



432204

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/13/2011	.	
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The Committee on Budget Subcommittee on Finance and Tax (Sachs) recommended the following:

Senate Amendment (with title amendment)

Delete lines 142 - 306
and insert:

Section 4. Paragraph (b) of subsection (1) of section 550.0951, Florida Statutes, is amended to read:

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

(1)

(b) Each permitholder that cannot utilize the full amount of the exemption of \$360,000 or \$500,000 provided in s. 550.09514(1) or the daily license fee credit provided in this



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13 section may, at any time after notifying the division in
14 writing, ~~elect once per state fiscal year~~ on a form provided by
15 the division, ~~to~~ transfer such exemption or credit or any
16 portion thereof to any greyhound permitholder which acts as a
17 host track to such permitholder for the purpose of intertrack
18 wagering. Notwithstanding any other provision of law, the
19 exemption of \$360,000 or \$500,000 provided in s. 550.09514(1)
20 for each greyhound permitholder that conducted live racing
21 before July 1, 2011, but subsequently elects not to conduct live
22 racing during a fiscal year shall be pooled, and each greyhound
23 permitholder conducting a full schedule of live racing during a
24 fiscal year shall be entitled to an additional tax credit in an
25 amount equal to the product of the respective permitholder's
26 percentage share of live and intertrack wagering handle under
27 subsection (3) during the preceding fiscal year and the total
28 value of tax credits available in the pool. Once an election to
29 transfer such exemption or credit is filed with the division, it
30 shall not be rescinded. The division shall disapprove the
31 transfer when the amount of the exemption or credit or portion
32 thereof is unavailable to the transferring permitholder for any
33 reason, including being unavailable because the transferring
34 permitholder did not conduct at least 100 live performances of
35 at least eight races during the fiscal year, or when the
36 permitholder who is entitled to transfer the exemption or credit
37 or who is entitled to receive the exemption or credit owes taxes
38 to the state pursuant to a deficiency letter or administrative
39 complaint issued by the division. Upon approval of the transfer
40 by the division, the transferred tax exemption or credit shall
41 be effective for the first performance of the next payment



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42 period as specified in subsection (5). The exemption or credit
43 transferred to such host track may be applied by such host track
44 against any taxes imposed by this chapter or daily license fees
45 imposed by this chapter. The greyhound permitholder host track
46 to which such exemption or credit is transferred shall reimburse
47 such permitholder the exact monetary value of such transferred
48 exemption or credit as actually applied against the taxes and
49 daily license fees of the host track. The division shall ensure
50 that all transfers of exemption or credit are made in accordance
51 with this subsection and shall have the authority to adopt rules
52 to ensure the implementation of this section.

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

55 550.09514 Greyhound dogracing taxes; purse requirements.—

56 (2)

57 (b) Except as otherwise set forth herein, in addition to
58 the minimum purse percentage required by paragraph (a), each
59 permitholder conducting live racing during a fiscal year shall
60 pay as purses an annual amount equal to 75 percent of the daily
61 license fees paid by each permitholder for the 1994-1995 fiscal
62 year. This purse supplement shall be disbursed weekly during the
63 permitholder's race meet in an amount determined by dividing the
64 annual purse supplement by the number of performances approved
65 for the permitholder pursuant to its annual license and
66 multiplying that amount by the number of performances conducted
67 each week. ~~For the greyhound permitholders in the county where~~
68 ~~there are two greyhound permitholders located as specified in s.~~
69 ~~550.615(6), such permitholders shall pay in the aggregate an~~
70 ~~amount equal to 75 percent of the daily license fees paid by~~



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71 ~~such permitholders for the 1994-1995 fiscal year. These~~
72 ~~permitholders shall be jointly and severally liable for such~~
73 ~~purse payments.~~ The additional purses provided by this paragraph
74 must be used exclusively for purses other than stakes. The
75 division shall conduct audits necessary to ensure compliance
76 with this section.

77 (c)1. Each greyhound permitholder when conducting at least
78 three live performances during any week shall pay purses in that
79 week on wagers it accepts as a guest track on intertrack and
80 simulcast greyhound races at the same rate as it pays on live
81 races. Each greyhound permitholder when conducting at least
82 three live performances during any week shall pay purses in that
83 week, at the same rate as it pays on live races, on wagers
84 accepted on greyhound races at a guest track which is not
85 conducting live racing and is located within the same market
86 area as the greyhound permitholder conducting at least three
87 live performances during any week.

88 2. Each host greyhound permitholder shall pay purses on its
89 simulcast and intertrack broadcasts of greyhound races to guest
90 facilities that are located outside its market area in an amount
91 equal to one quarter of an amount determined by subtracting the
92 transmission costs of sending the simulcast or intertrack
93 broadcasts from an amount determined by adding the fees received
94 for greyhound simulcast races plus 3 percent of the greyhound
95 intertrack handle at guest facilities that are located outside
96 the market area of the host and that paid contractual fees to
97 the host for such broadcasts of greyhound races. For guest
98 greyhound permitholders not conducting live racing during a
99 fiscal year and not subject to the purse requirements of



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100 subparagraph 1., 3 percent of the greyhound intertrack handle
101 shall be paid to the host greyhound permitholder for payment of
102 purses at the host track.

103 (e) In addition to the purse requirements of paragraphs
104 (a)-(c), each greyhound permitholder shall pay as purses an
105 amount equal to one-third of the amount of the tax reduction on
106 live and simulcast handle applicable to such permitholder as a
107 result of the reductions in tax rates provided ~~by this act~~
108 through the amendments to s. 550.0951(3) in chapter 2000-354,
109 Laws of Florida. With respect to intertrack wagering when the
110 host and guest tracks are greyhound permitholders not within the
111 same market area, an amount equal to the tax reduction
112 applicable to the guest track handle as a result of the
113 reduction in tax rates ~~rate~~ provided ~~by this act~~ through the
114 amendments ~~amendment~~ to s. 550.0951(3) in chapter 2000-354, Laws
115 of Florida, shall be distributed to the guest track, one-third
116 of which amount shall be paid as purses at those ~~the~~ guest
117 tracks conducting live racing ~~track~~. However, if the guest track
118 is a greyhound permitholder within the market area of the host
119 or if the guest track is not a greyhound permitholder, an amount
120 equal to such tax reduction applicable to the guest track handle
121 shall be retained by the host track, one-third of which amount
122 shall be paid as purses at the host track. These purse funds
123 shall be disbursed in the week received if the permitholder
124 conducts at least one live performance during that week. If the
125 permitholder does not conduct at least one live performance
126 during the week in which the purse funds are received, the purse
127 funds shall be disbursed weekly during the permitholder's next
128 race meet in an amount determined by dividing the purse amount



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129 by the number of performances approved for the permitholder
130 pursuant to its annual license, and multiplying that amount by
131 the number of performances conducted each week. The division
132 shall conduct audits necessary to ensure compliance with this
133 paragraph.

134
135 ===== T I T L E A M E N D M E N T =====

136 And the title is amended as follows:

137 Delete lines 16 - 17

138 and insert:

139 permitholder; amending s. 550.09514, F.S.;