

Bill No. SB 1192

Barcode 210212

CHAMBER ACTION

Senate

House

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

Comm: RCS  
03/27/2007 11:49 AM

.  
. .  
. .  
. .  
. .  
. .

---

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

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. Subsections (2), (3), and (4), paragraphs  
(b) and (c) of subsection (7), paragraph (b) of subsection  
(8), and paragraph (c) of subsection (12) of section 849.086,  
Florida Statutes, are amended to read:

849.086 Cardrooms authorized.--

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

(a) "Authorized game" means a game or series of games  
of cards ~~poker~~ which are played in a nonbanking manner.

(b) "Authorized game facilitated by electronic  
equipment" means an authorized game that:

1. Is an electronic poker table that allows players to  
play a game electronically without a human dealer and that  
electronically shuffles, deals, pays pots, and otherwise  
conducts an authorized game; and

Bill No. SB 1192

Barcode 210212

1           2. Uses gaming equipment that is certified by an  
 2 independent testing laboratory approved by the division as a  
 3 mathematically random process with equal probability for each  
 4 card.

5           ~~(c)(b)~~ "Banking game" means a game in which the house  
 6 is a participant in the game, taking on players, paying  
 7 winners, and collecting from losers or in which the cardroom  
 8 establishes a bank against which participants play.

9           ~~(d)(c)~~ "Cardroom" means a facility where authorized  
 10 card games are played for money or anything of value and to  
 11 which the public is invited to participate in such games and  
 12 charged a fee for participation by the operator of such  
 13 facility. Authorized games and cardrooms do not constitute  
 14 casino gaming operations.

15           ~~(e)(d)~~ "Cardroom management company" means any  
 16 individual not an employee of the cardroom operator, any  
 17 proprietorship, partnership, corporation, or other entity that  
 18 enters into an agreement with a cardroom operator to manage,  
 19 operate, or otherwise control the daily operation of a  
 20 cardroom.

21           ~~(f)(e)~~ "Cardroom distributor" means any business that  
 22 distributes cardroom paraphernalia such as card tables,  
 23 betting chips, chip holders, drop boxes, banking supplies,  
 24 playing cards, card shufflers, and other associated equipment  
 25 to authorized cardrooms.

26           ~~(g)(f)~~ "Cardroom operator" means a licensed  
 27 pari-mutuel permitholder which holds a valid permit and  
 28 license issued by the division pursuant to chapter 550 and  
 29 which also holds a valid cardroom license issued by the  
 30 division pursuant to this section which authorizes such person  
 31 to operate a cardroom and to conduct authorized games in such

Bill No. SB 1192

Barcode 210212

1 cardroom.

2       ~~(h)(g)~~ "Division" means the Division of Pari-mutuel  
3 Wagering of the Department of Business and Professional  
4 Regulation.

5       ~~(i)(h)~~ "Gross receipts" means the total amount of  
6 money received by a cardroom from any person for participation  
7 in authorized games.

8       ~~(j)(i)~~ "House" means the cardroom operator and all  
9 employees of the cardroom operator.

10       ~~(k)(j)~~ "Net proceeds" means the total amount of gross  
11 receipts received by a cardroom operator from cardroom  
12 operations less direct operating expenses related to cardroom  
13 operations, including labor costs, admission taxes only if a  
14 separate admission fee is charged for entry to the cardroom  
15 facility, gross receipts taxes imposed on cardroom operators  
16 by this section, the annual cardroom license fees imposed by  
17 this section on each table operated at a cardroom, and  
18 reasonable promotional costs excluding officer and director  
19 compensation, interest on capital debt, legal fees, real  
20 estate taxes, bad debts, contributions or donations, or  
21 overhead and depreciation expenses not directly related to the  
22 operation of the cardrooms.

23       ~~(l)(k)~~ "Rake" means a set fee or percentage of the pot  
24 assessed by a cardroom operator for providing the services of  
25 a dealer, table, or location for playing the authorized game.

26       (3) CARDROOM AUTHORIZED.--Notwithstanding any other  
27 provision of law, it is not a crime for a person to  
28 participate in an authorized game at a licensed cardroom or to  
29 operate a cardroom described in this section if such game and  
30 cardroom operation are conducted strictly in accordance with  
31 the provisions of this section. This subsection does not

Bill No. SB 1192

Barcode 210212

1 authorize video poker games or any other game or machine:

2 (a) That is not otherwise authorized under the law of  
3 this state; or

4 (b) As authorized in a licensed slot machine facility.

5 (4) AUTHORITY OF DIVISION.--The Division of  
6 Pari-mutuel Wagering of the Department of Business and  
7 Professional Regulation shall administer this section and  
8 regulate the operation of cardrooms under this section and the  
9 rules adopted pursuant thereto, and may ~~is hereby authorized~~  
10 ~~to~~:

11 (a) Adopt rules, including, but not limited to: the  
12 issuance of cardroom and employee licenses for cardroom  
13 operations; the operation of a cardroom; the procedures and  
14 operation of authorized games facilitated by electronic  
15 equipment; recordkeeping and reporting requirements; and the  
16 collection of all fees and taxes imposed by this section.

17 (b) Conduct investigations and monitor the operation  
18 of cardrooms and the playing of authorized games therein.

19 (c) Review the books, accounts, and records of any  
20 current or former cardroom operator.

