

1 A bill to be entitled
2 An act relating to greyhound racing; amending s. 550.002,
3 F.S., which defines the term "full schedule of live racing
4 or games"; providing that a greyhound permitholder shall
5 not be required to conduct a minimum number of live
6 performances; amending s. 550.01215, F.S.; revising
7 requirements for an application for a license to conduct
8 performances; extending the period of time allowed to
9 amend certain applications; amending s. 550.054, F.S.;
10 removing a requirement for holders of certain converted
11 permits to conduct a full schedule of live racing to
12 qualify for certain tax credits; amending s. 550.0951,
13 F.S.; deleting provisions relating to transfer of certain
14 unused exemptions or credits; amending s. 550.09514, F.S.;
15 providing for transfer of certain unused exemptions or
16 credits; revising purse requirements for greyhound racing
17 and provisions for payment of purses; amending s. 550.475,
18 F.S., relating to lease of pari-mutuel facilities by pari-
19 mutuel permitholders; revising terminology to conform to
20 changes made by the act; amending s. 550.615, F.S.;
21 revising provisions for intertrack wagering; amending ss.
22 550.26165 and 550.6305, F.S.; conforming cross-references
23 to changes made by the act; amending s. 551.104, F.S.;
24 revising a condition of licensure for the conduct of slot
25 machine gaming; amending s. 551.114, F.S.; revising
26 requirements for designated slot machine gaming areas;
27 amending s. 849.086, F.S.; revising requirements for
28 initial and renewal issuance of a cardroom license to a

29 | greyhound permitholder; providing that a minimum number of
30 | requested or conducted live performances is not required
31 | in order for a greyhound permitholder to maintain or renew
32 | a cardroom license; providing an effective date.

33 |
34 | Be It Enacted by the Legislature of the State of Florida:

35 |
36 | Section 1. Subsection (11) of section 550.002, Florida
37 | Statutes, is amended to read:

38 | 550.002 Definitions.—As used in this chapter, the term:

39 | (11) "Full schedule of live racing or games" means, for a
40 | greyhound or jai alai permitholder, the conduct of a combination
41 | of at least 100 live evening or matinee performances during the
42 | preceding year; for a permitholder who has a converted permit or
43 | filed an application on or before June 1, 1990, for a converted
44 | permit, the conduct of a combination of at least 100 live
45 | evening and matinee wagering performances during either of the 2
46 | preceding years; for a jai alai permitholder who does not
47 | operate slot machines in its pari-mutuel facility, who has
48 | conducted at least 100 live performances per year for at least
49 | 10 years after December 31, 1992, and whose handle on live jai
50 | alai games conducted at its pari-mutuel facility has been less
51 | than \$4 million per state fiscal year for at least 2 consecutive
52 | years after June 30, 1992, the conduct of a combination of at
53 | least 40 live evening or matinee performances during the
54 | preceding year; for a jai alai permitholder who operates slot
55 | machines in its pari-mutuel facility, the conduct of a
56 | combination of at least 150 performances during the preceding

57 | year; for a harness permitholder, the conduct of at least 100
58 | live regular wagering performances during the preceding year;
59 | for a quarter horse permitholder at its facility unless an
60 | alternative schedule of at least 20 live regular wagering
61 | performances is agreed upon by the permitholder and either the
62 | Florida Quarter Horse Racing Association or the horsemen's
63 | association representing the majority of the quarter horse
64 | owners and trainers at the facility and filed with the division
65 | along with its annual date application, in the 2010-2011 fiscal
66 | year, the conduct of at least 20 regular wagering performances,
67 | in the 2011-2012 and 2012-2013 fiscal years, the conduct of at
68 | least 30 live regular wagering performances, and for every
69 | fiscal year after the 2012-2013 fiscal year, the conduct of at
70 | least 40 live regular wagering performances; for a quarter horse
71 | permitholder leasing another licensed racetrack, the conduct of
72 | 160 events at the leased facility; and for a thoroughbred
73 | permitholder, the conduct of at least 40 live regular wagering
74 | performances during the preceding year. For a permitholder which
75 | is restricted by statute to certain operating periods within the
76 | year when other members of its same class of permit are
77 | authorized to operate throughout the year, the specified number
78 | of live performances which constitute a full schedule of live
79 | racing or games shall be adjusted pro rata in accordance with
80 | the relationship between its authorized operating period and the
81 | full calendar year and the resulting specified number of live
82 | performances shall constitute the full schedule of live games
83 | for such permitholder and all other permitholders of the same
84 | class within 100 air miles of such permitholder. A live

85 performance must consist of no fewer than eight races or games
86 conducted live for each of a minimum of three performances each
87 week at the permitholder's licensed facility under a single
88 admission charge. Notwithstanding any other provision of law,
89 beginning with the 2011-2012 fiscal year, there shall be no
90 minimum requirement of live performances for greyhound
91 permitholders.

