

By the Committee on Regulated Industries; and Senator Jones

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1 A bill to be entitled

2 An act relating to pari-mutuel wagering; amending s.  
3 550.01215, F.S.; deleting an exception to requirements for  
4 the Division of Pari-mutuel Wagering with respect to  
5 issuing licenses; amending s. 550.0251, F.S.; requiring  
6 the division to adopt rules governing the humane treatment  
7 of racing animals at pari-mutuel facilities; amending s.  
8 550.0951, F.S.; providing for monthly payments of the  
9 daily license fee and taxes; amending s. 550.09511, F.S.;  
10 deleting provisions requiring a biweekly period for the  
11 payment of jai alai taxes; amending s. 550.09514, F.S.;  
12 deleting provisions requiring a biweekly period for the  
13 payment of greyhound dogracing taxes; amending s. 550.105,  
14 F.S.; revising provisions requiring certain persons to  
15 purchase a 3-year occupational license; providing for  
16 license fees to be set by rule of the division; defining  
17 the term "convicted" for purposes of licensing provisions;  
18 providing for the validity of a temporary occupational  
19 license; deleting certain signature requirements; amending  
20 s. 550.2415, F.S.; requiring that the division adopt rules  
21 for the welfare of racing animals; providing that a  
22 penalty imposed by the division does not prohibit criminal  
23 prosecution for cruelty to animals; amending s. 550.5251,  
24 F.S.; deleting the annual thoroughbred race dates for  
25 specified permitholders; establishing racing dates for  
26 thoroughbred meets; deleting provisions requiring summer  
27 thoroughbred horse racing permits; deleting expired permit  
28 provisions for the 2001-2002 thoroughbred licenses;  
29 deleting expired provisions relating to failure to operate

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30 all thoroughbred performances; amending s. 551.106, F.S.;  
31 providing for monthly payments of the tax on slot machine  
32 revenues; repealing s. 550.3605, F.S., relating to a  
33 requirement for a permit in order to use electronic  
34 transmitting equipment at a pari-mutuel facility;  
35 repealing s. 550.71, F.S., relating to the operation of  
36 chapter 96-364, Laws of Florida; amending ss. 772.102 and  
37 895.02, F.S., relating to civil and criminal penalty  
38 provisions; conforming cross-references; providing an  
39 effective date.

40  
41 Be It Enacted by the Legislature of the State of Florida:

42  
43 Section 1. Subsection (3) of section 550.01215, Florida  
44 Statutes, is amended to read:

45 550.01215 License application; periods of operation; bond,  
46 conversion of permit.--

47 ~~(3) Except as provided in s. 550.5251 for thoroughbred~~  
48 ~~racing,~~ the division shall issue each license no later than March  
49 15. Each permitholder shall operate all performances at the date  
50 and time specified on its license. The division shall have the  
51 authority to approve minor changes in racing dates after a  
52 license has been issued. The division may approve changes in  
53 racing dates after a license has been issued when there is no  
54 objection from any operating permitholder located within 50 miles  
55 of the permitholder requesting the changes in operating dates. In  
56 the event of an objection, the division shall approve or  
57 disapprove the change in operating dates based upon the impact on  
58 operating permitholders located within 50 miles of the

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59 | permitholder requesting the change in operating dates. In making  
60 | the determination to change racing dates, the division shall take  
61 | into consideration the impact of such changes on state revenues.

62 | Section 2. Subsection (11) of section 550.0251, Florida  
63 | Statutes, is amended to read:

64 | 550.0251 The powers and duties of the Division of Pari-  
65 | mutuel Wagering of the Department of Business and Professional  
66 | Regulation.--The division shall administer this chapter and  
67 | regulate the pari-mutuel industry under this chapter and the  
68 | rules adopted pursuant thereto, and:

69 | (11) The division shall supervise and regulate the welfare  
70 | of racing animals at pari-mutuel facilities. The division shall  
71 | adopt rules for the humane treatment of racing animals at pari-  
72 | mutuel facilities. The division shall inspect any area at a pari-  
73 | mutuel facility where racing animals are housed or maintained,  
74 | including any areas where food, medications, or other supplies  
75 | are kept.

