



887822

LEGISLATIVE ACTION

Senate

House

.
. .
. .
. .
. .
. .

Floor: WD/2R

04/29/2011 11:27 AM

Senators Jones, Garcia, Latvala, Dockery, Ring, Norman, Diaz de la Portilla, and Lynn moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsections (11) and (25) of section 550.002,
Florida Statutes, are 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



887822

13 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



887822

42 permitholder, the conduct of at least 40 live regular wagering
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 (25) "Performance" means a series of timed events, races,
62 or games performed consecutively under a single admission
63 charge.

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

66 550.01215 License application; periods of operation; bond,
67 conversion of permit.—

68 (1) Each permitholder shall annually, during the period
69 between December 15 and January 4, file in writing with the
70 division its application for a license to conduct pari-mutuel



887822

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

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

91 550.054 Application for permit to conduct pari-mutuel
92 wagering.—

93 (14)

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



887822

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

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

119 550.0951 Payment of daily license fee and taxes;
120 penalties.—

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



887822

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

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



887822

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



887822

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

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



887822

216 or fees imposed by s. 849.086.

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

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

239 2. The tax on handle for intertrack wagers accepted by any
240 dog track located in an area of the state in which there are
241 only three permitholders, all of which are greyhound
242 permitholders, located in three contiguous counties, from any
243 greyhound permitholder also located within such area or any dog
244 track or jai alai fronton located as specified in s. 550.615(6)



887822

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

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

256 550.09514 Greyhound dogracing taxes; purse requirements.-

257 (2)

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



887822

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

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

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



887822

303 purses at the host track.

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



887822

332 performances conducted each week. The division shall conduct
333 audits necessary to ensure compliance with this paragraph.

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

336 550.105 Occupational licenses of racetrack employees; fees;
337 denial, suspension, and revocation of license; penalties and
338 fines.—

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

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

358 550.26165 Breeders' awards.—

359 (1) The purpose of this section is to encourage the
360 agricultural activity of breeding and training racehorses in



887822

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



887822

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

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

404 550.26352 Breeders' Cup Meet; pools authorized; conflicts;
405 taxes; credits; transmission of races; rules; application.-

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



887822

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

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



887822

448 Day.

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

470 (c) There shall be only one Breeders' Cup Permit authorized
471 by this section. Applications for issuance of the Breeders' Cup
472 Permit shall be filed with the division on or before September
473 1, 2011. Any holder of a horseracing permit issued by the
474 division is eligible to apply. If only one eligible applicant
475 applies for the Breeders' Cup Permit, then the division shall
476 issue the Permit to that applicant no later than October 1,



887822

477 2011. If more than one application is submitted seeking issue of
478 the Breeders' Cup permit, then the division shall determine
479 which applicant shall be issued the Breeders' Cup Permit. In
480 making its determination, the division shall issue the Breeders'
481 Cup Permit to the applicant demonstrating superior capabilities
482 to conduct an international racing event of the magnitude of the
483 Breeders' Cup World Championship, as measured by the
484 demonstrated ability of the applicant's facility to accommodate
485 attendance in excess of 30,000 patrons, the capacity to add
486 additional seating to accommodate the average attendance at the
487 prior 5 Breeders' Cup World Championship events, adequate
488 parking lot capacity, superior facility characteristics such as
489 quality of the racing surfaces and amenities for the patrons,
490 the historical significance of the applicant in the
491 establishment of the horse racing industry in Florida, and
492 superior public transportation servicing the applicant's
493 facility. The division shall make a final determination with
494 regard to the competing applications on or before December 31,
495 2011. However, if, on or before October 1, 2011, any of the
496 applicants requests that the division's determination be
497 postponed until June 1, 2012 in order to give that applicant an
498 opportunity to make the capital improvements to its facility
499 necessary to achieve an attendance capacity equal to the average
500 attendance at the prior 5 Breeders' Cup World Championship
501 events and to construct other capital improvements otherwise
502 applicable to the stated criteria, and such request is supported
503 by executed construction contracts to accomplish the
504 improvements, then the division shall postpone its determination
505 until June 1, 2012, by which date the division shall make its



887822

506 final determination.

507 (3)~~(2)~~ The permitholder conducting the Breeders' Cup Meet
508 is specifically authorized to create pari-mutuel pools during
509 the Breeders' Cup Meet by accepting pari-mutuel wagers on the
510 ~~thoroughbred~~ horse races run during said meet.

