

By Senator Sachs

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1 A bill to be entitled
2 An act relating to pari-mutuel permitholders; amending
3 s. 550.002, F.S., which defines the term "full
4 schedule of live racing or games"; providing that a
5 greyhound permitholder shall not be required to
6 conduct a minimum number of live performances;
7 amending s. 550.01215, F.S.; revising requirements for
8 an application for a license to conduct performances;
9 providing an extended period to amend certain
10 applications; amending s. 550.054, F.S.; removing a
11 requirement for holders of certain converted permits
12 to conduct a full schedule of live racing to qualify
13 for certain tax credits; amending s. 550.0951, F.S.;
14 revising provisions for transfer by a permitholder of
15 a tax exemption or license fee credit to a greyhound
16 permitholder; revising the tax on handle for dogracing
17 and intertrack wagering; amending s. 550.09514, F.S.;
18 revising purse requirements for greyhound racing and
19 provisions for payment of purses; amending s. 550.615,
20 F.S.; revising provisions for intertrack wagering;
21 amending ss. 550.26165 and 550.6305, F.S.; conforming
22 cross-references to changes made by the act; amending
23 s. 551.104, F.S.; revising a condition of licensure
24 for the conduct of slot machine gaming; amending s.
25 551.114, F.S.; revising requirements for designated
26 slot machine gaming areas; amending s. 849.086, F.S.;
27 revising requirements for initial and renewal issuance
28 of a cardroom license; providing that neither a
29 corresponding pari-mutuel license application nor a

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30 minimum number of live performances is required for a
31 greyhound permitholder to maintain or renew a cardroom
32 license; providing an effective date.
33

34 Be It Enacted by the Legislature of the State of Florida:
35

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

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

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

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59 for a quarter horse permitholder at its facility unless an
60 alternative schedule of at least 20 live regular wagering
61 performances is agreed upon by the permitholder and either the
62 Florida Quarter Horse Racing Association or the horsemen's
63 association representing the majority of the quarter horse
64 owners and trainers at the facility and filed with the division
65 along with its annual date application, in the 2010-2011 fiscal
66 year, the conduct of at least 20 regular wagering performances,
67 in the 2011-2012 and 2012-2013 fiscal years, the conduct of at
68 least 30 live regular wagering performances, and for every
69 fiscal year after the 2012-2013 fiscal year, the conduct of at
70 least 40 live regular wagering performances; for a quarter horse
71 permitholder leasing another licensed racetrack, the conduct of
72 160 events at the leased facility; and for a thoroughbred
73 permitholder, the conduct of at least 40 live regular wagering
74 performances during the preceding year. For a permitholder which
75 is restricted by statute to certain operating periods within the
76 year when other members of its same class of permit are
77 authorized to operate throughout the year, the specified number
78 of live performances which constitute a full schedule of live
79 racing or games shall be adjusted pro rata in accordance with
80 the relationship between its authorized operating period and the
81 full calendar year and the resulting specified number of live
82 performances shall constitute the full schedule of live games
83 for such permitholder and all other permitholders of the same
84 class within 100 air miles of such permitholder. A live
85 performance must consist of no fewer than eight races or games
86 conducted live for each of a minimum of three performances each
87 week at the permitholder's licensed facility under a single

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88 admission charge. Notwithstanding any other provision of law,
89 beginning with the 2011-2012 fiscal year, there shall be no
90 minimum requirement of live performances for greyhound
91 permitholders.

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

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

96 (1) Each permitholder shall annually, during the period
97 between December 15 and January 4, file in writing with the
98 division its application for a license to conduct pari-mutuel
99 wagering activities ~~performances~~ during the next state fiscal
100 year. Each application requesting live performances, if any,
101 shall specify the number, dates, and starting times of all
102 performances which the permitholder intends to conduct. It shall
103 also specify which performances will be conducted as charity or
104 scholarship performances. In addition, each application for a
105 license shall include, for each permitholder which elects to
106 operate a cardroom, the dates and periods of operation the
107 permitholder intends to operate the cardroom or, for each
108 thoroughbred permitholder which elects to receive or rebroadcast
109 out-of-state races after 7 p.m., the dates for all performances
110 which the permitholder intends to conduct. Permitholders may
111 ~~shall be entitled to~~ amend their applications through February
112 28 or, for applications relating to the 2011-2012 fiscal year,
113 through August 31, 2011.

