



360016

LEGISLATIVE ACTION

Senate	.	House
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Floor: WD/2R	.	
04/29/2011 01:42 PM	.	
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Senators Jones, Garcia, Latvala, Dockery, Ring, Norman, Diaz de la Portilla, and Lynn moved the following:

1 **Senate Substitute for Amendment (116708) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Subsections (11) and (25) of section 550.002,
7 Florida Statutes, are amended to read:

8 550.002 Definitions.—As used in this chapter, the term:

9 (11) "Full schedule of live racing or games" means, for a
10 greyhound or jai alai permitholder, the conduct of a combination
11 of at least 100 live evening or matinee performances during the
12 preceding year; for a permitholder who has a converted permit or



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13 filed an application on or before June 1, 1990, for a converted
14 permit, the conduct of a combination of at least 100 live
15 evening and matinee wagering performances during either of the 2
16 preceding years; for a jai alai permitholder who does not
17 operate slot machines in its pari-mutuel facility, who has
18 conducted at least 100 live performances per year for at least
19 10 years after December 31, 1992, and whose handle on live jai
20 alai games conducted at its pari-mutuel facility has been less
21 than \$4 million per state fiscal year for at least 2 consecutive
22 years after June 30, 1992, the conduct of a combination of at
23 least 40 live evening or matinee performances during the
24 preceding year; for a jai alai permitholder who operates slot
25 machines in its pari-mutuel facility, the conduct of a
26 combination of at least 150 performances during the preceding
27 year; for a harness permitholder, the conduct of at least 100
28 live regular wagering performances during the preceding year;
29 for a quarter horse permitholder at its facility unless an
30 alternative schedule of at least 20 live regular wagering
31 performances is agreed upon by the permitholder and either the
32 Florida Quarter Horse Racing Association or the horsemen's
33 association representing the majority of the quarter horse
34 owners and trainers at the facility and filed with the division
35 along with its annual date application, in the 2010-2011 fiscal
36 year, the conduct of at least 20 regular wagering performances,
37 in the 2011-2012 and 2012-2013 fiscal years, the conduct of at
38 least 30 live regular wagering performances, and for every
39 fiscal year after the 2012-2013 fiscal year, the conduct of at
40 least 40 live regular wagering performances; for a quarter horse
41 permitholder leasing another licensed racetrack, the conduct of



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42 160 events at the leased facility; and for a thoroughbred
43 permitholder, the conduct of at least 40 live regular wagering
44 performances during the preceding year. For a permitholder which
45 is restricted by statute to certain operating periods within the
46 year when other members of its same class of permit are
47 authorized to operate throughout the year, the specified number
48 of live performances which constitute a full schedule of live
49 racing or games shall be adjusted pro rata in accordance with
50 the relationship between its authorized operating period and the
51 full calendar year and the resulting specified number of live
52 performances shall constitute the full schedule of live games
53 for such permitholder and all other permitholders of the same
54 class within 100 air miles of such permitholder. A live
55 performance must consist of no fewer than eight races or games
56 conducted live for each of a minimum of three performances each
57 week at the permitholder's licensed facility under a single
58 admission charge. Notwithstanding any other provision of law,
59 beginning with the 2011-2012 fiscal year, there shall be no
60 minimum requirement of live performances for greyhound
61 permitholders.

62 (25) "Performance" means a series of timed events, races,
63 or games performed consecutively under a single admission
64 charge.

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

67 550.01215 License application; periods of operation; bond,
68 conversion of permit.—

69 (1) Each permitholder shall annually, during the period
70 between December 15 and January 4, file in writing with the



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71 division its application for a license to conduct pari-mutuel
72 wagering activities ~~performances~~ during the next state fiscal
73 year. Each application requesting live performances, if any,
74 shall specify the number, dates, and starting times of all
75 performances which the permitholder intends to conduct. It shall
76 also specify which performances will be conducted as charity or
77 scholarship performances. In addition, each application for a
78 license shall include, for each permitholder which elects to
79 operate a cardroom, the dates and periods of operation the
80 permitholder intends to operate the cardroom or, for each
81 thoroughbred permitholder which elects to receive or rebroadcast
82 out-of-state races after 7 p.m., the dates for all performances
83 which the permitholder intends to conduct. A greyhound
84 permitholder may receive a license to conduct pari-mutuel
85 wagering activities at a licensed greyhound facility pursuant to
86 s. 550.475. ~~Permitholders may shall be entitled to~~ amend their
87 applications through February 28 or, for applications by
88 greyhound permitholders relating to the 2011-2012 fiscal year,
89 through August 31, 2011.

90 Section 3. Paragraph (b) of subsection (14) of section
91 550.054, Florida Statutes, is amended to read:

92 550.054 Application for permit to conduct pari-mutuel
93 wagering.—

94 (14)

95 (b) The division, upon application from the holder of a jai
96 alai permit meeting all conditions of this section, shall
97 convert the permit and shall issue to the permitholder a permit
98 to conduct greyhound racing. ~~A permitholder of a permit~~
99 ~~converted under this section shall be required to apply for and~~



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100 ~~conduct a full schedule of live racing each fiscal year to be~~
101 ~~eligible for any tax credit provided by this chapter.~~ The holder
102 of a permit converted pursuant to this subsection or any holder
103 of a permit to conduct greyhound racing located in a county in
104 which it is the only permit issued pursuant to this section who
105 operates at a leased facility pursuant to s. 550.475 may move
106 the location for which the permit has been issued to another
107 location within a 30-mile radius of the location fixed in the
108 permit issued in that county, provided the move does not cross
109 the county boundary and such location is approved under the
110 zoning regulations of the county or municipality in which the
111 permit is located, and upon such relocation may use the permit
112 for the conduct of pari-mutuel wagering and the operation of a
113 cardroom. The provisions of s. 550.6305(9)(d) and (f) shall
114 apply to any permit converted under this subsection and shall
115 continue to apply to any permit which was previously included
116 under and subject to such provisions before a conversion
117 pursuant to this section occurred.

118 Section 4. Subsection (1) and paragraph (c) of subsection
119 (3) of section 550.0951, Florida Statutes, are amended to read:

120 550.0951 Payment of daily license fee and taxes;
121 penalties.—

122 (1) (a) DAILY LICENSE FEE.—Each person engaged in the
123 business of conducting race meetings or jai alai games under
124 this chapter, hereinafter referred to as the "permitholder,"
125 "licensee," or "permittee," shall pay to the division, for the
126 use of the division, a daily license fee on each live or
127 simulcast pari-mutuel event of \$100 for each horserace and \$80
128 for each dograce and \$40 for each jai alai game conducted at a



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129 racetrack or fronton licensed under this chapter. In addition to
130 the tax exemption specified in s. 550.09514(1) of \$360,000 or
131 \$500,000 per greyhound permitholder per state fiscal year, each
132 greyhound permitholder shall receive in the current state fiscal
133 year a tax credit equal to the number of live greyhound races
134 conducted in the previous state fiscal year times the daily
135 license fee specified for each dograce in this subsection
136 applicable for the previous state fiscal year. This tax credit
137 and the exemption in s. 550.09514(1) shall be applicable to any
138 tax imposed by this chapter or the daily license fees imposed by
139 this chapter except during any charity or scholarship
140 performances conducted pursuant to s. 550.0351. Each
141 permitholder shall pay daily license fees not to exceed \$500 per
142 day on any simulcast races or games on which such permitholder
143 accepts wagers regardless of the number of out-of-state events
144 taken or the number of out-of-state locations from which such
145 events are taken. This license fee shall be deposited with the
146 Chief Financial Officer to the credit of the Pari-mutuel
147 Wagering Trust Fund.