21 (d) Suspend or revoke any license or permit, after  
22 hearing, for any violation of the provisions of this section  
23 or the administrative rules adopted pursuant thereto.

24 (e) Take testimony, issue summons and subpoenas for  
25 any witness, and issue subpoenas duces tecum in connection  
26 with any matter within its jurisdiction.

27 (f) Monitor and ensure the proper collection of taxes  
28 and fees imposed by this section. Permitholder internal  
29 controls are mandated to ensure no compromise of state funds.  
30 To that end, a roaming division auditor will monitor and  
31 verify the cash flow and accounting of cardroom revenue for

Bill No. SB 1192

Barcode 210212

1 any given operating day.

2 (g) Approve the independent testing laboratories that  
3 are authorized to certify the gaming equipment in authorized  
4 games facilitated by electronic equipment as a mathematically  
5 random process with equal probability for each card.

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

7 (b) Any horserace, greyhound race, or jai alai  
8 permitholder licensed under this chapter may operate a  
9 cardroom at the pari-mutuel facility on any day between the  
10 hours of 12 noon and 12 midnight if the permitholder conducted  
11 a full schedule of live racing or games in the preceding year.

12 ~~A cardroom may be operated at the facility only when the~~  
13 ~~facility is authorized to accept wagers on pari-mutuel events~~  
14 ~~during its authorized meet. A cardroom may operate between the~~  
15 ~~hours of 12 noon and 12 midnight on any day a pari-mutuel~~  
16 ~~event is conducted live as a part of its authorized meet.~~

17 ~~However, a permitholder who holds a valid cardroom license may~~  
18 ~~operate a cardroom between the hours of 12 noon and 12~~  
19 ~~midnight on any day that live racing of the same class of~~  
20 ~~permit is occurring within 35 miles of its facility if no~~  
21 ~~other holder of that same class of permit within 35 miles is~~  
22 ~~operating a cardroom at such time and if all holders of the~~  
23 ~~same class of permit within the 35-mile area have given their~~  
24 ~~permission in writing to the permitholder to operate the~~  
25 ~~cardroom during the designated period. Application to operate~~  
26 ~~a cardroom under this paragraph must be made to the division~~  
27 ~~as part of the annual license application.~~

28 (c) A cardroom operator must at all times employ and  
29 provide a nonplaying dealer, except for authorized games  
30 facilitated by electronic equipment, for each table on which  
31 authorized card games that ~~which~~ traditionally use ~~utilize~~ a

Bill No. SB 1192

Barcode 210212

1 dealer are conducted at the cardroom. Such dealers may not  
 2 have any participatory interest in any game other than the  
 3 dealing of cards and may not have an interest in the outcome  
 4 of the game. The providing of such dealers by a licensee shall  
 5 not be construed as constituting the conducting of a banking  
 6 game by the cardroom operator.

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

8 (b) The cardroom operator may limit the amount wagered  
 9 in any game or series of games, but the maximum bet may not  
 10 exceed \$2 in value. There may not be more than three raises in  
 11 any round of betting. The fee charged by the cardroom for  
 12 participation in the game may ~~shall~~ not be included in the  
 13 calculation of the limitation on the bet amount provided in  
 14 this paragraph. However, in any authorized game that involves  
 15 a single wager per hand rather than multiple rounds of  
 16 betting, the maximum amount that may be wagered on any hand is  
 17 \$40.

18 (12) PROHIBITED ACTIVITIES.--

19 (c) No electronic or mechanical devices, except  
 20 mechanical card shufflers or authorized games facilitated by  
 21 electronic gaming equipment, may be used to conduct any  
 22 authorized game in a cardroom.

23 Section 2. The act shall take effect July 1, 2007.

24  
25

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

27 And the title is amended as follows:

28 Delete everything before the enacting clause

29

30 and insert:

31 A bill to be entitled

Bill No. SB 1192

Barcode 210212

1 An act relating to cardrooms; amending s.  
2 849.086, F.S.; redefining the term "authorized  
3 game"; defining the term "authorized game  
4 facilitated by electronic equipment"; providing  
5 that a provision making certain activities  
6 concerning games a crime does not authorize  
7 certain games or machines; authorizing  
8 rulemaking by the Division of Pari-mutuel  
9 Wagering of the Department of Business and  
10 Professional Regulation concerning authorized  
11 games facilitated by electronic equipment;  
12 authorizing the division to approve  
13 laboratories that may certify that gaming  
14 equipment in authorized games facilitated by  
15 electronic equipment meets specified criteria;  
16 authorizing certain horserace, greyhound race,  
17 or jai alai permitholders licensed under ch.  
18 849, F.S., to operate a cardroom at the  
19 pari-mutuel facility during designated times;  
20 deleting provisions authorizing the operation  
21 of a cardroom only when a live pari-mutuel  
22 event is conducted at the facility or when live  
23 racing is occurring within a 35-mile area;  
24 exempting a cardroom operator from requirements  
25 concerning a dealer at tables with authorized  
26 games facilitated by electronic equipment;  
27 prescribing a maximum amount that may be  
28 wagered in any authorized game involving a  
29 single wager; excluding authorized games  
30 facilitated by electronic gaming equipment from  
31 the activities prohibited under ch. 849, F.S.;

Bill No. SB 1192

Barcode 210212

1 providing an effective date.

- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31