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A bill to be entitled
 An act relating to gaming; creating ch. 551, F.S.,
 entitled "Slot Machines"; creating the "Florida Gaming and
 Educational Supplement Act"; providing definitions;
 providing powers and duties of the Division of Pari-mutuel
 Wagering of the Department of Business and Professional
 Regulation; providing for the division to adopt rules to
 implement, administer, and regulate slot machine gaming;
 authorizing the division to deny, suspend, cancel, revoke,
 or place conditions on licenses; requiring the division to
 authorize certain systems for pay out of jackpots;
 authorizing the division to make investigations and
 inspections and examinations, collect and enforce
 collection of certain moneys, act on its own behalf, and
 contract with third parties; providing procedures for the
 division to license owners of eligible pari-mutuel
 facilities; authorizing licensed owners to conduct slot
 machine gaming; providing conditions for owner to receive
 and maintain license; requiring passage of certain
 referendum; providing for renewal of license; providing
 for licensure of certain persons to participate in the
 conduct of slot machine gaming; requiring determination of
 suitability for licensure; providing for change in
 ownership of a licensee; authorizing the division to adopt
 emergency rules; authorizing the division to contract with
 other states to provide certain investigation materials
 related to background screening; providing suitability
 standards for licensees and procedures for enforcement of

29 such standards; prohibiting certain relationships;
30 prohibiting certain persons from playing slot machines;
31 providing penalties for certain violations; providing
32 prohibitions against certain acts relating to required
33 documents and reports, revenues, and wagering in
34 connection with slot machines; providing penalties for
35 violations; providing for detention or arrest of person
36 committing certain violations; limiting liability of
37 certain persons detaining a person for certain violations;
38 providing penalties for resisting law enforcement officer
39 or slot machine operator; providing penalties for theft of
40 proceeds or property by certain employees; providing that
41 certain slot machines are not illegal lottery devices;
42 providing for exclusion from facilities of certain
43 persons; prohibiting minors from slot machine play;
44 requiring certain signage; providing penalties; providing
45 for withholding of winnings from a minor; providing for
46 distribution to the division of funds withheld from
47 minors; requiring certain signage relating to gambling
48 problems; providing requirements for slot machine gaming
49 areas; requiring the slot machine operator to offer
50 training and programs relating to responsible gaming;
51 authorizing the municipality to restrict hours of
52 operations; providing machine payout requirements;
53 providing for slot machine fees and taxes on machine
54 revenue; providing for appropriations by the Legislature;
55 providing for public education funding; creating a
56 Citizens Education Funding Oversight Board to attend

57 certain legislative proceedings; providing for
 58 severability; amending s. 20.165, F.S.; providing for
 59 appointment of the director of the Division of Pari-mutuel
 60 Wagering subject to confirmation and removal by the
 61 Governor and Cabinet; providing qualifications for the
 62 director; providing for personnel; amending s. 849.15,
 63 F.S.; providing for transportation of certain gaming
 64 devices in accordance with federal law; amending s.
 65 895.02, F.S.; providing that specified violations related
 66 to slot machine gaming constitute racketeering activity;
 67 providing that certain debt incurred in violation of
 68 specified provisions relating to slot machine gaming
 69 constitutes unlawful debt; providing for the amendment of
 70 certain pari-mutuel licenses; providing an effective date.

71

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

73

74 Section 1. Chapter 551, Florida Statutes, consisting of
 75 sections 551.101, 551.103, 551.105, 551.1071, 551.1073,
 76 551.1077, 551.1079, 551.1091, 551.1111, 551.1113, 551.1115,
 77 551.1119, 551.1121, 551.1123, 551.1125, 551.1131, 551.1133,
 78 551.1137, 551.1139, and 551.129, is created to read:

79

CHAPTER 551

80

SLOT MACHINES

81

551.101 Popular name.--This chapter may be cited as the
 82 "Florida Gaming and Educational Supplement Act."

83

551.103 Definitions.--As used in this chapter, unless the
 84 context clearly requires otherwise, the term:

85 (1) "Designated slot machine gaming areas" means those
 86 areas of an eligible facility in which slot machine gaming may
 87 be conducted in accordance with the provisions of this chapter
 88 and may include any addition or alteration to or new structure
 89 located on the premises described in the pari-mutuel permit
 90 issued by the division for the conduct of pari-mutuel wagering.

91 (2) "Distributor" means any person that sells, leases, or
 92 offers or otherwise provides, distributes, or services any slot
 93 machine or associated equipment for use or play of slot machines
 94 in this state. A manufacturer may be a distributor within the
 95 state.

96 (3) "Division" means the Division of Pari-mutuel Wagering
 97 of the Department of Business and Professional Regulation.

98 (4) "Eligible facility" means the licensed property of any
 99 pari-mutuel permitholder in Miami-Dade or Broward Counties at
 100 which live racing or games were conducted during each of the
 101 last 2 calendar years prior to the effective date of s. 23, Art.
 102 X of the State Constitution; however, the property description
 103 may be altered subject to approval from the county and
 104 municipality and subject to licensure by the division.

105 (5) "Independent testing laboratory" means a laboratory of
 106 national reputation that is demonstrably competent and qualified
 107 to scientifically test and evaluate slot machines for compliance
 108 with this chapter and to otherwise perform the functions
 109 assigned to it in this chapter. An independent testing
 110 laboratory shall not be owned or controlled by a licensee. The
 111 use of an independent testing laboratory for any purpose related
 112 to the conduct of slot machine gaming by a licensee under this

113 chapter shall be made from a list of one or more laboratories
 114 approved by the division.

115 (6) "Institutional investor" means:

116 (a) A public agency that administers a retirement fund for
 117 the exclusive benefit of federal, state, or local public
 118 employees;

119 (b) An investment company registered under the Investment
 120 Company Act of 1940, 54 stat. 789, 15 U.S.C. ss. 80a-1 et seq.;

121 (c) A collective investment trust organized by a bank or
 122 closed-end investment trust;

123 (d) A chartered or licensed life insurance company or
 124 property and casualty insurance company;

125 (e) A banking or other chartered or licensed lending
 126 institution;

127 (f) An investment advisor registered under the Investment
 128 Advisors Act of 1940, 54 stat. 847, 15 U.S.C. ss. 80B-1 et seq.;

129 or

130 (g) Any such other entity as the division may determine
 131 consistent with this chapter.

132 (7) "Key employee" means any officer or director of any
 133 entity required to be licensed pursuant to this chapter and any
 134 individual who is employed in a director or department head
 135 capacity with an eligible facility, slot machine owner, or slot
 136 machine operator and who is empowered to make discretionary
 137 decisions that regulate slot machine operations and such other
 138 positions that the division shall determine, based on detailed
 139 analyses of job descriptions as provided in the internal
 140 controls of the licensee. All other gaming employees, unless

141 otherwise designated by the division, shall be classified as
 142 non-key employees.

