

By Senator Flores

38-00634-11

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1                   A bill to be entitled  
2           An act relating to state lotteries; amending s.  
3           24.112, F.S.; requiring each retailer of lottery  
4           tickets to provide assistance to any individual who is  
5           blind or visually impaired and has requested  
6           assistance in filling out his or her lottery ticket;  
7           providing a definition; providing that a retailer or  
8           an employee of the retailer is not liable under  
9           certain circumstances; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Subsection (13) of section 24.112, Florida  
14           Statutes, is amended to read:

15           24.112 Retailers of lottery tickets.—

16           (13) (a) Each retailer shall provide accessibility for  
17           disabled persons on habitable grade levels. This paragraph  
18           ~~subsection~~ does not apply to a retail location which has an  
19           entrance door threshold more than 12 inches above ground level.  
20           As used in this paragraph herein ~~and for purposes of this~~  
21           ~~subsection only~~, the term "accessibility for disabled persons on  
22           habitable grade levels" means that retailers shall provide  
23           ramps, platforms, aisles and pathway widths, turnaround areas,  
24           and parking spaces to the extent these are required for the  
25           retailer's premises by the particular jurisdiction where the  
26           retailer is located. Accessibility shall be required to only one  
27           point of sale of lottery tickets for each lottery retailer  
28           location. The requirements of this paragraph ~~subsection~~ shall be  
29           deemed to have been met if, in lieu of the foregoing, disabled

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30 persons can purchase tickets from the retail location by means  
31 of a drive-up window, provided the hours of access at the drive-  
32 up window are not less than those provided at any other entrance  
33 at that lottery retailer location. Inspections for compliance  
34 with this paragraph ~~subsection~~ shall be performed by those  
35 enforcement authorities responsible for enforcement pursuant to  
36 s. 553.80 in accordance with procedures established by those  
37 authorities. Those enforcement authorities shall provide to the  
38 Department of the Lottery a certification of noncompliance for  
39 any lottery retailer not meeting such requirements.

40 (b) Each retailer shall provide assistance to any  
41 individual who is blind or visually impaired and has requested  
42 assistance in filling out his or her lottery ticket. As used in  
43 this paragraph, the term "assistance" means the inputting and  
44 printing of the requested lottery ticket as communicated  
45 verbally or in writing by the blind or visually impaired  
46 individual. A retailer or an employee of the retailer is not  
47 liable for any alleged or actual scrivener's error absent a  
48 finding of intentional fraud or malice by a court of competent  
49 jurisdiction.

50 Section 2. This act shall take effect July 1, 2011.