76 | Section 3. Paragraph (b) of subsection (1) and subsection  
77 | (5) of section 550.0951, Florida Statutes, are amended to read:

78 | 550.0951 Payment of daily license fee and taxes;  
79 | penalties.--

80 | (1)

81 | (b) Each permitholder that cannot utilize the full amount  
82 | of the exemption of \$360,000 or \$500,000 provided in s.  
83 | 550.09514(1) or the daily license fee credit provided in this  
84 | section may, after notifying the division in writing, elect once  
85 | per state fiscal year on a form provided by the division to  
86 | transfer such exemption or credit or any portion thereof to any  
87 | greyhound permitholder which acts as a host track to such

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88 | permitholder for the purpose of intertrack wagering. Once an  
89 | election to transfer such exemption or credit is filed with the  
90 | division, it shall not be rescinded. The division shall  
91 | disapprove the transfer when the amount of the exemption or  
92 | credit or portion thereof is unavailable to the transferring  
93 | permitholder or when the permitholder who is entitled to transfer  
94 | the exemption or credit or who is entitled to receive the  
95 | exemption or credit owes taxes to the state pursuant to a  
96 | deficiency letter or administrative complaint issued by the  
97 | division. Upon approval of the transfer by the division, the  
98 | transferred tax exemption or credit shall be effective for the  
99 | first performance of the next payment ~~biweekly pay~~ period as  
100 | specified in subsection (5). The exemption or credit transferred  
101 | to such host track may be applied by such host track against any  
102 | taxes imposed by this chapter or daily license fees imposed by  
103 | this chapter. The greyhound permitholder host track to which such  
104 | exemption or credit is transferred shall reimburse such  
105 | permitholder the exact monetary value of such transferred  
106 | exemption or credit as actually applied against the taxes and  
107 | daily license fees of the host track. The division shall ensure  
108 | that all transfers of exemption or credit are made in accordance  
109 | with this subsection and shall have the authority to adopt rules  
110 | to ensure the implementation of this section.

111 |       (5) PAYMENT AND DISPOSITION OF FEES AND TAXES.--Payments  
112 | ~~Payment for the admission tax, tax on handle, and the breaks tax~~  
113 | imposed by this section shall be paid to the division. The  
114 | division shall deposit these sums with the Chief Financial  
115 | Officer, to the credit of the Pari-mutuel Wagering Trust Fund,  
116 | hereby established. The permitholder shall remit to the division

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117 | payment for the daily license fee, the admission tax, and the tax  
118 | on handle, ~~and the breaks tax~~. Such payments shall be remitted by  
119 | 3 p.m. on the 5th day of each calendar month ~~Wednesday of each~~  
120 | ~~week~~ for taxes imposed and collected for the preceding calendar  
121 | month ~~week ending on Sunday~~. If the 5th day of the calendar month  
122 | falls on a weekend, payments shall be remitted by 3 p.m. the  
123 | first Monday following the weekend. Permitholders shall file a  
124 | report under oath by the 5th day of each calendar month for all  
125 | taxes remitted during the preceding calendar month. Such payments  
126 | shall be accompanied by a report under oath showing the total of  
127 | all admissions, the pari-mutuel wagering activities for the  
128 | preceding calendar month, and such other information as may be  
129 | prescribed by the division.

130 |       Section 4. Paragraph (e) of subsection (2) and paragraph  
131 | (b) of subsection (3) of section 550.09511, Florida Statutes, are  
132 | amended to read:

133 |       550.09511 Jai alai taxes; abandoned interest in a permit  
134 | for nonpayment of taxes.--

135 |       (2) Notwithstanding the provisions of s. 550.0951(3)(b),  
136 | wagering on live jai alai performances shall be subject to the  
137 | following taxes:

138 |       (e) The payment of taxes pursuant to paragraphs (b), (c),  
139 | and (d) shall be calculated and commence beginning the day ~~after~~  
140 | ~~the biweekly period~~ in which the permit holder is first entitled  
141 | to the reduced rate specified in this section and the report of  
142 | taxes required by s. 550.0951(5) is submitted to the division.

143 |       (3)

144 |       (b) The payment of taxes pursuant to paragraph (a) shall be  
145 | calculated and commence beginning the day ~~after the biweekly~~

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146 ~~period~~ in which the permitholder is first entitled to the reduced  
147 rate specified in this subsection.

