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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 s. 849.086,
37 F.S.; limiting a cardroom license to one per location;
38 changing the hours of operation of cardrooms; amending ss.
39 772.102 and 895.02, F.S., relating to civil and criminal
40 penalty provisions; conforming cross-references; providing
41 an effective date.

42
43 Be It Enacted by the Legislature of the State of Florida:

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

47 550.01215 License application; periods of operation; bond,
48 conversion of permit.--

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

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59 disapprove the change in operating dates based upon the impact on
60 operating permitholders located within 50 miles of the
61 permitholder requesting the change in operating dates. In making
62 the determination to change racing dates, the division shall take
63 into consideration the impact of such changes on state revenues.

64 Section 2. Subsection (11) of section 550.0251, Florida
65 Statutes, is amended to read:

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

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

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

80 550.0951 Payment of daily license fee and taxes;
81 penalties.--

82 (1)

83 (b) Each permitholder that cannot utilize the full amount
84 of the exemption of \$360,000 or \$500,000 provided in s.
85 550.0951(1) or the daily license fee credit provided in this
86 section may, after notifying the division in writing, elect once
87 per state fiscal year on a form provided by the division to

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

113 (5) PAYMENT AND DISPOSITION OF FEES AND TAXES.--Payments
114 ~~Payment for the admission tax, tax on handle, and the breaks tax~~
115 imposed by this section shall be paid to the division. The
116 division shall deposit these sums with the Chief Financial

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

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

135 550.09511 Jai alai taxes; abandoned interest in a permit
136 for nonpayment of taxes.--

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

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

145 (3)

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146 (b) The payment of taxes pursuant to paragraph (a) shall be
147 calculated and commence beginning the day ~~after the biweekly~~
148 ~~period~~ in which the permitholder is first entitled to the reduced
149 rate specified in this subsection.

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

152 550.09514 Greyhound dogracing taxes; purse requirements.--

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

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

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

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

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

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

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

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

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

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

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

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

239 (5)

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

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

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

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

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

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

301 550.2415 Racing of animals under certain conditions
302 prohibited; penalties; exceptions.--

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

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

317 Section 8. Section 550.5251, Florida Statutes, is amended
318 to read:

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319 550.5251 Florida thoroughbred racing; certain permits;
320 operating days.--

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

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

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

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

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

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

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

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

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

384 ~~(6) Notwithstanding the provisions of subsection (2), a~~
385 ~~thoroughbred permitholder who fails to operate all performances~~
386 ~~on its 2001-2002 license does not lose its right to retain its~~
387 ~~permit. Such thoroughbred permitholder is eligible for issuance~~
388 ~~of an annual license pursuant to s. 550.0115 for subsequent~~
389 ~~thoroughbred racing seasons. The division shall take no~~
390 ~~disciplinary action against such thoroughbred permitholder for~~
391 ~~failure to operate all licensed performances for the 2001-2002~~
392 ~~license pursuant to this section or s. 550.01215. This section~~
393 ~~may not be interpreted to prohibit the division from taking~~
394 ~~disciplinary action against a thoroughbred permitholder for~~
395 ~~failure to pay taxes on performances operated pursuant to its~~
396 ~~2001-2002 license. This subsection expires July 1, 2003.~~

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

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

405 551.106 License fee; tax rate; penalties.--

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

423 Section 10. Section 550.3605, Florida Statutes, is
424 repealed.

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

426 Section 12. Paragraphs (a) and (b) of subsection (7) of
427 section 849.086, Florida Statutes, are amended to read:

428 849.086 Cardrooms authorized.--

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

430 (a) A cardroom may be operated only at the location
431 specified on the cardroom license issued by the division, and
432 such location may only be the location at which the pari-mutuel
433 permitholder is authorized to conduct pari-mutuel wagering
434 activities pursuant to such permitholder's valid pari-mutuel

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435 permit or as otherwise authorized by law. Only one cardroom
436 license may be issued at the location specified on the cardroom
437 license regardless of the number of permitholders operating at
438 the facility.

439 (b) Any cardroom operator ~~horserace, greyhound race, or jai~~
440 ~~alai permitholder licensed under this section~~ may operate a
441 cardroom at the pari-mutuel facility daily throughout the year,
442 ~~on any day for a cumulative amount of 12 hours~~ if the
443 permitholder meets the requirements under paragraph (5) (b). The
444 cardroom may be open a cumulative amount of 18 hours per day on
445 Monday through Friday and 24 hours per day on Saturday and Sunday
446 and on the holidays specified in s. 110.117(1).

