located in Miami-Dade and Broward Counties upon

12         approval by local referendum; providing

13         definitions; providing powers and duties of the

14         Division of Pari-mutuel Wagering in the

15         Department of Business and Professional

16         Regulation; providing for licensure to conduct

17         slot machine gaming; providing for slot machine

18         licensure renewal; providing for a license fee,

19         machine fee, and tax rate; requiring

20         occupational licenses and application fees;

21         prohibiting certain business relationships;

22         prohibiting certain acts and providing

23         penalties; providing exception to prohibition

24         of slot machines; providing for the exclusion

25         of certain persons from facilities; prohibiting

26         minors under 21 from playing slot machines;

27         designating slot machine gaming areas;

28         providing for days and hours of operation;

29         providing penalties; providing a compulsive

30         gambling program; providing for a caterer's

31         license; providing for rulemaking; providing an

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effective date.