148 Section 5. Subsection (1) of section 550.09514, Florida  
149 Statutes, is amended to read:

150 550.09514 Greyhound dogracing taxes; purse requirements.--

151 (1) Wagering on greyhound racing is subject to a tax on  
152 handle for live greyhound racing as specified in s. 550.0951(3).  
153 However, each permitholder shall pay no tax on handle until such  
154 time as this subsection has resulted in a tax savings per state  
155 fiscal year of \$360,000. Thereafter, each permitholder shall pay  
156 the tax as specified in s. 550.0951(3) on all handle for the  
157 remainder of the permitholder's current race meet, ~~and the tax~~  
158 ~~must be calculated and commence beginning the day after the~~  
159 ~~biweekly period in which the permitholder reaches the maximum tax~~  
160 ~~savings per state fiscal year provided in this section.~~ For the  
161 three permitholders that conducted a full schedule of live racing  
162 in 1995, and are closest to another state that authorizes  
163 greyhound pari-mutuel wagering, the maximum tax savings per state  
164 fiscal year shall be \$500,000. The provisions of this subsection  
165 relating to tax exemptions shall not apply to any charity or  
166 scholarship performances conducted pursuant to s. 550.0351.

167 Section 6. Subsection (1), paragraph (a) of subsection (2),  
168 paragraph (d) of subsection (5), and subsections (6) and (10) of  
169 section 550.105, Florida Statutes, are amended, present paragraph  
170 (e) of subsection (5) of that section is redesignated as  
171 paragraph (f), and a new paragraph (e) is added to that  
172 subsection, to read:

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173           550.105 Occupational licenses of racetrack employees; fees;  
174 denial, suspension, and revocation of license; penalties and  
175 fines.--

176           (1) (a) Each person connected with a racetrack or jai alai  
177 fronton, as specified in paragraph (2) (a), shall purchase from  
178 the division an annual occupational license, which license is  
179 valid from May 1 until June 30 of the following year. All moneys  
180 collected pursuant to this section each fiscal year shall be  
181 deposited into the Pari-mutuel Wagering Trust Fund. ~~Any person~~  
182 ~~may, at her or his option and pursuant to the rules adopted by~~  
183 ~~the division, purchase an occupational license valid for a period~~  
184 ~~of 3 years if the purchaser of the license pays the full~~  
185 ~~occupational license fee for each of the years for which the~~  
186 ~~license is purchased at the time the 3-year license is requested.~~  
187 ~~The occupational license shall be valid during its specified term~~  
188 ~~at any pari-mutuel facility.~~

189           (b) Pursuant to rules adopted by the division, any person  
190 may apply for and, if qualified, be issued an occupational  
191 license valid for a period of 3 years upon payment of the  
192 occupational license fee. The occupational license is valid  
193 during its specified term at any licensed pari-mutuel facility.

194           (c) The occupational license fee for initial application  
195 and annual renewal shall be determined by rule of the division,  
196 but may not exceed \$10 for a general license, \$40 for a  
197 professional individual occupational license, and \$50 for a  
198 business occupational license.

199           (2) (a) The following licenses shall be issued to persons or  
200 entities with access to the backside, racing animals, jai alai  
201 players' room, jockeys' room, drivers' room, totalisator room,

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202 | the mutuels, or money room, or to persons who, by virtue of the  
203 | position they hold, might be granted access to these areas or to  
204 | any other person or entity in one of the following categories ~~and~~  
205 | ~~with scheduled annual fees as follows:~~

206 |       1. Business licenses: any business such as a vendor,  
207 | contractual concessionaire, contract kennel, business owning  
208 | racing animals, trust or estate, totalisator company, stable  
209 | name, or other fictitious name: ~~\$50.~~

210 |       2. Professional occupational licenses: professional persons  
211 | with access to the backside of a racetrack or players' quarters  
212 | in jai alai such as trainers, officials, veterinarians, doctors,  
213 | nurses, EMT's, jockeys and apprentices, drivers, jai alai  
214 | players, owners, trustees, or any management or officer or  
215 | director or shareholder or any other professional-level person  
216 | who might have access to the jockeys' room, the drivers' room,  
217 | the backside, racing animals, kennel compound, or managers or  
218 | supervisors requiring access to mutuels machines, the money room,  
219 | or totalisator equipment: ~~\$40.~~

