

By the Committees on Budget Subcommittee on Finance and Tax; and Regulated Industries; and Senators Sachs and Sobel

593-04533-11

20111594c2

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 is not required to conduct a
6 minimum number of live performances; amending s.
7 550.01215, F.S.; revising requirements for an
8 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; amending s. 550.09514, F.S.; revising
17 purse requirements for greyhound racing and provisions
18 for payment of purses; amending s. 550.615, F.S.;
19 revising provisions for intertrack wagering; amending
20 s. 550.105, F.S.; limiting the taxes that may be
21 imposed on a person who conducts simulcasts,
22 intertrack wagering, or cardroom games if the facility
23 does not have an existing agreement with the
24 municipality; amending ss. 550.26165 and 550.6305,
25 F.S.; conforming cross-references to changes made by
26 the act; amending s. 551.104, F.S.; revising a
27 condition of licensure for the conduct of slot machine
28 gaming; amending s. 551.114, F.S.; revising
29 requirements for designated slot machine gaming areas;

593-04533-11

20111594c2

30 amending s. 849.086, F.S.; revising requirements for
31 initial and renewal issuance of a cardroom license;
32 providing that neither a corresponding pari-mutuel
33 license application nor a minimum number of live
34 performances is required for a greyhound permitholder
35 to maintain or renew a cardroom license; providing an
36 effective date.

37
38 Be It Enacted by the Legislature of the State of Florida:

39
40 Section 1. Subsection (11) of section 550.002, Florida
41 Statutes, is amended to read:

42 550.002 Definitions.—As used in this chapter, the term:

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

593-04533-11

20111594c2

59 machines in its pari-mutuel facility, the conduct of a
60 combination of at least 150 performances during the preceding
61 year; for a harness permitholder, the conduct of at least 100
62 live regular wagering performances during the preceding year;
63 for a quarter horse permitholder at its facility unless an
64 alternative schedule of at least 20 live regular wagering
65 performances is agreed upon by the permitholder and either the
66 Florida Quarter Horse Racing Association or the horsemen's
67 association representing the majority of the quarter horse
68 owners and trainers at the facility and filed with the division
69 along with its annual date application, in the 2010-2011 fiscal
70 year, the conduct of at least 20 regular wagering performances,
71 in the 2011-2012 and 2012-2013 fiscal years, the conduct of at
72 least 30 live regular wagering performances, and for every
73 fiscal year after the 2012-2013 fiscal year, the conduct of at
74 least 40 live regular wagering performances; for a quarter horse
75 permitholder leasing another licensed racetrack, the conduct of
76 160 events at the leased facility; and for a thoroughbred
77 permitholder, the conduct of at least 40 live regular wagering
78 performances during the preceding year. For a permitholder which
79 is restricted by statute to certain operating periods within the
80 year when other members of its same class of permit are
81 authorized to operate throughout the year, the specified number
82 of live performances which constitute a full schedule of live
83 racing or games shall be adjusted pro rata in accordance with
84 the relationship between its authorized operating period and the
85 full calendar year and the resulting specified number of live
86 performances shall constitute the full schedule of live games
87 for such permitholder and all other permitholders of the same

593-04533-11

20111594c2

88 class within 100 air miles of such permitholder. A live
89 performance must consist of no fewer than eight races or games
90 conducted live for each of a minimum of three performances each
91 week at the permitholder's licensed facility under a single
92 admission charge. Notwithstanding any other provision of law,
93 beginning with the 2011-2012 fiscal year, there shall be no
94 minimum requirement of live performances for greyhound
95 permitholders.

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

98 550.01215 License application; periods of operation; bond,
99 conversion of permit.-

100 (1) Each permitholder shall annually, during the period
101 between December 15 and January 4, file in writing with the
102 division its application for a license to conduct pari-mutuel
103 wagering activities ~~performances~~ during the next state fiscal
104 year. Each application requesting live performances, if any,
105 shall specify the number, dates, and starting times of all
106 performances which the permitholder intends to conduct. It shall
107 also specify which performances will be conducted as charity or
108 scholarship performances. In addition, each application for a
109 license shall include, for each permitholder which elects to
110 operate a cardroom, the dates and periods of operation the
111 permitholder intends to operate the cardroom or, for each
112 thoroughbred permitholder which elects to receive or rebroadcast
113 out-of-state races after 7 p.m., the dates for all performances
114 which the permitholder intends to conduct. Permitholders may
115 ~~shall be entitled to~~ amend their applications through February
116 28 or, for applications by greyhound permitholders relating to

593-04533-11

20111594c2

117 the 2011-2012 fiscal year, through August 31, 2011.

