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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/26/2011	.	
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The Committee on Budget (Negron) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

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

(11) "Full schedule of live racing or games" means, for a  
greyhound or jai alai permitholder, the conduct of a combination  
of at least 100 live evening or matinee performances during the  
preceding year; for a permitholder who has a converted permit or  
filed an application on or before June 1, 1990, for a converted  
permit, the conduct of a combination of at least 100 live



14 evening and matinee wagering performances during either of the 2  
15 preceding years; for a jai alai permitholder who does not  
16 operate slot machines in its pari-mutuel facility, who has  
17 conducted at least 100 live performances per year for at least  
18 10 years after December 31, 1992, and whose handle on live jai  
19 alai games conducted at its pari-mutuel facility has been less  
20 than \$4 million per state fiscal year for at least 2 consecutive  
21 years after June 30, 1992, the conduct of a combination of at  
22 least 40 live evening or matinee performances during the  
23 preceding year; for a jai alai permitholder who operates slot  
24 machines in its pari-mutuel facility, the conduct of a  
25 combination of at least 150 performances during the preceding  
26 year; for a harness permitholder, the conduct of at least 100  
27 live regular wagering performances during the preceding year;  
28 for a quarter horse permitholder at its facility unless an  
29 alternative schedule of at least 20 live regular wagering  
30 performances is agreed upon by the permitholder and either the  
31 Florida Quarter Horse Racing Association or the horsemen's  
32 association representing the majority of the quarter horse  
33 owners and trainers at the facility and filed with the division  
34 along with its annual date application, in the 2010-2011 fiscal  
35 year, the conduct of at least 20 regular wagering performances,  
36 in the 2011-2012 and 2012-2013 fiscal years, the conduct of at  
37 least 30 live regular wagering performances, and for every  
38 fiscal year after the 2012-2013 fiscal year, the conduct of at  
39 least 40 live regular wagering performances; for a quarter horse  
40 permitholder leasing another licensed racetrack, the conduct of  
41 160 events at the leased facility; and for a thoroughbred  
42 permitholder, the conduct of at least 40 live regular wagering



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

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

63 550.01215 License application; periods of operation; bond,  
64 conversion of permit.—

65 (1) Each permitholder shall annually, during the period  
66 between December 15 and January 4, file in writing with the  
67 division its application for a license to conduct pari-mutuel  
68 wagering activities ~~performances~~ during the next state fiscal  
69 year. Each application requesting live performances, if any,  
70 shall specify the number, dates, and starting times of all  
71 performances which the permitholder intends to conduct. It shall



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

86 Section 3. Paragraph (b) of subsection (14) of section  
87 550.054, Florida Statutes, is amended to read:

88 550.054 Application for permit to conduct pari-mutuel  
89 wagering.—

90 (14)

91 (b) The division, upon application from the holder of a jai  
92 alai permit meeting all conditions of this section, shall  
93 convert the permit and shall issue to the permitholder a permit  
94 to conduct greyhound racing. ~~A permitholder of a permit~~  
95 ~~converted under this section shall be required to apply for and~~  
96 ~~conduct a full schedule of live racing each fiscal year to be~~  
97 ~~eligible for any tax credit provided by this chapter.~~ The holder  
98 of a permit converted pursuant to this subsection or any holder  
99 of a permit to conduct greyhound racing located in a county in  
100 which it is the only permit issued pursuant to this section who



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101 operates at a leased facility pursuant to s. 550.475 may move  
102 the location for which the permit has been issued to another  
103 location within a 30-mile radius of the location fixed in the  
104 permit issued in that county, provided the move does not cross  
105 the county boundary and such location is approved under the  
106 zoning regulations of the county or municipality in which the  
107 permit is located, and upon such relocation may use the permit  
108 for the conduct of pari-mutuel wagering and the operation of a  
109 cardroom. The provisions of s. 550.6305(9)(d) and (f) shall  
110 apply to any permit converted under this subsection and shall  
111 continue to apply to any permit which was previously included  
112 under and subject to such provisions before a conversion  
113 pursuant to this section occurred.