220 |       3. General occupational licenses: general employees with  
221 | access to the jockeys' room, the drivers' room, racing animals,  
222 | the backside of a racetrack or players' quarters in jai alai,  
223 | such as grooms, kennel helpers, leadouts, pelota makers, cesta  
224 | makers, or ball boys, or a practitioner of any other occupation  
225 | who would have access to the animals, the backside, or the kennel  
226 | compound, or who would provide the security or maintenance of  
227 | these areas, or mutuel employees, totalisator employees, money-  
228 | room employees, or any employee with access to mutuels machines,  
229 | the money room, or totalisator equipment or who would provide the  
230 | security or maintenance of these areas: ~~\$10.~~

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231  
232 The individuals and entities that are licensed under this  
233 paragraph require heightened state scrutiny, including the  
234 submission by the individual licensees or persons associated with  
235 the entities described in this chapter of fingerprints for a  
236 Federal Bureau of Investigation criminal records check.

237 (5)

238 (d) If an occupational license will expire by division rule  
239 during the period of a suspension the division intends to impose,  
240 or if a license would have expired but for pending administrative  
241 charges and the occupational licensee is found to be in violation  
242 of any of the charges, the license may be revoked and a time  
243 period of license ineligibility may be declared. The division may  
244 bring administrative charges against any person not holding a  
245 current license for violations of statutes or rules which  
246 occurred while such person held an occupational license, and the  
247 division may declare such person ineligible to hold a license for  
248 a period of time. The division may impose a civil fine of up to  
249 \$1,000 for each violation of this chapter or the rules of the  
250 division in addition to or in lieu of any other penalty provided  
251 for in this section. In addition to any other penalty provided by  
252 law, the division may exclude from all pari-mutuel facilities in  
253 this state, for a period not to exceed the period of suspension,  
254 revocation, or ineligibility, any person whose occupational  
255 license application has been denied by the division, who has been  
256 declared ineligible to hold an occupational license, or whose  
257 occupational license has been suspended or revoked by the  
258 division.

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259        (e) For purposes of this subsection, the term "convicted"  
260 means having been found guilty, with or without adjudication of  
261 guilt, as a result of a jury verdict, nonjury trial, or entry of  
262 a plea of guilty or nolo contendere.

263        (6) In order to promote the orderly presentation of pari-  
264 mutuel meets authorized in this chapter, the division may issue a  
265 temporary occupational license. The division shall adopt rules to  
266 implement this subsection. However, a ~~ne~~ temporary occupational  
267 license ~~is shall be~~ valid only until such time as the licensee's  
268 application is granted or denied by the division ~~for more than 30~~  
269 days, and no more than one temporary license may be issued for  
270 any person in any year.

271        (10) Upon application for an occupational license, the  
272 division may require the applicant's full legal name; any  
273 nickname, alias, or maiden name for the applicant; name of the  
274 applicant's spouse; the applicant's date of birth, residence  
275 address, mailing address, residence address and business phone  
276 number, and social security number; disclosure of any felony or  
277 any conviction involving bookmaking, illegal gambling, or cruelty  
278 to animals; disclosure of any past or present enforcement or  
279 actions by any racing or gaming agency against the applicant; and  
280 any information the division determines is necessary to establish  
281 the identity of the applicant or to establish that the applicant  
282 is of good moral character. Fingerprints shall be taken in a  
283 manner approved by the division and then shall be submitted to  
284 the Federal Bureau of Investigation, or to the association of  
285 state officials regulating pari-mutuel wagering pursuant to the  
286 Federal Pari-mutuel Licensing Simplification Act of 1988. The  
287 cost of processing fingerprints shall be borne by the applicant

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288 and paid to the association of state officials regulating pari-  
289 mutuel wagering from the trust fund to which the processing fees  
290 are deposited. ~~The division shall require each applicant for an~~  
291 ~~occupational license to have the applicant's signature witnessed~~  
292 ~~and notarized or signed in the presence of a division official.~~  
293 The division, by rule, may require additional information from  
294 licensees which is reasonably necessary to regulate the industry.  
295 The division may, by rule, exempt certain occupations or groups  
296 of persons from the fingerprinting requirements.

