

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Young offered the following:

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

4 Remove lines 146-199 and insert:

5 Section 4. Subsection (1) of section 550.0951, Florida
6 Statutes, is amended to read:

7 550.0951 Payment of daily license fee and taxes;
8 penalties.-

9 (1) ~~(a)~~ DAILY LICENSE FEE.—Each person engaged in the
10 business of conducting race meetings or jai alai games under
11 this chapter, hereinafter referred to as the "permitholder,"
12 "licensee," or "permittee," shall pay to the division, for the
13 use of the division, a daily license fee on each live or
14 simulcast pari-mutuel event of \$100 for each horserace and \$80
15 for each dograce and \$40 for each jai alai game conducted at a
16 racetrack or fronton licensed under this chapter. In addition to
664879

Approved For Filing: 4/25/2011 1:49:43 PM

Amendment No.

17 the tax exemption specified in s. 550.09514(1) of \$360,000 or
18 \$500,000 per greyhound permitholder per state fiscal year, each
19 greyhound permitholder shall receive in the current state fiscal
20 year a tax credit equal to the number of live greyhound races
21 conducted in the previous state fiscal year times the daily
22 license fee specified for each dograce in this subsection
23 applicable for the previous state fiscal year. This tax credit
24 and the exemption in s. 550.09514(1) shall be applicable to any
25 tax imposed by this chapter or the daily license fees imposed by
26 this chapter except during any charity or scholarship
27 performances conducted pursuant to s. 550.0351. Each
28 permitholder shall pay daily license fees not to exceed \$500 per
29 day on any simulcast races or games on which such permitholder
30 accepts wagers regardless of the number of out-of-state events
31 taken or the number of out-of-state locations from which such
32 events are taken. This license fee shall be deposited with the
33 Chief Financial Officer to the credit of the Pari-mutuel
34 Wagering Trust Fund.

35 ~~(b) Each permitholder that cannot utilize the full amount~~
36 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~
37 ~~550.09514(1) or the daily license fee credit provided in this~~
38 ~~section may, after notifying the division in writing, elect once~~
39 ~~per state fiscal year on a form provided by the division, to~~
40 ~~transfer such exemption or credit or any portion thereof to any~~
41 ~~greyhound permitholder which acts as a host track to such~~
42 ~~permitholder for the purpose of intertrack wagering. Once an~~
43 ~~election to transfer such exemption or credit is filed with the~~
44 ~~division, it shall not be rescinded. The division shall~~

664879

Approved For Filing: 4/25/2011 1:49:43 PM

Amendment No.

45 ~~disapprove the transfer when the amount of the exemption or~~
46 ~~credit or portion thereof is unavailable to the transferring~~
47 ~~permitholder or when the permitholder who is entitled to~~
48 ~~transfer the exemption or credit or who is entitled to receive~~
49 ~~the exemption or credit owes taxes to the state pursuant to a~~
50 ~~deficiency letter or administrative complaint issued by the~~
51 ~~division. Upon approval of the transfer by the division, the~~
52 ~~transferred tax exemption or credit shall be effective for the~~
53 ~~first performance of the next payment period as specified in~~
54 ~~subsection (5). The exemption or credit transferred to such host~~
55 ~~track may be applied by such host track against any taxes~~
56 ~~imposed by this chapter or daily license fees imposed by this~~
57 ~~chapter. The greyhound permitholder host track to which such~~
58 ~~exemption or credit is transferred shall reimburse such~~
59 ~~permitholder the exact monetary value of such transferred~~
60 ~~exemption or credit as actually applied against the taxes and~~
61 ~~daily license fees of the host track. The division shall ensure~~
62 ~~that all transfers of exemption or credit are made in accordance~~
63 ~~with this subsection and shall have the authority to adopt rules~~
64 ~~to ensure the implementation of this section.~~

65 Section 5. Subsection (1) and paragraphs (b), (c), and (e)
66 of subsection (2) of section 550.09514, Florida Statutes, are
67 amended to read:

68 550.09514 Greyhound dogracing taxes; purse requirements.-

69 (1) (a) Wagering on greyhound racing is subject to a tax on
70 handle for live greyhound racing as specified in s. 550.0951(3).
71 However, each permitholder shall pay no tax on handle until such
72 time as this subsection has resulted in a tax savings per state
664879

Approved For Filing: 4/25/2011 1:49:43 PM

Amendment No.