114 Section 3. Paragraph (b) of subsection (14) of section
115 550.054, Florida Statutes, is amended to read:

116 550.054 Application for permit to conduct pari-mutuel

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117 wagering.—

118 (14)

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

142 Section 4. Paragraph (b) of subsection (1) and paragraphs
143 (b) and (c) of subsection (3) of section 550.0951, Florida
144 Statutes, are amended to read:

145 550.0951 Payment of daily license fee and taxes;

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146 penalties.—

147 (1)

148 (b) Each permitholder that cannot utilize the full amount
149 of the exemption of \$360,000 or \$500,000 provided in s.
150 550.09514(1) or the daily license fee credit provided in this
151 section may, at any time, after notifying the division in
152 writing, ~~elect once per state fiscal year~~ on a form provided by
153 the division, ~~to~~ transfer such exemption or credit or any
154 portion thereof to any greyhound permitholder which acts as a
155 host track to such permitholder for the purpose of intertrack
156 wagering. Once an election to transfer such exemption or credit
157 is filed with the division, it shall not be rescinded. The
158 division shall disapprove the transfer when the amount of the
159 exemption or credit or portion thereof is unavailable to the
160 transferring permitholder for any reason, including being
161 unavailable because the transferring permitholder did not
162 conduct live racing in the fiscal year, or when the permitholder
163 who is entitled to transfer the exemption or credit or who is
164 entitled to receive the exemption or credit owes taxes to the
165 state pursuant to a deficiency letter or administrative
166 complaint issued by the division. Upon approval of the transfer
167 by the division, the transferred tax exemption or credit shall
168 be effective for the first performance of the next payment
169 period as specified in subsection (5). The exemption or credit
170 transferred to such host track may be applied by such host track
171 against any taxes imposed by this chapter or daily license fees
172 imposed by this chapter. The greyhound permitholder host track
173 to which such exemption or credit is transferred shall reimburse
174 such permitholder the exact monetary value of such transferred

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175 exemption or credit as actually applied against the taxes and
176 daily license fees of the host track. The division shall ensure
177 that all transfers of exemption or credit are made in accordance
178 with this subsection and shall have the authority to adopt rules
179 to ensure the implementation of this section.

180 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on
181 contributions to pari-mutuel pools, the aggregate of which is
182 hereinafter referred to as "handle," on races or games conducted
183 by the permitholder. The tax is imposed daily and is based on
184 the total contributions to all pari-mutuel pools conducted
185 during the daily performance. If a permitholder conducts more
186 than one performance daily, the tax is imposed on each
187 performance separately.

188 (b)1. The tax on handle for dogracing is 3.45 ~~5.5~~ percent
189 of the handle, except that for live charity performances held
190 pursuant to s. 550.0351, and for intertrack wagering on such
191 charity performances at a guest greyhound track within the
192 market area of the host, the tax is 7.6 percent of the handle.

193 2. The tax on handle for jai alai is 7.1 percent of the
194 handle.

195 (c)1. The tax on handle for intertrack wagering is 2.0
196 percent of the handle if the host track is a horse track, 3.3
197 percent if the host track is a harness track, 3.45 ~~5.5~~ percent
198 if the host track is a dog track, and 7.1 percent if the host
199 track is a jai alai fronton. The tax on handle for intertrack
200 wagering is 0.5 percent if the host track and the guest track
201 are thoroughbred permitholders or at facilities other than dog
202 tracks if the guest track is located outside the market area of
203 the host track and within the market area of a thoroughbred

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204 permitholder currently conducting a live race meet. The tax on
205 handle for intertrack wagering on rebroadcasts of simulcast
206 thoroughbred horseraces is 2.4 percent of the handle and 1.5
207 percent of the handle for intertrack wagering on rebroadcasts of
208 simulcast harness horseraces. The tax shall be deposited into
209 the Pari-mutuel Wagering Trust Fund.