118 Section 3. Paragraph (b) of subsection (14) of section
119 550.054, Florida Statutes, is amended to read:

120 550.054 Application for permit to conduct pari-mutuel
121 wagering.—

122 (14)

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

593-04533-11

20111594c2

146 Section 4. Paragraph (b) of subsection (1) of section
147 550.0951, Florida Statutes, is amended to read:

148 550.0951 Payment of daily license fee and taxes;
149 penalties.—

150 (1)

151 (b) Each permitholder that cannot utilize the full amount
152 of the exemption of \$360,000 or \$500,000 provided in s.
153 550.09514(1) or the daily license fee credit provided in this
154 section may, at any time after notifying the division in
155 writing, ~~elect once per state fiscal year~~ on a form provided by
156 the division, ~~to~~ transfer such exemption or credit or any
157 portion thereof to any greyhound permitholder which acts as a
158 host track to such permitholder for the purpose of intertrack
159 wagering. Notwithstanding any other provision of law, the
160 exemption of \$360,000 or \$500,000 provided in s. 550.09514(1)
161 for each greyhound permitholder that conducted live racing
162 before July 1, 2011, but subsequently elects not to conduct live
163 racing during a fiscal year shall be pooled, and each greyhound
164 permitholder conducting a full schedule of live racing during a
165 fiscal year shall be entitled to an additional tax credit in an
166 amount equal to the product of the respective permitholder's
167 percentage share of live and intertrack wagering handle under
168 subsection (3) during the preceding fiscal year and the total
169 value of tax credits available in the pool. Once an election to
170 transfer such exemption or credit is filed with the division, it
171 shall not be rescinded. The division shall disapprove the
172 transfer when the amount of the exemption or credit or portion
173 thereof is unavailable to the transferring permitholder for any
174 reason, including being unavailable because the transferring

593-04533-11

20111594c2

175 permitholder did not conduct at least 100 live performances of
176 at least eight races during the fiscal year, or when the
177 permitholder who is entitled to transfer the exemption or credit
178 or who is entitled to receive the exemption or credit owes taxes
179 to the state pursuant to a deficiency letter or administrative
180 complaint issued by the division. Upon approval of the transfer
181 by the division, the transferred tax exemption or credit shall
182 be effective for the first performance of the next payment
183 period as specified in subsection (5). The exemption or credit
184 transferred to such host track may be applied by such host track
185 against any taxes imposed by this chapter or daily license fees
186 imposed by this chapter. The greyhound permitholder host track
187 to which such exemption or credit is transferred shall reimburse
188 such permitholder the exact monetary value of such transferred
189 exemption or credit as actually applied against the taxes and
190 daily license fees of the host track. The division shall ensure
191 that all transfers of exemption or credit are made in accordance
192 with this subsection and shall have the authority to adopt rules
193 to ensure the implementation of this section.

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

196 550.09514 Greyhound dogracing taxes; purse requirements.-

197 (2)

198 (b) Except as otherwise set forth herein, in addition to
199 the minimum purse percentage required by paragraph (a), each
200 permitholder conducting live racing during a fiscal year shall
201 pay as purses an annual amount equal to 75 percent of the daily
202 license fees paid by each permitholder for the 1994-1995 fiscal
203 year. This purse supplement shall be disbursed weekly during the

593-04533-11

20111594c2

204 permitholder's race meet in an amount determined by dividing the
205 annual purse supplement by the number of performances approved
206 for the permitholder pursuant to its annual license and
207 multiplying that amount by the number of performances conducted
208 each week. ~~For the greyhound permitholders in the county where~~
209 ~~there are two greyhound permitholders located as specified in s.~~
210 ~~550.615(6), such permitholders shall pay in the aggregate an~~
211 ~~amount equal to 75 percent of the daily license fees paid by~~
212 ~~such permitholders for the 1994-1995 fiscal year. These~~
213 ~~permitholders shall be jointly and severally liable for such~~
214 ~~purse payments.~~ The additional purses provided by this paragraph
215 must be used exclusively for purses other than stakes. The
216 division shall conduct audits necessary to ensure compliance
217 with this section.