143 (8) "License" means the authorization issued by the
 144 division to the owner of an eligible facility to conduct slot
 145 machine gaming at an eligible facility pursuant to the
 146 provisions of this chapter. "License" also means authorization
 147 issued by the division to a slot machine owner, manufacturer,
 148 distributor, service technician, slot machine operator, or key
 149 employee to participate in slot machine gaming operations at
 150 eligible facilities.

151 (9) "Licensee" means any person issued a license.

152 (10) "Manufacturer" means any person who manufactures,
 153 builds, rebuilds, fabricates, assembles, produces, programs,
 154 designs, or otherwise makes modifications to any slot machine or
 155 associated equipment for use or play of slot machines in this
 156 state for gaming purposes. A manufacturer may be a distributor
 157 within the state.

158 (11) "Material interest" means more than 10 percent of the
 159 outstanding voting securities or other ownership interests.

160 (12) "Owner of an eligible facility" means a person or
 161 group of persons acting in concert who hold a material interest
 162 in the eligible facility.

163 (13) "Progressive system" means a computerized system
 164 linking slot machines in one or more licensed facilities within
 165 this state and offering one or more common progressive payouts
 166 based on the amounts wagered.

167 (14) "Service technician" means any person other than a
 168 distributor or manufacturer who repairs, services, inspects, or

169 examines slot machines.

170 (15) "Slot machine" means any mechanical or electrical
 171 contrivance, terminal, machine, or other device approved by the
 172 division that, upon insertion of a coin, bill, ticket, token, or
 173 similar object therein or upon payment of any consideration
 174 whatsoever, including the use of any electronic payment system
 175 except a credit card or debit card, is available to play or
 176 operate, the play or operation of which, whether by reason or
 177 skill or application of the element of chance, or both, may
 178 deliver or entitle the person or persons playing or operating
 179 the contrivance, terminal, machine, or other device to receive
 180 cash or billets, tickets, tokens, or electronic credits to be
 181 exchanged for cash or to receive merchandise or anything of
 182 value whatsoever, whether the payoff is made automatically from
 183 the machine or manually. A slot machine:

184 (a) May utilize spinning reels or video displays, or both.

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

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

189
 190 The term "slot machine" includes associated equipment necessary
 191 to conduct the operation of the contrivance, terminal, machine,
 192 or other device.

193 (16) "Slot machine gaming" means the use, operation,
 194 offering, or conducting of slot machines at an eligible facility
 195 in accordance with the provisions of this chapter.

196 (17) "Slot machine operator" means a person employed or

197 contracted by the owner of an eligible facility to conduct slot
 198 machine gaming at that eligible facility.

199 (18) "Slot machine owner" means a person who holds a
 200 material interest in the slot machines.

201 (19) "Slot machine revenues" means the total of wagers
 202 received by a slot machine less the sum of:

203 (a) Cash or cash equivalents paid out to patrons as a
 204 direct result of playing a slot machine that are paid to patrons
 205 either manually or paid out by the slot machine;

206 (b) Cash paid to purchase annuities to fund prizes payable
 207 to patrons over a period of time as a direct result of playing a
 208 slot machine; and

209 (c) The cost of any personal property distributed to a
 210 patron as the direct result of playing a slot machine, which
 211 does not include travel expenses, food, refreshments, lodging,
 212 or services.

213 551.105 Powers and duties.--

214 (1) The division shall adopt, pursuant to the provisions
 215 of chapter 120, the Administrative Procedure Act, all rules
 216 necessary to implement, administer, and regulate slot machine
 217 gaming as authorized in this chapter. Such rules shall include:

218 (a) Procedures for applying for a license and seeking
 219 renewal of a license, including provisions for the
 220 photographing, fingerprinting, and investigation of individuals
 221 and business entities as is necessary to determine suitability
 222 for licensing of persons that are required to be licensed under
 223 this chapter.

224 (b) As advised by an independent testing laboratory,

225 technical requirements necessary to be licensed as a
 226 distributor, manufacturer, or service technician and for the
 227 approval of slot machines.

228 (c) Procedures for collecting the tax on slot machines
 229 revenues consistent with s. 551.1133.

230 (d) Criteria for determining whether changes in ownership
 231 interests in licensees are significant such that to continue the
 232 license with the licensee would violate the prohibitions in ss.
 233 551.1071 and 551.1073.

234 (e) Provisions requiring licensees and former licensees to
 235 maintain specified records and submit any data, information,
 236 record, or report, including financial and income records,
 237 required by this chapter or determined by the division to be
 238 necessary to the proper implementation and enforcement of this
 239 chapter.

240 (f) A standard maintenance schedule for slot machines.

241 (g) A compulsive gambling prevention and recovery program
 242 that shall include a toll-free number, an intervention program,
 243 and an education and public awareness program. The division may
 244 contract with third parties to perform functions related to the
 245 program. Each year, the division shall prepare a report on the
 246 program, its outreach efforts, and the numbers of individuals
 247 serviced in the previous year by the various aspects of the
 248 program and shall submit the report to the Governor, the
 249 President of the Senate, and the Speaker of the House of
 250 Representatives.

251 (h) Audit procedures for payouts and tax payments.

252 (2) The division shall revoke or suspend, in accordance

253 with chapter 120, the license of any person who is found, after
254 receiving a license, to have failed to meet the suitability
255 requirements of s. 551.1077 at the time of the application of
256 the license.

257 (3) The division shall conduct any investigation or cause
258 any investigation to be conducted that the division determines
259 necessary to fulfill its responsibilities under the provisions
260 of this chapter.

261 (4) The division shall authorize progressive systems and
262 shall permit slot machines to be linked for the offering of
263 progressive jackpots.

264 (5) The division may:

265 (a) Inspect and examine all premises where slot machines
266 are offered for play or where slot machines or equipment are
267 manufactured, sold, or repaired.

268 (b) Inspect all slot machines and related equipment and
269 supplies.

270 (c) Deny, revoke, condition, or suspend, in accordance
271 with chapter 120, the license of any person who violates any
272 provision of this chapter or any rule adopted pursuant to the
273 authority granted in this chapter. This power is in addition to
274 the power granted under subsection (2).

275 (d) Collect taxes, civil penalties, or fees owed to the
276 division, including filing a suit.

277 (e) Act on its own behalf in any manner relative to
278 investigation, inspection, and enforcement of or for compliance
279 with this chapter.

280 (f) Contract with third parties.