210 2. The tax on handle for intertrack wagers is ~~accepted by~~
211 ~~any dog track located in an area of the state in which there are~~
212 ~~only three permitholders, all of which are greyhound~~
213 ~~permitholders, located in three contiguous counties, from any~~
214 ~~greyhound permitholder also located within such area or any dog~~
215 ~~track or jai alai fronton located as specified in s. 550.615(6)~~
216 ~~or (9), on races or games received from the same class of~~
217 ~~permitholder located within the same market area is 3.9 percent~~
218 ~~if the host facility is a greyhound permitholder and, if the~~
219 ~~host facility is a jai alai permitholder, the rate shall be 6.1~~
220 percent if the host facility is a jai alai permitholder, except
221 that it shall be 2.3 percent on handle at such time as the total
222 tax on intertrack handle paid to the division by the
223 permitholder during the current state fiscal year exceeds the
224 total tax on intertrack handle paid to the division by the
225 permitholder during the 1992-1993 state fiscal year.

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

228 550.09514 Greyhound dogracing taxes; purse requirements.—

229 (2)

230 (b) Except as otherwise set forth herein, in addition to
231 the minimum purse percentage required by paragraph (a), each
232 permitholder conducting live racing during a fiscal year shall

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233 pay as purses an annual amount equal to 75 percent of the daily
234 license fees paid by each permitholder for the 1994-1995 fiscal
235 year. This purse supplement shall be disbursed weekly during the
236 permitholder's race meet in an amount determined by dividing the
237 annual purse supplement by the number of performances approved
238 for the permitholder pursuant to its annual license and
239 multiplying that amount by the number of performances conducted
240 each week. ~~For the greyhound permitholders in the county where~~
241 ~~there are two greyhound permitholders located as specified in s.~~
242 ~~550.615(6), such permitholders shall pay in the aggregate an~~
243 ~~amount equal to 75 percent of the daily license fees paid by~~
244 ~~such permitholders for the 1994-1995 fiscal year. These~~
245 ~~permitholders shall be jointly and severally liable for such~~
246 ~~purse payments.~~ The additional purses provided by this paragraph
247 must be used exclusively for purses other than stakes. The
248 division shall conduct audits necessary to ensure compliance
249 with this section.

250 (c)1. Each greyhound permitholder when conducting at least
251 three live performances during any week shall pay purses in that
252 week on wagers it accepts as a guest track on intertrack and
253 simulcast greyhound races at the same rate as it pays on live
254 races. Each greyhound permitholder when conducting at least
255 three live performances during any week shall pay purses in that
256 week, at the same rate as it pays on live races, on wagers
257 accepted on greyhound races at a guest track which is not
258 conducting live racing and is located within the same market
259 area as the greyhound permitholder conducting at least three
260 live performances during any week.

261 2. Each host greyhound permitholder shall pay purses on its

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262 simulcast and intertrack broadcasts of greyhound races to guest
263 facilities that are located outside its market area in an amount
264 equal to one quarter of an amount determined by subtracting the
265 transmission costs of sending the simulcast or intertrack
266 broadcasts from an amount determined by adding the fees received
267 for greyhound simulcast races plus 3 percent of the greyhound
268 intertrack handle at guest facilities that are located outside
269 the market area of the host and that paid contractual fees to
270 the host for such broadcasts of greyhound races. For guest
271 greyhound permitholders not conducting live racing during a
272 fiscal year and not subject to the purse requirements of
273 subparagraph 1., 3 percent of the greyhound intertrack handle
274 shall be paid to the host greyhound permitholder for payment of
275 purses at the host track.