148 (b) Each permitholder that cannot utilize the full amount
149 of the exemption of \$360,000 or \$500,000 provided in s.
150 550.09514(1) or the daily license fee credit provided in this
151 section may, at any time after notifying the division in
152 writing, ~~elect once per state fiscal year~~ on a form provided by
153 the division, elect to transfer such exemption or credit or any
154 portion thereof to any greyhound permitholder which acts as a
155 host track to such permitholder for the purpose of intertrack
156 wagering. Notwithstanding any other provision of law, the
157 exemption of \$360,000 or \$500,000 provided in s. 550.09514(1),



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158 for each greyhound permitholder that does not conduct live
159 racing shall be pooled for distribution to eligible greyhound
160 permitholders in the current fiscal year and any portion of the
161 exemptions provided in s. 550.09514(1) unused or not transferred
162 by each greyhound permitholder that elects to conduct live
163 racing shall be pooled for distribution to eligible greyhound
164 permitholders in the following fiscal year. Each greyhound
165 permitholder conducting at least 100 live performances of at
166 least eight races during a fiscal year shall be eligible for an
167 additional tax credit from the pool in an amount equal to the
168 product of the respective permitholder's percentage share of
169 live and intertrack wagering handle, excluding the live and
170 intertrack wagering handle of permitholders that do not conduct
171 live racing during the year in which the credits are distributed
172 under subsection (3) during the preceding fiscal year and the
173 total value of tax credits available in the pool. A greyhound
174 permitholder conducting live racing shall use the credits
175 provided in paragraph (a) and s. 550.1647 prior to the
176 exemptions provided in s. 550.09514(1) for purposes of
177 calculating the amount of unused exemptions. Once an election to
178 transfer such exemption or credit is filed with the division, it
179 shall not be rescinded. The division shall disapprove the
180 transfer when the amount of the exemption or credit or portion
181 thereof is unavailable to the transferring permitholder for any
182 reason, including being unavailable because the transferring
183 permitholder did not conduct at least 100 live performances of
184 at least eight races during the fiscal year, or when the
185 permitholder who is entitled to transfer the exemption or credit
186 or who is entitled to receive the exemption or credit owes taxes



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187 to the state pursuant to a deficiency letter or administrative
188 complaint issued by the division. Upon approval of the transfer
189 by the division, the transferred tax exemption or credit shall
190 be effective for the first performance of the next payment
191 period as specified in subsection (5). The exemption or credit
192 transferred to such host track may be applied by such host track
193 against any taxes imposed by this chapter or daily license fees
194 imposed by this chapter. The greyhound permitholder host track
195 to which such exemption or credit is transferred shall reimburse
196 such permitholder the exact monetary value of such transferred
197 exemption or credit as actually applied against the taxes and
198 daily license fees of the host track. The division shall ensure
199 that all transfers of exemption or credit are made in accordance
200 with this subsection and shall have the authority to adopt rules
201 to ensure the implementation of this section.

202 (c) A greyhound permitholder that conducts at least 100
203 live performances of at least eight races during each of the 5
204 years after July 1, 2011; that subsequently elects to not
205 conduct live racing; and that served as a host track for
206 intertrack wagering in each of the 10 years preceding its
207 election to not conduct live racing, or was converted pursuant
208 to s. 550.054(14), is entitled to an annual tax credit for each
209 year the greyhound permitholder conducted live racing after July
210 1, 2011, not to exceed 10 years, in an amount equal to the
211 average tax credit received by the greyhound permitholder
212 pursuant to paragraph (b) during the 3 years preceding the
213 greyhound permitholder's election to not conduct live racing.
214 The tax credit provided under this paragraph shall be deducted
215 from the pool pursuant to paragraph (b) and may be applied



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216 against any taxes or fees imposed by this chapter or any taxes
217 or fees imposed by s. 849.086.

218 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on
219 contributions to pari-mutuel pools, the aggregate of which is
220 hereinafter referred to as "handle," on races or games conducted
221 by the permitholder. The tax is imposed daily and is based on
222 the total contributions to all pari-mutuel pools conducted
223 during the daily performance. If a permitholder conducts more
224 than one performance daily, the tax is imposed on each
225 performance separately.

226 (c)1. The tax on handle for intertrack wagering is 2.0
227 percent of the handle if the host track is a horse track, 3.3
228 percent if the host track is a harness track, 5.5 percent if the
229 host track is a dog track, and 7.1 percent if the host track is
230 a jai alai fronton. The tax on handle for intertrack wagering is
231 0.5 percent if the host track and the guest track are
232 thoroughbred permitholders or if the guest track is located
233 outside the market area of the host track and within the market
234 area of a thoroughbred permitholder currently conducting a live
235 race meet. The tax on handle for intertrack wagering on
236 rebroadcasts of simulcast thoroughbred horseraces is 2.4 percent
237 of the handle and 1.5 percent of the handle for intertrack
238 wagering on rebroadcasts of simulcast harness horseraces. The
239 tax shall be deposited into the Pari-mutuel Wagering Trust Fund.

240 2. The tax on handle for intertrack wagers accepted by any
241 dog track located in an area of the state in which there are
242 only three permitholders, all of which are greyhound
243 permitholders, located in three contiguous counties, from any
244 greyhound permitholder also located within such area or any dog



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245 track or jai alai fronton located as specified in s. 550.615(6)
246 or (8) ~~(9)~~, on races or games received from the same class of
247 permitholder located within the same market area is 3.9 percent
248 if the host facility is a greyhound permitholder and, if the
249 host facility is a jai alai permitholder, the rate shall be 6.1
250 percent except that it shall be 2.3 percent on handle at such
251 time as the total tax on intertrack handle paid to the division
252 by the permitholder during the current state fiscal year exceeds
253 the total tax on intertrack handle paid to the division by the
254 permitholder during the 1992-1993 state fiscal year.

255 Section 5. Paragraphs (b), (c), and (e) of subsection (2)
256 of section 550.09514, Florida Statutes, are amended to read:

257 550.09514 Greyhound dogracing taxes; purse requirements.-

258 (2)

259 (b) Except as otherwise set forth herein, in addition to
260 the minimum purse percentage required by paragraph (a), each
261 permitholder conducting live racing during a fiscal year shall
262 pay as purses an annual amount equal to 75 percent of the daily
263 license fees paid by each permitholder for the 1994-1995 fiscal
264 year. This purse supplement shall be disbursed weekly during the
265 permitholder's race meet in an amount determined by dividing the
266 annual purse supplement by the number of performances approved
267 for the permitholder pursuant to its annual license and
268 multiplying that amount by the number of performances conducted
269 each week. ~~For the greyhound permitholders in the county where~~
270 ~~there are two greyhound permitholders located as specified in s.~~
271 ~~550.615(6), such permitholders shall pay in the aggregate an~~
272 ~~amount equal to 75 percent of the daily license fees paid by~~
273 ~~such permitholders for the 1994-1995 fiscal year. These~~



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274 ~~permitholders shall be jointly and severally liable for such~~
275 ~~purse payments.~~ The additional purses provided by this paragraph
276 must be used exclusively for purses other than stakes. The
277 division shall conduct audits necessary to ensure compliance
278 with this section.

