

1                                   A bill to be entitled  
2           An act relating to cardrooms; amending s.  
3           849.086, F.S.; defining the term "tournament";  
4           clarifying that provisions authorizing  
5           cardrooms do not authorize video poker or  
6           certain other games or machines; revising  
7           license fees; revising hours of operation;  
8           authorizing the award of certain prizes;  
9           revising betting limits; authorizing  
10          tournaments; providing tournament requirements;  
11          providing an appropriation and authorizing  
12          additional positions; providing an effective  
13          date.

14  
15 Be It Enacted by the Legislature of the State of Florida:  
16

17           Section 1. Paragraph (1) is added to subsection (2) of  
18 section 849.086, Florida Statutes, and subsections (3) and  
19 (4), paragraph (d) of subsection (5), subsections (7) and (8),  
20 paragraph (h) of subsection (13), and subsection (16) of that  
21 section are amended, to read:

22           849.086 Cardrooms authorized.--

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

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

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

1 the provisions of this section. This section does not  
2 authorize video poker games or any other game or machine that  
3 is not authorized by state law or that is authorized at a slot  
4 machine facility licensed under chapter 551.

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 under this section ~~pursuant thereto~~, and ~~may is~~  
10 ~~hereby authorized 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; recordkeeping and  
14 reporting requirements; and the collection of all fees and  
15 taxes imposed by this section.

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

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

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

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

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

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

4           (d) The annual cardroom license fee for each facility  
5 shall be \$1,000 for ~~the first table and \$500 for each~~  
6 ~~additional~~ table to be operated at the cardroom. The This  
7 license fee shall be deposited by the division with the Chief  
8 Financial Officer to the credit of the Pari-mutuel Wagering  
9 Trust Fund.

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

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

17          (b) Any horserace, greyhound race, or jai alai  
18 permitholder licensed under this section may operate a  
19 cardroom at the pari-mutuel facility on any day for a  
20 cumulative amount of 12 hours if the permitholder meets the  
21 requirements under paragraph (5)(b). ~~A cardroom may be~~  
22 ~~operated at the facility only when the facility is authorized~~  
23 ~~to accept wagers on pari mutuel events during its authorized~~  
24 ~~meet. A cardroom may operate between the hours of 12 noon and~~  
25 ~~12 midnight on any day a pari mutuel event is conducted live~~  
26 ~~as a part of its authorized meet. However, a permitholder who~~  
27 ~~holds a valid cardroom license may operate a cardroom between~~  
28 ~~the hours of 12 noon and 12 midnight on any day that live~~  
29 ~~racing of the same class of permit is occurring within 35~~  
30 ~~miles of its facility if no other holder of that same class of~~  
31 ~~permit within 35 miles is operating a cardroom at such time~~

1 ~~and if all holders of the same class of permit within the~~  
2 ~~35 mile area have given their permission in writing to the~~  
3 ~~permitholder to operate the cardroom during the designated~~  
4 ~~period. Application to operate a cardroom under this paragraph~~  
5 ~~must be made to the division as part of the annual license~~  
6 ~~application.~~

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

16 (d) A cardroom operator may award giveaways, jackpots,  
17 and prizes to a player who holds certain combinations of cards  
18 specified by the cardroom operator.

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

29 (f)~~(e)~~ The cardroom facility is ~~shall be~~ subject to  
30 inspection by the division or any law enforcement agency  
31 during the licensee's regular business hours. The inspection

1 ~~must will~~ specifically include ~~encompass~~ the permitholder  
2 internal control procedures approved by the division.

3 ~~(g)(f)~~ A cardroom operator may refuse entry to or  
4 refuse to allow ~~to play~~ any person who is objectionable,  
5 undesirable, or disruptive to play, but such refusal ~~may shall~~  
6 not be on the basis of race, creed, color, religion, gender  
7 ~~sex~~, national origin, marital status, physical handicap, or  
8 age, except as provided in this section.