511 (4)~~(3)~~ If the permitholder has been selected to conduct
512 ~~conducting~~ the Breeders' Cup World Championship and Meet is
513 located within 35 miles of one or more permitholders scheduled
514 to conduct a thoroughbred race meet on any of the 2 ~~3~~ days of
515 the Breeders' Cup World Championship, Meet, then operation on
516 any of those 2 ~~3~~ days by the other permitholders is prohibited.
517 As compensation for the loss of racing days caused thereby, such
518 operating permitholders shall receive a credit against the taxes
519 otherwise due and payable to the state under ss. 550.0951 and
520 550.09515. This credit shall be in an amount equal to the
521 operating loss determined to have been suffered by the operating
522 permitholders as a result of not operating on the prohibited
523 racing days, but shall not exceed a total of \$950,000. The
524 determination of the amount to be credited shall be made by the
525 division upon application by the operating permitholder. The tax
526 credits provided in this subsection shall not be available
527 unless an operating permitholder is required to close a bona
528 fide meet consisting in part of no fewer than 10 scheduled
529 performances in the 15 days immediately preceding or 10
530 scheduled performances in the 15 days immediately following the
531 Breeders' Cup World Championship Meet. Such tax credit shall be
532 in lieu of any other compensation or consideration for the loss
533 of racing days. There shall be no replacement or makeup of any
534 lost racing days.



887822

535 (5)-(4) Notwithstanding any provision of ss. 550.0951 and
536 550.09515, if the permitholder has been selected to conduct
537 ~~conducting~~ the Breeders' Cup World Championship, Meet the
538 Breeders' Cup permitholder shall pay no taxes on the handle
539 included within the pari-mutuel pools of said permitholder for
540 the day or days upon which the races sponsored by the Breeders'
541 Cup World Championship are conducted live at the facility of the
542 holder of during the Breeders' Cup Permit Meet.

543 (6)-(5) ~~If the~~ The permitholder is selected to conduct
544 ~~conducting~~ the Breeders' Cup World Championship, Meet the
545 permitholder shall receive a credit against the taxes otherwise
546 due and payable to the state under ss. 550.0951 and 550.09515
547 generated during the Breeders' Cup World Championship said
548 ~~permitholder's next ensuing regular thoroughbred race meet~~. This
549 credit shall be in an amount not to exceed \$950,000 and shall be
550 utilized by the permitholder to pay the purses offered by the
551 permitholder during the Breeders' Cup World Championship Meet in
552 excess of the purses which the permitholder is otherwise
553 required by law to pay. The amount to be credited shall be
554 determined by the division upon application of the permitholder
555 which is subject to audit by the division.

556 (7)-(6) ~~If the~~ The permitholder is selected to conduct
557 ~~conducting~~ the Breeders' Cup World Championship, Meet the
558 permitholder shall receive a credit against the taxes otherwise
559 due and payable to the state under ss. 550.0951 and 550.09515
560 generated during the Breeders' Cup World Championship said
561 ~~permitholder's next ensuing regular thoroughbred race meet~~. This
562 credit shall be in an amount not to exceed \$950,000 and shall be
563 utilized by the permitholder for such capital improvements and



887822

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

568 ~~(8)(7)~~ If the The permitholder is selected to conduct
569 ~~conducting~~ the Breeders' Cup World Championship, Meet the
570 permitholder shall be exempt from the payment of purses and
571 other payments to horsemen on all on-track, intertrack,
572 interstate, and international wagers or rights fees or payments
573 arising therefrom for all races for which the purse is paid or
574 supplied by Breeders' Cup World Championship Limited. The
575 permitholder conducting the Breeders' Cup World Championship
576 ~~Meet~~ shall not, however, be exempt from breeders' awards
577 payments for on-track and intertrack wagers as provided in ss.
578 550.2625(3) and 550.625(2) (a) for races in which the purse is
579 paid or supplied by Breeders' Cup World Championship Limited.