281 551.1071 License to conduct slot machine gaming.--
 282 (1)(a) Subject to the limitation in paragraph (b), upon
 283 application by the owner of an eligible facility and upon a
 284 finding by the division after investigation that the application
 285 is complete and the owner is suitable, the division shall issue
 286 a license to the owner of an eligible facility to conduct slot
 287 machine gaming in the designated slot machine gaming area of
 288 that owner's eligible facility. The division shall make its
 289 finding concerning the completeness of the application within 30
 290 days after receipt of the application and concerning whether the
 291 applicant is suitable within 90 days following receipt of the
 292 completed application. Once licensed, slot machine gaming may be
 293 conducted subject to the requirements of this chapter and rules
 294 adopted pursuant to the authority granted in this chapter.
 295 (b) An eligible facility issued a license to conduct slot
 296 machine gaming shall be required to operate and make available
 297 for play up to 2,500 slot machines. The eligible facility may
 298 install and operate additional slot machines at that eligible
 299 facility upon a determination by the division that the number of
 300 additional slot machines that may be operated at the eligible
 301 facility will be of benefit to economic development, employment,
 302 or tourism or enhanced revenue to the state.
 303 (c) An owner of an eligible facility may contract with a
 304 third-party slot machine operator to operate slot machines at an
 305 eligible facility provided the slot machine operator is licensed
 306 pursuant to s. 551.1073.
 307 (d) As a condition of licensing and to maintain continued
 308 authority for the conduct of slot machine gaming at its

309 facility, the owner of the eligible facility shall:

310 1. Continue to be in compliance with this chapter and
 311 chapter 550.

312 2. Conduct a full schedule of live racing or games as
 313 defined by s. 550.002(11); however, a permitholder's failure to
 314 conduct a full schedule of live racing or games that is the
 315 direct result of fire, strike, work stoppage or other type of
 316 labor dispute, or other disaster or event beyond the ability of
 317 the permitholder to control shall not prevent it from receiving
 318 a license and conducting slot machine gaming.

319 3. Determine that all persons who participate in the
 320 conduct of slot machine gaming at its eligible facility that are
 321 required by this section to be licensed have such a license. The
 322 division shall notify all licensed owners of eligible facilities
 323 whenever any person once licensed as required by s. 551.1073 is
 324 no longer licensed. The licensed owner of an eligible facility
 325 shall not be found unsuitable or not in compliance with this
 326 chapter or otherwise penalized for failure to terminate the
 327 participation of any person who was licensed at the time of
 328 original participation if the division has not provided the
 329 notification required by this subparagraph.

330 4. Permit unrestricted access and right of inspection by
 331 the division or any agent of the division to any portion of the
 332 premises of an eligible facility in which any activity relative
 333 to the conduct of slot machine gaming is conducted.

334 (2) An application may be approved by the division only
 335 after approval by the voters of slot machine gaming via county
 336 referendum pursuant to s. 23, Art. X of the State Constitution.

337 (3) Once issued, the license provided for in this section
 338 shall be in effect and automatically renewed annually unless
 339 revoked by the division for a substantive violation of this
 340 chapter or the rules adopted under this chapter.

341 (4) The license provided for in this section shall not be
 342 transferable.

343 (5) The division shall approve the continuation of the
 344 license following a change in the material interest of a
 345 licensed owner of an eligible facility provided that all persons
 346 holding a material interest in the licensed owner of an eligible
 347 facility continue to meet the division's suitability
 348 requirements and otherwise are in compliance with the provisions
 349 of this chapter.

350 (6) For the first 60 days after the effective date of this
 351 chapter, owners of eligible facilities that hold current and
 352 valid pari-mutuel licenses under chapter 550, after approval by
 353 the voters of slot machine gaming via county referendum pursuant
 354 to s. 23, Art. X of the State Constitution, may file an
 355 application for a license and the division must issue such
 356 license within 30 days after receipt of the completed
 357 application, unless such person is currently in violation of
 358 chapter 550 and there is a pending administrative action by the
 359 division for violations that could result in revocation of their
 360 permit or license under chapter 550.

361 (7) After the first 60 days following the effective date
 362 of this section, the provisions of subsections (2)-(6) and s.
 363 551.1073 shall apply to all persons applying for a license or
 364 renewal of a license under this chapter.

365 551.1073 Persons required to be licensed; conditions and
 366 qualifications.--

367 (1) In addition to the owner of the eligible facility as
 368 provided in s. 551.1071, upon application and a finding by the
 369 division of suitability, the following persons shall be licensed
 370 by the division before any such person may participate in the
 371 conduct of slot machine gaming at any eligible facility:

- 372 (a) Slot machine owner.
- 373 (b) Distributor.
- 374 (c) Manufacturer.
- 375 (d) Service technician.
- 376 (e) Slot machine operator.
- 377 (f) Key employee.

378 (2) The licenses provided for in this section shall be
 379 granted for a period of 5 years and shall be renewed for
 380 succeeding 5-year periods upon application for such renewal
 381 provided such application includes all revisions to the
 382 information in the original application that are necessary to
 383 maintain such information as both accurate and current and
 384 provided the division continues in its finding of suitability of
 385 the applicant.

386 (3) The licenses provided for in this section shall not be
 387 transferable. However, the division shall approve the
 388 continuation of the license following a change in the material
 389 interest of a licensed slot machine owner, distributor,
 390 manufacturer, service technician, or slot machine operator
 391 provided that all persons holding a material interest in that
 392 licensed slot machine owner, distributor, manufacturer, service

393 technician, or slot machine operator continue to meet the
394 division's suitability requirements and otherwise are in
395 compliance with the terms of this chapter.

396 (4) Prior to the adoption and implementation of rules and
397 procedures to be adopted under this chapter, and notwithstanding
398 any provisions of this section to the contrary, the division
399 shall determine whether the licensing standards of another state
400 or states within the United States in which an applicant for a
401 license as a manufacturer, slot machine operator, or key
402 employee of a manufacturer or slot machine operator is similarly
403 licensed are comprehensive and thorough and provide similar
404 adequate safeguards as those provided in this chapter. If the
405 division makes that determination, it shall issue a license to
406 the manufacturer, slot machine operator, or key employee of a
407 manufacturer or slot machine operator who holds a similar
408 license in such other jurisdiction after conducting an
409 evaluation of information relating to the applicant from such
410 other jurisdiction and evaluating other information related to
411 the applicant received from that jurisdiction and other
412 jurisdictions in which it may be licensed. The division shall
413 complete its evaluation as set forth in this subsection within
414 30 days following receipt of a request for a determination and
415 issuance of a license. A license issued pursuant to this
416 subsection shall expire 18 months following issuance of the
417 license.