92 Section 2. Subsection (1) of section 550.01215, Florida
93 Statutes, is amended to read:

94 550.01215 License application; periods of operation; bond,
95 conversion of permit.—

96 (1) Each permitholder shall annually, during the period
97 between December 15 and January 4, file in writing with the
98 division its application for a license to conduct pari-mutuel
99 wagering activities ~~performances~~ during the next state fiscal
100 year. Each application requesting live performances, if any,
101 shall specify the number, dates, and starting times of all
102 performances which the permitholder intends to conduct. It shall
103 also specify which performances will be conducted as charity or
104 scholarship performances. In addition, each application for a
105 license shall include, for each permitholder which elects to
106 operate a cardroom, the dates and periods of operation the
107 permitholder intends to operate the cardroom or, for each
108 thoroughbred permitholder which elects to receive or rebroadcast
109 out-of-state races after 7 p.m., the dates for all performances
110 which the permitholder intends to conduct. A greyhound
111 permitholder may receive a license to conduct pari-mutuel
112 wagering activities at a licensed greyhound facility pursuant to

113 s. 550.475. Permitholders may ~~shall be entitled to~~ amend their
114 applications through February 28 or, for applications by
115 greyhound permitholders relating to the 2011-2012 fiscal year,
116 through August 31, 2011.

117 Section 3. Paragraph (b) of subsection (14) of section
118 550.054, Florida Statutes, is amended to read:

119 550.054 Application for permit to conduct pari-mutuel
120 wagering.—

121 (14)

122 (b) The division, upon application from the holder of a
123 jai alai permit meeting all conditions of this section, shall
124 convert the permit and shall issue to the permitholder a permit
125 to conduct greyhound racing. ~~A permitholder of a permit~~
126 ~~converted under this section shall be required to apply for and~~
127 ~~conduct a full schedule of live racing each fiscal year to be~~
128 ~~eligible for any tax credit provided by this chapter.~~ The holder
129 of a permit converted pursuant to this subsection or any holder
130 of a permit to conduct greyhound racing located in a county in
131 which it is the only permit issued pursuant to this section who
132 operates at a leased facility pursuant to s. 550.475 may move
133 the location for which the permit has been issued to another
134 location within a 30-mile radius of the location fixed in the
135 permit issued in that county, provided the move does not cross
136 the county boundary and such location is approved under the
137 zoning regulations of the county or municipality in which the
138 permit is located, and upon such relocation may use the permit
139 for the conduct of pari-mutuel wagering and the operation of a
140 cardroom. The provisions of s. 550.6305(9)(d) and (f) shall

141 apply to any permit converted under this subsection and shall
 142 continue to apply to any permit which was previously included
 143 under and subject to such provisions before a conversion
 144 pursuant to this section occurred.

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

147 550.0951 Payment of daily license fee and taxes;
 148 penalties.—

149 (1) ~~(a)~~ DAILY LICENSE FEE.—Each person engaged in the
 150 business of conducting race meetings or jai alai games under
 151 this chapter, hereinafter referred to as the "permitholder,"
 152 "licensee," or "permittee," shall pay to the division, for the
 153 use of the division, a daily license fee on each live or
 154 simulcast pari-mutuel event of \$100 for each horserace and \$80
 155 for each dograce and \$40 for each jai alai game conducted at a
 156 racetrack or fronton licensed under this chapter. In addition to
 157 the tax exemption specified in s. 550.09514(1) of \$360,000 or
 158 \$500,000 per greyhound permitholder per state fiscal year, each
 159 greyhound permitholder shall receive in the current state fiscal
 160 year a tax credit equal to the number of live greyhound races
 161 conducted in the previous state fiscal year times the daily
 162 license fee specified for each dograce in this subsection
 163 applicable for the previous state fiscal year. This tax credit
 164 and the exemption in s. 550.09514(1) shall be applicable to any
 165 tax imposed by this chapter or the daily license fees imposed by
 166 this chapter except during any charity or scholarship
 167 performances conducted pursuant to s. 550.0351. Each
 168 permitholder shall pay daily license fees not to exceed \$500 per

169 day on any simulcast races or games on which such permitholder
170 accepts wagers regardless of the number of out-of-state events
171 taken or the number of out-of-state locations from which such
172 events are taken. This license fee shall be deposited with the
173 Chief Financial Officer to the credit of the Pari-mutuel
174 Wagering Trust Fund.

