



890408

CHAMBER ACTION

Senate

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House

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1 The Committee on Agriculture (Diaz de la Portilla) recommended  
2 the following **amendment**:

3  
4 **Senate Amendment (with title amendment)**

5 Between line(s) 243-244

6 and insert:

7 Section 9. Present subsections (8), (9), and (10) of  
8 section 849.094, Florida Statutes, are renumbered as subsections  
9 (9), (10), and (11), respectively, and a new subsection (8) is  
10 added to that section, to read:

11 849.094 Game promotion in connection with sale of consumer  
12 products or services.--

13 (8) An operator who elects to conduct a computer-based  
14 electronic sweepstakes game promotion in connection with the sale  
15 of any consumer product or service, regardless of the total  
16 announced value of the prizes, shall receive written approval



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17 from the Department of Agriculture and Consumer Services in order  
18 to conduct the game promotion if the operator:

19 (a) Files an electronic sweepstakes game promotion  
20 application with the Department of Agriculture and Consumer  
21 Services and provides a complete list of available sweepstake  
22 prizes and the odds of winning each prize and pays any applicable  
23 fees per computer terminal;

24 (b) Establishes a trust account or posts a surety bond in  
25 the amount of \$1 million, unless exempted by the Department of  
26 Agriculture and Consumer Services pursuant to paragraph (4) (b);  
27 and

28 (c) Obtains an independent certification from a gaming  
29 device testing laboratory approved by the Department of  
30 Agriculture and Consumer Services or the Department of Business  
31 and Professional Regulation confirming that the computer-based  
32 electronic sweepstakes game promotion is using a finite software  
33 game system to determine sweepstake winners and all advertised  
34 prizes are obtainable. An operator who has conducted game  
35 promotions in this state for at least 5 consecutive years and who  
36 has not had any civil, criminal, or administrative action  
37 instituted against him or her by an agency of the state for  
38 violation of this section within that 5-year period may be  
39 exempted from this subsection.

40  
41 ===== T I T L E A M E N D M E N T =====

42 And the title is amended as follows:

43 On line(s) 32, after the semicolon,  
44 insert:

45 amending s. 849.094, F.S.; providing for computer-based  
46 electronic sweepstakes game promotions in connection with



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47 | the sale of a consumer product or service; providing  
48 | operator requirements; requiring the written approval of  
49 | the Department of Agriculture and Consumer Services;