218 (c)1. Each greyhound permitholder when conducting at least
219 three live performances during any week shall pay purses in that
220 week on wagers it accepts as a guest track on intertrack and
221 simulcast greyhound races at the same rate as it pays on live
222 races. Each greyhound permitholder when conducting at least
223 three live performances during any week shall pay purses in that
224 week, at the same rate as it pays on live races, on wagers
225 accepted on greyhound races at a guest track which is not
226 conducting live racing and is located within the same market
227 area as the greyhound permitholder conducting at least three
228 live performances during any week.

229 2. Each host greyhound permitholder shall pay purses on its
230 simulcast and intertrack broadcasts of greyhound races to guest
231 facilities that are located outside its market area in an amount
232 equal to one quarter of an amount determined by subtracting the

593-04533-11

20111594c2

233 transmission costs of sending the simulcast or intertrack
234 broadcasts from an amount determined by adding the fees received
235 for greyhound simulcast races plus 3 percent of the greyhound
236 intertrack handle at guest facilities that are located outside
237 the market area of the host and that paid contractual fees to
238 the host for such broadcasts of greyhound races. For guest
239 greyhound permitholders not conducting live racing during a
240 fiscal year and not subject to the purse requirements of
241 subparagraph 1., 3 percent of the greyhound intertrack handle
242 shall be paid to the host greyhound permitholder for payment of
243 purses at the host track.

244 (e) In addition to the purse requirements of paragraphs
245 (a)-(c), each greyhound permitholder shall pay as purses an
246 amount equal to one-third of the amount of the tax reduction on
247 live and simulcast handle applicable to such permitholder as a
248 result of the reductions in tax rates provided ~~by this act~~
249 through the amendments to s. 550.0951(3) in chapter 2000-354,
250 Laws of Florida. With respect to intertrack wagering when the
251 host and guest tracks are greyhound permitholders not within the
252 same market area, an amount equal to the tax reduction
253 applicable to the guest track handle as a result of the
254 reduction in tax rates ~~rate~~ provided ~~by this act~~ through the
255 amendments ~~amendment~~ to s. 550.0951(3) in chapter 2000-354, Laws
256 of Florida, shall be distributed to the guest track, one-third
257 of which amount shall be paid as purses at those ~~the~~ guest
258 tracks conducting live racing ~~track~~. However, if the guest track
259 is a greyhound permitholder within the market area of the host
260 or if the guest track is not a greyhound permitholder, an amount
261 equal to such tax reduction applicable to the guest track handle

593-04533-11

20111594c2

262 shall be retained by the host track, one-third of which amount
263 shall be paid as purses at the host track. These purse funds
264 shall be disbursed in the week received if the permitholder
265 conducts at least one live performance during that week. If the
266 permitholder does not conduct at least one live performance
267 during the week in which the purse funds are received, the purse
268 funds shall be disbursed weekly during the permitholder's next
269 race meet in an amount determined by dividing the purse amount
270 by the number of performances approved for the permitholder
271 pursuant to its annual license, and multiplying that amount by
272 the number of performances conducted each week. The division
273 shall conduct audits necessary to ensure compliance with this
274 paragraph.

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

277 550.105 Occupational licenses of racetrack employees; fees;
278 denial, suspension, and revocation of license; penalties and
279 fines.—

280 (9) The tax imposed by this section is in lieu of all
281 license, excise, or occupational taxes to the state or any
282 county, municipality, or other political subdivision, except
283 that, if a race meeting or game is held or conducted in a
284 municipality, the municipality may assess and collect an
285 additional tax against any person conducting live racing or
286 games within its corporate limits, which tax may not exceed \$150
287 per day for horseracing or \$50 per day for dogracing,
288 simulcasts, intertrack wagering, cardroom games, or jai alai, up
289 to the maximum of 100 days for dogracing facilities. This tax
290 may be levied on simulcasts, intertrack wagering, or cardroom

593-04533-11

20111594c2

291 games only to the extent that the facility does not have an
292 existing agreement with the municipality. Except as provided in
293 this chapter, a municipality may not assess or collect any
294 additional excise or revenue tax against any person conducting
295 race meetings within the corporate limits of the municipality or
296 against any patron of any such person.