279 (c)1. Each greyhound permitholder when conducting at least
280 three live performances during any week shall pay purses in that
281 week on wagers it accepts as a guest track on intertrack and
282 simulcast greyhound races at the same rate as it pays on live
283 races. Each greyhound permitholder when conducting at least
284 three live performances during any week shall pay purses in that
285 week, at the same rate as it pays on live races, on wagers
286 accepted on greyhound races at a guest track which is not
287 conducting live racing and is located within the same market
288 area as the greyhound permitholder conducting at least three
289 live performances during any week.

290 2. Each host greyhound permitholder shall pay purses on its
291 simulcast and intertrack broadcasts of greyhound races to guest
292 facilities that are located outside its market area in an amount
293 equal to one quarter of an amount determined by subtracting the
294 transmission costs of sending the simulcast or intertrack
295 broadcasts from an amount determined by adding the fees received
296 for greyhound simulcast races plus 3 percent of the greyhound
297 intertrack handle at guest facilities that are located outside
298 the market area of the host and that paid contractual fees to
299 the host for such broadcasts of greyhound races. For guest
300 greyhound permitholders not conducting live racing during a
301 fiscal year and not subject to the purse requirements in
302 subparagraph 1., 3 percent of the greyhound intertrack handle



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303 shall be paid to the host greyhound permitholder for payment of
304 purses at the host track.

305 (e) In addition to the purse requirements of paragraphs
306 (a)-(c), each greyhound permitholder shall pay as purses an
307 amount equal to one-third of the amount of the tax reduction on
308 live and simulcast handle applicable to such permitholder as a
309 result of the reductions in tax rates provided ~~by this act~~
310 through the amendments to s. 550.0951(3) in chapter 2000-354,
311 Laws of Florida. With respect to intertrack wagering when the
312 host and guest tracks are greyhound permitholders not within the
313 same market area, an amount equal to the tax reduction
314 applicable to the guest track handle as a result of the
315 reduction in tax rates ~~rate~~ provided ~~by this act~~ through the
316 amendments ~~amendment~~ to s. 550.0951(3) in chapter 2000-354, Laws
317 of Florida, shall be distributed to the guest track, one-third
318 of which amount shall be paid as purses at ~~the~~ guest tracks
319 conducting live racing ~~track~~. However, if the guest track is a
320 greyhound permitholder within the market area of the host or if
321 the guest track is not a greyhound permitholder, an amount equal
322 to such tax reduction applicable to the guest track handle shall
323 be retained by the host track, one-third of which amount shall
324 be paid as purses at the host track. These purse funds shall be
325 disbursed in the week received if the permitholder conducts at
326 least one live performance during that week. If the permitholder
327 does not conduct at least one live performance during the week
328 in which the purse funds are received, the purse funds shall be
329 disbursed weekly during the permitholder's next race meet in an
330 amount determined by dividing the purse amount by the number of
331 performances approved for the permitholder pursuant to its



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332 annual license, and multiplying that amount by the number of
333 performances conducted each week. The division shall conduct
334 audits necessary to ensure compliance with this paragraph.

335 Section 6. Subsection (9) of section 550.105, Florida
336 Statutes, is amended to read:

337 550.105 Occupational licenses of racetrack employees; fees;
338 denial, suspension, and revocation of license; penalties and
339 fines.—

340 (9) The tax imposed by this section is in lieu of all
341 license, excise, or occupational taxes to the state or any
342 county, municipality, or other political subdivision, except
343 that, if a race meeting or game is held or conducted in a
344 municipality, the municipality may assess and collect an
345 additional tax against any person conducting live racing or
346 games within its corporate limits, which tax may not exceed \$150
347 per day for horseracing or \$50 per day for dogracing,
348 simulcasts, intertrack wagering, cardroom games, or jai alai, up
349 to the maximum of 100 days for dogracing facilities. This tax
350 may be levied on simulcasts, intertrack wagering, and cardroom
351 games only to the extent that the facility does not have an
352 existing agreement with the municipality. Except as provided in
353 this chapter, a municipality may not assess or collect any
354 additional excise or revenue tax against any person conducting
355 race meetings within the corporate limits of the municipality or
356 against any patron of any such person.

357 Section 7. Subsection (1) of section 550.26165, Florida
358 Statutes, is amended to read:

359 550.26165 Breeders' awards.—

360 (1) The purpose of this section is to encourage the



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361 agricultural activity of breeding and training racehorses in
362 this state. Moneys dedicated in this chapter for use as
363 breeders' awards and stallion awards are to be used for awards
364 to breeders of registered Florida-bred horses winning horseraces
365 and for similar awards to the owners of stallions who sired
366 Florida-bred horses winning stakes races, if the stallions are
367 registered as Florida stallions standing in this state. Such
368 awards shall be given at a uniform rate to all winners of the
369 awards, shall not be greater than 20 percent of the announced
370 gross purse, and shall not be less than 15 percent of the
371 announced gross purse if funds are available. In addition, no
372 less than 17 percent nor more than 40 percent, as determined by
373 the Florida Thoroughbred Breeders' Association, of the moneys
374 dedicated in this chapter for use as breeders' awards and
375 stallion awards for thoroughbreds shall be returned pro rata to
376 the permitholders that generated the moneys for special racing
377 awards to be distributed by the permitholders to owners of
378 thoroughbred horses participating in prescribed thoroughbred
379 stakes races, nonstakes races, or both, all in accordance with a
380 written agreement establishing the rate, procedure, and
381 eligibility requirements for such awards entered into by the
382 permitholder, the Florida Thoroughbred Breeders' Association,
383 and the Florida Horsemen's Benevolent and Protective
384 Association, Inc., except that the plan for the distribution by
385 any permitholder located in the area described in s. 550.615(8)
386 ~~s. 550.615(9)~~ shall be agreed upon by that permitholder, the
387 Florida Thoroughbred Breeders' Association, and the association
388 representing a majority of the thoroughbred racehorse owners and
389 trainers at that location. Awards for thoroughbred races are to



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390 be paid through the Florida Thoroughbred Breeders' Association,
391 and awards for standardbred races are to be paid through the
392 Florida Standardbred Breeders and Owners Association. Among
393 other sources specified in this chapter, moneys for thoroughbred
394 breeders' awards will come from the 0.955 percent of handle for
395 thoroughbred races conducted, received, broadcast, or simulcast
396 under this chapter as provided in s. 550.2625(3). The moneys for
397 quarter horse and harness breeders' awards will come from the
398 breaks and uncashed tickets on live quarter horse and harness
399 racing performances and 1 percent of handle on intertrack
400 wagering. The funds for these breeders' awards shall be paid to
401 the respective breeders' associations by the permitholders
402 conducting the races.