418 (5) In order to expedite the operations of slot machines
419 pursuant to the provisions of this chapter, any slot machines
420 that have been approved or licensed for use in Nevada, New

421 Jersey, or Mississippi are hereby deemed to be approved or
422 licensed for use at eligible facilities in this state, subject
423 to the payment of all fees required under this chapter and the
424 filing of the certification from such state or states that
425 verify approval or licensure.

426 (6) In order to expedite the licensing required by this
427 chapter, the division may make use of the emergency rulemaking
428 process described in s. 120.54 to adopt the initial licensing
429 rules. The Legislature finds that such emergency rulemaking
430 power is necessary for the preservation of the rights and
431 welfare of the people in order to provide additional funds to
432 benefit the public. Therefore, in adopting such emergency rules,
433 the department need not make the findings required by s.
434 120.54(4)(a). Emergency rules adopted under this section are
435 exempt from s. 120.54(4)(c) and shall remain in effect until
436 replaced by other emergency rules or by rules adopted under the
437 nonemergency rulemaking procedures of the Administrative
438 Procedure Act.

439 (7) In order to expedite the licensing required by this
440 chapter, the division may contract with public regulators in
441 other states with slot machine gaming to assist in the
442 background investigations of applicants for licenses. Such out-
443 of-state regulators shall assist only in the compilation of
444 investigatory materials and shall not make any final
445 determination as to the actual licensing process set forth in
446 this chapter. Such investigatory materials shall be forwarded to
447 the division for its evaluation and application of the licensing
448 standards in this chapter and the determination of fitness and

449 suitability for licensing. The division may compensate such out-
 450 of-state regulators from funds appropriated to it by the
 451 Legislature for the background investigations conducted under
 452 this subsection.

453 551.1077 Suitability standards for licensees.--

454 (1) No applicant shall be granted a license under this
 455 chapter unless the applicant has demonstrated to the division
 456 that he or she is suitable for licensing.

457 (2) For purposes of this chapter, the term "suitable for
 458 licensing" means:

459 (a) The applicant is a person of good character, honesty,
 460 and integrity.

461 (b) The applicant has never been convicted of:

462 1. Any felony in this state;

463 2. Any felony in any other state that would be a felony if
 464 committed in this state under the laws of this state;

465 3. Any felony under the laws of the United States;

466 4. Any gambling-related misdemeanor under the laws of
 467 another state that would be a felony under the laws of this
 468 state if committed in this state; or

469 5. Bookmaking as defined in s. 849.25.

470 (c) The applicant is a person whose prior activities,
 471 reputation, habits, and associations do not pose a threat to the
 472 public interest or to the effective regulation and control of
 473 slot machine gaming or create or enhance the dangers of
 474 unsuitable, unfair, or illegal practices, methods, and
 475 activities in the conduct of slot machine gaming or the
 476 conducting of business and financial arrangements incidental

477 thereto.

478 (3)(a) Notwithstanding the provision of paragraph (2)(b),
479 if the applicant has received a full pardon or a restoration of
480 civil rights with respect to the conviction specified in
481 paragraph (2)(b), the conviction does not constitute an absolute
482 bar to the issuance or renewal of a license or a ground for the
483 revocation or suspension of a license.

484 (b) A corporation that has been convicted of a felony is
485 entitled to apply for and receive a restoration of its civil
486 rights in the same manner and on the same grounds as an
487 individual.

488 (4) After notice and hearing, the division shall refuse to
489 issue or renew or shall suspend, as appropriate, any license
490 when the licensee is found in violation of paragraph (2)(b).

491 (a) The order under this subsection shall become effective
492 120 days after service of the order upon the licensee and shall
493 be amended to constitute a final order of revocation unless,
494 within that period of time, the licensee has:

495 1. Caused the divestiture or agreed with the convicted
496 person upon a complete immediate divestiture of his or her
497 holdings;

498 2. Has petitioned the circuit court; or

499 3. In the case of a corporate officer or director of the
500 holder or employee of the holder, has terminated the
501 relationship with the convicted person.

502 (b) The division may, by order, extend the 120-day period
503 for divestiture, upon good cause shown, to avoid interruption of
504 any slot machine gaming or to otherwise effectuate this section.

505 If no action has been taken by the licensee within the 120-day
 506 period following the issuance of the order of suspension, the
 507 division shall, without further notice or hearing, enter a final
 508 order of revocation of the license.

509 (c)1. When any licensee or sole proprietor of a licensee
 510 is convicted of an offense specified in paragraph (2)(b), the
 511 division shall approve a transfer of the license to a qualified
 512 applicant upon a finding that revocation of the license would
 513 impair the state's revenue from the operation of the license or
 514 otherwise be detrimental to the interests of the state in the
 515 regulation of the industry of slot machine gaming. In such
 516 approval, no public referendum shall be required,
 517 notwithstanding any other provision of law.

518 2. A petition for transfer after conviction must be filed
 519 with the division within 30 days after service upon the licensee
 520 of the final order of revocation. The timely filing of such a
 521 petition automatically stays any revocation order until further
 522 order of the division.

523 (d) The circuit courts have jurisdiction to decide a
 524 petition brought by a holder of a slot machine gaming license
 525 that shows that its license is in jeopardy of suspension or
 526 revocation under this subsection and that it is unable to agree
 527 upon the terms of divestiture of interest with the person
 528 specified in (a) who has been convicted of an offense specified
 529 in paragraph (2)(b). The court shall determine the reasonable
 530 value of the interest of the convicted person and order a
 531 divestiture upon such terms and conditions as it finds just. In
 532 determining the value of the interest of the convicted person,

533 the court may consider, among other matters, the value of the
534 assets of the licensee, its good will and value as a going
535 concern, recent and expected future earnings, and other criteria
536 usual and customary in the sale of like enterprises.

537 (5) Every person who has a material interest in a person
538 that has been issued or applies for a license in accordance with
539 the provisions of this chapter, or who receives more than 10-
540 percent revenue interest in the form of a commission, finder's
541 fee, loan repayment, or any other business expense related to
542 the slot machine gaming operation, or who has the ability to
543 exercise a significant influence over the activities of a
544 licensee or applicant for license under this chapter, shall meet
545 all suitability requirements under subsection (2). For purposes
546 of this section, institutional investors may, upon good cause
547 shown, be excluded from this requirement.

548 (6) A person whose application for a license has been
549 denied, whose license has been issued subject to a condition, or
550 whose license has been suspended or revoked or against whom a
551 fine has been levied has the right to a hearing before the
552 division pursuant to ss. 120.57 and 120.68.

553 (7) All licensees shall have a continuing duty to inform
554 the division of any action that they believe would constitute a
555 violation of this chapter.