447 Section 13. Paragraph (a) of subsection (1) and paragraph
448 (a) of subsection (2) of section 772.102, Florida Statutes, are
449 amended to read:

450 772.102 Definitions.--As used in this chapter, the term:

451 (1) "Criminal activity" means to commit, to attempt to
452 commit, to conspire to commit, or to solicit, coerce, or
453 intimidate another person to commit:

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

456 1. Section 210.18, relating to evasion of payment of
457 cigarette taxes.

458 2. Section 414.39, relating to public assistance fraud.

459 3. Section 440.105 or s. 440.106, relating to workers'
460 compensation.

461 4. Part IV of chapter 501, relating to telemarketing.

462 5. Chapter 517, relating to securities transactions.

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- 463 6. Section 550.235 or, s. 550.3551, ~~or s. 550.3605~~,
464 relating to dogracing and horseracing.
- 465 7. Chapter 550, relating to jai alai frontons.
- 466 8. Chapter 552, relating to the manufacture, distribution,
467 and use of explosives.
- 468 9. Chapter 562, relating to beverage law enforcement.
- 469 10. Section 624.401, relating to transacting insurance
470 without a certificate of authority, s. 624.437(4)(c)1., relating
471 to operating an unauthorized multiple-employer welfare
472 arrangement, or s. 626.902(1)(b), relating to representing or
473 aiding an unauthorized insurer.
- 474 11. Chapter 687, relating to interest and usurious
475 practices.
- 476 12. Section 721.08, s. 721.09, or s. 721.13, relating to
477 real estate timeshare plans.
- 478 13. Chapter 782, relating to homicide.
- 479 14. Chapter 784, relating to assault and battery.
- 480 15. Chapter 787, relating to kidnapping or human
481 trafficking.
- 482 16. Chapter 790, relating to weapons and firearms.
- 483 17. Section 796.03, s. 796.04, s. 796.045, s. 796.05, or s.
484 796.07, relating to prostitution.
- 485 18. Chapter 806, relating to arson.
- 486 19. Section 810.02(2)(c), relating to specified burglary of
487 a dwelling or structure.
- 488 20. Chapter 812, relating to theft, robbery, and related
489 crimes.
- 490 21. Chapter 815, relating to computer-related crimes.

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491 22. Chapter 817, relating to fraudulent practices, false
492 pretenses, fraud generally, and credit card crimes.

493 23. Section 827.071, relating to commercial sexual
494 exploitation of children.

495 24. Chapter 831, relating to forgery and counterfeiting.

496 25. Chapter 832, relating to issuance of worthless checks
497 and drafts.

498 26. Section 836.05, relating to extortion.

499 27. Chapter 837, relating to perjury.

500 28. Chapter 838, relating to bribery and misuse of public
501 office.

502 29. Chapter 843, relating to obstruction of justice.

503 30. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
504 s. 847.07, relating to obscene literature and profanity.

505 31. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
506 849.25, relating to gambling.

507 32. Chapter 893, relating to drug abuse prevention and
508 control.

509 33. Section 914.22 or s. 914.23, relating to witnesses,
510 victims, or informants.

511 34. Section 918.12 or s. 918.13, relating to tampering with
512 jurors and evidence.

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

517 (a) In violation of any one of the following provisions of
518 law:

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- 519 1. Section 550.235 or, s. 550.3551, ~~or s. 550.3605,~~
520 relating to dogracing and horseracing.
- 521 2. Chapter 550, relating to jai alai frontons.
- 522 3. Section 687.071, relating to criminal usury, loan
523 sharking, and shylocking.
- 524 4. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
525 849.25, relating to gambling.
- 526 Section 14. Paragraph (a) of subsection (1) and paragraph
527 (a) of subsection (2) of section 895.02, Florida Statutes, are
528 amended to read:
- 529 895.02 Definitions.--As used in ss. 895.01-895.08, the
530 term:
- 531 (1) "Racketeering activity" means to commit, to attempt to
532 commit, to conspire to commit, or to solicit, coerce, or
533 intimidate another person to commit:
- 534 (a) Any crime that is chargeable by indictment or
535 information under the following provisions of the Florida
536 Statutes:
- 537 1. Section 210.18, relating to evasion of payment of
538 cigarette taxes.
- 539 2. Section 403.727(3)(b), relating to environmental
540 control.
- 541 3. Section 409.920 or s. 409.9201, relating to Medicaid
542 fraud.
- 543 4. Section 414.39, relating to public assistance fraud.
- 544 5. Section 440.105 or s. 440.106, relating to workers'
545 compensation.
- 546 6. Section 443.071(4), relating to creation of a fictitious
547 employer scheme to commit unemployment compensation fraud.