403 Section 8. Section 550.26352, Florida Statutes, is amended
404 to read

405 550.26352 Breeders' Cup Meet; pools authorized; conflicts;
406 taxes; credits; transmission of races; rules; application.-

407 (1) In order to support the long standing history and
408 importance of Florida's thoroughbred industry and create
409 incentives for continued job growth and economic development in
410 this industry, the Legislature finds that the "Breeders' Cup
411 World Championship of Horse Racing" is an important event that
412 Florida should annually pursue as a host state. While Florida
413 has been the host of the Breeders' Cup World Championship in the
414 past, as of 2011 the Legislature finds that no thoroughbred
415 track in this state presently meets the facility-related
416 requirements of the sponsor of the Breeders' Cup World
417 Championship. The Breeders' Cup World Championship is estimated
418 to create tens of millions of dollars in economic development



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419 and sustain hundreds of jobs in the horse industry of the state
420 that hosts the event. The Legislature finds that preserving the
421 rich history of Florida's horse racing industry and fostering
422 additional economic development and jobs in Florida's horse
423 industry are public purposes worthy of providing the incentives
424 provided to induce current horse racing permitholders to upgrade
425 their facilities to accommodate the requirements of the
426 Breeders' Cup World Championship so that the Breeders' Cup World
427 Championship may return to Florida. In furtherance of these
428 objectives, the Legislature hereby creates the Breeders' Cup
429 Permit to be operated exclusively at a Florida racetrack venue
430 capable of hosting the Breeders' Cup World Championship.

431 (2) (a) ~~(1)~~ Notwithstanding any provision of this chapter to
432 the contrary, there is hereby created a special thoroughbred
433 race meet which shall be designated as the "Breeders' Cup Meet."
434 ~~The Breeders' Cup Meet shall be conducted at the facility of the~~
435 ~~Florida permitholder selected by Breeders' Cup Limited to~~
436 ~~conduct the Breeders' Cup Meet. The Breeders' Cup Meet shall~~
437 ~~consist of 3 days: the day on which the Breeders' Cup races are~~
438 ~~conducted, the preceding day, and the subsequent day. Upon the~~
439 ~~selection of the Florida permitholder as host for the Breeders'~~
440 ~~Cup Meet and application by the selected permitholder, the~~
441 ~~division shall issue a license to the selected permitholder to~~
442 ~~operate the Breeders' Cup Meet. Notwithstanding s.~~
443 ~~550.09515(2) (a), the Breeders' Cup Meet may be conducted on~~
444 ~~dates which the selected permitholder is not otherwise~~
445 ~~authorized to conduct a race meet. The Breeders' Cup Meet shall~~
446 ~~commence on the day before the annual Breeders' Cup World~~
447 ~~Championship series of horse races are first conducted and shall~~



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448 continue through the Wednesday before the ensuing Thanksgiving
449 Day.

450 (b) There is hereby created a thoroughbred horse racing
451 permit designated as the "Breeders' Cup Permit" that shall
452 authorize the holder to operate the Breeders' Cup Meet. In order
453 to provide for consistency and certainty in the annual racing
454 schedule, the Breeders' Cup Meet shall be conducted annually at
455 the facility of the holder of the Breeders' Cup Permit
456 irrespective of whether the annual Breeders' Cup World
457 Championship series of horse races is conducted live at the
458 facility of the holder of the Breeders' Cup Permit in any
459 particular year. The holder of the Breeders' Cup Permit shall
460 comply with the requirements of s. 550.01215 with regard to
461 application for an annual license to conduct the Breeders' Cup
462 Meet, which license shall be issued by the division as otherwise
463 provided in s. 550.01215. The provisions of this chapter
464 relating to referendum requirements for the issuance of a pari-
465 mutuel permit or which otherwise impose mileage limitations on
466 the location of a new pari-mutuel permit shall not apply to the
467 permit created by this section, any contrary provision of law
468 notwithstanding. The restrictions imposed by s. 550.5251(2)
469 shall not apply to the holder of the Breeders' Cup Permit or any
470 other thoroughbred permitholder within its market area.

471 (c) There shall be only one Breeders' Cup Permit authorized
472 by this section. Applications for issuance of the Breeders' Cup
473 Permit shall be filed with the division on or before September
474 1, 2011. Any holder of a horseracing permit issued by the
475 division is eligible to apply. If only one eligible applicant
476 applies for the Breeders' Cup Permit, then the division shall



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477 issue the Permit to that applicant no later than October 1,
478 2011. If more than one application is submitted seeking issue of
479 the Breeders' Cup permit, then the division shall determine
480 which applicant shall be issued the Breeders' Cup Permit. In
481 making its determination, the division shall issue the Breeders'
482 Cup Permit to the applicant demonstrating superior capabilities
483 to conduct an international racing event of the magnitude of the
484 Breeders' Cup World Championship, as measured by the
485 demonstrated ability of the applicant's facility to accommodate
486 attendance in excess of 30,000 patrons, the capacity to add
487 additional seating to accommodate the average attendance at the
488 prior 5 Breeders' Cup World Championship events, adequate
489 parking lot capacity, superior facility characteristics such as
490 quality of the racing surfaces and amenities for the patrons,
491 the historical significance of the applicant in the
492 establishment of the horse racing industry in Florida, and
493 superior public transportation servicing the applicant's
494 facility. The division shall make a final determination with
495 regard to the competing applications on or before December 31,
496 2011. However, if, on or before October 1, 2011, any of the
497 applicants requests that the division's determination be
498 postponed until June 1, 2012 in order to give that applicant an
499 opportunity to make the capital improvements to its facility
500 necessary to achieve an attendance capacity equal to the average
501 attendance at the prior 5 Breeders' Cup World Championship
502 events and to construct other capital improvements otherwise
503 applicable to the stated criteria, and such request is supported
504 by executed construction contracts to accomplish the
505 improvements, then the division shall postpone its determination



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506 until June 1, 2012, by which date the division shall make its
507 final determination.

508 (3)~~(2)~~ The permitholder conducting the Breeders' Cup Meet
509 is specifically authorized to create pari-mutuel pools during
510 the Breeders' Cup Meet by accepting pari-mutuel wagers on the
511 ~~thoroughbred~~ horse races run during said meet.

512 (4)~~(3)~~ If the permitholder has been selected to conduct
513 ~~conducting~~ the Breeders' Cup World Championship and Meet is
514 located within 35 miles of one or more permitholders scheduled
515 to conduct a thoroughbred race meet on any of the 2 ~~3~~ days of
516 the Breeders' Cup World Championship, Meet, then operation on
517 any of those 2 ~~3~~ days by the other permitholders is prohibited.
518 As compensation for the loss of racing days caused thereby, such
519 operating permitholders shall receive a credit against the taxes
520 otherwise due and payable to the state under ss. 550.0951 and
521 550.09515. This credit shall be in an amount equal to the
522 operating loss determined to have been suffered by the operating
523 permitholders as a result of not operating on the prohibited
524 racing days, but shall not exceed a total of \$950,000. The
525 determination of the amount to be credited shall be made by the
526 division upon application by the operating permitholder. The tax
527 credits provided in this subsection shall not be available
528 unless an operating permitholder is required to close a bona
529 fide meet consisting in part of no fewer than 10 scheduled
530 performances in the 15 days immediately preceding or 10
531 scheduled performances in the 15 days immediately following the
532 Breeders' Cup World Championship Meet. Such tax credit shall be
533 in lieu of any other compensation or consideration for the loss
534 of racing days. There shall be no replacement or makeup of any



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535 lost racing days.