175 ~~(b) Each permitholder that cannot utilize the full amount~~
176 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~
177 ~~550.09514(1) or the daily license fee credit provided in this~~
178 ~~section may, after notifying the division in writing, elect once~~
179 ~~per state fiscal year on a form provided by the division, to~~
180 ~~transfer such exemption or credit or any portion thereof to any~~
181 ~~greyhound permitholder which acts as a host track to such~~
182 ~~permitholder for the purpose of intertrack wagering. Once an~~
183 ~~election to transfer such exemption or credit is filed with the~~
184 ~~division, it shall not be rescinded. The division shall~~
185 ~~disapprove the transfer when the amount of the exemption or~~
186 ~~credit or portion thereof is unavailable to the transferring~~
187 ~~permitholder or when the permitholder who is entitled to~~
188 ~~transfer the exemption or credit or who is entitled to receive~~
189 ~~the exemption or credit owes taxes to the state pursuant to a~~
190 ~~deficiency letter or administrative complaint issued by the~~
191 ~~division. Upon approval of the transfer by the division, the~~
192 ~~transferred tax exemption or credit shall be effective for the~~
193 ~~first performance of the next payment period as specified in~~
194 ~~subsection (5). The exemption or credit transferred to such host~~
195 ~~track may be applied by such host track against any taxes~~
196 ~~imposed by this chapter or daily license fees imposed by this~~

197 ~~chapter. The greyhound permitholder host track to which such~~
 198 ~~exemption or credit is transferred shall reimburse such~~
 199 ~~permitholder the exact monetary value of such transferred~~
 200 ~~exemption or credit as actually applied against the taxes and~~
 201 ~~daily license fees of the host track. The division shall ensure~~
 202 ~~that all transfers of exemption or credit are made in accordance~~
 203 ~~with this subsection and shall have the authority to adopt rules~~
 204 ~~to ensure the implementation of this section.~~

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

208 550.09514 Greyhound dogracing taxes; purse requirements.—

209 (1) (a) Wagering on greyhound racing is subject to a tax on
 210 handle for live greyhound racing as specified in s. 550.0951(3).
 211 However, each permitholder shall pay no tax on handle until such
 212 time as this subsection has resulted in a tax savings per state
 213 fiscal year of \$360,000. Thereafter, each permitholder shall pay
 214 the tax as specified in s. 550.0951(3) on all handle for the
 215 remainder of the permitholder's current race meet. For the three
 216 permitholders that conducted a full schedule of live racing in
 217 1995, and are closest to another state that authorizes greyhound
 218 pari-mutuel wagering, the maximum tax savings per state fiscal
 219 year shall be \$500,000. The provisions of this subsection
 220 relating to tax exemptions shall not apply to any charity or
 221 scholarship performances conducted pursuant to s. 550.0351.

222 (b) Each permitholder licensed to conduct at least 100
 223 live performances of at least eight races during a fiscal year
 224 who cannot use the full amount of the exemption of \$360,000 or

225 \$500,000 provided in paragraph (a) or the daily license fee
226 credit provided in s. 550.0951(1) may, at any time after
227 notifying the division in writing on a form provided by the
228 division, transfer such exemption or credit or any portion
229 thereof to any greyhound permitholder that acts as a host track
230 to such permitholder for the purpose of intertrack wagering.
231 Once an election to transfer such exemption or credit is filed
232 with the division, it may not be rescinded. The division shall
233 disapprove the transfer when the amount of the exemption or
234 credit or portion thereof is unavailable to the transferring
235 permitholder for any reason, including being unavailable because
236 the transferring permitholder is not licensed to conduct at
237 least 100 live performances of at least eight races during the
238 fiscal year, or when the permitholder who is entitled to
239 transfer the exemption or credit or who is entitled to receive
240 the exemption or credit owes taxes to the state pursuant to a
241 deficiency letter or administrative complaint issued by the
242 division. The greyhound permitholder host track to which such
243 exemption or credit is transferred shall reimburse such
244 permitholder the exact monetary value of such transferred
245 exemption or credit as actually applied against the taxes and
246 daily license fees of the host track.