276 (e) In addition to the purse requirements of paragraphs
277 (a)-(c), each greyhound permitholder shall pay as purses an
278 amount equal to one-third of the amount of the tax reduction on
279 live and simulcast handle applicable to such permitholder as a
280 result of the reductions in tax rates provided by ~~this act~~
281 ~~through the~~ amendments to s. 550.0951(3). With respect to
282 intertrack wagering when the host and guest tracks are greyhound
283 permitholders not within the same market area, an amount equal
284 to the tax reduction applicable to the guest track handle as a
285 result of any reductions ~~the reduction~~ in tax rates ~~rate~~
286 provided by ~~this act through~~ the amendment to s. 550.0951(3),
287 other than revisions to s. 550.0951(3)(c)1. and 2. made after
288 December 31, 2010, shall be distributed to the guest track, ~~one-~~
289 ~~third of which amount shall be paid as purses at the guest~~
290 ~~track.~~ However, if the guest track is a greyhound permitholder

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291 within the market area of the host or if the guest track is not
292 a greyhound permitholder, an amount equal to such tax reduction
293 applicable to the guest track handle shall be retained by the
294 host track, one-third of which amount shall be paid as purses at
295 the host track. These purse funds shall be disbursed in the week
296 received if the permitholder conducts at least one live
297 performance during that week. If the permitholder does not
298 conduct at least one live performance during the week in which
299 the purse funds are received, the purse funds shall be disbursed
300 weekly during the permitholder's next race meet in an amount
301 determined by dividing the purse amount by the number of
302 performances approved for the permitholder pursuant to its
303 annual license, and multiplying that amount by the number of
304 performances conducted each week. The division shall conduct
305 audits necessary to ensure compliance with this paragraph.

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

308 550.26165 Breeders' awards.—

309 (1) The purpose of this section is to encourage the
310 agricultural activity of breeding and training racehorses in
311 this state. Moneys dedicated in this chapter for use as
312 breeders' awards and stallion awards are to be used for awards
313 to breeders of registered Florida-bred horses winning horseraces
314 and for similar awards to the owners of stallions who sired
315 Florida-bred horses winning stakes races, if the stallions are
316 registered as Florida stallions standing in this state. Such
317 awards shall be given at a uniform rate to all winners of the
318 awards, shall not be greater than 20 percent of the announced
319 gross purse, and shall not be less than 15 percent of the

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320 announced gross purse if funds are available. In addition, no
321 less than 17 percent nor more than 40 percent, as determined by
322 the Florida Thoroughbred Breeders' Association, of the moneys
323 dedicated in this chapter for use as breeders' awards and
324 stallion awards for thoroughbreds shall be returned pro rata to
325 the permitholders that generated the moneys for special racing
326 awards to be distributed by the permitholders to owners of
327 thoroughbred horses participating in prescribed thoroughbred
328 stakes races, nonstakes races, or both, all in accordance with a
329 written agreement establishing the rate, procedure, and
330 eligibility requirements for such awards entered into by the
331 permitholder, the Florida Thoroughbred Breeders' Association,
332 and the Florida Horsemen's Benevolent and Protective
333 Association, Inc., except that the plan for the distribution by
334 any permitholder located in the area described in s.
335 550.615(8) ~~(9)~~ shall be agreed upon by that permitholder, the
336 Florida Thoroughbred Breeders' Association, and the association
337 representing a majority of the thoroughbred racehorse owners and
338 trainers at that location. Awards for thoroughbred races are to
339 be paid through the Florida Thoroughbred Breeders' Association,
340 and awards for standardbred races are to be paid through the
341 Florida Standardbred Breeders and Owners Association. Among
342 other sources specified in this chapter, moneys for thoroughbred
343 breeders' awards will come from the 0.955 percent of handle for
344 thoroughbred races conducted, received, broadcast, or simulcast
345 under this chapter as provided in s. 550.2625(3). The moneys for
346 quarter horse and harness breeders' awards will come from the
347 breaks and uncashed tickets on live quarter horse and harness
348 racing performances and 1 percent of handle on intertrack

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349 wagering. The funds for these breeders' awards shall be paid to
350 the respective breeders' associations by the permitholders
351 conducting the races.