536 ~~(5)~~(4) Notwithstanding any provision of ss. 550.0951 and
537 550.09515, if the permitholder has been selected to conduct
538 ~~conducting~~ the Breeders' Cup World Championship, Meet the
539 Breeders' Cup permitholder shall pay no taxes on the handle
540 included within the pari-mutuel pools of said permitholder for
541 the day or days upon which the races sponsored by the Breeders'
542 Cup World Championship are conducted live at the facility of the
543 holder of during the Breeders' Cup Permit Meet.

544 ~~(6)~~(5) If the The permitholder is selected to conduct
545 ~~conducting~~ the Breeders' Cup World Championship, Meet the
546 permitholder shall receive a credit against the taxes otherwise
547 due and payable to the state under ss. 550.0951 and 550.09515
548 generated during the Breeders' Cup World Championship said
549 ~~permitholder's next ensuing regular thoroughbred race meet.~~ This
550 credit shall be in an amount not to exceed \$950,000 and shall be
551 utilized by the permitholder to pay the purses offered by the
552 permitholder during the Breeders' Cup World Championship Meet in
553 excess of the purses which the permitholder is otherwise
554 required by law to pay. The amount to be credited shall be
555 determined by the division upon application of the permitholder
556 which is subject to audit by the division.

557 ~~(7)~~(6) If the The permitholder is selected to conduct
558 ~~conducting~~ the Breeders' Cup World Championship, Meet the
559 permitholder shall receive a credit against the taxes otherwise
560 due and payable to the state under ss. 550.0951 and 550.09515
561 generated during the Breeders' Cup World Championship said
562 ~~permitholder's next ensuing regular thoroughbred race meet.~~ This
563 credit shall be in an amount not to exceed \$950,000 and shall be



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564 utilized by the permitholder for such capital improvements and
565 extraordinary expenses as may be necessary for operation of the
566 Breeders' Cup World Championship Meet. The amount to be credited
567 shall be determined by the division upon application of the
568 permitholder which is subject to audit by the division.

569 (8)(7) If the ~~The~~ permitholder is selected to conduct
570 conducting the Breeders' Cup World Championship, ~~Meet~~ the
571 permitholder shall be exempt from the payment of purses and
572 other payments to horsemen on all on-track, intertrack,
573 interstate, and international wagers or rights fees or payments
574 arising therefrom for all races for which the purse is paid or
575 supplied by Breeders' Cup World Championship Limited. The
576 permitholder conducting the Breeders' Cup World Championship
577 Meet shall not, however, be exempt from breeders' awards
578 payments for on-track and intertrack wagers as provided in ss.
579 550.2625(3) and 550.625(2)(a) for races in which the purse is
580 paid or supplied by Breeders' Cup World Championship Limited.

581 (9)(8)(a) Pursuant to s. 550.3551(2), the permitholder
582 conducting the Breeders' Cup World Championship Meet is
583 authorized to transmit broadcasts of the races conducted during
584 the Breeders' Cup World Championship Meet to locations outside
585 of this state for wagering purposes. The division may approve
586 broadcasts to pari-mutuel permitholders and other betting
587 systems authorized under the laws of any other state or country.
588 Wagers accepted by any out-of-state pari-mutuel permitholder or
589 betting system on any races broadcast under this section may be,
590 but are not required to be, commingled with the pari-mutuel
591 pools of the permitholder conducting the Breeders' Cup World
592 Championship Meet. The calculation of any payoff on national



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593 pari-mutuel pools with commingled wagers may be performed by the
594 permitholder's totalisator contractor at a location outside of
595 this state. Pool amounts from wagers placed at pari-mutuel
596 facilities or other betting systems in foreign countries before
597 being commingled with the pari-mutuel pool of the Florida
598 permitholder conducting the Breeders' Cup World Championship
599 ~~Meet~~ shall be calculated by the totalisator contractor and
600 transferred to the commingled pool in United States currency in
601 cycles customarily used by the permitholder. Pool amounts from
602 wagers placed at any foreign pari-mutuel facility or other
603 betting system shall not be commingled with a Florida pool until
604 a determination is made by the division that the technology
605 utilized by the totalisator contractor is adequate to assure
606 commingled pools will result in the calculation of accurate
607 payoffs to Florida bettors. Any totalisator contractor at a
608 location outside of this state shall comply with the provisions
609 of s. 550.495 relating to totalisator licensing.

610 (b) The permitholder conducting the Breeders' Cup Meet is
611 authorized to transmit broadcasts of the races conducted during
612 the Breeders' Cup Meet to other pari-mutuel facilities located
613 in this state for wagering purposes; ~~however, the permitholder~~
614 ~~conducting the Breeders' Cup Meet shall not be required to~~
615 ~~transmit broadcasts to any pari-mutuel facility located within~~
616 ~~25 miles of the facility at which the Breeders' Cup Meet is~~
617 ~~conducted.~~

618 (c) The permitholder conducting the Breeders' Cup Meet and
619 any other licensed thoroughbred permitholder within its market
620 area is authorized at any time to receive broadcasts of the
621 races from horse tracks located outside of this state for



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622 wagering purposes.

623 ~~(10)-(9)~~ The ~~exemption from the~~ tax credits provided in
624 subsections (4), (6), and (7) ~~(5) and (6)~~ shall not be granted and
625 shall not be claimed by the affected permitholder until an audit
626 is completed by the division. The division is required to
627 complete the audit within 30 days of receipt of the necessary
628 documentation from the permitholder to verify the permitholder's
629 claim for tax credits. If the documentation submitted by the
630 permitholder is incomplete or is insufficient to document the
631 permitholder's claim for tax credits, the division may request
632 such additional documentation as is necessary to complete the
633 audit. Upon receipt of the division's written request for
634 additional documentation, the 30-day time limitation will
635 commence anew. The permitholder shall be entitled to apply the
636 tax credits authorized in this section against the taxes
637 otherwise due during the permitholder's next ensuing race meet
638 or meets or other taxes otherwise payable by the permitholder to
639 the division under chapters 550, 551, or 849, F.S., until the
640 credit is fully applied.

641 ~~(11)-(10)~~ The division is authorized to adopt such rules as
642 are necessary to facilitate the conduct of the Breeders' Cup
643 Meet and Breeders' Cup World Championship events as authorized
644 in this section. Included within this grant of authority shall
645 be the adoption or waiver of rules regarding the overall conduct
646 of racing during the Breeders' Cup World Championship Meet so as
647 to ensure the integrity of the races, licensing for all
648 participants, special stabling and training requirements for
649 foreign horses, commingling of pari-mutuel pools, and audit
650 requirements for tax credits and other benefits.