73 fiscal year of \$360,000. Thereafter, each permitholder shall pay
74 the tax as specified in s. 550.0951(3) on all handle for the
75 remainder of the permitholder's current race meet. For the three
76 permitholders that conducted a full schedule of live racing in
77 1995, and are closest to another state that authorizes greyhound
78 pari-mutuel wagering, the maximum tax savings per state fiscal
79 year shall be \$500,000. The provisions of this subsection
80 relating to tax exemptions shall not apply to any charity or
81 scholarship performances conducted pursuant to s. 550.0351.

82 (b) Each permitholder licensed to conduct at least 100
83 live performances of at least eight races during a fiscal year
84 who cannot use the full amount of the exemption of \$360,000 or
85 \$500,000 provided in paragraph (a) or the daily license fee
86 credit provided in s. 550.0951(1) may, at any time after
87 notifying the division in writing on a form provided by the
88 division, transfer such exemption or credit or any portion
89 thereof to any greyhound permitholder that acts as a host track
90 to such permitholder for the purpose of intertrack wagering.
91 Once an election to transfer such exemption or credit is filed
92 with the division, it may 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 for any reason, including being unavailable because
96 the transferring permitholder is not licensed to conduct at
97 least 100 live performances of at least eight races during the
98 fiscal year, or when the permitholder who is entitled to
99 transfer the exemption or credit or who is entitled to receive
100 the exemption or credit owes taxes to the state pursuant to a
664879

Approved For Filing: 4/25/2011 1:49:43 PM

Amendment No.

101 deficiency letter or administrative complaint issued by the
102 division. The greyhound permitholder host track to which such
103 exemption or credit is transferred shall reimburse such
104 permitholder the exact monetary value of such transferred
105 exemption or credit as actually applied against the taxes and
106 daily license fees of the host track.

107 (c) Each permitholder who is not licensed to conduct at
108 least 100 live performances of at least eight races during a
109 fiscal year forfeits the exemption of \$360,000 or \$500,000
110 provided in paragraph (a). Annually, the division shall pool
111 such forfeited exemptions from permitholders who conducted live
112 racing during fiscal year 2010-2011. Each greyhound permitholder
113 who is licensed to conduct at least 100 live performances of at
114 least eight races during the fiscal year is entitled to an
115 additional tax credit in an amount equal to the product of the
116 respective permitholder's percentage share of live and
117 intertrack wagering handle under s. 550.0951(3) during the
118 previous fiscal year and 72 percent of the total value of tax
119 credits available in the pool for fiscal year 2011-2012, or 62
120 percent of the total value of tax credits available in the pool
121 for fiscal years after fiscal year 2011-2012.

122 (d) Upon approval of a transfer under paragraph (b) or
123 additional credit under paragraph (c) by the division, the tax
124 exemption or credit shall be effective for the first performance
125 of the next payment period as specified in s. 550.0951(5).

126 (e) Exemptions or credits issued or transferred pursuant
127 to this subsection may be applied against any taxes imposed by
128 this chapter or daily license fees imposed by this chapter,

664879

Approved For Filing: 4/25/2011 1:49:43 PM

Amendment No.

129 except during any charity or scholarship performances conducted
130 pursuant to s. 550.0351. No credit or exemption authorized under
131 this section or s. 550.0951 shall carry forward to subsequent
132 fiscal years. The division shall ensure that all transfers of
133 exemptions or credits are made in accordance with this
134 subsection and shall have the authority to adopt rules to ensure
135 the implementation of this section.

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138 **T I T L E A M E N D M E N T**

139 Remove lines 12-17 and insert:

140 qualify for certain tax credits; amending s. 550.0951, F.S.;

141 deleting provisions relating to transfer of certain unused

142 exemptions or credits; amending s. 550.09514, F.S.; providing

143 for transfer of certain unused exemptions or credits; revising

144 purse requirements for greyhound racing and