

Bill No. CS for SB 1192

Barcode 575548

CHAMBER ACTION

Senate

House

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The Committee on Finance and Tax (Haridopolos) recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. Paragraph (1) is added to subsection (2) of section 849.086, Florida Statutes, and paragraph (d) of subsection (5), subsections (7) and (8), and paragraphs (c) and (h) of subsection (13) of that section are amended, to read:

849.086 Cardrooms authorized.--

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

(1) "Tournament" means a series of games that have more than one betting round involving one or more tables, where the winners or others receive a prize or cash award.

(5) LICENSE REQUIRED; APPLICATION; FEES.--No person may operate a cardroom in this state unless such person holds a valid cardroom license issued pursuant to this section.

(d) The annual cardroom license fee for each facility

Bill No. CS for SB 1192

Barcode 575548

1 shall be \$1,000 for ~~the first table and \$500 for each~~  
 2 ~~additional~~ table to be operated at the cardroom. This license  
 3 fee shall be deposited by the division with the Chief  
 4 Financial Officer to the credit of the Pari-mutuel Wagering  
 5 Trust Fund.

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

7 (a) A cardroom may be operated only at the location  
 8 specified on the cardroom license issued by the division, and  
 9 such location may only be the location at which the  
 10 pari-mutuel permitholder is authorized to conduct pari-mutuel  
 11 wagering activities pursuant to such permitholder's valid  
 12 pari-mutuel permit or as otherwise authorized by law.

13 (b) Any horserace, greyhound, or jai alai permitholder  
 14 licensed under this chapter may operate a cardroom at its  
 15 pari-mutuel facility for a cumulative amount of 12 hours if  
 16 the permitholder meets the requirements under paragraph  
 17 (5)(b). A permitholder may amend the license issued to the  
 18 permitholder within 60 days of the effective date of this act.

19 ~~A cardroom may be operated at the facility only when the~~  
 20 ~~facility is authorized to accept wagers on pari-mutuel events~~  
 21 ~~during its authorized meet. A cardroom may operate between the~~  
 22 ~~hours of 12 noon and 12 midnight on any day a pari-mutuel~~  
 23 ~~event is conducted live as a part of its authorized meet.~~  
 24 ~~However, a permitholder who holds a valid cardroom license may~~  
 25 ~~operate a cardroom between the hours of 12 noon and 12~~  
 26 ~~midnight on any day that live racing of the same class of~~  
 27 ~~permit is occurring within 35 miles of its facility if no~~  
 28 ~~other holder of that same class of permit within 35 miles is~~  
 29 ~~operating a cardroom at such time and if all holders of the~~  
 30 ~~same class of permit within the 35-mile area have given their~~  
 31 ~~permission in writing to the permitholder to operate the~~

Bill No. CS for SB 1192

Barcode 575548

1 ~~cardroom during the designated period.~~ Application to operate  
2 a cardroom under this paragraph must be made to the division  
3 as part of the annual license application.

4 (c) A cardroom operator must at all times employ and  
5 provide a nonplaying dealer for each table on which authorized  
6 card games which traditionally utilize a dealer are conducted  
7 at the cardroom. Such dealers may not have any participatory  
8 interest in any game other than the dealing of cards and may  
9 not have an interest in the outcome of the game. The providing  
10 of such dealers by a licensee shall not be construed as  
11 constituting the conducting of a banking game by the cardroom  
12 operator.

13 (d) A cardroom operator may award giveaways, jackpots,  
14 and prizes to a player or players who hold certain  
15 combinations of cards specified by the cardroom operator.

16 ~~(e)~~ Each cardroom operator shall conspicuously post  
17 upon the premises of the cardroom a notice which contains a  
18 copy of the cardroom license; a list of authorized games  
19 offered by the cardroom; the wagering limits imposed by the  
20 house, if any; any additional house rules regarding operation  
21 of the cardroom or the playing of any game; and all costs to  
22 players to participate, including any rake by the house. In  
23 addition, each cardroom operator shall post at each table a  
24 notice of the minimum and maximum bets authorized at such  
25 table and the fee for participation in the game conducted.

26 ~~(f)~~ The cardroom facility shall be subject to  
27 inspection by the division or any law enforcement agency  
28 during the licensee's regular business hours. The inspection  
29 will specifically encompass the permitholder internal control  
30 procedures approved by the division.