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651 ~~(12)(11)~~ Any dispute between the division and any
652 permitholder regarding the tax credits authorized under
653 subsections (4), (6), or (7)~~(3), subsection (5), or subsection~~
654 ~~(6)~~ shall be determined by a hearing officer of the Division of
655 Administrative Hearings under the provisions of s. 120.57(1).

656 (13) Upon the issuance of the Breeders' Cup Permit, the
657 permit shall not be subject to revocation, suspension, or
658 escheatment, except as otherwise provided in this chapter for
659 the revocation, suspension, or escheatment of thoroughbred
660 permits generally.

661 ~~(14)(12)~~ The provisions of this section shall prevail over
662 any conflicting provisions of this chapter.

663 Section 9. Section 550.475, Florida Statutes, is amended to
664 read:

665 550.475 Lease of pari-mutuel facilities by pari-mutuel
666 permitholders.—Holders of valid pari-mutuel permits for the
667 conduct of any jai alai games, dogracing, or thoroughbred and
668 standardbred horse racing in this state are entitled to lease
669 any and all of their facilities to any other holder of a same
670 class valid pari-mutuel permit for jai alai games, dogracing, or
671 thoroughbred or standardbred horse racing, when located within a
672 35-mile radius of each other; and such lessee is entitled to a
673 ~~permit and~~ license to operate its race meet or jai alai games at
674 the leased premises.

675 Section 10. Section 550.615, Florida Statutes, is amended
676 to read:

677 550.615 Intertrack wagering.—

678 (1) Any horserace permitholder licensed under this chapter
679 which has conducted a full schedule of live racing may, at any



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680 time, receive broadcasts of horseraces and accept wagers on
681 horseraces conducted by horserace permitholders licensed under
682 this chapter at its facility.

683 (2) A Any track or fronton licensed under this chapter
684 which conducted a full schedule of live racing or games which in
685 the preceding year, any greyhound permitholder that has held an
686 annual license to conduct pari-mutuel wagering activities in
687 each of the preceding 10 years, or any greyhound permitholder
688 converted pursuant to s. 550.054(14) conducted a full schedule
689 of live racing is qualified to, at any time, receive broadcasts
690 of any class of pari-mutuel race or game and accept wagers on
691 such races or games conducted by any class of permitholders
692 licensed under this chapter.

693 (3) If a permitholder elects to broadcast its signal to any
694 permitholder in this state, any permitholder that is eligible to
695 conduct intertrack wagering under the provisions of ss. 550.615-
696 550.6345 is entitled to receive the broadcast and conduct
697 intertrack wagering under this section; provided, however, that
698 the host track may require a guest track within 25 miles of
699 another permitholder to receive in any week at least 60 percent
700 of the live races that the host track is making available on the
701 days that the guest track is otherwise operating live races or
702 games. A host track may require a guest track not operating live
703 races or games and within 25 miles of another permitholder to
704 accept within any week at least 60 percent of the live races
705 that the host track is making available. A person may not
706 restrain or attempt to restrain any permitholder that is
707 otherwise authorized to conduct intertrack wagering from
708 receiving the signal of any other permitholder or sending its



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709 signal to any permitholder.

710 (4) In no event shall any intertrack wager be accepted on
711 the same class of live races or games of any permitholder
712 without the written consent of such operating permitholders
713 conducting the same class of live races or games if the guest
714 track is within the market area of such operating permitholder.
715 A greyhound permitholder that accepts intertrack wagers on live
716 greyhound signals is not required to obtain such written consent
717 from any operating greyhound permitholder within its market
718 area.

719 (5) No permitholder within the market area of the host
720 track shall take an intertrack wager on the host track without
721 the consent of the host track.

722 (6) Notwithstanding the provisions of subsection (3), in
723 any area of the state where there are three or more horserace
724 permitholders within 25 miles of each other, intertrack wagering
725 between permitholders in said area of the state shall only be
726 authorized under the following conditions: Any permitholder,
727 other than a thoroughbred permitholder, may accept intertrack
728 wagers on races or games conducted live by a permitholder of the
729 same class or any harness permitholder located within such area
730 and any harness permitholder may accept wagers on games
731 conducted live by any jai alai permitholder located within its
732 market area and from a jai alai permitholder located within the
733 area specified in this subsection when no jai alai permitholder
734 located within its market area is conducting live jai alai
735 performances; any greyhound or jai alai permitholder may receive
736 broadcasts of and accept wagers on any permitholder of the other
737 class provided that a permitholder, other than the host track,



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738 of such other class is not operating a contemporaneous live
739 performance within the market area.

740 ~~(7) In any county of the state where there are only two~~
741 ~~permits, one for dogracing and one for jai alai, no intertrack~~
742 ~~wager may be taken during the period of time when a permitholder~~
743 ~~is not licensed to conduct live races or games without the~~
744 ~~written consent of the other permitholder that is conducting~~
745 ~~live races or games. However, if neither permitholder is~~
746 ~~conducting live races or games, either permitholder may accept~~
747 ~~intertrack wagers on horseraces or on the same class of races or~~
748 ~~games, or on both horseraces and the same class of races or~~
749 ~~games as is authorized by its permit.~~

750 ~~(7)-(8) In any three contiguous counties of the state where~~
751 ~~there are only three permitholders, all of which are greyhound~~
752 ~~permitholders, If any greyhound permitholder leases the facility~~
753 ~~of another greyhound permitholder for the purpose of conducting~~
754 ~~all or any portion of the conduct of its live race meet pursuant~~
755 ~~to s. 550.475, such lessee may conduct intertrack wagering at~~
756 ~~its pre-lease permitted facility throughout the entire year,~~
757 ~~including while its race live meet is being conducted at the~~
758 ~~leased facility, if such permitholder has conducted a full~~
759 ~~schedule of live racing during the preceding fiscal year at its~~
760 ~~pre-lease permitted facility or at a leased facility, or~~
761 ~~combination thereof.~~

762 ~~(8)-(9) In any two contiguous counties of the state in which~~
763 ~~there are located only four active permits, one for thoroughbred~~
764 ~~horse racing, two for greyhound dogracing, and one for jai alai~~
765 ~~games, no intertrack wager may be accepted on the same class of~~
766 ~~live races or games of any permitholder without the written~~



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767 consent of such operating permitholders conducting the same
768 class of live races or games if the guest track is within the
769 market area of such operating permitholder.

770 (9)~~(10)~~ All costs of receiving the transmission of the
771 broadcasts shall be borne by the guest track; and all costs of
772 sending the broadcasts shall be borne by the host track.

773 Section 11. Paragraph (g) of subsection (9) of section
774 550.6305, Florida Statutes, is amended to read:

775 550.6305 Intertrack wagering; guest track payments;
776 accounting rules.-

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

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

786 2. Any thoroughbred permitholder which accepts wagers on a
787 simulcast signal received after 6 p.m. must make such signal
788 available to any permitholder that is eligible to conduct
789 intertrack wagering under the provisions of ss. 550.615-
790 550.6345, including any permitholder located as specified in s.
791 550.615(6). Such guest permitholders are authorized to accept
792 wagers on such simulcast signal, notwithstanding any other
793 provision of this chapter to the contrary.