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

299 550.26165 Breeders' awards.—

300 (1) The purpose of this section is to encourage the
301 agricultural activity of breeding and training racehorses in
302 this state. Moneys dedicated in this chapter for use as
303 breeders' awards and stallion awards are to be used for awards
304 to breeders of registered Florida-bred horses winning horseraces
305 and for similar awards to the owners of stallions who sired
306 Florida-bred horses winning stakes races, if the stallions are
307 registered as Florida stallions standing in this state. Such
308 awards shall be given at a uniform rate to all winners of the
309 awards, shall not be greater than 20 percent of the announced
310 gross purse, and shall not be less than 15 percent of the
311 announced gross purse if funds are available. In addition, no
312 less than 17 percent nor more than 40 percent, as determined by
313 the Florida Thoroughbred Breeders' Association, of the moneys
314 dedicated in this chapter for use as breeders' awards and
315 stallion awards for thoroughbreds shall be returned pro rata to
316 the permitholders that generated the moneys for special racing
317 awards to be distributed by the permitholders to owners of
318 thoroughbred horses participating in prescribed thoroughbred
319 stakes races, nonstakes races, or both, all in accordance with a

593-04533-11

20111594c2

320 written agreement establishing the rate, procedure, and
321 eligibility requirements for such awards entered into by the
322 permitholder, the Florida Thoroughbred Breeders' Association,
323 and the Florida Horsemen's Benevolent and Protective
324 Association, Inc., except that the plan for the distribution by
325 any permitholder located in the area described in s.
326 550.615(8)~~(9)~~ shall be agreed upon by that permitholder, the
327 Florida Thoroughbred Breeders' Association, and the association
328 representing a majority of the thoroughbred racehorse owners and
329 trainers at that location. Awards for thoroughbred races are to
330 be paid through the Florida Thoroughbred Breeders' Association,
331 and awards for standardbred races are to be paid through the
332 Florida Standardbred Breeders and Owners Association. Among
333 other sources specified in this chapter, moneys for thoroughbred
334 breeders' awards will come from the 0.955 percent of handle for
335 thoroughbred races conducted, received, broadcast, or simulcast
336 under this chapter as provided in s. 550.2625(3). The moneys for
337 quarter horse and harness breeders' awards will come from the
338 breaks and uncashed tickets on live quarter horse and harness
339 racing performances and 1 percent of handle on intertrack
340 wagering. The funds for these breeders' awards shall be paid to
341 the respective breeders' associations by the permitholders
342 conducting the races.

343 Section 8. Section 550.615, Florida Statutes, is amended to
344 read:

345 550.615 Intertrack wagering.—

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

593-04533-11

20111594c2

349 horseraces conducted by horserace permitholders licensed under
350 this chapter at its facility.

351 (2) A ~~Any~~ track or fronton licensed under this chapter
352 which conducted a full schedule of live racing ~~which~~ in the
353 preceding year or any dog track ~~conducted a full schedule of~~
354 ~~live racing~~ is qualified to, at any time, receive broadcasts of
355 any class of pari-mutuel race or game and accept wagers on such
356 races or games conducted by any class of permitholders licensed
357 under this chapter.

358 (3) If a permitholder elects to broadcast its signal to any
359 permitholder in this state, any permitholder that is eligible to
360 conduct intertrack wagering under the provisions of ss. 550.615-
361 550.6345 is entitled to receive the broadcast and conduct
362 intertrack wagering under this section; provided, however, that
363 the host track may require a guest track within 25 miles of
364 another permitholder to receive in any week at least 60 percent
365 of the live races that the host track is making available on the
366 days that the guest track is otherwise operating live races or
367 games. A host track may require a guest track not operating live
368 races or games and within 25 miles of another permitholder to
369 accept within any week at least 60 percent of the live races
370 that the host track is making available. A person may not
371 restrain or attempt to restrain any permitholder that is
372 otherwise authorized to conduct intertrack wagering from
373 receiving the signal of any other permitholder or sending its
374 signal to any permitholder.

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

593-04533-11

20111594c2

378 conducting the same class of live races or games if the guest
379 track is within the market area of such operating permitholder.
380 A greyhound permitholder that accepts intertrack wagers on live
381 greyhound signals shall not be required to obtain the written
382 consent required by this subsection from any operating greyhound
383 permitholder within its market area.

384 (5) No permitholder within the market area of the host
385 track shall take an intertrack wager on the host track without
386 the consent of the host track.

387 (6) Notwithstanding the provisions of subsection (3), in
388 any area of the state where there are three or more horserace
389 permitholders within 25 miles of each other, intertrack wagering
390 between permitholders in said area of the state shall only be
391 authorized under the following conditions: Any permitholder,
392 other than a thoroughbred permitholder, may accept intertrack
393 wagers on races or games conducted live by a permitholder of the
394 same class or any harness permitholder located within such area
395 and any harness permitholder may accept wagers on games
396 conducted live by any jai alai permitholder located within its
397 market area and from a jai alai permitholder located within the
398 area specified in this subsection when no jai alai permitholder
399 located within its market area is conducting live jai alai
400 performances; any greyhound or jai alai permitholder may receive
401 broadcasts of and accept wagers on any permitholder of the other
402 class provided that a permitholder, other than the host track,
403 of such other class is not operating a contemporaneous live
404 performance within the market area.