352 Section 7. Section 550.615, Florida Statutes, is amended to
353 read:

354 550.615 Intertrack wagering.—

355 (1) Any horserace permitholder licensed under this chapter
356 which has conducted a full schedule of live racing may, at any
357 time, receive broadcasts of horseraces and accept wagers on
358 horseraces conducted by horserace permitholders licensed under
359 this chapter at its facility.

360 (2) A Any track or fronton licensed under this chapter that
361 conducted a full schedule of live racing ~~which~~ in the preceding
362 year or any dog track conducted a full schedule of live racing
363 is qualified to, at any time, receive broadcasts of any class of
364 pari-mutuel race or game and accept wagers on such races or
365 games conducted by any class of permitholders licensed under
366 this chapter.

367 (3) If a permitholder elects to broadcast its signal to any
368 permitholder in this state, any permitholder that is eligible to
369 conduct intertrack wagering under the provisions of ss. 550.615-
370 550.6345 is entitled to receive the broadcast and conduct
371 intertrack wagering under this section; provided, however, that
372 the host track may require a guest track within 25 miles of
373 another permitholder to receive in any week at least 60 percent
374 of the live races that the host track is making available on the
375 days that the guest track is otherwise operating live races or
376 games. A host track may require a guest track not operating live
377 races or games and within 25 miles of another permitholder to

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378 accept within any week at least 60 percent of the live races
379 that the host track is making available. A person may not
380 restrain or attempt to restrain any permitholder that is
381 otherwise authorized to conduct intertrack wagering from
382 receiving the signal of any other permitholder or sending its
383 signal to any permitholder.

384 (4) No ~~In no event shall any~~ intertrack wager may be
385 accepted, except with regard to greyhound permitholders, on the
386 same class of live races or games of any permitholder without
387 the written consent of such operating permitholders conducting
388 the same class of live races or games if the guest track is
389 within the market area of such operating permitholder.

390 (5) No permitholder within the market area of the host
391 track shall take an intertrack wager on the host track without
392 the consent of the host track.

393 (6) Notwithstanding the provisions of subsection (3), in
394 any area of the state where there are three or more horserace
395 permitholders within 25 miles of each other, intertrack wagering
396 between permitholders in said area of the state shall only be
397 authorized under the following conditions: Any permitholder,
398 other than a thoroughbred permitholder, may accept intertrack
399 wagers on races or games conducted live by a permitholder of the
400 same class or any harness permitholder located within such area
401 and any harness permitholder may accept wagers on games
402 conducted live by any jai alai permitholder located within its
403 market area and from a jai alai permitholder located within the
404 area specified in this subsection when no jai alai permitholder
405 located within its market area is conducting live jai alai
406 performances; any greyhound or jai alai permitholder may receive

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407 broadcasts of and accept wagers on any permitholder of the other
408 class provided that a permitholder, other than the host track,
409 of such other class is not operating a contemporaneous live
410 performance within the market area.

411 ~~(7) In any county of the state where there are only two~~
412 ~~permits, one for dogracing and one for jai alai, no intertrack~~
413 ~~wager may be taken during the period of time when a permitholder~~
414 ~~is not licensed to conduct live races or games without the~~
415 ~~written consent of the other permitholder that is conducting~~
416 ~~live races or games. However, if neither permitholder is~~
417 ~~conducting live races or games, either permitholder may accept~~
418 ~~intertrack wagers on horseraces or on the same class of races or~~
419 ~~games, or on both horseraces and the same class of races or~~
420 ~~games as is authorized by its permit.~~