247 (c) Each permitholder who is not licensed to conduct at
248 least 100 live performances of at least eight races during a
249 fiscal year forfeits the exemption of \$360,000 or \$500,000
250 provided in paragraph (a). Annually, the division shall pool
251 such forfeited exemptions from permitholders who conducted live
252 racing during fiscal year 2010-2011. Each greyhound permitholder

253 who is licensed to conduct at least 100 live performances of at
254 least eight races during the fiscal year is entitled to an
255 additional tax credit in an amount equal to the product of the
256 respective permitholder's percentage share of live and
257 intertrack wagering handle under s. 550.0951(3) during the
258 previous fiscal year and 72 percent of the total value of tax
259 credits available in the pool for fiscal year 2011-2012, or 62
260 percent of the total value of tax credits available in the pool
261 for fiscal years after fiscal year 2011-2012.

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

266 (e) Exemptions or credits issued or transferred pursuant
267 to this subsection may be applied against any taxes imposed by
268 this chapter or daily license fees imposed by this chapter,
269 except during any charity or scholarship performances conducted
270 pursuant to s. 550.0351. No credit or exemption authorized under
271 this section or s. 550.0951 shall carry forward to subsequent
272 fiscal years. The division shall ensure that all transfers of
273 exemptions or credits are made in accordance with this
274 subsection and shall have the authority to adopt rules to ensure
275 the implementation of this section.

276 (2)

277 (b) Except as otherwise set forth herein, in addition to
278 the minimum purse percentage required by paragraph (a), each
279 permitholder conducting live racing during a fiscal year shall
280 pay as purses an annual amount equal to 75 percent of the daily

281 license fees paid by each permitholder for the 1994-1995 fiscal
282 year. This purse supplement shall be disbursed weekly during the
283 permitholder's race meet in an amount determined by dividing the
284 annual purse supplement by the number of performances approved
285 for the permitholder pursuant to its annual license and
286 multiplying that amount by the number of performances conducted
287 each week. ~~For the greyhound permitholders in the county where~~
288 ~~there are two greyhound permitholders located as specified in s.~~
289 ~~550.615(6), such permitholders shall pay in the aggregate an~~
290 ~~amount equal to 75 percent of the daily license fees paid by~~
291 ~~such permitholders for the 1994-1995 fiscal year. These~~
292 ~~permitholders shall be jointly and severally liable for such~~
293 ~~purse payments.~~ The additional purses provided by this paragraph
294 must be used exclusively for purses other than stakes. The
295 division shall conduct audits necessary to ensure compliance
296 with this section.

297 (c)1. Each greyhound permitholder when conducting at least
298 three live performances during any week shall pay purses in that
299 week on wagers it accepts as a guest track on intertrack and
300 simulcast greyhound races at the same rate as it pays on live
301 races. Each greyhound permitholder when conducting at least
302 three live performances during any week shall pay purses in that
303 week, at the same rate as it pays on live races, on wagers
304 accepted on greyhound races at a guest track which is not
305 conducting live racing and is located within the same market
306 area as the greyhound permitholder conducting at least three
307 live performances during any week.

308 2. Each host greyhound permitholder shall pay purses on

309 its simulcast and intertrack broadcasts of greyhound races to
 310 guest facilities that are located outside its market area in an
 311 amount equal to one quarter of an amount determined by
 312 subtracting the transmission costs of sending the simulcast or
 313 intertrack broadcasts from an amount determined by adding the
 314 fees received for greyhound simulcast races plus 3 percent of
 315 the greyhound intertrack handle at guest facilities that are
 316 located outside the market area of the host and that paid
 317 contractual fees to the host for such broadcasts of greyhound
 318 races. For guest greyhound permitholders not conducting live
 319 racing during a fiscal year and not subject to the purse
 320 requirements of subparagraph 1., 3 percent of the greyhound
 321 intertrack handle shall be paid to the host greyhound
 322 permitholder for payment of purses at the host track.