580 ~~(9)(8)~~ (a) Pursuant to s. 550.3551(2), the permitholder
581 conducting the Breeders' Cup World Championship Meet is
582 authorized to transmit broadcasts of the races conducted during
583 the Breeders' Cup World Championship Meet to locations outside
584 of this state for wagering purposes. The division may approve
585 broadcasts to pari-mutuel permitholders and other betting
586 systems authorized under the laws of any other state or country.
587 Wagers accepted by any out-of-state pari-mutuel permitholder or
588 betting system on any races broadcast under this section may be,
589 but are not required to be, commingled with the pari-mutuel
590 pools of the permitholder conducting the Breeders' Cup World
591 Championship Meet. The calculation of any payoff on national
592 pari-mutuel pools with commingled wagers may be performed by the



887822

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

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

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



887822

622 ~~(10)-(9)~~ The ~~exemption from the~~ tax credits provided in
623 subsections (4), (6), and (7) ~~(5) and (6)~~ shall not be granted and
624 shall not be claimed by the affected permitholder until an audit
625 is completed by the division. The division is required to
626 complete the audit within 30 days of receipt of the necessary
627 documentation from the permitholder to verify the permitholder's
628 claim for tax credits. If the documentation submitted by the
629 permitholder is incomplete or is insufficient to document the
630 permitholder's claim for tax credits, the division may request
631 such additional documentation as is necessary to complete the
632 audit. Upon receipt of the division's written request for
633 additional documentation, the 30-day time limitation will
634 commence anew. The permitholder shall be entitled to apply the
635 tax credits authorized in this section against the taxes
636 otherwise due during the permitholder's next ensuing race meet
637 or meets or other taxes otherwise payable by the permitholder to
638 the division under chapters 550, 551, or 849, F.S., until the
639 credit is fully applied.

640 ~~(11)-(10)~~ The division is authorized to adopt such rules as
641 are necessary to facilitate the conduct of the Breeders' Cup
642 Meet and Breeders' Cup World Championship events as authorized
643 in this section. Included within this grant of authority shall
644 be the adoption or waiver of rules regarding the overall conduct
645 of racing during the Breeders' Cup World Championship Meet so as
646 to ensure the integrity of the races, licensing for all
647 participants, special stabling and training requirements for
648 foreign horses, commingling of pari-mutuel pools, and audit
649 requirements for tax credits and other benefits.

650 ~~(12)-(11)~~ Any dispute between the division and any



887822

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

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

660 (14) ~~(12)~~ The provisions of this section shall prevail over
661 any conflicting provisions of this chapter.

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

664 550.475 Lease of pari-mutuel facilities by pari-mutuel
665 permitholders.—Holders of valid pari-mutuel permits for the
666 conduct of any jai alai games, dogracing, or thoroughbred and
667 standardbred horse racing in this state are entitled to lease
668 any and all of their facilities to any other holder of a same
669 class valid pari-mutuel permit for jai alai games, dogracing, or
670 thoroughbred or standardbred horse racing, when located within a
671 35-mile radius of each other; and such lessee is entitled to a
672 ~~permit and~~ license to operate its race meet or jai alai games at
673 the leased premises.

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

676 550.615 Intertrack wagering.—

677 (1) Any horserace permitholder licensed under this chapter
678 which has conducted a full schedule of live racing may, at any
679 time, receive broadcasts of horseraces and accept wagers on



887822

680 horseraces conducted by horserace permitholders licensed under
681 this chapter at its facility.

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

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



887822

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

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

721 (6) Notwithstanding the provisions of subsection (3), in
722 any area of the state where there are three or more horserace
723 permitholders within 25 miles of each other, intertrack wagering
724 between permitholders in said area of the state shall only be
725 authorized under the following conditions: Any permitholder,
726 other than a thoroughbred permitholder, may accept intertrack
727 wagers on races or games conducted live by a permitholder of the
728 same class or any harness permitholder located within such area
729 and any harness permitholder may accept wagers on games
730 conducted live by any jai alai permitholder located within its
731 market area and from a jai alai permitholder located within the
732 area specified in this subsection when no jai alai permitholder
733 located within its market area is conducting live jai alai
734 performances; any greyhound or jai alai permitholder may receive
735 broadcasts of and accept wagers on any permitholder of the other
736 class provided that a permitholder, other than the host track,
737 of such other class is not operating a contemporaneous live



887822

738 performance within the market area.