421 ~~(7)(8) In any three contiguous counties of the state where~~
422 ~~there are only three permitholders, all of which are greyhound~~
423 ~~permitholders, If any greyhound permitholder leases the facility~~
424 ~~of another greyhound permitholder for the purpose of conducting~~
425 ~~all or any portion of the conduct of its live race meet pursuant~~
426 ~~to s. 550.475, such lessee may conduct intertrack wagering at~~
427 ~~its pre-lease permitted facility throughout the entire year,~~
428 ~~including while its race live meet is being conducted at the~~
429 ~~leased facility, if such permitholder has conducted a full~~
430 ~~schedule of live racing during the preceding fiscal year at its~~
431 ~~pre-lease permitted facility or at a leased facility, or~~
432 ~~combination thereof.~~

433 ~~(8)(9) In any two contiguous counties of the state in which~~
434 ~~there are located only four active permits, one for thoroughbred~~
435 ~~horse racing, two for greyhound dogracing, and one for jai alai~~

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436 games, no intertrack wager may be accepted on the same class of
437 live races or games of any permitholder without the written
438 consent of such operating permitholders conducting the same
439 class of live races or games if the guest track is within the
440 market area of such operating permitholder.

441 (9) ~~(10)~~ All costs of receiving the transmission of the
442 broadcasts shall be borne by the guest track; and all costs of
443 sending the broadcasts shall be borne by the host track.

444 Section 8. Paragraph (g) of subsection (9) of section
445 550.6305, Florida Statutes, is amended to read:

446 550.6305 Intertrack wagering; guest track payments;
447 accounting rules.—

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

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

457 2. Any thoroughbred permitholder which accepts wagers on a
458 simulcast signal received after 6 p.m. must make such signal
459 available to any permitholder that is eligible to conduct
460 intertrack wagering under the provisions of ss. 550.615-
461 550.6345, including any permitholder located as specified in s.
462 550.615(6). Such guest permitholders are authorized to accept
463 wagers on such simulcast signal, notwithstanding any other
464 provision of this chapter to the contrary.

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465 3. Any thoroughbred permitholder which accepts wagers on a
466 simulcast signal received after 6 p.m. must make such signal
467 available to any permitholder that is eligible to conduct
468 intertrack wagering under the provisions of ss. 550.615-
469 550.6345, including any permitholder located as specified in s.
470 550.615(8)~~(9)~~. Such guest permitholders are authorized to accept
471 wagers on such simulcast signals for a number of performances
472 not to exceed that which constitutes a full schedule of live
473 races for a quarter horse permitholder pursuant to s.
474 550.002(11), notwithstanding any other provision of this chapter
475 to the contrary, except that the restrictions provided in s.
476 550.615(8)~~(9)~~(a) apply to wagers on such simulcast signals.

477
478 No thoroughbred permitholder shall be required to continue to
479 rebroadcast a simulcast signal to any in-state permitholder if
480 the average per performance gross receipts returned to the host
481 permitholder over the preceding 30-day period were less than
482 \$100. Subject to the provisions of s. 550.615(4), as a condition
483 of receiving rebroadcasts of thoroughbred simulcast signals
484 under this paragraph, a guest permitholder must accept
485 intertrack wagers on all live races conducted by all then-
486 operating thoroughbred permitholders.

487 Section 9. Paragraph (c) of subsection (4) of section
488 551.104, Florida Statutes, is amended to read:

489 551.104 License to conduct slot machine gaming.-

490 (4) As a condition of licensure and to maintain continued
491 authority for the conduct of slot machine gaming, the slot
492 machine licensee shall:

493 (c) Conduct no fewer than a full schedule of live racing or

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494 games as defined in s. 550.002(11), except for holders of
495 greyhound permits, which have no live racing requirement. A
496 permitholder's responsibility to conduct such number of live
497 races or games shall be reduced by the number of races or games
498 that could not be conducted due to the direct result of fire,
499 war, hurricane, or other disaster or event beyond the control of
500 the permitholder.

501 Section 10. Subsections (2) and (4) of section 551.114,
502 Florida Statutes, are amended to read:

503 551.114 Slot machine gaming areas.—

504 (2) The slot machine licensee shall display pari-mutuel
505 races or games within the designated slot machine gaming areas
506 and offer patrons within the designated slot machine gaming
507 areas the ability to engage in pari-mutuel wagering on any live,
508 intertrack, and simulcast races conducted or offered to patrons
509 of the licensed facility.