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

116 550.0951 Payment of daily license fee and taxes;  
117 penalties.—

118 (1)(a) DAILY LICENSE FEE.—Each person engaged in the  
119 business of conducting race meetings or jai alai games under  
120 this chapter, hereinafter referred to as the "permitholder,"  
121 "licensee," or "permittee," shall pay to the division, for the  
122 use of the division, a daily license fee on each live or  
123 simulcast pari-mutuel event of \$100 for each horserace and \$80  
124 for each dograce and \$40 for each jai alai game conducted at a  
125 racetrack or fronton licensed under this chapter. In addition to  
126 the tax exemption specified in s. 550.09514(1) of \$360,000 or  
127 \$500,000 per greyhound permitholder per state fiscal year, each  
128 greyhound permitholder shall receive in the current state fiscal  
129 year a tax credit equal to the number of live greyhound races



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

144 (b) Each permitholder that cannot utilize the full amount  
145 of the exemption of \$360,000 or \$500,000 provided in s.  
146 550.09514(1) or the daily license fee credit provided in this  
147 section may, at any time after notifying the division in  
148 writing, ~~elect once per state fiscal year~~ on a form provided by  
149 the division, elect to transfer such exemption or credit or any  
150 portion thereof to any greyhound permitholder which acts as a  
151 host track to such permitholder for the purpose of intertrack  
152 wagering. Notwithstanding any other provision of law, the  
153 exemption of \$360,000 or \$500,000 provided in s. 550.09514(1),  
154 for each greyhound permitholder that does not conduct live  
155 racing shall be pooled for distribution to eligible greyhound  
156 permitholders in the current fiscal year and any portion of the  
157 exemptions provided in s. 550.09514(1) unused or not transferred  
158 by each greyhound permitholder that elects to conduct live



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159  racing shall be pooled for distribution to eligible greyhound  
160  permitholders in the following fiscal year. Each greyhound  
161  permitholder conducting at least 100 live performances of at  
162  least eight races during a fiscal year shall be eligible for an  
163  additional tax credit from the pool in an amount equal to the  
164  product of the respective permitholder's percentage share of  
165  live and intertrack wagering handle, excluding the live and  
166  intertrack wagering handle of permitholders that do not conduct  
167  live racing during the year in which the credits are distributed  
168  under subsection (3) during the preceding fiscal year and the  
169  total value of tax credits available in the pool. A greyhound  
170  permitholder conducting live racing shall use the credits  
171  provided in paragraph (a) and s. 550.1647 prior to the  
172  exemptions provided in s. 550.09514(1) for purposes of  
173  calculating the amount of unused exemptions. Once an election to  
174 transfer such exemption or credit is filed with the division, it  
175 shall not be rescinded. The division shall disapprove the  
176 transfer when the amount of the exemption or credit or portion  
177 thereof is unavailable to the transferring permitholder for any  
178  reason, including being unavailable because the transferring  
179  permitholder did not conduct at least 100 live performances of  
180  at least eight races during the fiscal year, or when the  
181 permitholder who is entitled to transfer the exemption or credit  
182 or who is entitled to receive the exemption or credit owes taxes  
183 to the state pursuant to a deficiency letter or administrative  
184 complaint issued by the division. Upon approval of the transfer  
185 by the division, the transferred tax exemption or credit shall  
186 be effective for the first performance of the next payment  
187 period as specified in subsection (5). The exemption or credit



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188 transferred to such host track may be applied by such host track  
189 against any taxes imposed by this chapter or daily license fees  
190 imposed by this chapter. The greyhound permitholder host track  
191 to which such exemption or credit is transferred shall reimburse  
192 such permitholder the exact monetary value of such transferred  
193 exemption or credit as actually applied against the taxes and  
194 daily license fees of the host track. The division shall ensure  
195 that all transfers of exemption or credit are made in accordance  
196 with this subsection and shall have the authority to adopt rules  
197 to ensure the implementation of this section.

198 (c) A greyhound permitholder that conducts at least 100  
199 live performances of at least eight races during each of the 5  
200 years after July 1, 2011; that subsequently elects to not  
201 conduct live racing; and that served as a host track for  
202 intertrack wagering in each of the 10 years preceding its  
203 election to not conduct live racing, or was converted pursuant  
204 to s. 550.054(14), is entitled to an annual tax credit for each  
205 year the greyhound permitholder conducted live racing after July  
206 1, 2011, not to exceed 10 years, in an amount equal to the  
207 average tax credit received by the greyhound permitholder  
208 pursuant to paragraph (b) during the 3 years preceding the  
209 greyhound permitholder's election to not conduct live racing.  
210 The tax credit provided under this paragraph shall be deducted  
211 from the pool pursuant to paragraph (b) and may be applied  
212 against any taxes or fees imposed by this chapter or any taxes  
213 or fees imposed by s. 849.086.

214 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on  
215 contributions to pari-mutuel pools, the aggregate of which is  
216 hereinafter referred to as "handle," on races or games conducted





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217 by the permitholder. The tax is imposed daily and is based on  
218 the total contributions to all pari-mutuel pools conducted  
219 during the daily performance. If a permitholder conducts more  
220 than one performance daily, the tax is imposed on each  
221 performance separately.

