



818744

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/25/2009	.	
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The Committee on Regulated Industries (Jones) recommended the following:

**Senate Amendment**

Delete lines 2234 - 2296  
and insert:

(2) (a) Historic racing may not be authorized to a permitholder licensed under chapter 550, Florida Statutes, to conduct live pari-mutuel wagering races or games unless the permitholder has on file with the division the following binding written agreements governing the payment of awards and purses on the handle generated from historic racing conducted at the licensee's pari-mutuel facility:



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12           1. For a thoroughbred permitholder, an agreement governing  
13 the payment of purses between the permitholder and the Florida  
14 Horsemen's Benevolent and Protective Association, Inc., or the  
15 association representing a majority of the thoroughbred owners  
16 and trainers at the permitholder's eligible facility located as  
17 described in s. 550.615(9), Florida Statutes, and an agreement  
18 governing the payment of awards between the permitholder and the  
19 Florida Thoroughbred Breeders' Association;

20           2. For a harness permitholder, an agreement governing the  
21 payment of purses and awards between the permitholder and the  
22 Florida Standardbred Breeders and Owners Association;

23           3. For a greyhound permitholder, an agreement governing the  
24 payment of purses between the permitholder and the Florida  
25 Greyhound Association, Inc.;

26           4. For a quarter horse permitholder, an agreement governing  
27 the payment of purses between the applicant and the Florida  
28 Quarter Horse Racing Association, and an agreement governing the  
29 payment of awards between the permitholder and the Florida  
30 Quarter Horse Breeders and Owners Association; or

31           5. For a jai alai permitholder, an agreement governing the  
32 payment of player awards between the permitholder and the  
33 International Jai Alai Players Association or a binding written  
34 agreement approved by a majority of the jai alai players at the  
35 permitholder's eligible facility at which the applicant has a  
36 permit issued after January 1, 2000, to conduct jai alai.

37           (b) The agreements may direct the payment of purses and  
38 awards from revenues generated by any wagering or games the  
39 applicant is authorized to conduct under state law. All purses  
40 and awards are subject to the terms of chapter 550, Florida



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41 Statutes. All sums for breeders', stallion, and special racing  
42 awards shall be remitted monthly to the respective breeders  
43 association for the payment of awards, subject to the  
44 administrative fees authorized under chapter 550, Florida  
45 Statutes.

46 (3)The amount of historical racing wagering terminals may  
47 be:

48 (a) A licensed greyhound facility may have 500 historical  
49 racing terminals.

50 (b)A licensed thoroughbred facility may have 500 historical  
51 racing terminals.

52 (c) A licensed harness track facility may have 500  
53 historical racing terminals.

54 (d) A licensed quarter horse facility may have 500  
55 historical racing terminals.

56 (e) A licensed jai alai facility may have 500 historical  
57 racing terminals.

58 (4)The moneys wagered on races via the historical racing  
59 system shall be separated from the moneys wagered on live races  
60 conducted at, and on other races simulcast to, the licensee's  
61 facility.

62 (5)The division shall adopt rules necessary to implement,  
63 administer, and regulate the operation of historical racing  
64 systems in this state. The rules must include:

65 (a) Procedures for regulating, managing, and auditing the  
66 operation, financial data, and program information relating to  
67 historical racing systems that enable the division to audit the  
68 operation, financial data, and program information of pari-  
69 mutuel facility authorized to operate a historical racing



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70 system.

71 (b) Technical requirements to operate a historical racing  
72 system.

73 (c) Procedures to require licensees to maintain specified  
74 records and submit any data, information, record, or report,  
75 including financial and income records, required by this act or  
76 rules of the division.

77 (d) Procedures relating to historical racing system  
78 revenues, including verifying and accounting for such revenues,  
79 auditing, and collecting taxes and fees.

80 (e) Minimum standards for security of the facilities,  
81 including floor plans, security cameras, and other security  
82 equipment.

83 (f) Procedures to ensure that a historical racing machine  
84 does not enter the state and be offered for play until it has  
85 been tested and certified by a licensed testing laboratory for  
86 play in the state. The procedures shall address measures to  
87 scientifically test and technically evaluate electronic gaming  
88 machines for compliance with laws and rules regulating  
89 historical racing machines. The division may contract with an  
90 independent testing laboratory to conduct any necessary testing.  
91 The independent testing laboratory must have a national  
92 reputation indicating that it is demonstrably competent and  
93 qualified to scientifically test and evaluate that the  
94 historical racing systems perform the functions required by laws  
95 and rules regulating historical racing machines. An independent  
96 testing laboratory may not be owned or controlled by a licensee.  
97 The selection of an independent laboratory for any purpose  
98 related to the conduct of historical racing systems by a



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99 licensee shall be made from a list of laboratories approved by  
100 the division. The division shall adopt rules regarding the  
101 testing, certification, control, and approval of historical  
102 racing systems.

103 (6)Notwithstanding any other provision of the law, the  
104 proceeds of pari-mutuel tickets purchased for historical racing  
105 that are not redeemed within 1 year after purchase shall be  
106 divided as follows:

107 (a) Fifty percent shall be retained by the permit holder;  
108 and

109 (b) Fifty percent shall be paid into the permit holder's  
110 purse account.

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