323 (e) In addition to the purse requirements of paragraphs
 324 (a)-(c), each greyhound permitholder shall pay as purses an
 325 amount equal to one-third of the amount of the tax reduction on
 326 live and simulcast handle applicable to such permitholder as a
 327 result of the reductions in tax rates provided ~~by this act~~
 328 through the amendments to s. 550.0951(3) by chapter 2000-354,
 329 Laws of Florida. With respect to intertrack wagering when the
 330 host and guest tracks are greyhound permitholders not within the
 331 same market area, an amount equal to the tax reduction
 332 applicable to the guest track handle as a result of the
 333 reduction in tax rates ~~rate~~ provided ~~by this act~~ through the
 334 amendments ~~amendment~~ to s. 550.0951(3) by chapter 2000-354, Laws
 335 of Florida, shall be distributed to the guest track, one-third
 336 of which amount shall be paid as purses at those guest tracks

337 conducting live racing ~~the guest track~~. However, if the guest
338 track is a greyhound permitholder within the market area of the
339 host or if the guest track is not a greyhound permitholder, an
340 amount equal to such tax reduction applicable to the guest track
341 handle shall be retained by the host track, one-third of which
342 amount shall be paid as purses at the host track. These purse
343 funds shall be disbursed in the week received if the
344 permitholder conducts at least one live performance during that
345 week. If the permitholder does not conduct at least one live
346 performance during the week in which the purse funds are
347 received, the purse funds shall be disbursed weekly during the
348 permitholder's next race meet in an amount determined by
349 dividing the purse amount by the number of performances approved
350 for the permitholder pursuant to its annual license, and
351 multiplying that amount by the number of performances conducted
352 each week. The division shall conduct audits necessary to ensure
353 compliance with this paragraph.

354 Section 6. Subsection (1) of section 550.26165, Florida
355 Statutes, is amended to read:

356 550.26165 Breeders' awards.—

357 (1) The purpose of this section is to encourage the
358 agricultural activity of breeding and training racehorses in
359 this state. Moneys dedicated in this chapter for use as
360 breeders' awards and stallion awards are to be used for awards
361 to breeders of registered Florida-bred horses winning horseraces
362 and for similar awards to the owners of stallions who sired
363 Florida-bred horses winning stakes races, if the stallions are
364 registered as Florida stallions standing in this state. Such

365 awards shall be given at a uniform rate to all winners of the
366 awards, shall not be greater than 20 percent of the announced
367 gross purse, and shall not be less than 15 percent of the
368 announced gross purse if funds are available. In addition, no
369 less than 17 percent nor more than 40 percent, as determined by
370 the Florida Thoroughbred Breeders' Association, of the moneys
371 dedicated in this chapter for use as breeders' awards and
372 stallion awards for thoroughbreds shall be returned pro rata to
373 the permitholders that generated the moneys for special racing
374 awards to be distributed by the permitholders to owners of
375 thoroughbred horses participating in prescribed thoroughbred
376 stakes races, nonstakes races, or both, all in accordance with a
377 written agreement establishing the rate, procedure, and
378 eligibility requirements for such awards entered into by the
379 permitholder, the Florida Thoroughbred Breeders' Association,
380 and the Florida Horsemen's Benevolent and Protective
381 Association, Inc., except that the plan for the distribution by
382 any permitholder located in the area described in s.
383 550.615 (8) ~~(9)~~ shall be agreed upon by that permitholder, the
384 Florida Thoroughbred Breeders' Association, and the association
385 representing a majority of the thoroughbred racehorse owners and
386 trainers at that location. Awards for thoroughbred races are to
387 be paid through the Florida Thoroughbred Breeders' Association,
388 and awards for standardbred races are to be paid through the
389 Florida Standardbred Breeders and Owners Association. Among
390 other sources specified in this chapter, moneys for thoroughbred
391 breeders' awards will come from the 0.955 percent of handle for
392 thoroughbred races conducted, received, broadcast, or simulcast

393 | under this chapter as provided in s. 550.2625(3). The moneys for
 394 | quarter horse and harness breeders' awards will come from the
 395 | breaks and uncashed tickets on live quarter horse and harness
 396 | racing performances and 1 percent of handle on intertrack
 397 | wagering. The funds for these breeders' awards shall be paid to
 398 | the respective breeders' associations by the permitholders
 399 | conducting the races.

400 | Section 7. Section 550.475, Florida Statutes, is amended
 401 | to read:

402 | 550.475 Lease of pari-mutuel facilities by pari-mutuel
 403 | permitholders.—Holders of valid pari-mutuel permits for the
 404 | conduct of any jai alai games, dogracing, or thoroughbred and
 405 | standardbred horse racing in this state are entitled to lease
 406 | any and all of their facilities to any other holder of a same
 407 | class valid pari-mutuel permit for jai alai games, dogracing, or
 408 | thoroughbred or standardbred horse racing, when located within a
 409 | 35-mile radius of each other; and such lessee is entitled to a
 410 | ~~permit and~~ license to operate its race meet or jai alai games at
 411 | the leased premises.