297 Section 7. Paragraphs (a) and (d) of subsection (6) of  
298 section 550.2415, Florida Statutes, are amended to read:

299 550.2415 Racing of animals under certain conditions  
300 prohibited; penalties; exceptions.--

301 (6) (a) It is the intent of the Legislature that animals  
302 that participate in races in this state on which pari-mutuel  
303 wagering is conducted and animals that are bred and trained in  
304 this state for racing be treated humanely, both on and off  
305 racetracks, throughout the lives of the animals. The division  
306 shall adopt rules for the supervision and regulation of the  
307 welfare of racing animals at pari-mutuel facilities.

308 (d) Any act committed by a licensee which would constitute  
309 A conviction of cruelty to animals as defined by s. 828.02 and  
310 pursuant to s. 828.12 involving any a racing animal constitutes a  
311 violation of this chapter. Imposition of a penalty by the  
312 division for violation of this chapter or any rule adopted by the  
313 division pursuant to this chapter shall not prohibit a criminal  
314 prosecution for cruelty to animals.

315 Section 8. Section 550.5251, Florida Statutes, is amended  
316 to read:

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317           550.5251 Florida thoroughbred racing; certain permits;  
318 operating days.--

319           ~~(1) Each thoroughbred permit holder under whose permit~~  
320 ~~thoroughbred racing was conducted in this state at any time~~  
321 ~~between January 1, 1987, and January 1, 1988, shall annually be~~  
322 ~~entitled to apply for and annually receive thoroughbred racing~~  
323 ~~days and dates as set forth in this section. As regards such~~  
324 ~~permit holders, the annual thoroughbred racing season shall be~~  
325 ~~from June 1 of any year through May 31 of the following year and~~  
326 ~~shall be known as the "Florida Thoroughbred Racing Season."~~

327           (1)(2) Each permit holder referred to in subsection (1)  
328 shall annually, during the period commencing December 15 of each  
329 year and ending January 4 of the following year, file in writing  
330 with the division its application to conduct one or more  
331 thoroughbred racing meetings during the thoroughbred racing  
332 season commencing on the following July ~~June~~ 1. Each application  
333 shall specify the number and dates of all performances that the  
334 permit holder intends to conduct during that thoroughbred racing  
335 season. On or before March ~~February~~ 15 of each year, the division  
336 shall issue a license authorizing each permit holder to conduct  
337 performances on the dates specified in its application. Up to  
338 February 28 ~~March 31~~ of each year, each permit holder may request  
339 and shall be granted changes in its authorized performances; but  
340 thereafter, as a condition precedent to the validity of its  
341 license and its right to retain its permit, each permit holder  
342 must operate the full number of days authorized on each of the  
343 dates set forth in its license.

344           ~~(3) Each thoroughbred permit referred to in subsection (1),~~  
345 ~~including, but not limited to, any permit originally issued as a~~

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346 ~~summer thoroughbred horse racing permit, is hereby validated and~~  
347 ~~shall continue in full force and effect.~~

348 (2)~~(4)~~ A thoroughbred racing permitholder may not begin any  
349 race later than 7 p.m. Any thoroughbred permitholder in a county  
350 in which the authority for cardrooms has been approved by the  
351 board of county commissioners may operate a cardroom and, when  
352 conducting live races during its current race meet, may receive  
353 and rebroadcast out-of-state races after the hour of 7 p.m. on  
354 any day during which the permitholder conducts live races.

355 (3)~~(5)~~(a) Each licensed thoroughbred permitholder in this  
356 state must run an average of one race per racing day in which  
357 horses bred in this state and duly registered with the Florida  
358 Thoroughbred Breeders' Association have preference as entries  
359 over non-Florida-bred horses. All licensed thoroughbred  
360 racetracks shall write the conditions for such races in which  
361 Florida-bred horses are preferred so as to assure that all  
362 Florida-bred horses available for racing at such tracks are given  
363 full opportunity to run in the class of races for which they are  
364 qualified. The opportunity of running must be afforded to each  
365 class of horses in the proportion that the number of horses in  
366 this class bears to the total number of Florida-bred horses  
367 available. A track is not required to write conditions for a race  
368 to accommodate a class of horses for which a race would otherwise  
369 not be run at the track during its meeting.