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

593-04533-11

20111594c2

407 ~~wager may be taken during the period of time when a permitholder~~
408 ~~is not licensed to conduct live races or games without the~~
409 ~~written consent of the other permitholder that is conducting~~
410 ~~live races or games. However, if neither permitholder is~~
411 ~~conducting live races or games, either permitholder may accept~~
412 ~~intertrack wagers on horseraces or on the same class of races or~~
413 ~~games, or on both horseraces and the same class of races or~~
414 ~~games as is authorized by its permit.~~

415 ~~(7)(8) In any three contiguous counties of the state where~~
416 ~~there are only three permitholders, all of which are greyhound~~
417 ~~permitholders, If any greyhound permitholder leases the facility~~
418 ~~of another greyhound permitholder for the purpose of conducting~~
419 ~~all or any portion of the conduct of its live race meet pursuant~~
420 ~~to s. 550.475, such lessee may conduct intertrack wagering at~~
421 ~~its pre-lease permitted facility throughout the entire year,~~
422 ~~including while its race live meet is being conducted at the~~
423 ~~leased facility, if such permitholder has conducted a full~~
424 ~~schedule of live racing during the preceding fiscal year at its~~
425 ~~pre-lease permitted facility or at a leased facility, or~~
426 ~~combination thereof.~~

427 ~~(8)(9) In any two contiguous counties of the state in which~~
428 ~~there are located only four active permits, one for thoroughbred~~
429 ~~horse racing, two for greyhound dogracing, and one for jai alai~~
430 ~~games, no intertrack wager may be accepted on the same class of~~
431 ~~live races or games of any permitholder without the written~~
432 ~~consent of such operating permitholders conducting the same~~
433 ~~class of live races or games if the guest track is within the~~
434 ~~market area of such operating permitholder.~~

435 ~~(9)(10) All costs of receiving the transmission of the~~

593-04533-11

20111594c2

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

438 Section 9. Paragraph (g) of subsection (9) of section
439 550.6305, Florida Statutes, is amended to read:

440 550.6305 Intertrack wagering; guest track payments;
441 accounting rules.—

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

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

451 2. Any thoroughbred permitholder which accepts wagers on a
452 simulcast signal received after 6 p.m. must make such signal
453 available to any permitholder that is eligible to conduct
454 intertrack wagering under the provisions of ss. 550.615-
455 550.6345, including any permitholder located as specified in s.
456 550.615(6). Such guest permitholders are authorized to accept
457 wagers on such simulcast signal, notwithstanding any other
458 provision of this chapter to the contrary.

459 3. Any thoroughbred permitholder which accepts wagers on a
460 simulcast signal received after 6 p.m. must make such signal
461 available to any permitholder that is eligible to conduct
462 intertrack wagering under the provisions of ss. 550.615-
463 550.6345, including any permitholder located as specified in s.
464 550.615(8)~~(9)~~. Such guest permitholders are authorized to accept

593-04533-11

20111594c2

465 wagers on such simulcast signals for a number of performances
466 not to exceed that which constitutes a full schedule of live
467 races for a quarter horse permitholder pursuant to s.
468 550.002(11), notwithstanding any other provision of this chapter
469 to the contrary, except that the restrictions provided in s.
470 550.615(8)~~(9)~~(a) apply to wagers on such simulcast signals.

471
472 No thoroughbred permitholder shall be required to continue to
473 rebroadcast a simulcast signal to any in-state permitholder if
474 the average per performance gross receipts returned to the host
475 permitholder over the preceding 30-day period were less than
476 \$100. Subject to the provisions of s. 550.615(4), as a condition
477 of receiving rebroadcasts of thoroughbred simulcast signals
478 under this paragraph, a guest permitholder must accept
479 intertrack wagers on all live races conducted by all then-
480 operating thoroughbred permitholders.