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

236 2. The tax on handle for intertrack wagers accepted by any  
237 dog track located in an area of the state in which there are  
238 only three permitholders, all of which are greyhound  
239 permitholders, located in three contiguous counties, from any  
240 greyhound permitholder also located within such area or any dog  
241 track or jai alai fronton located as specified in s. 550.615(6)  
242 or (8) ~~(9)~~, on races or games received from the same class of  
243 permitholder located within the same market area is 3.9 percent  
244 if the host facility is a greyhound permitholder and, if the  
245 host facility is a jai alai permitholder, the rate shall be 6.1



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246 percent except that it shall be 2.3 percent on handle at such  
247 time as the total tax on intertrack handle paid to the division  
248 by the permitholder during the current state fiscal year exceeds  
249 the total tax on intertrack handle paid to the division by the  
250 permitholder during the 1992-1993 state fiscal year.

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

253 550.09514 Greyhound dogracing taxes; purse requirements.—

254 (2)

255 (b) Except as otherwise set forth herein, in addition to  
256 the minimum purse percentage required by paragraph (a), each  
257 permitholder conducting live racing during a fiscal year shall  
258 pay as purses an annual amount equal to 75 percent of the daily  
259 license fees paid by each permitholder for the 1994-1995 fiscal  
260 year. This purse supplement shall be disbursed weekly during the  
261 permitholder's race meet in an amount determined by dividing the  
262 annual purse supplement by the number of performances approved  
263 for the permitholder pursuant to its annual license and  
264 multiplying that amount by the number of performances conducted  
265 each week. ~~For the greyhound permitholders in the county where~~  
266 ~~there are two greyhound permitholders located as specified in s.~~  
267 ~~550.615(6), such permitholders shall pay in the aggregate an~~  
268 ~~amount equal to 75 percent of the daily license fees paid by~~  
269 ~~such permitholders for the 1994-1995 fiscal year. These~~  
270 ~~permitholders shall be jointly and severally liable for such~~  
271 ~~purse payments.~~ The additional purses provided by this paragraph  
272 must be used exclusively for purses other than stakes. The  
273 division shall conduct audits necessary to ensure compliance  
274 with this section.



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

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

301 (e) In addition to the purse requirements of paragraphs  
302 (a)-(c), each greyhound permitholder shall pay as purses an  
303 amount equal to one-third of the amount of the tax reduction on



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

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



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333           550.105 Occupational licenses of racetrack employees; fees;  
334 denial, suspension, and revocation of license; penalties and  
335 fines.—

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

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

355           550.26165 Breeders' awards.—

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



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



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

399 Section 8. Section 550.475, Florida Statutes, is amended to  
400 read:

401 550.475 Lease of pari-mutuel facilities by pari-mutuel  
402 permitholders.—Holders of valid pari-mutuel permits for the  
403 conduct of any jai alai games, dogracing, or thoroughbred and  
404 standardbred horse racing in this state are entitled to lease  
405 any and all of their facilities to any other holder of a same  
406 class valid pari-mutuel permit for jai alai games, dogracing, or  
407 thoroughbred or standardbred horse racing, when located within a  
408 35-mile radius of each other; and such lessee is entitled to a  
409 ~~permit and~~ license to operate its race meet or jai alai games at  
410 the leased premises.

411 Section 9. Section 550.615, Florida Statutes, is amended to  
412 read:

413 550.615 Intertrack wagering.—

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

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



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

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

446 (4) In no event shall any intertrack wager be accepted on  
447 the same class of live races or games of any permitholder  
448 without the written consent of such operating permitholders





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449 conducting the same class of live races or games if the guest  
450 track is within the market area of such operating permitholder.  
451 A greyhound permitholder that accepts intertrack wagers on live  
452 greyhound signals is not required to obtain such written consent  
453 from any operating greyhound permitholder within its market  
454 area.

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

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

476 ~~(7) In any county of the state where there are only two~~  
477 ~~permits, one for dogracing and one for jai alai, no intertrack~~



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478 ~~wager may be taken during the period of time when a permitholder~~  
479 ~~is not licensed to conduct live races or games without the~~  
480 ~~written consent of the other permitholder that is conducting~~  
481 ~~live races or games. However, if neither permitholder is~~  
482 ~~conducting live races or games, either permitholder may accept~~  
483 ~~intertrack wagers on horseraces or on the same class of races or~~  
484 ~~games, or on both horseraces and the same class of races or~~  
485 ~~games as is authorized by its permit.~~