556 (8) The division may determine whether the licensing
557 standards of another jurisdiction within the United States or
558 Canada in which the applicant is similarly licensed are
559 comprehensive and thorough and provide similar adequate
560 safeguards as those required by this chapter. If the division

561 makes that determination, it may issue a license to an applicant
 562 who holds a similar license in such other jurisdiction after
 563 conducting an evaluation of the information relating to the
 564 applicant from such other jurisdiction, as updated by the
 565 division, and evaluating other information related to the
 566 applicant received from that jurisdiction and other
 567 jurisdictions where the applicant is licensed, together with any
 568 information specific to the license applied for as requested
 569 from the applicant by the division pursuant to this chapter.

570 551.1079 Prohibited relationships and gaming.--

571 (1) No person employed by or performing any function on
 572 behalf of the division or his or her relative as defined by s.
 573 112.312(21) may:

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

576 (b) Have or hold any interest, direct or indirect, in or
 577 engage in any commerce or business relationship with any person
 578 licensed by the division.

579 (2)(a) No reporting individual as defined by s.
 580 112.3148(2)(d) who is employed by or serving in elected office
 581 to state or local government or his or her relative as defined
 582 by s. 112.312(21) shall in his or her individual capacity engage
 583 in any business activity, directly or indirectly, with a
 584 licensee except as a patron.

585 (b) As used in this subsection, the term "business
 586 activity" shall specifically include, but is not limited to,
 587 contracts:

588 1. For the sale or purchase of goods, merchandise, and

589 services.

590 2. To provide or receive legal services, advertising,
 591 public relations, or any other business or personal service.

592 3. For the listing, purchase, or sale of immovable
 593 property or options or real estate rights relating thereto.

594 4. Modifying ownership or possessory interests in stocks,
 595 bonds, securities, or any financial instruments.

596 (c) The Commission on Ethics shall administer and enforce
 597 the provisions of this subsection.

598 (3) No manufacturer or distributor of slot machines
 599 licensed under this chapter may enter into any contract with the
 600 owner of an eligible facility or a slot machine operator that
 601 provides for any revenue sharing of any kind or nature that is,
 602 directly or indirectly, calculated on the basis of a percentage
 603 of slot machine revenues. Any maneuver, shift, or device whereby
 604 this provision is violated shall be a violation of this chapter
 605 and shall render any such agreement void and any revenue so
 606 calculated based on a percentage of slot machine revenues shall
 607 escheat or be paid to the state in addition to any other fines
 608 or penalties under this chapter.

609 (4) No employee of the division or any relative living in
 610 the same household with such employee may play a slot machine in
 611 an eligible facility.

612 (5) No officer or employee of any vendor under contract
 613 with the division related to the regulation of slot machine
 614 gaming or any relative living in the same household with such
 615 officer or employee may play a slot machine in an eligible
 616 facility if the officer or employee is involved in the direct

617 provision of goods or services to the division related to the
 618 regulation of slot machine gaming.

619 (6) Any person who violates this section is guilty of a
 620 misdemeanor of the first degree, punishable as provided in s.
 621 775.082 or s. 775.083.

622 551.1091 Penalties; false statements; unauthorized slot
 623 machines; skimming of slot machine proceeds; payroll check
 624 cashing; gambling devices.--

625 (1) Any person who intentionally makes or causes to be
 626 made or aids, assists, or procures another to make a false
 627 statement in any report, disclosure, application, or any other
 628 document required under this chapter or any rule adopted under
 629 this chapter commits a misdemeanor of the first degree,
 630 punishable as provided in s. 775.082 or s. 775.083.

631 (2) Any person who intentionally excludes, or takes any
 632 action in an attempt to exclude, anything or its value from the
 633 deposit, counting, collection, or computation of revenues from
 634 slot machine activity or any person who by trick or sleight of
 635 hand performance, or by a fraud or fraudulent scheme, or device,
 636 for himself or herself or for another, wins or attempts to win
 637 money or property or a combination thereof or reduces a losing
 638 wager or attempts to reduce a losing wager in connection with
 639 slot machine gaming commits a felony of the third degree,
 640 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

641 (a) Any law enforcement officer or slot machine operator
 642 who has probable cause to believe that a violation of this
 643 subsection has been committed by a person and that the officer
 644 or operator can recover the lost proceeds from such activity by

645 taking the person into custody may, for the purpose of
 646 attempting to effect such recovery or for prosecution, take the
 647 person into custody on the premises and detain the person in a
 648 reasonable manner and for a reasonable period of time. If the
 649 operator takes the person into custody, a law enforcement
 650 officer shall be called to the scene immediately. The taking
 651 into custody and detention by a law enforcement officer or slot
 652 machine operator, if done in compliance with this subsection,
 653 does not render such law enforcement officer or slot machine
 654 operator criminally or civilly liable for false arrest, false
 655 imprisonment, or unlawful detention.

656 (b) Any law enforcement officer may arrest, either on or
 657 off the premises and without warrant, any person if there is
 658 probable cause to believe that person has violated this
 659 subsection.

660 (c) Any person who resists the reasonable effort of a law
 661 enforcement officer or slot machine operator to recover the lost
 662 slot machine proceeds that the law enforcement officer or slot
 663 machine operator had probable cause to believe had been stolen
 664 from the eligible facility, and who is subsequently found to be
 665 guilty of violating this subsection, commits a misdemeanor of
 666 the first degree, punishable as provided in s. 775.082 or s.
 667 775.083, unless such person did not know or did not have reason
 668 to know that the person seeking to recover the lost proceeds was
 669 a law enforcement officer or slot machine operator. For purposes
 670 of this section, the charge of theft and the charge of resisting
 671 apprehension may be tried concurrently.

672 (d) Theft of any slot machine proceeds or of property

673 belonging to the slot machine operator or eligible facility by
 674 an employee of the operator or facility or by an employee of a
 675 person, firm, or entity that has contracted to provide services
 676 to the establishment constitutes a felony of the third degree,
 677 punishable as provided in s. 775.082 or s. 775.083.

678 551.1111 Illegal lottery devices.--Notwithstanding any
 679 provision of law to the contrary, no slot machine manufactured,
 680 sold, distributed, transported, or operated according to the
 681 provisions of this chapter shall be considered an illegal
 682 lottery device for purposes of s. 849.16.