481 Section 10. Paragraph (c) of subsection (4) of section
482 551.104, Florida Statutes, is amended to read:

483 551.104 License to conduct slot machine gaming.—

484 (4) As a condition of licensure and to maintain continued
485 authority for the conduct of slot machine gaming, the slot
486 machine licensee shall:

487 (c) Conduct no fewer than a full schedule of live racing or
488 games as defined in s. 550.002(11), except for holders of
489 greyhound permits, which have no live racing requirement. A
490 permitholder's responsibility to conduct such number of live
491 races or games shall be reduced by the number of races or games
492 that could not be conducted due to the direct result of fire,
493 war, hurricane, or other disaster or event beyond the control of

593-04533-11

20111594c2

494 the permitholder.

495 Section 11. Subsections (2) and (4) of section 551.114,
496 Florida Statutes, are amended to read:

497 551.114 Slot machine gaming areas.—

498 (2) The slot machine licensee shall display pari-mutuel
499 races or games within the designated slot machine gaming areas
500 and offer patrons within the designated slot machine gaming
501 areas the ability to engage in pari-mutuel wagering on any live,
502 intertrack, and simulcast races conducted or offered to patrons
503 of the licensed facility.

504 (4) Designated slot machine gaming areas may be located
505 within the current live gaming facility or in an existing
506 building that must be contiguous and connected to the live
507 gaming facility, if applicable. If a designated slot machine
508 gaming area is to be located in a building that is to be
509 constructed, that new building must be contiguous and connected
510 to the live gaming facility.

511 Section 12. Paragraphs (a) and (b) of subsection (5) and
512 paragraph (d) of subsection (13) of section 849.086, Florida
513 Statutes, are amended to read:

514 849.086 Cardrooms authorized.—

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

518 (a) Only those persons holding a valid cardroom license
519 issued by the division may operate a cardroom. A cardroom
520 license may only be issued to a licensed pari-mutuel
521 permitholder and an authorized cardroom may only be operated at
522 the same facility at which the permitholder is authorized under

593-04533-11

20111594c2

523 its valid pari-mutuel wagering permit to conduct pari-mutuel
524 wagering activities. An initial cardroom license shall be issued
525 to a pari-mutuel permitholder only after its facilities are in
526 place and, except for greyhound permitholders, after it conducts
527 its first day of live racing or games. A greyhound permitholder
528 that has conducted live racing during each of the 10 years
529 immediately preceding its application for a cardroom license or
530 a greyhound permitholder converted pursuant to s. 550.054(14)
531 shall be issued a cardroom license without regard to licensure
532 for or actual conduct of live racing.

533 (b) Except for greyhound permitholders ~~After the initial~~
534 ~~cardroom license is granted,~~ the application for the annual
535 license renewal shall be made in conjunction with the
536 applicant's annual application for its pari-mutuel license. If a
537 permitholder has operated a cardroom during any of the 3
538 previous fiscal years and fails to include a renewal request for
539 the operation of the cardroom in its annual application for
540 license renewal, the permitholder may amend its annual
541 application to include operation of the cardroom. In order for a
542 cardroom license to be renewed the applicant must have
543 requested, as part of its pari-mutuel annual license
544 application, to conduct at least 90 percent of the total number
545 of live performances conducted by such permitholder during
546 either the state fiscal year in which its initial cardroom
547 license was issued or the state fiscal year immediately prior
548 thereto if the permitholder ran at least a full schedule of live
549 racing or games in the prior year. If the application is for a
550 harness permitholder cardroom, the applicant must have requested
551 authorization to conduct a minimum of 140 live performances

593-04533-11

20111594c2

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

559 (13) TAXES AND OTHER PAYMENTS.—

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

566 2. Each thoroughbred and harness horse racing permitholder
567 that operates a cardroom facility shall use at least 50 percent
568 of such permitholder's cardroom monthly net proceeds as follows:
569 47 percent to supplement purses and 3 percent to supplement
570 breeders' awards during the permitholder's next ensuing racing
571 meet.

572 3. No cardroom license or renewal thereof shall be issued
573 to an applicant holding a permit under chapter 550 to conduct
574 pari-mutuel wagering meets of quarter horse racing unless the
575 applicant has on file with the division a binding written
576 agreement between the applicant and the Florida Quarter Horse
577 Racing Association or the association representing a majority of
578 the horse owners and trainers at the applicant's eligible
579 facility, governing the payment of purses on live quarter horse
580 races conducted at the licensee's pari-mutuel facility. The

593-04533-11

20111594c2

581 agreement governing purses may direct the payment of such purses
582 from revenues generated by any wagering or gaming the applicant
583 is authorized to conduct under Florida law. All purses shall be
584 subject to the terms of chapter 550.

585 Section 13. This act shall take effect July 1, 2011.