486 ~~(7)(8) In any three contiguous counties of the state where~~  
487 ~~there are only three permitholders, all of which are greyhound~~  
488 ~~permitholders, If any greyhound permitholder leases the facility~~  
489 ~~of another greyhound permitholder for the purpose of conducting~~  
490 ~~all or any portion of the conduct of its live race meet pursuant~~  
491 ~~to s. 550.475, such lessee may conduct intertrack wagering at~~  
492 ~~its pre-lease permitted facility throughout the entire year,~~  
493 ~~including while its race live meet is being conducted at the~~  
494 ~~leased facility, if such permitholder has conducted a full~~  
495 ~~schedule of live racing during the preceding fiscal year at its~~  
496 ~~pre-lease permitted facility or at a leased facility, or~~  
497 ~~combination thereof.~~

498 ~~(8)(9) In any two contiguous counties of the state in which~~  
499 ~~there are located only four active permits, one for thoroughbred~~  
500 ~~horse racing, two for greyhound dogracing, and one for jai alai~~  
501 ~~games, no intertrack wager may be accepted on the same class of~~  
502 ~~live races or games of any permitholder without the written~~  
503 ~~consent of such operating permitholders conducting the same~~  
504 ~~class of live races or games if the guest track is within the~~  
505 ~~market area of such operating permitholder.~~

506 ~~(9)(10) All costs of receiving the transmission of the~~



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507 broadcasts shall be borne by the guest track; and all costs of  
508 sending the broadcasts shall be borne by the host track.

509 Section 10. Paragraph (g) of subsection (9) of section  
510 550.6305, Florida Statutes, is amended to read:

511 550.6305 Intertrack wagering; guest track payments;  
512 accounting rules.—

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

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

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

530 3. Any thoroughbred permitholder which accepts wagers on a  
531 simulcast signal received after 6 p.m. must make such signal  
532 available to any permitholder that is eligible to conduct  
533 intertrack wagering under the provisions of ss. 550.615-  
534 550.6345, including any permitholder located as specified in s.  
535 550.615(8) ~~s. 550.615(9)~~. Such guest permitholders are



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536 authorized to accept wagers on such simulcast signals for a  
537 number of performances not to exceed that which constitutes a  
538 full schedule of live races for a quarter horse permitholder  
539 pursuant to s. 550.002(11), notwithstanding any other provision  
540 of this chapter to the contrary, except that the restrictions  
541 provided in s. 550.615(8)(a) ~~s. 550.615(9)(a)~~ apply to wagers on  
542 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 11. 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 or  
560 games as defined in s. 550.002(11), except for holders of  
561 greyhound permits that do not have a 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,



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565 war, hurricane, or other disaster or event beyond the control of  
566 the permitholder.

567 Section 12. 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 13. 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



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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 of such activitiy  
604 within 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



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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 for a greyhound permitholder to maintain or renew a  
629 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



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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 14. This act shall take effect upon becoming a law.

657

658 ===== T I T L E A M E N D M E N T =====

659 And the title is amended as follows:

660 Delete everything before the enacting clause  
661 and insert:

662

A bill to be entitled

663

An act relating to greyhound racing; amending s.

664

550.002, F.S.; revising the definition of the term

665

"full schedule of live racing or games"; prohibiting a

666

minimum requirement of live performances for greyhound

667

permitholders; amending s. 550.01215, F.S.; revising

668

the requirements for an application for a license to

669

conduct performances; extending the period of time

670

allowed to amend certain applications; amending s.

671

550.054, F.S.; removing a requirement for holders of

672

certain converted permits to conduct a full schedule

673

of live racing to qualify for certain tax credits;

674

amending s. 550.0951, F.S.; revising provisions

675

relating to a transfer by a permitholder of a tax

676

exemption or license fee credit to a greyhound

677

permitholder; revising provisions relating to the tax

678

on handle for dogracing and intertrack wagering;

679

conforming a cross-reference; amending s. 550.09514,

680

F.S.; revising provisions relating to the purse





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681 requirements for greyhound racing and for the payment  
682 of purses; amending s. 550.105, F.S.; revising  
683 provisions relating to municipal taxes for dogracing  
684 facilities; amending s. 550.26165, F.S.; conforming a  
685 cross-reference to changes made by the act; amending  
686 s. 550.475, F.S.; revising provisions relating to the  
687 leasing of pari-mutuel facilities by pari-mutuel  
688 permitholders; amending s. 550.615, F.S.; revising  
689 provisions relating to intertrack wagering; amending  
690 s. 550.6305, F.S.; conforming cross-references;  
691 amending s. 551.104, F.S.; revising a condition of  
692 licensure for the conduct of slot machine gaming;  
693 amending s. 551.114, F.S.; revising the requirements  
694 for designated slot machine gaming areas; amending s.  
695 849.086, F.S.; revising the requirements for initial  
696 and renewal issuance of a cardroom license to a  
697 greyhound permitholder; providing that a corresponding  
698 pari-mutuel license application or a minimum number of  
699 live performances is not required for a greyhound  
700 permitholder to maintain or renew a cardroom license;  
701 providing an effective date.