412 | Section 8. Section 550.615, Florida Statutes, is amended
 413 | to read:

414 | 550.615 Intertrack wagering.—

415 | (1) Any horserace permitholder licensed under this chapter
 416 | which has conducted a full schedule of live racing may, at any
 417 | time, receive broadcasts of horseraces and accept wagers on
 418 | horseraces conducted by horserace permitholders licensed under
 419 | this chapter at its facility.

420 | (2) A ~~Any~~ track or fronton licensed under this chapter

421 that conducted a full schedule of live racing or games ~~which~~ in
422 the preceding year, or any greyhound permitholder that has held
423 an annual license to conduct pari-mutuel wagering activities in
424 each of the preceding 10 years or was converted pursuant to s.
425 550.054(14), ~~conducted a full schedule of live racing~~ is
426 qualified to, at any time, receive broadcasts of any class of
427 pari-mutuel race or game and accept wagers on such races or
428 games conducted by any class of permitholders licensed under
429 this chapter.

430 (3) If a permitholder elects to broadcast its signal to
431 any permitholder in this state, any permitholder that is
432 eligible to conduct intertrack wagering under the provisions of
433 ss. 550.615-550.6345 is entitled to receive the broadcast and
434 conduct intertrack wagering under this section; provided,
435 however, that the host track may require a guest track within 25
436 miles of another permitholder to receive in any week at least 60
437 percent of the live races that the host track is making
438 available on the days that the guest track is otherwise
439 operating live races or games. A host track may require a guest
440 track not operating live races or games and within 25 miles of
441 another permitholder to accept within any week at least 60
442 percent of the live races that the host track is making
443 available. A person may not restrain or attempt to restrain any
444 permitholder that is otherwise authorized to conduct intertrack
445 wagering from receiving the signal of any other permitholder or
446 sending its signal to any permitholder.

447 (4) In no event shall any intertrack wager be accepted on
448 the same class of live races or games of any permitholder

449 without the written consent of such operating permitholders
450 conducting the same class of live races or games if the guest
451 track is within the market area of such operating permitholder.
452 A greyhound permitholder licensed under chapter 551 that accepts
453 intertrack wagers on live greyhound signals is not required to
454 obtain the written consent required by this subsection from any
455 operating greyhound permitholder within its market area.

456 (5) No permitholder within the market area of the host
457 track shall take an intertrack wager on the host track without
458 the consent of the host track.

459 (6) Notwithstanding the provisions of subsection (3), in
460 any area of the state where there are three or more horserace
461 permitholders within 25 miles of each other, intertrack wagering
462 between permitholders in said area of the state shall only be
463 authorized under the following conditions: Any permitholder,
464 other than a thoroughbred permitholder, may accept intertrack
465 wagers on races or games conducted live by a permitholder of the
466 same class or any harness permitholder located within such area
467 and any harness permitholder may accept wagers on games
468 conducted live by any jai alai permitholder located within its
469 market area and from a jai alai permitholder located within the
470 area specified in this subsection when no jai alai permitholder
471 located within its market area is conducting live jai alai
472 performances; any greyhound or jai alai permitholder may receive
473 broadcasts of and accept wagers on any permitholder of the other
474 class provided that a permitholder, other than the host track,
475 of such other class is not operating a contemporaneous live
476 performance within the market area.

477 ~~(7) In any county of the state where there are only two~~
 478 ~~permits, one for dogracing and one for jai alai, no intertrack~~
 479 ~~wager may be taken during the period of time when a permitholder~~
 480 ~~is not licensed to conduct live races or games without the~~
 481 ~~written consent of the other permitholder that is conducting~~
 482 ~~live races or games. However, if neither permitholder is~~
 483 ~~conducting live races or games, either permitholder may accept~~
 484 ~~intertrack wagers on horseraces or on the same class of races or~~
 485 ~~games, or on both horseraces and the same class of races or~~
 486 ~~games as is authorized by its permit.~~

