

Bill No. CS for CS for CS for SB 2434, 1st Eng.

Barcode 065158

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| | CHAMBER ACTION | |
| <u>Senate</u> | | <u>House</u> |

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| 4 | 04/27/2007 10:10 AM |
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11 Senator Diaz de la Portilla moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 32, between lines 19 and 20,

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16 insert:

17 Section 29. Subsection (2), paragraph (a) of
 18 subsection (4), paragraph (c) of subsection (7), and paragraph
 19 (c) of subsection (12) of section 849.086, Florida Statutes,
 20 are amended to read:

21 849.086 Cardrooms authorized.--

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

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

25 (b) "Authorized games facilitated by electronic gaming
 26 equipment" means a game authorized by paragraph (a) which is
 27 an electronic poker table that allows players to play a game
 28 electronically without a human dealer and that electronically
 29 shuffles, deals, pays pots, and otherwise conducts an
 30 authorized game. The gaming equipment must be certified by an
 31 independent testing laboratory approved by the department as a

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1 mathematically random process with equal probability for each
2 card.

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

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

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

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

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

31 ~~(h)(g)~~ "Division" means the Division of Pari-mutuel

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1 Wagering of the Department of Business and Professional
2 Regulation.

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

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

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

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

24 (4) AUTHORITY OF DIVISION.--The Division of
25 Pari-mutuel Wagering of the Department of Business and
26 Professional Regulation shall administer this section and
27 regulate the operation of cardrooms under this section and the
28 rules adopted pursuant thereto, and is hereby authorized to:

29 (a) Adopt rules, including, but not limited to: the
30 issuance of cardroom and employee licenses for cardroom
31 operations; the operation of a cardroom; procedures and

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1 operation of authorized games facilitated by certified
2 electronic gaming equipment; recordkeeping and reporting
3 requirements; and the collection of all fees and taxes imposed
4 by this section.

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

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

16 (12) PROHIBITED ACTIVITIES.--

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

21
22 (Redesignate subsequent sections.)
23
24

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

26 And the title is amended as follows:

27 On page 4, line 4, after the first semicolon,
28
29 insert:

30 amending s. 849.086, F.S.; providing a
31 definition; authorizing the division to adopt

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1 rules relating to procedures and operation of
2 authorized games facilitated by certified
3 electronic gaming equipment; providing an
4 exception for requiring a cardroom operator to
5 employ and provide a nonplaying dealer for each
6 table; providing that activities regarding
7 certain authorized games are permitted in a
8 cardroom;

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