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CHAMBER ACTION

Senate

House

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Floor: WD/2R
4/16/2008 1:30 PM

1 Senator Oelrich moved the following **amendment**:

2
3 **Senate Amendment (with title amendment)**

4 Delete line(s) 315-369

5 and insert:

6 Section 8. Subsection (5) is added to section 550.26165,
7 Florida Statutes, to read:

8 550.26165 Breeders' awards.--

9 (5) The Legislature recognizes that this state competes
10 with other states to attract thoroughbred breeding and training
11 operations. The awards programs created in this chapter are
12 intended to encourage such operations to locate in this state and
13 must be responsive to rapidly changing programs in other states.

14 To this end, and notwithstanding any other provision of law to
15 the contrary, it is appropriate to provide greater flexibility to
16 thoroughbred industry participants in this state so that they may



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17 design an awards program that is competitive nationally, as
18 provided in this subsection.

19 (a) The Florida Thoroughbred Breeders' Association may
20 elect, as part of its annual plan, to pay breeders' awards on
21 horses finishing in first, second, or third place in thoroughbred
22 horse races; to pay breeders' awards in an amount greater than 20
23 percent and less than 15 percent of the announced gross purse;
24 and to vary the rates for breeders' awards based upon the place
25 of finish, class of race, the state or country in which the race
26 took place, and the state in which the stallion siring the horse
27 was standing when the horse was conceived.

28 (b) The Florida Thoroughbred Breeders' Association may
29 elect, as part of its annual plan, to pay stallion awards on
30 horses finishing in first, second, or third place in thoroughbred
31 horse races; to pay stallion awards in an amount greater than 20
32 percent and less than 15 percent of the announced gross purse; to
33 reduce or eliminate stallion awards in order to enhance breeders'
34 awards or awards under paragraph (c); and to vary the rates for
35 stallion awards based upon the place of finish, class of race,
36 and the state or country in which the race took place.

37 (c) From the funds dedicated in this chapter for use as
38 breeders' awards and stallion awards, the Florida Thoroughbred
39 Breeders' Association may elect, as part of its annual plan, to
40 pay awards to owners of registered Florida-bred horses finishing
41 in first, second, or third place in thoroughbred horse races in
42 this state, without regard to any awards that may be paid
43 pursuant to s. 550.2625(6).

44 (d) Breeders' awards or stallion awards under this chapter
45 may not be paid on thoroughbred horse races taking place in other
46 states or countries unless agreed to in writing by all



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47 thoroughbred permitholders in this state, the Florida
48 Thoroughbred Breeders' Association, and the Florida Horsemen's
49 Benevolent and Protective Association, Inc.

50
51 Section 9. Paragraph (e) is added to subsection (6) of
52 section 550.2625, Florida Statutes, to read:

53 550.2625 Horseracing; minimum purse requirement, Florida
54 breeders' and owners' awards.--

55 (6)

56 (e) This subsection shall govern Florida owners' awards
57 paid on thoroughbred horse races in this state in the absence of
58 a written agreement on file with the division establishing the
59 rate, procedure, and eligibility requirements for Florida owners'
60 awards, including place of finish, class of race, maximum purse,
61 and maximum award, entered into by the permitholder, the Florida
62 Thoroughbred Breeders' Association, and the association
63 representing a majority of the racehorse owners and trainers at
64 that permitholder's location.

65 Section 10. Section 550.5251, Florida Statutes, is amended
66 to read:

67 550.5251 Florida thoroughbred racing; certain permits;
68 operating days.--

69 ~~(1) Each thoroughbred permitholder under whose permit~~
70 ~~thoroughbred racing was conducted in this state at any time~~
71 ~~between January 1, 1987, and January 1, 1988, shall annually be~~
72 ~~entitled to apply for and annually receive thoroughbred racing~~
73 ~~days and dates as set forth in this section. As regards such~~
74 ~~permitholders, the annual thoroughbred racing season shall be~~
75 ~~from June 1 of any year through May 31 of the following year and~~
76 ~~shall be known as the "Florida Thoroughbred Racing Season."~~



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77 (1)~~(2)~~ Each permitholder referred to in subsection (1)
78 shall annually, during the period commencing December 15 of each
79 year and ending January 4 of the following year, file in writing
80 with the division its application to conduct one or more
81 thoroughbred racing meetings during the thoroughbred racing
82 season commencing on the following July ~~June~~ 1. Each application
83 shall specify the number and dates of all performances that the
84 permitholder intends to conduct during that thoroughbred racing
85 season. On or before March ~~February~~ 15 of each year, the division
86 shall issue a license authorizing each permitholder to conduct
87 performances on the dates specified in its application. Up to
88 February 28 ~~March 31~~ of each year, each permitholder may request
89 and shall be granted changes in its authorized performances; but
90 thereafter, as a condition precedent to the validity of its
91 license and its right to retain its permit, each permitholder
92 must operate the full number of days authorized on each of the
93 dates set forth in its license.

94 ~~(3) Each thoroughbred permit referred to in subsection (1),~~
95 ~~including, but not limited to, any permit originally issued as a~~
96 ~~summer thoroughbred horse racing permit, is hereby validated and~~
97 ~~shall continue in full force and effect.~~

98 (2)~~(4)~~ A thoroughbred racing permitholder may not begin any
99 race later than 7 p.m. Any thoroughbred permitholder in a county
100 in which the authority for cardrooms has been approved by the
101 board of county commissioners may operate a cardroom and, when
102 conducting live races during its current race meet, may receive
103 and rebroadcast out-of-state races after the hour of 7 p.m. on
104 any day during which the permitholder conducts live races.

105 (3)~~(5)~~(a) Each licensed thoroughbred permitholder in this
106 state must run an average of one race per racing day in which



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107 | horses bred in this state and duly registered with the Florida
108 | Thoroughbred Breeders' Association have preference as entries
109 | over non-Florida-bred horses unless otherwise agreed to in
110 | writing by the permitholder, the Florida Thoroughbred Breeders'
111 | Association, and the association representing a majority of the
112 | thoroughbred racehorse owners and trainers at that location. All
113 | licensed thoroughbred racetracks shall write the conditions for
114 | such races in which Florida-bred horses are preferred so as to
115 | assure that all Florida-bred horses available for racing at such
116 | tracks are given full opportunity to run in the class of races
117 | for which they are qualified. The opportunity of running must be
118 | afforded to each class of horses in the proportion that the
119 | number of horses in this class bears to the total number of
120 | Florida-bred horses available. A track is not required to write
121 | conditions for a race to accommodate a class of horses for which
122 | a race would otherwise not be run at the track during its
123 | meeting.

124 |
125 | ===== T I T L E A M E N D M E N T =====

126 | And the title is amended as follows:

127 | Delete line(s) 23-27

128 | and insert:

129 | prosecution for cruelty to animals; amending s. 550.26165,
130 | F.S.; providing provisions to allow thoroughbred industry
131 | participants to design a nationally competitive awards
132 | program; amending s. 550.2625, F.S.; providing provisions
133 | that governing Florida owners' awards paid on horse races
134 | in this state; amending s. 550.5251, F.S.; deleting the
135 | annual thoroughbred race dates for specified
136 | permitholders; establishing racing dates for thoroughbred



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137 | meets; deleting provisions requiring summer thoroughbred
138 | horse racing permits; providing an exception to the
139 | requirement of thoroughbred permitholders to run horses
140 | bred and registered in this state; deleting expired permit