683 551.1113 Eligible facilities; exclusion of patrons.--In
 684 addition to the power to exclude certain persons from any
 685 eligible facility in this state, the division may exclude any
 686 person from any and all eligible facilities in this state for
 687 conduct that would constitute, if the person were a licensee, a
 688 violation of this chapter or the rules of the division. The
 689 division may exclude from any eligible facility within this
 690 state any person who has been ejected from an eligible facility
 691 or other gaming facility in this state or who has been excluded
 692 from any eligible facility or gaming facility in another state
 693 by the governmental department, agency, commission, or authority
 694 exercising regulatory jurisdiction over the gaming in such other
 695 state. The division may authorize any person who has been
 696 ejected or excluded from an eligible facility in this state or
 697 another state to attend an eligible facility in this state upon
 698 a finding that the attendance of such person at an eligible
 699 facility would not be adverse to the public interest or to the
 700 integrity of the industry; however, this section shall not be

701 construed to abrogate the common law right of a slot machine
 702 operator to exclude a patron absolutely in this state.

703 551.1115 Minors prohibited from playing slot machines;
 704 signage; penalties.--

705 (1) A person who has not attained 18 years of age may not
 706 play any slot machine in an eligible facility or otherwise enter
 707 designated slot machine gaming areas. The eligible facility
 708 shall post clear and conspicuous signage within the designated
 709 slot machine gaming areas that states the following:

710 THE PLAYING OF SLOT MACHINES BY PERSONS UNDER THE AGE
 711 OF 18 IS AGAINST FLORIDA LAW (SECTION 551.1115,
 712 FLORIDA STATUTES). PROOF OF AGE MAY BE REQUIRED AT
 713 ANYTIME A PERSON IS WITHIN THIS AREA.

714 (2) Notwithstanding subsection (1), a person who has not
 715 attained 18 years of age may be employed by a slot machine
 716 operator except in positions directly involving wagering or
 717 alcoholic beverages or except as otherwise prohibited by law.

718 (3) A person who has not attained 18 years of age who
 719 plays or operates a slot machine commits a misdemeanor of the
 720 second degree, punishable as provided in s. 775.082 or s.
 721 775.083. For a second offense, the offender commits a
 722 misdemeanor of the first degree, punishable as provided in s.
 723 775.082 or s. 775.083. For a third or subsequent offense, the
 724 offender commits a felony of the third degree, punishable as
 725 provided in s. 775.082, s. 775.083, or s. 775.084.

726 (4) The slot machine operator or the eligible facility may
 727 require demonstration of proof of age of any patron inside of
 728 the designated slot machine gaming area. To the extent feasible,

729 the slot machine operator shall withhold any winnings from
 730 persons who are determined to be under 18 years of age.

731 (5) Each quarter, the person licensed under this chapter
 732 shall report and remit to the division all winnings withheld
 733 from persons who are determined to be under 18 years of age.

734 551.1119 Toll-free telephone assistance for compulsive
 735 gamblers; posting of signs on premises.--The division shall
 736 require the posting of one or more signs at points of entry to
 737 the designated slot machine gaming areas to inform patrons of
 738 the toll-free telephone number available to provide information
 739 and referral services regarding compulsive or problematic
 740 gambling.

741 551.1121 Designated slot machine gaming areas.--

742 (1) No automated teller machine as defined in s. 655.960
 743 shall be located within the designated slot machine gaming
 744 areas.

745 (2) To the extent practicable, the eligible facility shall
 746 offer Florida Lottery tickets for sale within or adjacent to the
 747 designated slot machine gaming areas. The Department of Lottery
 748 shall work with the eligible facility in licensing the facility
 749 as a lottery retailer and in the location of sales kiosks within
 750 the facility's designated slot machine gaming areas and
 751 throughout the eligible facility.

752 (3) To the extent practicable, the slot machine operator
 753 shall display pari-mutuel races or games within the designated
 754 slot machine gaming areas and offer within the designated slot
 755 machine gaming areas the ability for patrons to engage in pari-
 756 mutuel wagering on live and simulcast races conducted or offered

757 to patrons of the eligible facility.

758 (4) No complimentary alcoholic beverages shall be served
 759 to patrons within the designated slot machine gaming areas.

760 (5) The slot machine operator shall offer training to
 761 employees on responsible gaming and shall work with the
 762 division's compulsive gaming program to recognize problem gaming
 763 situations and to implement responsible gaming programs and
 764 practices.

765 551.1123 Hours of operation.--Any municipality may enact
 766 ordinances to restrict hours of operation of slot machines at
 767 eligible facilities within its jurisdiction.

768 551.1125 Minimum payouts.--A slot machine shall pay out no
 769 less than 85 percent in jackpots to players based on the total
 770 value of the jackpots expected to be paid on a play of the slot
 771 machine divided by the total value of wagers expected to be made
 772 on that play of the slot machine. The slot machine operator
 773 shall post conspicuous signage within the designated slot
 774 machine gaming areas that discloses the payout percentages for
 775 the slot machines located in those areas.

776 551.1131 Slot machine fee.--Each slot machine operator
 777 shall pay a fee of \$400 per slot machine annually as installed.
 778 The fee shall be calculated on the actual number of slot
 779 machines located at an eligible facility as of December 31 of
 780 each year; however, upon initial commencement of slot machine
 781 gaming at an eligible facility, the owner of an eligible
 782 facility shall pay an initial fee of \$400,000. Such payment
 783 shall be made directly to the Pari-mutuel Wagering Trust Fund
 784 established pursuant to s. 455.116. Such payments shall be

785 accounted for separately from taxes or fees paid pursuant to the
 786 provisions of chapter 550. Such funds in such trust fund may be
 787 appropriated annually by the Legislature to the division for its
 788 administration of this chapter and carrying out of its
 789 regulatory functions set forth herein. The Legislature shall
 790 annually appropriate an amount not less than \$2 million from
 791 such trust fund to the division for its administration of its
 792 compulsive gambling prevention and recovery program; however, as
 793 of July 1st of each year, any amount paid into the trust fund
 794 for regulation of slot machines that exceeds a balance of \$1.5
 795 million shall be distributed to the Education Supplement Trust
 796 Fund as created by s. 1010.701.

797 551.1133 State tax of slot machine revenues.--

798 (1) There is hereby levied a tax of 30 percent upon slot
 799 machine revenues at eligible facilities.

800 (2) Payment for the tax upon slot machine revenues shall
 801 be deposited into the Education Supplement Trust Fund. Payment
 802 shall be remitted by 3 p.m. on Wednesday of each week by the
 803 eligible facility for taxes imposed and collected for the
 804 preceding week ending on Sunday. The eligible facility shall
 805 file a report under oath by the 5th day of each calendar month
 806 for all taxes remitted during the preceding calendar month that
 807 shall show all slot machine activities for the preceding
 808 calendar month and such other information as may be required by
 809 the division.