487 ~~(7)(8)~~ (7) In any three contiguous counties of the state where
 488 there are only three permitholders, all of which are greyhound
 489 ~~permitholders,~~ If any greyhound permitholder leases the facility
 490 of another greyhound permitholder for the purpose of conducting
 491 all or any portion of ~~the conduct of its live race meet pursuant~~
 492 to s. 550.475, such lessee may conduct intertrack wagering at
 493 its pre-lease permitted facility throughout the entire year,
 494 including while its race ~~live~~ meet is being conducted at the
 495 leased facility, ~~if such permitholder has conducted a full~~
 496 ~~schedule of live racing during the preceding fiscal year at its~~
 497 ~~pre-lease permitted facility or at a leased facility, or~~
 498 ~~combination thereof.~~

499 ~~(8)(9)~~ (8) In any two contiguous counties of the state in
 500 which there are located only four active permits, one for
 501 thoroughbred horse racing, two for greyhound dogracing, and one
 502 for jai alai games, no intertrack wager may be accepted on the
 503 same class of live races or games of any permitholder without
 504 the written consent of such operating permitholders conducting

505 the same class of live races or games if the guest track is
506 within the market area of such operating permitholder.

507 (9)~~(10)~~ All costs of receiving the transmission of the
508 broadcasts shall be borne by the guest track; and all costs of
509 sending the broadcasts shall be borne by the host track.

510 Section 9. Paragraph (g) of subsection (9) of section
511 550.6305, Florida Statutes, is amended to read:

512 550.6305 Intertrack wagering; guest track payments;
513 accounting rules.—

514 (9) A host track that has contracted with an out-of-state
515 horse track to broadcast live races conducted at such out-of-
516 state horse track pursuant to s. 550.3551(5) may broadcast such
517 out-of-state races to any guest track and accept wagers thereon
518 in the same manner as is provided in s. 550.3551.

519 (g)1. Any thoroughbred permitholder which accepts wagers
520 on a simulcast signal must make the signal available to any
521 permitholder that is eligible to conduct intertrack wagering
522 under the provisions of ss. 550.615-550.6345.

523 2. Any thoroughbred permitholder which accepts wagers on a
524 simulcast signal received after 6 p.m. must make such signal
525 available to any permitholder that is eligible to conduct
526 intertrack wagering under the provisions of ss. 550.615-
527 550.6345, including any permitholder located as specified in s.
528 550.615(6). Such guest permitholders are authorized to accept
529 wagers on such simulcast signal, notwithstanding any other
530 provision of this chapter to the contrary.

531 3. Any thoroughbred permitholder which accepts wagers on a
532 simulcast signal received after 6 p.m. must make such signal

533 available to any permitholder that is eligible to conduct
534 intertrack wagering under the provisions of ss. 550.615-
535 550.6345, including any permitholder located as specified in s.
536 550.615(8)~~(9)~~. Such guest permitholders are authorized to accept
537 wagers on such simulcast signals for a number of performances
538 not to exceed that which constitutes a full schedule of live
539 races for a quarter horse permitholder pursuant to s.
540 550.002(11), notwithstanding any other provision of this chapter
541 to the contrary, except that the restrictions provided in s.
542 550.615(8)~~(9)~~(a) apply to wagers on such simulcast signals.

543
544 No thoroughbred permitholder shall be required to continue to
545 rebroadcast a simulcast signal to any in-state permitholder if
546 the average per performance gross receipts returned to the host
547 permitholder over the preceding 30-day period were less than
548 \$100. Subject to the provisions of s. 550.615(4), as a condition
549 of receiving rebroadcasts of thoroughbred simulcast signals
550 under this paragraph, a guest permitholder must accept
551 intertrack wagers on all live races conducted by all then-
552 operating thoroughbred permitholders.

553 Section 10. Paragraph (c) of subsection (4) of section
554 551.104, Florida Statutes, is amended to read:

555 551.104 License to conduct slot machine gaming.—

556 (4) As a condition of licensure and to maintain continued
557 authority for the conduct of slot machine gaming, the slot
558 machine licensee shall:

559 (c) Conduct no fewer than a full schedule of live racing
560 or games as defined in s. 550.002(11), except for holders of

561 greyhound permits, which have no live racing requirement. A
562 permitholder's responsibility to conduct such number of live
563 races or games shall be reduced by the number of races or games
564 that could not be conducted due to the direct result of fire,
565 war, hurricane, or other disaster or event beyond the control of
566 the permitholder.

567 Section 11. Subsections (2) and (4) of section 551.114,
568 Florida Statutes, are amended to read:

569 551.114 Slot machine gaming areas.—

570 (2) The slot machine licensee shall display pari-mutuel
571 races or games within the designated slot machine gaming areas
572 and offer patrons within the designated slot machine gaming
573 areas the ability to engage in pari-mutuel wagering on any live,
574 intertrack, and simulcast races conducted or offered to patrons
575 of the licensed facility.