510 (4) Designated slot machine gaming areas may be located
511 within the current live gaming facility or in an existing
512 building that must be contiguous and connected to the live
513 gaming facility, if applicable. If a designated slot machine
514 gaming area is to be located in a building that is to be
515 constructed, that new building must be contiguous and connected
516 to the live gaming facility.

517 Section 11. Paragraphs (a) and (b) of subsection (5) and
518 paragraph (d) of subsection (13) of section 849.086, Florida
519 Statutes, are amended to read:

520 849.086 Cardrooms authorized.—

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

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523 valid cardroom license issued pursuant to this section.

524 (a) Only those persons holding a valid cardroom license
525 issued by the division may operate a cardroom. A cardroom
526 license may only be issued to a licensed pari-mutuel
527 permitholder and an authorized cardroom may only be operated at
528 the same facility at which the permitholder is authorized under
529 its valid pari-mutuel wagering permit to conduct pari-mutuel
530 wagering activities. An initial cardroom license shall be issued
531 to a pari-mutuel permitholder only after its facilities are in
532 place and, except for greyhound permitholders, after it conducts
533 its first day of live racing or games. A greyhound permitholder
534 that is otherwise eligible shall be issued a cardroom license
535 without regard to licensure for or actual conduct of live
536 racing.

537 (b) Except for greyhound permitholders ~~After the initial~~
538 ~~cardroom license is granted,~~ the application for the annual
539 license renewal shall be made in conjunction with the
540 applicant's annual application for its pari-mutuel license. If a
541 permitholder has operated a cardroom during any of the 3
542 previous fiscal years and fails to include a renewal request for
543 the operation of the cardroom in its annual application for
544 license renewal, the permitholder may amend its annual
545 application to include operation of the cardroom. In order for a
546 cardroom license to be renewed the applicant must have
547 requested, as part of its pari-mutuel annual license
548 application, to conduct at least 90 percent of the total number
549 of live performances conducted by such permitholder during
550 either the state fiscal year in which its initial cardroom
551 license was issued or the state fiscal year immediately prior

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552 thereto if the permitholder ran at least a full schedule of live
553 racing or games in the prior year. If the application is for a
554 harness permitholder cardroom, the applicant must have requested
555 authorization to conduct a minimum of 140 live performances
556 during the state fiscal year immediately prior thereto. If more
557 than one permitholder is operating at a facility, each
558 permitholder must have applied for a license to conduct a full
559 schedule of live racing. However, no corresponding pari-mutuel
560 license application or minimum numbers of requested or conducted
561 live performances is required in order for a greyhound
562 permitholder to maintain or renew a cardroom license.

563 (13) TAXES AND OTHER PAYMENTS.—

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

570 2. Each thoroughbred and harness horse racing permitholder
571 that operates a cardroom facility shall use at least 50 percent
572 of such permitholder's cardroom monthly net proceeds as follows:
573 47 percent to supplement purses and 3 percent to supplement
574 breeders' awards during the permitholder's next ensuing racing
575 meet.

576 3. No cardroom license or renewal thereof shall be issued
577 to an applicant holding a permit under chapter 550 to conduct
578 pari-mutuel wagering meets of quarter horse racing unless the
579 applicant has on file with the division a binding written
580 agreement between the applicant and the Florida Quarter Horse

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581 Racing Association or the association representing a majority of
582 the horse owners and trainers at the applicant's eligible
583 facility, governing the payment of purses on live quarter horse
584 races conducted at the licensee's pari-mutuel facility. The
585 agreement governing purses may direct the payment of such purses
586 from revenues generated by any wagering or gaming the applicant
587 is authorized to conduct under Florida law. All purses shall be
588 subject to the terms of chapter 550.

589 Section 12. This act shall take effect July 1, 2011.