31 ~~(g)~~ A cardroom operator may refuse entry to or

Bill No. CS for SB 1192

Barcode 575548

1 refuse to allow to play any person who is objectionable,  
2 undesirable, or disruptive, but such refusal shall not be on  
3 the basis of race, creed, color, religion, sex, national  
4 origin, marital status, physical handicap, or age, except as  
5 provided in this section.

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

7 (a) No wagering may be conducted using money or other  
8 negotiable currency. Games may only be played utilizing a  
9 wagering system whereby all players' money is first converted  
10 by the house to tokens or chips which shall be used for  
11 wagering only at that specific cardroom.

12 (b) The cardroom operator may limit the amount wagered  
13 in any game or series of games, but the maximum bet may not  
14 exceed \$2 in value. There may not be more than three raises in  
15 any round of betting. The fee charged by the cardroom for  
16 participation in the game shall not be included in the  
17 calculation of the limitation on the bet amount provided in  
18 this paragraph. However, a cardroom operator may conduct games  
19 of Texas Hold-em without a betting limit if the required  
20 player buy-in is no more than \$100.

21 (c) A tournament shall consist of a series of games.  
22 The entry fee for a tournament, including any re-buys, may not  
23 exceed the maximum amount that could be wagered by a  
24 participant in 10 like-kind, nontournament games under  
25 paragraph (b). Tournaments must be played only with tournament  
26 chips that are provided to all participants in exchange for an  
27 entry fee and any subsequent re-buys. All players must receive  
28 an equal number of tournament chips for their entry fee.  
29 Tournament chips have no cash value and represent tournament  
30 points only. There is no limitation on the number of  
31 tournament chips that may be used for a bet except as

Bill No. CS for SB 1192

Barcode 575548

1 otherwise determined by the cardroom operator. Tournament  
 2 chips may never be redeemed for cash or for any other thing of  
 3 value. The distribution of prizes and cash awards is  
 4 determined by the cardroom operator before entry fees are  
 5 accepted.

6 (d) For purposes of tournament play only, the term  
 7 "gross receipts for the tournament" means the total amount  
 8 received by the cardroom operator for all entry fees, player  
 9 re-buys, and fees for participation in the tournament, less  
 10 the total amount paid to the winners or others as prizes.

11 (13) TAXES AND OTHER PAYMENTS.--

12 (c) Payment of the admission tax and gross receipts  
 13 tax imposed by this section shall be paid to the division. The  
 14 division shall deposit these sums with the Chief Financial  
 15 Officer, ~~one-half being credited~~ to the Pari-mutuel Wagering  
 16 Trust Fund ~~and one-half being credited to the General Revenue~~  
 17 ~~Fund~~. The cardroom licensee shall remit to the division  
 18 payment for the admission tax, the gross receipts tax, and the  
 19 licensee fees. Such payments shall be remitted to the division  
 20 on the fifth day of each calendar month for taxes and fees  
 21 imposed for the preceding month's cardroom activities.

22 Licensees shall file a report under oath by the fifth day of  
 23 each calendar month for all taxes remitted during the  
 24 preceding calendar month. Such report shall, under oath,  
 25 indicate the total of all admissions, the cardroom activities  
 26 for the preceding calendar month, and such other information  
 27 as may be prescribed by the division.

28 (h) 1. One-sixteenth ~~One-quarter~~ of the moneys  
 29 deposited into the Pari-mutuel Wagering Trust Fund pursuant to  
 30 paragraph (g) shall, by October 1 of each year, be distributed  
 31 to counties in which the cardrooms are located; however, if

Bill No. CS for SB 1192

Barcode 575548

1 two or more pari-mutuel racetracks are located within the same  
 2 incorporated municipality, the cardroom funds shall be  
 3 distributed to the municipality. If a pari-mutuel facility is  
 4 situated in such a manner that it is located in more than one  
 5 county, the site of the cardroom facility shall determine the  
 6 location for purposes of disbursement of tax revenues under  
 7 this paragraph. The division shall, by September 1 of each  
 8 year, determine: the amount of taxes deposited into the  
 9 Pari-mutuel Wagering Trust Fund pursuant to this section from  
 10 each cardroom licensee; the location by county of each  
 11 cardroom; whether the cardroom is located in the  
 12 unincorporated area of the county or within an incorporated  
 13 municipality; and, the total amount to be distributed to each  
 14 eligible county and municipality.

