

ENROLLED

2007 Legislature

CS for CS for CS for SB 752 & CS for SB  
1192, 2nd Engrossed

1  
2 An act relating to cardrooms; amending s.  
3 849.086, F.S.; defining the term "tournament";  
4 revising license fees; revising hours of  
5 operation; authorizing the award of certain  
6 prizes; revising betting limits; authorizing  
7 tournaments; providing tournament requirements;  
8 providing an appropriation and authorizing  
9 additional positions; providing an effective  
10 date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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

19 849.086 Cardrooms authorized.--

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

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

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

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

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

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

10 (b) Any horserace, greyhound race, or jai alai  
11 permitholder licensed under this section may operate a  
12 cardroom at the pari-mutuel facility on any day for a  
13 cumulative amount of 12 hours if the permitholder meets the  
14 requirements under paragraph (5)(b). ~~A cardroom may be~~  
15 ~~operated at the facility only when the facility is authorized~~  
16 ~~to accept wagers on pari mutuel events during its authorized~~  
17 ~~meet. A cardroom may operate between the hours of 12 noon and~~  
18 ~~12 midnight on any day a pari mutuel event is conducted live~~  
19 ~~as a part of its authorized meet. However, a permitholder who~~  
20 ~~holds a valid cardroom license may operate a cardroom between~~  
21 ~~the hours of 12 noon and 12 midnight on any day that live~~  
22 ~~racing of the same class of permit is occurring within 35~~  
23 ~~miles of its facility if no other holder of that same class of~~  
24 ~~permit within 35 miles is operating a cardroom at such time~~  
25 ~~and if all holders of the same class of permit within the~~  
26 ~~35 mile area have given their permission in writing to the~~  
27 ~~permitholder to operate the cardroom during the designated~~  
28 ~~period. Application to operate a cardroom under this paragraph~~  
29 ~~must be made to the division as part of the annual license~~  
30 ~~application.~~

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

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

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

23 (f)(e) The cardroom facility is ~~shall be~~ subject to  
24 inspection by the division or any law enforcement agency  
25 during the licensee's regular business hours. The inspection  
26 must will specifically include ~~encompass~~ the permitholder  
27 internal control procedures approved by the division.

28 (g)(f) A cardroom operator may refuse entry to or  
29 refuse to allow ~~to play~~ any person who is objectionable,  
30 undesirable, or disruptive to play, but such refusal may ~~shall~~  
31 not be on the basis of race, creed, color, religion, gender

1 ~~sex~~, national origin, marital status, physical handicap, or  
2 age, except as provided in this section.

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

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

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

18 (c) A tournament shall consist of a series of games.  
19 The entry fee for a tournament, including any re-buys, may not  
20 exceed the maximum amount that could be wagered by a  
21 participant in 10 like-kind, nontournament games under  
22 paragraph (b). Tournaments may be played only with tournament  
23 chips that are provided to all participants in exchange for an  
24 entry fee and any subsequent re-buys. All players must receive  
25 an equal number of tournament chips for their entry fee.  
26 Tournament chips have no cash value and represent tournament  
27 points only. There is no limitation on the number of  
28 tournament chips that may be used for a bet except as  
29 otherwise determined by the cardroom operator. Tournament  
30 chips may never be redeemed for cash or for any other thing of  
31 value. The distribution of prizes and cash awards must be

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1 determined by the cardroom operator before entry fees are  
2 accepted. For purposes of tournament play only, the term  
3 "gross receipts" means the total amount received by the  
4 cardroom operator for all entry fees, player re-buys, and fees  
5 for participating in the tournament less the total amount paid  
6 to the winners or others as prizes.

7 (13) TAXES AND OTHER PAYMENTS.--

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

27 (16) LOCAL GOVERNMENT ~~COUNTY COMMISSION~~ APPROVAL.--The  
28 Division of Pari-mutuel Wagering shall not issue any initial  
29 license under this section except upon proof in such form as  
30 the division may prescribe that the local government where the  
31 applicant for such license desires to conduct cardroom gaming

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1 has voted to approve such activity by a majority vote of the  
2 governing body of the municipality or the governing body of  
3 the county if the facility is not located in a municipality a  
4 ~~majority of the county commissioners in the county where the~~  
5 ~~applicant for such license desires to conduct cardroom gaming~~  
6 ~~has voted to approve such activity within the county.~~

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

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