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

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

15 (b) The cardroom operator may limit the amount wagered  
16 in any game or series of games, but the maximum bet may not  
17 exceed ~~\$5\$2~~ in value. There may not be more than three raises  
18 in any round of betting. The fee charged by the cardroom for  
19 participation in the game shall not be included in the  
20 calculation of the limitation on the bet amount provided in  
21 this paragraph. However, a cardroom operator may conduct games  
22 of Texas Hold-em without a betting limit if the required  
23 player buy-in is no more than \$100.

24 (c) A tournament shall consist of a series of games.  
25 The entry fee for a tournament, including any re-buys, may not  
26 exceed the maximum amount that could be wagered by a  
27 participant in 10 like-kind, nontournament games under  
28 paragraph (b). Tournaments may be played only with tournament  
29 chips that are provided to all participants in exchange for an  
30 entry fee and any subsequent re-buys. All players must receive  
31 an equal number of tournament chips for their entry fee.

1 | Tournament chips have no cash value and represent tournament  
2 | points only. There is no limitation on the number of  
3 | tournament chips that may be used for a bet except as  
4 | otherwise determined by the cardroom operator. Tournament  
5 | chips may never be redeemed for cash or for any other thing of  
6 | value. The distribution of prizes and cash awards must be  
7 | determined by the cardroom operator before entry fees are  
8 | accepted. For purposes of tournament play only, the term  
9 | "gross receipts" means the total amount received by the  
10 | cardroom operator for all entry fees, player re-buys, and fees  
11 | for participating in the tournament less the total amount paid  
12 | to the winners or others as prizes.

13 | (13) TAXES AND OTHER PAYMENTS.--

14 | (h) One-quarter of the moneys deposited into the  
15 | Pari-mutuel Wagering Trust Fund pursuant to paragraph (g)  
16 | shall, by October 1 of each year, be distributed to the local  
17 | government that approved the cardroom under subsection (16)  
18 | ~~counties in which the cardrooms are located~~; however, if two  
19 | or more pari-mutuel racetracks are located within the same  
20 | incorporated municipality, the cardroom funds shall be  
21 | distributed to the municipality. If a pari-mutuel facility is  
22 | situated in such a manner that it is located in more than one  
23 | county, the site of the cardroom facility shall determine the  
24 | location for purposes of disbursement of tax revenues under  
25 | this paragraph. The division shall, by September 1 of each  
26 | year, determine: the amount of taxes deposited into the  
27 | Pari-mutuel Wagering Trust Fund pursuant to this section from  
28 | each cardroom licensee; the location by county of each  
29 | cardroom; whether the cardroom is located in the  
30 | unincorporated area of the county or within an incorporated  
31 |

1 municipality; and, the total amount to be distributed to each  
2 eligible county and municipality.

3 (16) LOCAL GOVERNMENT ~~COUNTY COMMISSION~~ APPROVAL.--The  
4 Division of Pari-mutuel Wagering shall not issue any initial  
5 license under this section except upon proof in such form as  
6 the division may prescribe that the local government where the  
7 applicant for such license desires to conduct cardroom gaming  
8 has voted to approve such activity by a majority vote of the  
9 governing body of the municipality or the governing body of  
10 the county if the facility is not located in a municipality a  
11 ~~majority of the county commissioners in the county where the~~  
12 ~~applicant for such license desires to conduct cardroom gaming~~  
13 ~~has voted to approve such activity within the county.~~

14 Section 2. For the 2007-2008 fiscal year, four  
15 full-time equivalent positions and 138,949 in associated  
16 salary rate are authorized, and the sums of \$230,722 in  
17 recurring funds and \$48,411 in nonrecurring funds are  
18 appropriated from the Pari-mutuel Wagering Trust Fund of the  
19 Department of Business and Professional Regulation for the  
20 purpose of carrying out activities related to this act.

21 Section 3. This act shall take effect July 1, 2007.  
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