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



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796 available to any permitholder that is eligible to conduct
797 intertrack wagering under the provisions of ss. 550.615-
798 550.6345, including any permitholder located as specified in s.
799 550.615(8) ~~s. 550.615(9)~~. Such guest permitholders are
800 authorized to accept wagers on such simulcast signals for a
801 number of performances not to exceed that which constitutes a
802 full schedule of live races for a quarter horse permitholder
803 pursuant to s. 550.002(11), notwithstanding any other provision
804 of this chapter to the contrary, except that the restrictions
805 provided in s. 550.615(8)(a) ~~s. 550.615(9)(a)~~ apply to wagers on
806 such simulcast signals.

807
808 No thoroughbred permitholder shall be required to continue to
809 rebroadcast a simulcast signal to any in-state permitholder if
810 the average per performance gross receipts returned to the host
811 permitholder over the preceding 30-day period were less than
812 \$100. Subject to the provisions of s. 550.615(4), as a condition
813 of receiving rebroadcasts of thoroughbred simulcast signals
814 under this paragraph, a guest permitholder must accept
815 intertrack wagers on all live races conducted by all then-
816 operating thoroughbred permitholders.

817 Section 12. Subsection (1) of section 550.6308, Florida
818 Statutes, is amended to read:

819 550.6308 Limited intertrack wagering license.—In
820 recognition of the economic importance of the thoroughbred
821 breeding industry to this state, its positive impact on tourism,
822 and of the importance of a permanent thoroughbred sales facility
823 as a key focal point for the activities of the industry, a
824 limited license to conduct intertrack wagering is established to



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825 ensure the continued viability and public interest in
826 thoroughbred breeding in Florida.

827 (1) Upon application to the division on or before January
828 31 of each year, any person that is licensed to conduct public
829 sales of thoroughbred horses pursuant to s. 535.01, that has
830 conducted at least 10 ~~15~~ days of thoroughbred horse sales at a
831 permanent sales facility in this state for at least 3
832 consecutive years, and that has conducted at least 1 day of
833 nonwagering thoroughbred racing in this state, with a purse
834 structure of at least \$250,000 per year for 2 consecutive years
835 before such application, shall be issued a license, subject to
836 the conditions set forth in this section, to conduct intertrack
837 wagering at such a permanent sales facility during the following
838 periods:

839 (a) Up to 21 days in connection with thoroughbred sales;

840 (b) Between November 1 and May 8;

841 (c) Between May 9 and October 31 at such times and on such
842 days as any thoroughbred, jai alai, or a greyhound permitholder
843 in the same county is not conducting live performances; provided
844 that any such permitholder may waive this requirement, in whole
845 or in part, and allow the licensee under this section to conduct
846 intertrack wagering during one or more of the permitholder's
847 live performances; and

848 (d) During the weekend of the Kentucky Derby, the
849 Preakness, the Belmont, and a Breeders' Cup Meet that is
850 conducted before November 1 and after May 8.

851
852 No more than one such license may be issued, and no such license
853 may be issued for a facility located within 50 miles of any



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854 track for which a thoroughbred permitholder's track has
855 submitted a timely and valid application for a license to
856 conduct live performances during the year, unless that
857 permitholder consents to issuance of the license under this
858 section.

859 Section 13. Subsection (3) of section 550.3345, Florida
860 Statutes, is amended to read:

861 550.3345 Conversion of quarter horse permit to a limited
862 thoroughbred permit.—

863 (3) Unless otherwise provided in this section, after
864 conversion, the permit and the not-for-profit corporation shall
865 be treated under the laws of this state as a thoroughbred permit
866 and as a thoroughbred permitholder, respectively, with the
867 exception of s. 550.09515(3); provided however, a full schedule
868 of live racing for a not-for-profit thoroughbred permitholder
869 shall be 5 live regular wagering performances.

870 Section 14. Subsection (2) of section 550.5251, Florida
871 Statutes, is amended to read:

872 550.5251 Florida thoroughbred racing; certain permits;
873 operating days.—

874 (2) A thoroughbred racing permitholder may not begin any
875 race later than 9 ~~7~~ p.m. Any thoroughbred permitholder in a
876 county in which the authority for cardrooms has been approved by
877 the board of county commissioners may operate a cardroom and,
878 when conducting live races during its current race meet, may
879 receive and rebroadcast out-of-state races ~~after the hour of 7~~
880 ~~p.m. on any day during which the permitholder conducts live~~
881 ~~races.~~

882 Section 15. Paragraph (c) of subsection (4) of section



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883 551.104, Florida Statutes, is amended to read:

884 551.104 License to conduct slot machine gaming.—

885 (4) As a condition of licensure and to maintain continued
886 authority for the conduct of slot machine gaming, the slot
887 machine licensee shall:

888 (c) Conduct no fewer than a full schedule of live racing or
889 games as defined in s. 550.002(11), except for holders of
890 greyhound permits that do not have a live racing requirement. A
891 permitholder's responsibility to conduct such number of live
892 races or games shall be reduced by the number of races or games
893 that could not be conducted due to the direct result of fire,
894 war, hurricane, or other disaster or event beyond the control of
895 the permitholder.

896 Section 16. Subsections (2) and (4) of section 551.114,
897 Florida Statutes, are amended to read:

898 551.114 Slot machine gaming areas.—

899 (2) The slot machine licensee shall display pari-mutuel
900 races or games within the designated slot machine gaming areas
901 and offer patrons within the designated slot machine gaming
902 areas the ability to engage in pari-mutuel wagering on any live,
903 intertrack, and simulcast races conducted or offered to patrons
904 of the licensed facility.

905 (4) Designated slot machine gaming areas may be located
906 within the current live gaming facility or in an existing
907 building that must be contiguous and connected to the live
908 gaming facility, if applicable. If a designated slot machine
909 gaming area is to be located in a building that is to be
910 constructed, that new building must be contiguous and connected
911 to the live gaming facility.



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912 Section 17. Paragraphs (a) and (b) of subsection (5) and
913 paragraph (d) of subsection (13) of section 849.086, Florida
914 Statutes, are amended to read:

915 849.086 Cardrooms authorized.—

916 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
917 operate a cardroom in this state unless such person holds a
918 valid cardroom license issued pursuant to this section.

919 (a) Only those persons holding a valid cardroom license
920 issued by the division may operate a cardroom. A cardroom
921 license may only be issued to a licensed pari-mutuel
922 permitholder and an authorized cardroom may only be operated at
923 the same facility at which the permitholder is authorized under
924 its valid pari-mutuel wagering permit to conduct pari-mutuel
925 wagering activities. An initial cardroom license shall be issued
926 to a pari-mutuel permitholder only after its facilities are in
927 place and after it conducts its first day of live racing or
928 games or, for a greyhound permitholder, only after it has
929 conducted a full schedule of live racing in each of the
930 preceding 10 years or after it was converted pursuant to s.
931 550.054(14). A new cardroom license may not be issued in an area
932 unless the local government has approved of such activity within
933 its boundaries in accordance with subsection (16).