15 2. One half of the moneys deposited into the  
 16 Pari-mutuel Wagering Trust Fund pursuant to paragraph (g)  
 17 shall be transferred to the Grants and Donations Trust Fund  
 18 established by s. 215.32(2)(d) on or before October 1 of each  
 19 year for the purpose of funding programs established by the  
 20 Transition Service Integration Model Project Grant Program.

21 Section 2. Transition Service Integration Model  
 22 Project Grant Program.--

23 (1) The Transition Service Integration Model Project  
 24 Grant Program is established within the Department of  
 25 Education to provide startup grants to offset the cost of  
 26 formal service agreements between district school boards and  
 27 not-for-profit employment services providers for the purpose  
 28 of providing a seamless transition, through customized  
 29 employment, for students with severe disabilities who are  
 30 eligible for developmental disability services. The program  
 31 shall assist students in moving from school to integrated

Bill No. CS for SB 1192

Barcode 575548

1 direct-hire employment and postsecondary education and shall  
2 provide inclusive access to a wide range of preferred  
3 community activities and settings.

4 (2) As used in this section, the term "developmental  
5 disability" has the same meaning as in s. 393.063(9), Florida  
6 Statutes.

7 (3) In addition, the project shall fund staff  
8 development required to support the project and a third-party  
9 evaluation of results for the duration of the project. The  
10 Bureau of Exceptional Education and Student Services shall  
11 administer the grants. The Division of Vocational  
12 Rehabilitation and the Agency for Persons with Disabilities  
13 shall provide leadership to their field offices in support of  
14 collaborative efforts with local school districts and provide  
15 training in the area of customized employment.

16 (4) A school district may apply to the Bureau of  
17 Exceptional Education and Student Services for a grant. Grants  
18 must be provided through a competitive process and may be used  
19 only for contractual agreements between district school boards  
20 and employment services providers to provide customized  
21 employment for the student population described in subsection  
22 (1).

23 (5) To be eligible for funding, applicants must use  
24 the Transition Service Integration Model. Specifically,  
25 applicants must:

26 (a) Create programs that are designed to provide for  
27 the seamless transition of the student population from school  
28 to integrated direct-hire employment and postsecondary  
29 education and provide inclusive access to a wide range of  
30 preferred community activities and settings;

31 (b) Enter into a formal service arrangement with a

Bill No. CS for SB 1192

Barcode 575548

1 not-for-profit agency that agrees to work with pending  
 2 graduates before and after graduation and that is used as a  
 3 provider by both the rehabilitation and developmental  
 4 disability systems;

5 (c) Dedicate staff members to share responsibility for  
 6 developing preferred work-related and outside activities for  
 7 their pending graduates with the not-for-profit agency;

8 (d) Demonstrate partnerships and collaborative  
 9 relationships with the rehabilitation system, the  
 10 developmental disability system, postsecondary institutions,  
 11 families, advocacy groups of the student population, and local  
 12 workforce One-Stops;

13 (e) Specify locations outside high school campuses at  
 14 which the program will be housed and determine how instruction  
 15 will take place in natural community settings in which the  
 16 skills being acquired are functional;

17 (f) Ensure representation from a student with a  
 18 disability and a family member of a student with a disability  
 19 in program planning;

20 (g) Commit to customized employment and training in  
 21 the Transition Service Integration Model for staff members of  
 22 the district, the nonprofit agency, the rehabilitation system,  
 23 and the developmental disability system;

24 (h) Specify measurable goals and objectives; and

25 (i) Submit to a third-party evaluation for the  
 26 duration of the project.

27 (5) Applicants must specify how they will sustain and  
 28 expand the program after the grant period has ended.

29 (6) Each grant shall be implemented to the extent  
 30 funded over a period of 4 years. The program shall be directed  
 31 towards approximately 200 students each year in no more than



Bill No. CS for SB 1192

Barcode 575548

1 10 district pilot sites.

2 (7) From funds allocated pursuant to s.  
3 849.086(13)(h)2., the Bureau of Contract Grants and  
4 Procurement shall annually distribute half of these funds to  
5 providers who specialize in the postsecondary vocational  
6 training of at-risk students and students with disabilities.  
7 In order to qualify for these funds, a provider must be  
8 licensed and have a demonstrated ability to:

9 (a) Provide postsecondary vocational training programs  
10 for male and female juveniles placed in a residential  
11 commitment facility designated by the Department of Juvenile  
12 Justice; and

13 (b) Provide vocational training to juveniles in a  
14 program certified pursuant to s. 985.19.