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

749 ~~(7)(8) In any three contiguous counties of the state where~~
750 ~~there are only three permitholders, all of which are greyhound~~
751 ~~permitholders, If any greyhound permitholder leases the facility~~
752 ~~of another greyhound permitholder for the purpose of conducting~~
753 ~~all or any portion of ~~the conduct of~~ its live race meet pursuant~~
754 ~~to s. 550.475, such lessee may conduct intertrack wagering at~~
755 ~~its pre-lease permitted facility throughout the entire year,~~
756 ~~including while its race live meet is being conducted at the~~
757 ~~leased facility, if such permitholder has conducted a full~~
758 ~~schedule of live racing during the preceding fiscal year at its~~
759 ~~pre-lease permitted facility or at a leased facility, or~~
760 ~~combination thereof.~~

761 ~~(8)(9) In any two contiguous counties of the state in which~~
762 ~~there are located only four active permits, one for thoroughbred~~
763 ~~horse racing, two for greyhound dogracing, and one for jai alai~~
764 ~~games, no intertrack wager may be accepted on the same class of~~
765 ~~live races or games of any permitholder without the written~~
766 ~~consent of such operating permitholders conducting the same~~



887822

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

769 (9)~~(10)~~ All costs of receiving the transmission of the
770 broadcasts shall be borne by the guest track; and all costs of
771 sending the broadcasts shall be borne by the host track.

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

774 550.6305 Intertrack wagering; guest track payments;
775 accounting rules.—

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

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

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

793 3. Any thoroughbred permitholder which accepts wagers on a
794 simulcast signal received after 6 p.m. must make such signal
795 available to any permitholder that is eligible to conduct



887822

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

806
807 No thoroughbred permitholder shall be required to continue to
808 rebroadcast a simulcast signal to any in-state permitholder if
809 the average per performance gross receipts returned to the host
810 permitholder over the preceding 30-day period were less than
811 \$100. Subject to the provisions of s. 550.615(4), as a condition
812 of receiving rebroadcasts of thoroughbred simulcast signals
813 under this paragraph, a guest permitholder must accept
814 intertrack wagers on all live races conducted by all then-
815 operating thoroughbred permitholders.

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

818 550.6308 Limited intertrack wagering license.—In
819 recognition of the economic importance of the thoroughbred
820 breeding industry to this state, its positive impact on tourism,
821 and of the importance of a permanent thoroughbred sales facility
822 as a key focal point for the activities of the industry, a
823 limited license to conduct intertrack wagering is established to
824 ensure the continued viability and public interest in



887822

825 thoroughbred breeding in Florida.

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

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

839 (b) Between November 1 and May 8;

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

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

850
851 No more than one such license may be issued, and no such license
852 may be issued for a facility located within 50 miles of any
853 track for which a thoroughbred permitholder's track has



887822

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

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

860 550.3345 Conversion of quarter horse permit to a limited
861 thoroughbred permit.—

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

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

871 550.5251 Florida thoroughbred racing; certain permits;
872 operating days.—

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

881 Section 15. Paragraph (c) of subsection (4) of section
882 551.104, Florida Statutes, is amended to read:



887822

883 551.104 License to conduct slot machine gaming.-

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

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

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

897 551.114 Slot machine gaming areas.-

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

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

911 Section 17. Paragraphs (a) and (b) of subsection (5) and



887822

912 paragraph (d) of subsection (13) of section 849.086, Florida
913 Statutes, are amended to read:

914 849.086 Cardrooms authorized.—

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

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

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



887822

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

965 (13) TAXES AND OTHER PAYMENTS.-

966 (d)1. Each greyhound and jai alai permitholder that
967 operates a cardroom facility shall use at least 4 percent of
968 such permitholder's cardroom monthly gross receipts to
969 supplement greyhound purses if live racing is conducted during a



887822

970 fiscal year, or jai alai prize money, respectively, during the
971 permitholder's current or next ensuing pari-mutuel meet.

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

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

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



887822

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

1010 Section 19. This act shall take effect upon becoming a law.

1011
1012 ===== T I T L E A M E N D M E N T =====

1013 And the title is amended as follows:

1014 Delete everything before the enacting clause
1015 and insert:

1016 A bill to be entitled
1017 An act relating to pari-mutuel permitholders; amending
1018 s. 550.002, F.S.; revising the definition of the term
1019 "full schedule of live racing or games"; prohibiting a
1020 minimum requirement of live performances for greyhound
1021 permitholders; amending s. 550.01215, F.S.; revising
1022 the requirements for an application for a license to
1023 conduct performances; extending the period of time
1024 allowed to amend certain applications; amending s.
1025 550.054, F.S.; removing a requirement for holders of
1026 certain converted permits to conduct a full schedule
1027 of live racing to qualify for certain tax credits;



887822

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



887822

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