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2 WHEREAS, the voters of the State of Florida approved
3 Section 23 of Article X of the State Constitution on November
4 4, 2004, and

5 WHEREAS, Section 23 of Article X of the State
6 Constitution allows the Legislature to regulate and tax the
7 slot-machine proceeds to supplement funds for education, and

8 WHEREAS, the Florida Legislature desires to create a
9 regulatory structure that provides for the taxation of
10 slot-machine proceeds for the benefit of public education,
11 NOW, THEREFORE,

12
13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Subsections (3), (4), and (5) are added to
16 section 849.16, Florida Statutes, to read:

17 849.16 Machines or devices which come within
18 provisions of law defined.--

19 (3)(a) A licensed pari-mutuel facility that conducts
20 slot machine gaming in Broward County, as authorized by s. 23,
21 Art. X of the State Constitution, shall pay to the state a tax
22 of 35 percent of slot-machine revenues for the purpose of
23 supplementing public education funding. As used in this
24 subsection, the term "slot-machine revenues" means the total
25 of all cash and property received by the licensed pari-mutuel
26 facility from slot machine gaming minus the amount of cash,
27 cash equivalents, credits, and prizes paid to winners.

28 (b) The pari-mutuel facility shall remit the tax
29 proceeds at the end of each month to the Department of Revenue
30 in such a form and fashion as set forth by the department.
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1 The Department of Revenue shall adopt rules for collecting and
2 auditing the tax proceeds remitted under this paragraph.

3 (c) The funds collected by the Department of Revenue
4 under paragraph (b) shall be deposited in the State School
5 Trust Fund to supplement public education funding. The
6 revenues from slot machines which have been deposited into the
7 trust fund shall be distributed to the counties annually
8 through the General Appropriations Act as follows:

9 1. To offset the effect of slot machines, Broward
10 County shall receive \$75 per full-time equivalent student
11 enrolled within the county.

12 2. The slot-machine revenues that remain after the
13 distribution authorized under subparagraph 1. shall be
14 distributed in accordance with the Florida Education Finance
15 Program as determined by the General Appropriations Act to all
16 counties, including Broward County.

17 (d) The failure to timely pay the tax on slot-machine
18 revenues shall subject the licensed permitholder to
19 enforcement by the Division of Pari-mutuel Wagering and to
20 penalties set forth in s. 550.0951. The Department of Revenue
21 shall coordinate with the Division of Pari-mutuel Wagering in
22 bringing enforcement actions under this paragraph.

23 (e) The Division of Pari-mutuel Wagering shall adopt
24 rules governing licensure and regulation of the suppliers of
25 slot machines to the authorized pari-mutuel facilities and of
26 the operators of those slot machines.

27 (4) Except for subsection (3) and this subsection,
28 this chapter may not be construed, interpreted, or applied to
29 any licensed pari-mutuel facility in Broward County which
30 qualifies under s. 23, Art. X of the State Constitution to
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1 operate slot machines if the pari-mutuel facility complies
2 with the payment of taxes under this section.

3 (5) A pari-mutuel facility, that is subject to this
4 section may:

5 (a) Remain open and operate slot machines and allow
6 gaming 24 hours a day, 7 days a week;

7 (b) Place an unlimited number of slot machines on the
8 gambling floor; and

9 (c) Place automated teller machines on the premises,
10 except on the gambling floor.

11 Section 2. This act shall take effect upon becoming a
12 law.

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15 SENATE SUMMARY

16 Imposes a tax on revenues from slot machines located in
17 certain pari-mutuel facilities located in Broward County,
18 as authorized by Section 23 of Article X of the State
19 Constitution. Defines the term "slot-machine revenues."
20 Provides for remitting the tax proceeds monthly to the
21 Department of Revenue. Provides for rulemaking by the
22 department. Requires that the tax proceeds be deposited
23 in the State School Trust Fund and used to supplement
24 public education funding. Provides for the distribution
25 of the tax proceeds. Provides penalties for a failure to
26 timely pay the tax on slot-machine revenues. Requires
27 that the Department of Revenue coordinate with the
28 Division of Pari-mutuel Wagering in enforcement actions.
29 Requires the division to adopt rules governing suppliers
30 and operators of slot machines. Provides that, except for
31 the provisions created by this act, ch. 849, F.S., does
not apply to a licensed pari-mutuel facility in Broward
County which qualifies under Section 23 of Article X of
the State Constitution to operate slot machines if
specified conditions are met. Permits affected facilities
to operate continuously, have an unlimited number of slot
machines on the gaming floor, and place automated teller
machines on the premises.