15  
16 Any provider must be able to provide participating juveniles  
17 with occupational completion points.

18 Section 3. For the 2007-2008 fiscal year, seven  
19 full-time equivalent positions and 240,542 in associated  
20 salary rate are authorized, and the sums of \$401,743 in  
21 recurring funds and \$92,589 in nonrecurring funds from the  
22 Pari-mutuel Wagering Trust Fund of the Department of Business  
23 and Professional Regulation are hereby appropriated for the  
24 purpose of carrying out activities related to this act.

25 Section 4. If any provision of this act or its  
26 application to any individual or circumstance is held invalid,  
27 the invalidity does not affect other provisions or  
28 applications of this act which can be given effect without the  
29 invalid provision or application, and to this end the  
30 provisions of this act are severable.

31 Section 5. This act shall take effect upon becoming

Bill No. CS for SB 1192

Barcode 575548

1 law.

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

5 And the title is amended as follows:

6 Delete everything before the enacting clause

7

8 and insert:

9 A bill to be entitled

10 An act relating to the use of moneys deposited  
 11 into the Pari-mutuel Wagering Trust Fund to  
 12 fund certain education programs for students  
 13 with disabilities; amending s. 849.086, F.S.;  
 14 providing a definition; revising conditions  
 15 that must be met when operating a cardroom;  
 16 allowing cardroom operators to conduct certain  
 17 games without a limit; providing guidelines and  
 18 requirements for tournaments; deleting a  
 19 provision providing for an apportionment of  
 20 moneys received from admission tax and gross  
 21 receipts tax between the Pari-mutuel Wagering  
 22 Trust Fund and the General Revenue Fund;  
 23 revising the portion of moneys deposited into  
 24 the Pari-mutuel Wagering Trust Fund which is  
 25 subsequently distributed to counties in which  
 26 cardrooms are located; requiring that one-half  
 27 of the moneys deposited into the Pari-mutuel  
 28 Wagering Trust Fund be transferred to the  
 29 Grants and Donations Trust Fund before a  
 30 specified deadline for the purpose of funding  
 31 programs established by the Transition Service

Bill No. CS for SB 1192

Barcode 575548

1 Integration Model Grant Program; establishing  
2 the Transition Service Integration Model  
3 Project Grant Program within the Department of  
4 Education; providing purposes of the program;  
5 specifying the type of student for whom the  
6 program is intended; defining the term  
7 "developmental disability"; providing for the  
8 administration of grants; requiring the project  
9 to fund staff development and an ongoing  
10 third-party evaluation of results; requiring  
11 that the Division of Vocational Rehabilitation  
12 and the Agency for Persons with Disabilities  
13 provide support to the program; requiring that  
14 grants be awarded through a competitive  
15 process; limiting the use of grants to certain  
16 contractual agreements; requiring that all  
17 applicants use the Transition Service  
18 Integration Model; providing requirements for  
19 eligibility for a grant; requiring that  
20 applicants provide a statement of how they plan  
21 to sustain or expand the program after the end  
22 of the grant period; specifying a grant period;  
23 specifying an approximate number of students to  
24 participate in the program; specifying a number  
25 of district pilot sites that will participate  
26 in the program; providing an effective date.

27  
28 WHEREAS, cardroom operations of pari-mutuel facilities  
29 offer an opportunity to the State of Florida to raise  
30 much-needed revenues for underserved program areas, and

31 WHEREAS, vocational education is a component that is

Bill No. CS for SB 1192

Barcode 575548

1 critical to providing an adequate and effective workforce in  
2 this state, and

3           WHEREAS, persons with disabilities represent a portion  
4 of our population whose employment horizons are not being  
5 maximized under current programs, and

6           WHEREAS, revenues raised from cardroom operations at  
7 pari-mutuel facilities can provide the source of funding  
8 needed for new programs to assist persons with disabilities  
9 and provide at-risk juveniles with an opportunity for training  
10 and vocational education so that they may become productive  
11 members of Florida's workforce, NOW, THEREFORE,

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