370 (b) Each licensed thoroughbred permitholder in this state  
371 may run one additional race per racing day composed exclusively  
372 of Arabian horses registered with the Arabian Horse Registry of  
373 America. Any licensed thoroughbred permitholder that elects to  
374 run one additional race per racing day composed exclusively of

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375 Arabian horses registered with the Arabian Horse Registry of  
376 America is not required to provide stables for the Arabian horses  
377 racing under this paragraph.

378 (c) Each licensed thoroughbred permitholder in this state  
379 may run up to three additional races per racing day composed  
380 exclusively of quarter horses registered with the American  
381 Quarter Horse Association.

382 ~~(6) Notwithstanding the provisions of subsection (2), a~~  
383 ~~thoroughbred permitholder who fails to operate all performances~~  
384 ~~on its 2001-2002 license does not lose its right to retain its~~  
385 ~~permit. Such thoroughbred permitholder is eligible for issuance~~  
386 ~~of an annual license pursuant to s. 550.0115 for subsequent~~  
387 ~~thoroughbred racing seasons. The division shall take no~~  
388 ~~disciplinary action against such thoroughbred permitholder for~~  
389 ~~failure to operate all licensed performances for the 2001-2002~~  
390 ~~license pursuant to this section or s. 550.01215. This section~~  
391 ~~may not be interpreted to prohibit the division from taking~~  
392 ~~disciplinary action against a thoroughbred permitholder for~~  
393 ~~failure to pay taxes on performances operated pursuant to its~~  
394 ~~2001-2002 license. This subsection expires July 1, 2003.~~

395 ~~(7) A thoroughbred permitholder shall file an amendment~~  
396 ~~with the division no later than July 1, 2002, that indicates that~~  
397 ~~it will not be able to operate the performances scheduled on its~~  
398 ~~2002-2003 license without imposition of any penalty for failure~~  
399 ~~to operate all licensed performances provided in this chapter.~~  
400 ~~This subsection expires July 1, 2003.~~

401 Section 9. Subsection (3) of section 551.106, Florida  
402 Statutes, is amended to read:

403 551.106 License fee; tax rate; penalties.--

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404 (3) PAYMENT AND DISPOSITION OF TAXES.--Payment for the tax  
405 on slot machine revenues imposed by this section shall be paid to  
406 the division. The division shall deposit these sums with the  
407 Chief Financial Officer, to the credit of the Pari-mutuel  
408 Wagering Trust Fund. The slot machine licensee shall remit to the  
409 division payment for the tax on slot machine revenues. Such  
410 payments shall be remitted by 3 p.m. on the 5th day of each  
411 calendar month ~~Wednesday of each week~~ for taxes imposed and  
412 collected for the preceding calendar month ~~week ending on Sunday~~.  
413 If the 5th day of the calendar month falls on a weekend, payments  
414 shall be remitted by 3 p.m. the first Monday following the  
415 weekend. The slot machine licensee shall file a report under oath  
416 by the 5th day of each calendar month for all taxes remitted  
417 during the preceding calendar month. Such payments shall be  
418 accompanied by a report under oath showing all slot machine  
419 gaming activities for the preceding calendar month and such other  
420 information as may be prescribed by the division.

421 Section 10. Section 550.3605, Florida Statutes, is  
422 repealed.

423 Section 11. Section 550.71, Florida Statutes, is repealed.

424 Section 12. Paragraph (a) of subsection (1) and paragraph  
425 (a) of subsection (2) of section 772.102, Florida Statutes, are  
426 amended to read:

427 772.102 Definitions.--As used in this chapter, the term:

428 (1) "Criminal activity" means to commit, to attempt to  
429 commit, to conspire to commit, or to solicit, coerce, or  
430 intimidate another person to commit:

431 (a) Any crime that is chargeable by indictment or  
432 information under the following provisions:

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- 433           1. Section 210.18, relating to evasion of payment of  
434 cigarette taxes.
- 435           2. Section 414.39, relating to public assistance fraud.
- 436           3. Section 440.105 or s. 440.106, relating to workers'  
437 compensation.
- 438           4. Part IV of chapter 501, relating to telemarketing.
- 439           5. Chapter 517, relating to securities transactions.
- 440           6. Section 550.235 or s. 550.3551, ~~or s. 550.3605~~,  
441 relating to dogracing and horseracing.
- 442           7. Chapter 550, relating to jai alai frontons.
- 443           8. Chapter 552, relating to the manufacture, distribution,  
444 and use of explosives.
- 445           9. Chapter 562, relating to beverage law enforcement.
- 446           10. Section 624.401, relating to transacting insurance  
447 without a certificate of authority, s. 624.437(4)(c)1., relating  
448 to operating an unauthorized multiple-employer welfare  
449 arrangement, or s. 626.902(1)(b), relating to representing or  
450 aiding an unauthorized insurer.
- 451           11. Chapter 687, relating to interest and usurious  
452 practices.
- 453           12. Section 721.08, s. 721.09, or s. 721.13, relating to  
454 real estate timeshare plans.
- 455           13. Chapter 782, relating to homicide.
- 456           14. Chapter 784, relating to assault and battery.
- 457           15. Chapter 787, relating to kidnapping or human  
458 trafficking.
- 459           16. Chapter 790, relating to weapons and firearms.
- 460           17. Section 796.03, s. 796.04, s. 796.045, s. 796.05, or s.  
461 796.07, relating to prostitution.

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- 462           18. Chapter 806, relating to arson.
- 463           19. Section 810.02(2)(c), relating to specified burglary of  
464 a dwelling or structure.
- 465           20. Chapter 812, relating to theft, robbery, and related  
466 crimes.
- 467           21. Chapter 815, relating to computer-related crimes.
- 468           22. Chapter 817, relating to fraudulent practices, false  
469 pretenses, fraud generally, and credit card crimes.
- 470           23. Section 827.071, relating to commercial sexual  
471 exploitation of children.
- 472           24. Chapter 831, relating to forgery and counterfeiting.
- 473           25. Chapter 832, relating to issuance of worthless checks  
474 and drafts.
- 475           26. Section 836.05, relating to extortion.
- 476           27. Chapter 837, relating to perjury.
- 477           28. Chapter 838, relating to bribery and misuse of public  
478 office.
- 479           29. Chapter 843, relating to obstruction of justice.
- 480           30. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or  
481 s. 847.07, relating to obscene literature and profanity.
- 482           31. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.  
483 849.25, relating to gambling.
- 484           32. Chapter 893, relating to drug abuse prevention and  
485 control.
- 486           33. Section 914.22 or s. 914.23, relating to witnesses,  
487 victims, or informants.
- 488           34. Section 918.12 or s. 918.13, relating to tampering with  
489 jurors and evidence.

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490 (2) "Unlawful debt" means any money or other thing of value  
491 constituting principal or interest of a debt that is legally  
492 unenforceable in this state in whole or in part because the debt  
493 was incurred or contracted:

494 (a) In violation of any one of the following provisions of  
495 law:

496 1. Section 550.235 or s. 550.3551, ~~or s. 550.3605,~~  
497 relating to dogracing and horseracing.

498 2. Chapter 550, relating to jai alai frontons.

499 3. Section 687.071, relating to criminal usury, loan  
500 sharking, and shylocking.

501 4. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.  
502 849.25, relating to gambling.

503 Section 13. Paragraph (a) of subsection (1) and paragraph  
504 (a) of subsection (2) of section 895.02, Florida Statutes, are  
505 amended to read:

506 895.02 Definitions.--As used in ss. 895.01-895.08, the  
507 term:

508 (1) "Racketeering activity" means to commit, to attempt to  
509 commit, to conspire to commit, or to solicit, coerce, or  
510 intimidate another person to commit:

511 (a) Any crime that is chargeable by indictment or  
512 information under the following provisions of the Florida  
513 Statutes:

514 1. Section 210.18, relating to evasion of payment of  
515 cigarette taxes.

516 2. Section 403.727(3)(b), relating to environmental  
517 control.