810 (3)(a) An eligible facility that fails to make payments as
 811 required under subsection (2) commits a civil infraction,
 812 punishable by the division by a civil penalty of up to \$1,000

813 for each day the tax payment is not remitted. All civil
814 penalties imposed and collected shall be deposited into the
815 Pari-mutuel Wagering Trust Fund. If any eligible facility fails
816 to pay penalties imposed by order of the division under this
817 subsection, the division may suspend, cancel, or revoke the
818 license of the eligible facility or deny issuance of any further
819 license to the eligible facility.

820 (b) In addition to the civil penalty imposed under
821 paragraph (a), any willful or wanton failure by an eligible
822 facility to make payments of the tax levied under subsection (1)
823 constitutes sufficient grounds for the division to suspend,
824 cancel, or revoke the license of the eligible facility or to
825 deny issuance of any further license to the eligible facility.

826 551.1137 Public education funding.--Tax revenues collected
827 by the Department of Revenue under s. 551.1133 shall be
828 deposited in the Education Supplement Trust Fund for the purpose
829 of supplementing public education funding. The slot machine
830 revenues in this trust fund shall be distributed to the counties
831 annually under the General Appropriations Act as follows:

832 (1) To offset the impact of slot machines in their
833 respective areas, Broward and Miami-Dade Counties shall receive
834 \$75 per full time equivalent enrolled within their respective
835 county.

836 (2) After the distribution in subsection (1), the
837 remaining slot machine tax revenues shall be distributed in
838 accordance with the Florida Education Finance Program as
839 determined by the General Appropriations Act to all counties
840 including Broward and Miami-Dade.

841 551.1139 Citizens Education Funding Oversight Board.--

842 (1)(a) There is hereby established a Citizens Education
 843 Funding Oversight Board that shall consist of the following
 844 members:

- 845 1. The presiding Commissioner of Education;
 846 2. Fifteen members to serve a term of 2 years each, who
 847 shall be appointed by the Governor. For the initial term, the
 848 Governor shall appoint seven members to a 1-year term in order
 849 to stagger the appointments to the board.

850 (b) The Governor shall receive ten nominations each from
 851 the President of the Senate and the Speaker of the House of
 852 Representatives from which the Governor shall appoint ten
 853 members of the board. In making their nominations, the President
 854 of the Senate and the Speaker of the House of Representatives
 855 shall attempt to nominate individuals with diverse education
 856 backgrounds from early childhood education to post secondary
 857 education as well as a mixture of geographically and ethnically
 858 diverse persons to help ensure that the state's diverse
 859 population is sufficiently represented on the board.

860 (2) The board shall be invited to attend all legislative
 861 committee hearings and meetings during which appropriation of
 862 funds paid into the Education Supplement Trust Fund is
 863 considered and shall be afforded the opportunity to provide
 864 advice and input regarding the appropriation of such funds.

865 551.129 Severability.--The provisions of this chapter are
 866 severable. If any provision of this chapter or its application
 867 to any person or circumstances is held invalid, the invalidity
 868 shall not affect other provisions or applications of this

869 chapter which can be given effect without the invalid provision
 870 or application.

871 Section 2. Paragraph (f) of subsection (2) of section
 872 20.165, Florida Statutes, is amended to read:

873 20.165 Department of Business and Professional
 874 Regulation.--There is created a Department of Business and
 875 Professional Regulation.

876 (2) The following divisions of the Department of Business
 877 and Professional Regulation are established:

878 (f) Division of Pari-mutuel Wagering.

879 1. The director of the division shall be appointed by the
 880 secretary of the department, subject to confirmation and removal
 881 by a majority vote of the Governor and Cabinet with the Governor
 882 on the prevailing side.

883 a. Prior to appointment as director, the person must have
 884 had within the previous 10 years at least 5 years of responsible
 885 private-sector experience working full-time in the areas within
 886 the scope of a subject matter jurisdiction of the division or at
 887 least 5 years of experience as a senior employee of a state or
 888 federal agency having regulatory responsibilities over the
 889 subject matter jurisdiction of the division.

890 b. The division shall have a sufficient number of
 891 attorneys, investigators, and other professional personnel to
 892 carry out its responsibilities and administrative personnel as
 893 determined annually in the appropriations process. The
 894 Department of Business and Professional Regulation shall provide
 895 administrative and information systems support to the division.

896 2. The offices of the division shall be located in

897 Tallahassee.

898 3. Until such time as the director is appointed under
 899 subparagraph 1., the director of the Division of Pari-mutuel
 900 Wagering shall serve as director.

901 Section 3. Section 849.15, Florida Statutes, is amended to
 902 read:

903 849.15 Manufacture, sale, possession, etc., of coin-
 904 operated devices prohibited.--

905 (1) It is unlawful:

906 (a)(1) To manufacture, own, store, keep, possess, sell,
 907 rent, lease, let on shares, lend or give away, transport, or
 908 expose for sale or lease, or to offer to sell, rent, lease, let
 909 on shares, lend or give away, or permit the operation of, or for
 910 any person to permit to be placed, maintained, or used or kept
 911 in any room, space, or building owned, leased or occupied by the
 912 person or under the person's management or control, any slot
 913 machine or device or any part thereof; or

914 (b)(2) To make or to permit to be made with any person any
 915 agreement with reference to any slot machine or device, pursuant
 916 to which the user thereof, as a result of any element of chance
 917 or other outcome unpredictable to him or her, may become
 918 entitled to receive any money, credit, allowance, or thing of
 919 value or additional chance or right to use such machine or
 920 device, or to receive any check, slug, token or memorandum
 921 entitling the holder to receive any money, credit, allowance or
 922 thing of value.

923 (2) Pursuant to section 2 of that certain chapter of the
 924 Congress of the United States entitled "An act to prohibit

925 transportation of gaming devices in interstate and foreign
 926 commerce", approved January 2, 1951, being c. 1194, 64 Stat.
 927 1134, and also designated as 15 U.S.C. 1171-1177, the State of
 928 Florida, acting by and through its duly elected and qualified
 929 members of its Legislature, does hereby in this section, and in
 930 accordance with and in compliance with the provisions of section
 931 2 of such chapter of Congress, declare and proclaim that any
 932 county of the State of Florida, within which slot machine gaming
 933 is authorized pursuant to chapter 551 is exempt from the
 934 provisions of section 2 of that certain chapter of the Congress
 935 of the United States entitled "An act to prohibit transportation
 936 of gaming devices in interstate and foreign commerce",
 937 designated U.S.C. 1171-1177, approved January 2, 1951. All
 938 shipments of gaming devices, including slot machines, into any
 939 county of this state within which slot machine gaming is
 940 authorized pursuant to chapter 551, the registering, recording,
 941 and labeling of which have been duly done by the manufacturer or
 942 distributor thereof in accordance with sections 3 and 4 of that
 943 certain chapter of the Congress of the United States entitled,
 944 "An act to prohibit transportation of gaming devices in
 945 interstate and foreign commerce", approved January 2, 1951,
 946 being c. 1194, 64 Stat. 1134, and also designated as 15 U.S.C.
 947 1171-1177, shall be deemed legal shipments thereof into any such
 948 county provided the destination of such shipments is to a
 949 licensed eligible facility as defined s. 551.103.

