

By the Committee on Regulated Industries; and Senator Jones

580-04196-08

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1 A bill to be entitled

2 An act relating to the lottery; amending s. 24.113, F.S.;

3 removing a provision limiting the percentage of the same

4 type of minority retailer that the Department of the

5 Lottery may contract with to 35 percent; amending s.

6 24.118, F.S.; clarifying the use of debit cards when

7 purchasing lottery tickets; providing that such purchase

8 need not be in addition to the purchase of goods and

9 services; amending s. 24.120, F.S.; providing for the

10 payment of ticket service providers before funds are

11 deposited into the Operating Trust Fund; amending s.

12 24.121, F.S.; removing from administrative expenses the

13 costs incurred by the department for tickets and

14 distributing tickets; providing an effective date.

15

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

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18 Section 1. Subsection (1) of section 24.113, Florida

19 Statutes, is amended to read:

20 24.113 Minority participation.--

21 (1) It is the intent of the Legislature that the department

22 encourage participation by minority business enterprises as

23 defined in s. 288.703. Accordingly, 15 percent of the retailers

24 shall be minority business enterprises as defined in s.

25 ~~288.703(2); however, no more than 35 percent of such retailers~~

26 ~~shall be owned by the same type of minority person, as defined in~~

27 ~~s. 288.703(3).~~ The department is encouraged to meet the minority

28 business enterprise procurement goals set forth in s. 287.09451

29 in the procurement of commodities, contractual services,

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30 construction, and architectural and engineering services. This
31 section shall not preclude or prohibit a minority person from
32 competing for any other retailing or vending agreement awarded by
33 the department.

34 Section 2. Subsection (1) of section 24.118, Florida
35 Statutes, is amended to read:

36 24.118 Other prohibited acts; penalties.--

37 (1) UNLAWFUL EXTENSIONS OF CREDIT.--Any retailer who
38 extends credit or lends money to a person for the purchase of a
39 lottery ticket commits ~~is guilty of~~ a misdemeanor of the second
40 degree, punishable as provided in s. 775.082 or s. 775.083. This
41 subsection does ~~shall not be construed to~~ prohibit the purchase
42 of a lottery ticket through the use of a credit card, ~~or~~ charge
43 card, debit card, or other instrument issued by a bank, savings
44 association, credit union, or charge card company or by a
45 retailer pursuant to part II of chapter 520, provided that any
46 such purchase from a retailer with a credit or charge card shall
47 be in addition to the purchase of goods and services other than
48 lottery tickets having a cost of no less than \$20. Such purchase
49 from a retailer through the use of a debit card is not subject to
50 the requirement to purchase goods and services other than lottery
51 tickets.

52 Section 3. Subsection (1) of section 24.120, Florida
53 Statutes, is amended to read:

54 24.120 Financial matters; Operating Trust Fund; interagency
55 cooperation.--

56 (1) There is hereby created in the State Treasury an
57 Operating Trust Fund to be administered in accordance with
58 chapters 215 and 216 by the department. All money received by the

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59 department which remains after payment of prizes and initial
60 compensation paid to retailers and vendor service fees paid to
61 lottery ticket service providers shall be deposited into the
62 Operating Trust Fund. All moneys in the trust fund are
63 appropriated to the department for the purposes specified in this
64 act.

65 Section 4. Subsection (3) of section 24.121, Florida
66 Statutes, is amended to read:

67 24.121 Allocation of revenues and expenditure of funds for
68 public education.--

69 (3) The funds remaining in the Operating Trust Fund after
70 transfers to the Educational Enhancement Trust Fund shall be used
71 for the payment of administrative expenses of the department.
72 These expenses shall include all costs incurred in the operation
73 and administration of the lottery and all costs resulting from
74 any contracts entered into for the purchase or lease of goods or
75 services required by the lottery, including, but not limited to:

76 (a) The compensation paid to retailers;

77 (b) The costs of supplies, materials, ~~tickets,~~ independent
78 audit services, independent studies, data transmission,
79 advertising, promotion, incentives, public relations,
80 communications, security, bonding for retailers, printing,
81 ~~distribution of tickets,~~ and reimbursing other governmental
82 entities for services provided to the lottery; and

83 (c) The costs of any other goods and services necessary for
84 effectuating the purposes of this act.

85 Section 5. This act shall take effect July 1, 2008.