576 (4) Designated slot machine gaming areas may be located
577 within the current live gaming facility or in an existing
578 building that must be contiguous and connected to the live
579 gaming facility, if applicable. If a designated slot machine
580 gaming area is to be located in a building that is to be
581 constructed, that new building must be contiguous and connected
582 to the live gaming facility.

583 Section 12. Paragraphs (a) and (b) of subsection (5) and
584 paragraph (d) of subsection (13) of section 849.086, Florida
585 Statutes, are amended to read:

586 849.086 Cardrooms authorized.—

587 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
588 operate a cardroom in this state unless such person holds a

589 valid cardroom license issued pursuant to this section.

590 (a) Only those persons holding a valid cardroom license
591 issued by the division may operate a cardroom. A cardroom
592 license may only be issued to a licensed pari-mutuel
593 permitholder and an authorized cardroom may only be operated at
594 the same facility at which the permitholder is authorized under
595 its valid pari-mutuel wagering permit to conduct pari-mutuel
596 wagering activities. An initial cardroom license shall be issued
597 to a pari-mutuel permitholder only after its facilities are in
598 place and after it conducts its first day of live racing or
599 games or, for a greyhound permitholder, only after it has
600 conducted a full schedule of live racing in each of the
601 preceding 10 years or after it was converted pursuant to s.
602 550.054(14) A new cardroom license may not be issued in an area
603 unless the local government has approved such activity within
604 its boundaries in accordance with subsection (16).

605 (b) After the initial cardroom license is granted, the
606 application for the annual license renewal shall be made in
607 conjunction with the applicant's annual application for its
608 pari-mutuel license. If a permitholder has operated a cardroom
609 during any of the 3 previous fiscal years and fails to include a
610 renewal request for the operation of the cardroom in its annual
611 application for license renewal, the permitholder may amend its
612 annual application to include operation of the cardroom. Except
613 for greyhound permitholders, in order for a cardroom license to
614 be renewed the applicant must have requested, as part of its
615 pari-mutuel annual license application, to conduct at least 90
616 percent of the total number of live performances conducted by

617 such permitholder during either the state fiscal year in which
618 its initial cardroom license was issued or the state fiscal year
619 immediately prior thereto if the permitholder ran at least a
620 full schedule of live racing or games in the prior year. If the
621 application is for a harness permitholder cardroom, the
622 applicant must have requested authorization to conduct a minimum
623 of 140 live performances during the state fiscal year
624 immediately prior thereto. If more than one permitholder is
625 operating at a facility, each permitholder must have applied for
626 a license to conduct a full schedule of live racing. However, a
627 minimum number of requested or conducted live performances is
628 not required in order for a greyhound permitholder to maintain
629 or renew a cardroom license.

630 (13) TAXES AND OTHER PAYMENTS.—

631 (d)1. Each greyhound and jai alai permitholder that
632 operates a cardroom facility shall use at least 4 percent of
633 such permitholder's cardroom monthly gross receipts to
634 supplement greyhound purses if live racing is conducted during a
635 fiscal year, or jai alai prize money, respectively, during the
636 permitholder's current or next ensuing pari-mutuel meet.

637 2. Each thoroughbred and harness horse racing permitholder
638 that operates a cardroom facility shall use at least 50 percent
639 of such permitholder's cardroom monthly net proceeds as follows:
640 47 percent to supplement purses and 3 percent to supplement
641 breeders' awards during the permitholder's next ensuing racing
642 meet.

643 3. No cardroom license or renewal thereof shall be issued
644 to an applicant holding a permit under chapter 550 to conduct

645 pari-mutuel wagering meets of quarter horse racing unless the
646 applicant has on file with the division a binding written
647 agreement between the applicant and the Florida Quarter Horse
648 Racing Association or the association representing a majority of
649 the horse owners and trainers at the applicant's eligible
650 facility, governing the payment of purses on live quarter horse
651 races conducted at the licensee's pari-mutuel facility. The
652 agreement governing purses may direct the payment of such purses
653 from revenues generated by any wagering or gaming the applicant
654 is authorized to conduct under Florida law. All purses shall be
655 subject to the terms of chapter 550.

656 Section 13. This act shall take effect July 1, 2011.