950 Section 4. Subsections (1) and (2) of section 895.02,
 951 Florida Statutes, are amended to read:

952 895.02 Definitions.--As used in ss. 895.01-895.08, the
 953 term:

954 (1) "Racketeering activity" means to commit, to attempt to
 955 commit, to conspire to commit, or to solicit, coerce, or
 956 intimidate another person to commit:

957 (a) Any crime which is chargeable by indictment or
 958 information under the following provisions of the Florida
 959 Statutes:

960 1. Section 210.18, relating to evasion of payment of
 961 cigarette taxes.

962 2. Section 403.727(3)(b), relating to environmental
 963 control.

964 3. Section 409.920 or s. 409.9201, relating to Medicaid
 965 fraud.

966 4. Section 414.39, relating to public assistance fraud.

967 5. Section 440.105 or s. 440.106, relating to workers'
 968 compensation.

969 6. Section 465.0161, relating to distribution of medicinal
 970 drugs without a permit as an Internet pharmacy.

971 7. Sections 499.0051, 499.0052, 499.00535, 499.00545, and
 972 499.0691, relating to crimes involving contraband and
 973 adulterated drugs.

974 8. Part IV of chapter 501, relating to telemarketing.

975 9. Chapter 517, relating to sale of securities and
 976 investor protection.

977 10. Section 550.235, s. 550.3551, or s. 550.3605, relating
 978 to dogracing and horseracing.

979 11. Chapter 550, relating to jai alai frontons.

- 980 12. Chapter 552, relating to the manufacture,
- 981 distribution, and use of explosives.
- 982 13. Chapter 560, relating to money transmitters, if the
- 983 violation is punishable as a felony.
- 984 14. Chapter 562, relating to beverage law enforcement.
- 985 15. Section 624.401, relating to transacting insurance
- 986 without a certificate of authority, s. 624.437(4)(c)1., relating
- 987 to operating an unauthorized multiple-employer welfare
- 988 arrangement, or s. 626.902(1)(b), relating to representing or
- 989 aiding an unauthorized insurer.
- 990 16. Section 655.50, relating to reports of currency
- 991 transactions, when such violation is punishable as a felony.
- 992 17. Chapter 687, relating to interest and usurious
- 993 practices.
- 994 18. Section 721.08, s. 721.09, or s. 721.13, relating to
- 995 real estate timeshare plans.
- 996 19. Chapter 782, relating to homicide.
- 997 20. Chapter 784, relating to assault and battery.
- 998 21. Chapter 787, relating to kidnapping.
- 999 22. Chapter 790, relating to weapons and firearms.
- 1000 23. Section 796.03, s. 796.035, s. 796.04, s. 796.045, s.
- 1001 796.05, or s. 796.07, relating to prostitution and sex
- 1002 trafficking.
- 1003 24. Chapter 806, relating to arson.
- 1004 25. Section 810.02(2)(c), relating to specified burglary
- 1005 of a dwelling or structure.
- 1006 26. Chapter 812, relating to theft, robbery, and related
- 1007 crimes.

- 1008 | 27. Chapter 815, relating to computer-related crimes.
- 1009 | 28. Chapter 817, relating to fraudulent practices, false
- 1010 | pretenses, fraud generally, and credit card crimes.
- 1011 | 29. Chapter 825, relating to abuse, neglect, or
- 1012 | exploitation of an elderly person or disabled adult.
- 1013 | 30. Section 827.071, relating to commercial sexual
- 1014 | exploitation of children.
- 1015 | 31. Chapter 831, relating to forgery and counterfeiting.
- 1016 | 32. Chapter 832, relating to issuance of worthless checks
- 1017 | and drafts.
- 1018 | 33. Section 836.05, relating to extortion.
- 1019 | 34. Chapter 837, relating to perjury.
- 1020 | 35. Chapter 838, relating to bribery and misuse of public
- 1021 | office.
- 1022 | 36. Chapter 843, relating to obstruction of justice.
- 1023 | 37. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
- 1024 | s. 847.07, relating to obscene literature and profanity.
- 1025 | 38. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
- 1026 | 849.25, relating to gambling.
- 1027 | 39. Chapter 874, relating to criminal street gangs.
- 1028 | 40. Chapter 893, relating to drug abuse prevention and
- 1029 | control.
- 1030 | 41. Chapter 896, relating to offenses related to financial
- 1031 | transactions.
- 1032 | 42. Sections 914.22 and 914.23, relating to tampering with
- 1033 | a witness, victim, or informant, and retaliation against a
- 1034 | witness, victim, or informant.

1035 43. Sections 918.12 and 918.13, relating to tampering with
 1036 jurors and evidence.

1037 44. Section 551.1091, related to slot machine gaming.

1038 (b) Any conduct defined as "racketeering activity" under
 1039 18 U.S.C. s. 1961(1).

1040 (2) "Unlawful debt" means any money or other thing of
 1041 value constituting principal or interest of a debt that is
 1042 legally unenforceable in this state in whole or in part because
 1043 the debt was incurred or contracted:

1044 (a) In violation of any one of the following provisions of
 1045 law:

1046 1. Section 550.235, s. 550.3551, or s. 550.3605, relating
 1047 to dogracing and horseracing.

1048 2. Chapter 550, relating to jai alai frontons.

1049 3. Chapter 687, relating to interest and usury.

1050 4. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
 1051 849.25, relating to gambling.

1052 5. Section 551.1091, related to slot machine gaming.

1053 (b) In gambling activity in violation of federal law or in
 1054 the business of lending money at a rate usurious under state or
 1055 federal law.

1056 Section 5. Notwithstanding any contrary provision of law
 1057 and in order to expedite the operation of slot machines at
 1058 eligible facilities, any eligible facility shall be entitled
 1059 within 30 days of the effective date of this act to amend its
 1060 2005-2006 license issued by the Division of Pari-mutuel Wagering
 1061 and shall be granted the requested changes in its authorized
 1062 performances pursuant to such amendment. The division shall

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1063 issue a new license to the eligible facility to effectuate an
 1064 amendment. Sections 550.01215(4) and (5) and 550.5251(2),
 1065 Florida Statutes, related to the operation of dates set forth in
 1066 a license shall apply to the new license issued hereunder.

1067 Section 6. This act shall take effect upon becoming a law.