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- 548 7. Section 465.0161, relating to distribution of medicinal
549 drugs without a permit as an Internet pharmacy.
- 550 8. Sections 499.0051, 499.0052, 499.00535, 499.00545, and
551 499.0691, relating to crimes involving contraband and adulterated
552 drugs.
- 553 9. Part IV of chapter 501, relating to telemarketing.
- 554 10. Chapter 517, relating to sale of securities and
555 investor protection.
- 556 11. Section 550.235 or, s. 550.3551, ~~or s. 550.3605,~~
557 relating to dogracing and horseracing.
- 558 12. Chapter 550, relating to jai alai frontons.
- 559 13. Section 551.109, relating to slot machine gaming.
- 560 14. Chapter 552, relating to the manufacture, distribution,
561 and use of explosives.
- 562 15. Chapter 560, relating to money transmitters, if the
563 violation is punishable as a felony.
- 564 16. Chapter 562, relating to beverage law enforcement.
- 565 17. Section 624.401, relating to transacting insurance
566 without a certificate of authority, s. 624.437(4)(c)1., relating
567 to operating an unauthorized multiple-employer welfare
568 arrangement, or s. 626.902(1)(b), relating to representing or
569 aiding an unauthorized insurer.
- 570 18. Section 655.50, relating to reports of currency
571 transactions, when such violation is punishable as a felony.
- 572 19. Chapter 687, relating to interest and usurious
573 practices.
- 574 20. Section 721.08, s. 721.09, or s. 721.13, relating to
575 real estate timeshare plans.
- 576 21. Chapter 782, relating to homicide.

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- 577 22. Chapter 784, relating to assault and battery.
578 23. Chapter 787, relating to kidnapping or human
579 trafficking.
580 24. Chapter 790, relating to weapons and firearms.
581 25. Section 796.03, s. 796.035, s. 796.04, s. 796.045, s.
582 796.05, or s. 796.07, relating to prostitution and sex
583 trafficking.
584 26. Chapter 806, relating to arson.
585 27. Section 810.02(2)(c), relating to specified burglary of
586 a dwelling or structure.
587 28. Chapter 812, relating to theft, robbery, and related
588 crimes.
589 29. Chapter 815, relating to computer-related crimes.
590 30. Chapter 817, relating to fraudulent practices, false
591 pretenses, fraud generally, and credit card crimes.
592 31. Chapter 825, relating to abuse, neglect, or
593 exploitation of an elderly person or disabled adult.
594 32. Section 827.071, relating to commercial sexual
595 exploitation of children.
596 33. Chapter 831, relating to forgery and counterfeiting.
597 34. Chapter 832, relating to issuance of worthless checks
598 and drafts.
599 35. Section 836.05, relating to extortion.
600 36. Chapter 837, relating to perjury.
601 37. Chapter 838, relating to bribery and misuse of public
602 office.
603 38. Chapter 843, relating to obstruction of justice.
604 39. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
605 s. 847.07, relating to obscene literature and profanity.

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606 40. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
607 849.25, relating to gambling.

608 41. Chapter 874, relating to criminal street gangs.

609 42. Chapter 893, relating to drug abuse prevention and
610 control.

611 43. Chapter 896, relating to offenses related to financial
612 transactions.

613 44. Sections 914.22 and 914.23, relating to tampering with
614 a witness, victim, or informant, and retaliation against a
615 witness, victim, or informant.

616 45. Sections 918.12 and 918.13, relating to tampering with
617 jurors and evidence.

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

622 (a) In violation of any one of the following provisions of
623 law:

624 1. Section 550.235 or, s. 550.3551, ~~or s. 550.3605~~,
625 relating to dogracing and horseracing.

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

627 3. Section 551.109, relating to slot machine gaming.

628 4. Chapter 687, relating to interest and usury.

629 5. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
630 849.25, relating to gambling.

631 Section 15. This act shall take effect July 1, 2008.