934 (b) After the initial cardroom license is granted, the
935 application for the annual license renewal shall be made in
936 conjunction with the applicant's annual application for its
937 pari-mutuel license. If a permitholder has operated a cardroom
938 during any of the 3 previous fiscal years and fails to include a
939 renewal request for the operation of the cardroom in its annual
940 application for license renewal, the permitholder may amend its



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941 annual application to include operation of the cardroom. Except
942 for greyhound permitholders, in order for a cardroom license to
943 be renewed the applicant must have requested, as part of its
944 pari-mutuel annual license application, to conduct at least 90
945 percent of the total number of live performances conducted by
946 such permitholder during either the state fiscal year in which
947 its initial cardroom license was issued or the state fiscal year
948 immediately prior thereto if the permitholder ran at least a
949 full schedule of live racing or games in the prior year. If the
950 application is for a thoroughbred permitholder, the applicant
951 must have requested to conduct at least 80 percent of the total
952 number of live performances conducted by such a permitholder in
953 the 2010-2011 state fiscal year or a lesser amount which has
954 been agreed upon in writing by both the Florida Thoroughbred
955 Breeders' Association and the association representing a
956 majority of the horse owners and trainers at the applicant's
957 facility. If the application is for a harness permitholder
958 cardroom, the applicant must have requested authorization to
959 conduct a minimum of 140 live performances during the state
960 fiscal year immediately prior thereto. If more than one
961 permitholder is operating at a facility, each permitholder must
962 have applied for a license to conduct a full schedule of live
963 racing. However, a minimum number of requested or conducted live
964 performances is not required for a greyhound permitholder to
965 maintain or renew a cardroom license.

966 (13) TAXES AND OTHER PAYMENTS.—

967 (d)1. Each greyhound and jai alai permitholder that
968 operates a cardroom facility shall use at least 4 percent of
969 such permitholder's cardroom monthly gross receipts to



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970 supplement greyhound purses if live racing is conducted during a
971 fiscal year, or jai alai prize money, respectively, during the
972 permitholder's current or next ensuing pari-mutuel meet.

973 2. Each thoroughbred and harness horse racing permitholder
974 that operates a cardroom facility shall use at least 50 percent
975 of such permitholder's cardroom monthly net proceeds as follows:
976 47 percent to supplement purses and 3 percent to supplement
977 breeders' awards during the permitholder's next ensuing racing
978 meet.

979 3. No cardroom license or renewal thereof shall be issued
980 to an applicant holding a permit under chapter 550 to conduct
981 pari-mutuel wagering meets of quarter horse racing unless the
982 applicant has on file with the division a binding written
983 agreement between the applicant and the Florida Quarter Horse
984 Racing Association or the association representing a majority of
985 the horse owners and trainers at the applicant's eligible
986 facility, governing the payment of purses on live quarter horse
987 races conducted at the licensee's pari-mutuel facility. The
988 agreement governing purses may direct the payment of such purses
989 from revenues generated by any wagering or gaming the applicant
990 is authorized to conduct under Florida law. All purses shall be
991 subject to the terms of chapter 550.

992 Section 18. The Office of Program Policy and Governmental
993 Accountability shall conduct a study on advance deposit wagering
994 on thoroughbred races. The purpose of the study is to determine
995 the extent of advance deposit wagering activity originating in
996 Florida and its impact, if any, on wagering activity at licensed
997 pari-mutuel facilities in this state. The study shall determine
998 the capacity of account wagering systems to identify the



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999 location of account holders when the system is accessed for
1000 wagering purposes; how many persons use advance deposit wagering
1001 accounts to make advance deposit wagers originating in Florida;
1002 how many of these accounts are ascribed to Florida residents;
1003 how much money is wagered through these accounts on thoroughbred
1004 races conducted at Florida thoroughbred tracks and on
1005 thoroughbred races conducted at racetracks in other
1006 jurisdictions; and the impact of advance deposit wagering on
1007 thoroughbred purses and breeders' awards in this state. The
1008 Office of Program Policy and Governmental Accountability shall
1009 report its findings to the Legislature no later than December
1010 15, 2011.

1011 Section 19. This act shall take effect upon becoming a law.

1012
1013 ===== T I T L E A M E N D M E N T =====

1014 And the title is amended as follows:

1015 Delete everything before the enacting clause
1016 and insert:

1017 A bill to be entitled
1018 An act relating to pari-mutuel permitholders; amending
1019 s. 550.002, F.S.; revising the definition of the term
1020 "full schedule of live racing or games"; prohibiting a
1021 minimum requirement of live performances for greyhound
1022 permitholders; amending s. 550.01215, F.S.; revising
1023 the requirements for an application for a license to
1024 conduct performances; extending the period of time
1025 allowed to amend certain applications; amending s.
1026 550.054, F.S.; removing a requirement for holders of
1027 certain converted permits to conduct a full schedule



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1028 of live racing to qualify for certain tax credits;
1029 amending s. 550.0951, F.S.; revising provisions
1030 relating to a transfer by a permitholder of a tax
1031 exemption or license fee credit to a greyhound
1032 permitholder; revising provisions relating to the tax
1033 on handle for dogracing and intertrack wagering;
1034 conforming a cross-reference; amending s. 550.09514,
1035 F.S.; revising provisions relating to the purse
1036 requirements for greyhound racing and for the payment
1037 of purses; amending s. 550.105, F.S.; revising
1038 provisions relating to municipal taxes for dogracing
1039 facilities; amending s. 550.26165, F.S.; conforming a
1040 cross-reference to changes made by the act; amending
1041 s. 550.26352, F.S.; providing findings; revising
1042 provisions regarding the Breeders' Cup World
1043 Championship; creating a Breeders' Cup Permit;
1044 providing for the application for the permit;
1045 exempting the permit from certain provisions;
1046 providing deadlines for the application; providing
1047 criteria; clarifying certain tax credits for the
1048 Breeders' Cup World Championship; providing for out-
1049 of-state broadcasts of races; providing for
1050 revocation, suspension, or escheatment of permit;
1051 amending s. 550.475, F.S.; revising provisions
1052 relating to the leasing of pari-mutuel facilities by
1053 pari-mutuel permitholders; amending s. 550.615, F.S.;
1054 revising provisions relating to intertrack wagering;
1055 amending s. 550.6305, F.S.; conforming cross-
1056 references; amending s. 550.6308, F.S.; revising



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1057 provisions relating to limited intertrack wagering
1058 license; amending s. 550.5251, F.S.; revising
1059 thoroughbred racing hours of operation; amending s.
1060 551.104, F.S.; revising a condition of licensure for
1061 the conduct of slot machine gaming; amending s.
1062 551.114, F.S.; revising the requirements for
1063 designated slot machine gaming areas; amending s.
1064 849.086, F.S.; revising the requirements for initial
1065 and renewal issuance of a cardroom license to a
1066 greyhound permitholder; providing that a corresponding
1067 pari-mutuel license application or a minimum number of
1068 live performances is not required for a greyhound
1069 permitholder to maintain or renew a cardroom license;
1070 revising the requirements for renewal issuance of a
1071 cardroom license to a thoroughbred permitholder;
1072 providing for a study of advance deposit wagering on
1073 thoroughbred races by the Office of Program Policy and
1074 Governmental Accountability; providing an effective
1075 date.