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- 518           3. Section 409.920 or s. 409.9201, relating to Medicaid  
519 fraud.
- 520           4. Section 414.39, relating to public assistance fraud.
- 521           5. Section 440.105 or s. 440.106, relating to workers'  
522 compensation.
- 523           6. Section 443.071(4), relating to creation of a fictitious  
524 employer scheme to commit unemployment compensation fraud.
- 525           7. Section 465.0161, relating to distribution of medicinal  
526 drugs without a permit as an Internet pharmacy.
- 527           8. Sections 499.0051, 499.0052, 499.00535, 499.00545, and  
528 499.0691, relating to crimes involving contraband and adulterated  
529 drugs.
- 530           9. Part IV of chapter 501, relating to telemarketing.
- 531           10. Chapter 517, relating to sale of securities and  
532 investor protection.
- 533           11. Section 550.235 or, s. 550.3551, ~~or s. 550.3605~~,  
534 relating to dogracing and horseracing.
- 535           12. Chapter 550, relating to jai alai frontons.
- 536           13. Section 551.109, relating to slot machine gaming.
- 537           14. Chapter 552, relating to the manufacture, distribution,  
538 and use of explosives.
- 539           15. Chapter 560, relating to money transmitters, if the  
540 violation is punishable as a felony.
- 541           16. Chapter 562, relating to beverage law enforcement.
- 542           17. Section 624.401, relating to transacting insurance  
543 without a certificate of authority, s. 624.437(4)(c)1., relating  
544 to operating an unauthorized multiple-employer welfare  
545 arrangement, or s. 626.902(1)(b), relating to representing or  
546 aiding an unauthorized insurer.

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- 547           18. Section 655.50, relating to reports of currency  
548 transactions, when such violation is punishable as a felony.
- 549           19. Chapter 687, relating to interest and usurious  
550 practices.
- 551           20. Section 721.08, s. 721.09, or s. 721.13, relating to  
552 real estate timeshare plans.
- 553           21. Chapter 782, relating to homicide.
- 554           22. Chapter 784, relating to assault and battery.
- 555           23. Chapter 787, relating to kidnapping or human  
556 trafficking.
- 557           24. Chapter 790, relating to weapons and firearms.
- 558           25. Section 796.03, s. 796.035, s. 796.04, s. 796.045, s.  
559 796.05, or s. 796.07, relating to prostitution and sex  
560 trafficking.
- 561           26. Chapter 806, relating to arson.
- 562           27. Section 810.02(2)(c), relating to specified burglary of  
563 a dwelling or structure.
- 564           28. Chapter 812, relating to theft, robbery, and related  
565 crimes.
- 566           29. Chapter 815, relating to computer-related crimes.
- 567           30. Chapter 817, relating to fraudulent practices, false  
568 pretenses, fraud generally, and credit card crimes.
- 569           31. Chapter 825, relating to abuse, neglect, or  
570 exploitation of an elderly person or disabled adult.
- 571           32. Section 827.071, relating to commercial sexual  
572 exploitation of children.
- 573           33. Chapter 831, relating to forgery and counterfeiting.
- 574           34. Chapter 832, relating to issuance of worthless checks  
575 and drafts.

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- 576           35. Section 836.05, relating to extortion.
- 577           36. Chapter 837, relating to perjury.
- 578           37. Chapter 838, relating to bribery and misuse of public  
579 office.
- 580           38. Chapter 843, relating to obstruction of justice.
- 581           39. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or  
582 s. 847.07, relating to obscene literature and profanity.
- 583           40. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.  
584 849.25, relating to gambling.
- 585           41. Chapter 874, relating to criminal street gangs.
- 586           42. Chapter 893, relating to drug abuse prevention and  
587 control.
- 588           43. Chapter 896, relating to offenses related to financial  
589 transactions.
- 590           44. Sections 914.22 and 914.23, relating to tampering with  
591 a witness, victim, or informant, and retaliation against a  
592 witness, victim, or informant.
- 593           45. Sections 918.12 and 918.13, relating to tampering with  
594 jurors and evidence.
- 595           (2) "Unlawful debt" means any money or other thing of value  
596 constituting principal or interest of a debt that is legally  
597 unenforceable in this state in whole or in part because the debt  
598 was incurred or contracted:
- 599           (a) In violation of any one of the following provisions of  
600 law:
- 601           1. Section 550.235 or, s. 550.3551, ~~or s. 550.3605,~~  
602 relating to dogracing and horseracing.
- 603           2. Chapter 550, relating to jai alai frontons.
- 604           3. Section 551.109, relating to slot machine gaming.

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- 605 | 4. Chapter 687, relating to interest and usury.
- 606 | 5. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
- 607 | 849.25, relating to gambling.
- 608 | Section 14. This act shall take effect July 1, 2008.