

1 A bill to be entitled
2 An act relating to cardrooms; amending s.
3 849.086, F.S.; revising definitions to include
4 dominoes as an authorized game and to allow
5 games other than card games to be played in
6 cardrooms; authorizing rulemaking relating to
7 poker and dominoes by the Division of
8 Pari-mutuel Wagering of the Department of
9 Business and Professional Regulation; providing
10 for supervision of dominoes games at a
11 cardroom; limiting wagering related to
12 authorized games; amending s. 849.161, F.S.;
13 providing that the chapter does not apply to
14 amusement games or machines which operate by
15 the insertion of a coin or other currency;
16 providing an effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

19
20 Section 1. Paragraphs (a), (c), and (e) of subsection
21 (2), paragraph (a) of subsection (4), paragraph (a) of
22 subsection (6), paragraph (c) of subsection (7), and paragraph
23 (a) of subsection (8) of section 849.086, Florida Statutes,
24 are amended, and present paragraphs (h), (i), (j), and (k) of
25 subsection (2) of that section are redesignated as paragraphs
26 (i), (j), (k), and (l), respectively, and a new paragraph (h)
27 is added to that subsection, to read:

28 849.086 Cardrooms authorized.--

29 (2) DEFINITIONS.--As used in this section:

30 (a) "Authorized game" means a game or series of games
31 of poker or dominoes which are played in a nonbanking manner.

1 (c) "Cardroom" means a facility where authorized ~~card~~
2 games are played for money or anything of value and to which
3 the public is invited to participate in such games and charged
4 a fee for participation by the operator of such facility.
5 Authorized games and cardrooms do not constitute casino gaming
6 operations.

7 (e) "Cardroom distributor" means any business that
8 distributes cardroom paraphernalia such as card tables,
9 betting chips, chip holders, dominoes, dominoes tables, drop
10 boxes, banking supplies, playing cards, card shufflers, and
11 other associated equipment to authorized cardrooms.

12 (h) "Dominoes" means a game of dominoes typically
13 played with a set of 28 flat rectangular blocks, called bones,
14 marked on one side, which is divided into two equal parts,
15 with from zero to six dots, called pips, in each part. There
16 are larger sets of blocks which contain a correspondingly
17 higher number of pips. The term "dominoes" also refers to the
18 set of blocks used to play the game.

19 (4) AUTHORITY OF DIVISION.--The Division of
20 Pari-mutuel Wagering of the Department of Business and
21 Professional Regulation shall administer this section and
22 regulate the operation of cardrooms under this section and the
23 rules adopted pursuant thereto, and is hereby authorized to:

24 (a) Adopt rules, including, but not limited to: the
25 issuance of cardroom and employee licenses for cardroom
26 operations; the operation of a cardroom; the review and
27 approval of the play and wagering in a game or series of games
28 of poker or a game of dominoes; recordkeeping and reporting
29 requirements; and the collection of all fees and taxes imposed
30 by this section.

31

1 (6) BUSINESS AND EMPLOYEE OCCUPATIONAL LICENSE
2 REQUIRED; APPLICATION; FEES.--

3 (a) A person employed or otherwise working in a
4 cardroom as a cardroom manager, floor supervisor, pit boss,
5 dealer, or any other activity related to cardroom operations
6 while the facility is conducting card playing or games of
7 dominoes must hold a valid cardroom employee occupational
8 license issued by the division. Food service, maintenance, and
9 security employees with a current pari-mutuel occupational
10 license and a current background check will not be required to
11 have a cardroom employee occupational license.

12 (7) CONDITIONS FOR OPERATING A CARDROOM.--

13 (c) A cardroom operator must at all times employ and
14 provide a nonplaying dealer for each table on which authorized
15 card games which traditionally utilize a dealer are conducted
16 at the cardroom. A cardroom operator must at all times employ
17 and provide a nonplaying supervisor for each table on which an
18 authorized dominoes game is conducted at the cardroom. Such
19 dealers or dominoes game supervisors may not have any
20 participatory interest in any game other than the dealing of
21 cards or the supervision of dominoes games and may not have an
22 interest in the outcome of the game. The providing of such
23 dealers or dominoes games supervisors by a licensee shall not
24 be construed as constituting the conducting of a banking game
25 by the cardroom operator.

26 (8) METHOD OF WAGERS; LIMITATION.--

27 (a) No wagering may be conducted using money or other
28 negotiable currency. Games may only be played utilizing a
29 wagering system whereby all players' money is first converted
30 by the house to tokens or chips which shall be used for
31 wagering only at that specific cardroom. No wager of money or

1 any other property or thing of value may be made on the
2 outcome of an authorized game other than by the persons who
3 are playing in such a game or in a series of such games. Any
4 wager authorized by this paragraph must be in strict
5 compliance with this subsection.

6 Section 2. Paragraph (a) of subsection (1) of section
7 849.161, Florida Statutes, is amended to read:

8 849.161 Amusement games or machines; when chapter
9 inapplicable.--

10 (1)(a)1. Nothing contained in this chapter shall be
11 taken or construed as applicable to an arcade amusement center
12 having amusement games or machines which operate by means of
13 the insertion of a coin or other currency and which by
14 application of skill may entitle the person playing or
15 operating the game or machine to receive points or coupons
16 which may be exchanged for merchandise only, excluding cash
17 and alcoholic beverages, provided the cost value of the
18 merchandise or prize awarded in exchange for such points or
19 coupons does not exceed 75 cents on any game played.

20 2. Nothing contained in this chapter shall be taken or
21 construed as applicable to any retail dealer who operates as a
22 truck stop, as defined in chapter 336 and which operates a
23 minimum of 6 functional diesel fuel pumps, having amusement
24 games or machines which operate by means of the insertion of a
25 coin or other currency and which by application of skill may
26 entitle the person playing or operating the game or machine to
27 receive points or coupons which may be exchanged for
28 merchandise limited to noncash prizes, toys, novelties, and
29 Florida Lottery products, excluding alcoholic beverages,
30 provided the cost value of the merchandise or prize awarded in
31 exchange for such points or coupons does not exceed 75 cents

1 on any game played. This subparagraph applies only to games
2 and machines which are operated for the entertainment of the
3 general public and tourists as bona fide amusement games or
4 machines. This subsection shall not apply, however, to any
5 game or device defined as a gambling device in 24 U.S.C. s.
6 1171, which requires identification of each device by
7 permanently affixing seriatim numbering and name, trade name,
8 and date of manufacture under s. 1173, and registration with
9 the United States Attorney General, unless excluded from
10 applicability of the chapter under s. 1178. This subsection
11 shall not be construed to authorize video poker games or any
12 other game or machine that may be construed as a gambling
13 device under Florida law.

14 Section 3. This act shall take effect July 1, 2005.
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31