



749856

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/12/2011	.	
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The Committee on Regulated Industries (Diaz de la Portilla) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Subsection (2), paragraph (a) of subsection (4), and paragraph (d) of subsection (5) of section 849.086, Florida Statutes, are amended, and paragraphs (h) and (i) are added to subsection (7) of that section, to read:

849.086 Cardrooms authorized.—

(2) DEFINITIONS.—As used in this section:

(a) "Authorized game" means a game or series of games of bingo, poker, or dominoes which are played in a nonbanking



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13 manner.

14 (b) "Banking game" means a game in which the house is a  
15 participant in the game, taking on players, paying winners, and  
16 collecting from losers or in which the cardroom establishes a  
17 bank against which participants play.

18 (c) "Bingo" has the same meaning as s. 849.0931(1)(a).

19 (d) "Bingo card" has the same meaning as in s.  
20 849.0931(1)(b).

21 (e)~~(e)~~ "Cardroom" means a facility where authorized games  
22 are played for money or anything of value and to which the  
23 public is invited to participate in such games and charged a fee  
24 for participation by the operator of such facility. Authorized  
25 games and cardrooms do not constitute casino gaming operations.

26 (f)~~(d)~~ "Cardroom management company" means any individual  
27 not an employee of the cardroom operator, any proprietorship,  
28 partnership, corporation, or other entity that enters into an  
29 agreement with a cardroom operator to manage, operate, or  
30 otherwise control the daily operation of a cardroom.

31 (g)~~(e)~~ "Cardroom distributor" means any business that  
32 distributes cardroom paraphernalia such as card tables, betting  
33 chips, chip holders, dominoes, dominoes tables, drop boxes,  
34 banking supplies, playing cards, card shufflers, and other  
35 associated equipment to authorized cardrooms.

36 (h)~~(f)~~ "Cardroom operator" means a licensed pari-mutuel  
37 permitholder which holds a valid permit and license issued by  
38 the division pursuant to chapter 550 and which also holds a  
39 valid cardroom license issued by the division pursuant to this  
40 section which authorizes such person to operate a cardroom and  
41 to conduct authorized games in such cardroom.



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42            (i)~~(g)~~ "Division" means the Division of Pari-mutuel  
43 Wagering of the Department of Business and Professional  
44 Regulation.

45            (j)~~(h)~~ "Dominoes" means a game of dominoes typically played  
46 with a set of 28 flat rectangular blocks, called "bones," which  
47 are marked on one side and divided into two equal parts, with  
48 zero to six dots, called "pips," in each part. The term also  
49 includes larger sets of blocks that contain a correspondingly  
50 higher number of pips. The term also means the set of blocks  
51 used to play the game.

52            (k)~~(i)~~ "Gross receipts" means the total amount of money  
53 received by a cardroom from any person for participation in  
54 authorized games.

55            (l)~~(j)~~ "House" means the cardroom operator and all  
56 employees of the cardroom operator.

57            (m)~~(k)~~ "Net proceeds" means the total amount of gross  
58 receipts received by a cardroom operator from cardroom  
59 operations less direct operating expenses related to cardroom  
60 operations, including labor costs, admission taxes only if a  
61 separate admission fee is charged for entry to the cardroom  
62 facility, gross receipts taxes imposed on cardroom operators by  
63 this section, the annual cardroom license fees imposed by this  
64 section on each table operated at a cardroom, and reasonable  
65 promotional costs excluding officer and director compensation,  
66 interest on capital debt, legal fees, real estate taxes, bad  
67 debts, contributions or donations, or overhead and depreciation  
68 expenses not directly related to the operation of the cardrooms.

69            (n) "Objects" has the same meaning as in s. 849.0931(1)(g).

70            (o) "Rack" has the same meaning as in s. 849.0931(1)(h).



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71            (p)~~(l)~~ "Rake" means a set fee or percentage of the pot  
72 assessed by a cardroom operator for providing the services of a  
73 dealer, table, or location for playing the authorized game.

74            (q) "Receptacle" has the same meaning as in s.  
75 849.0931(1)(i).

76            (r)~~(m)~~ "Tournament" means a series of games that have more  
77 than one betting round involving one or more tables and where  
78 the winners or others receive a prize or cash award.

79            (4) AUTHORITY OF DIVISION.—The Division of Pari-mutuel  
80 Wagering of the Department of Business and Professional  
81 Regulation shall administer this section and regulate the  
82 operation of cardrooms under this section and the rules adopted  
83 pursuant thereto, and is hereby authorized to:

84            (a) Adopt rules, including, but not limited to: the  
85 issuance of cardroom and employee licenses for cardroom  
86 operations; the operation of authorized games; the operation of  
87 a cardroom; recordkeeping and reporting requirements; and the  
88 collection of all fees and taxes imposed by this section.

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

92            (d) The annual cardroom license fee for each facility shall  
93 be \$1,000 for each table to be operated at the cardroom. There  
94 shall be no additional fee for a cardroom to conduct bingo.  
95 Tables used exclusively for the conduct of bingo shall not be  
96 included in the facility's license fee calculation. The license  
97 fee shall be deposited by the division with the Chief Financial  
98 Officer to the credit of the Pari-mutuel Wagering Trust Fund.

99            (7) CONDITIONS FOR OPERATING A CARDROOM.—



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100       (h) A cardroom operator's conduct of bingo is conditioned  
101 upon the return of 80 percent of all proceeds from such games  
102 during the year to the players in the form of prizes and cash  
103 awards. For purposes of bingo games only, the term "gross  
104 receipts" means the total amount received by the cardroom  
105 operator for participating in the bingo game less the total  
106 amount paid to the winners or others as prizes or cash awards.

107       (i) Each bingo game shall be conducted in accordance with  
108 the rules of the division and the rules established in s.  
109 849.0931(12).

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

111  
112 ===== T I T L E   A M E N D M E N T =====

113 And the title is amended as follows:

114       Delete everything before the enacting clause  
115 and insert:

116                       A bill to be entitled  
117       An act relating to cardrooms; amending s. 849.086,  
118       F.S.; providing for bingo games to be offered in  
119       cardrooms; revising the definition of the term  
120       "authorized game" to include bingo; defining the terms  
121       "bingo," "bingo card," "objects," "rack," and  
122       "receptacle"; authorizing the division to adopt rules  
123       relating to authorized games; providing that there  
124       shall be no additional fee for the conduct of bingo;  
125       defining the term "gross receipts" for purposes of  
126       bingo games; providing that bingo games shall be  
127       conducted in accordance with certain rules; providing  
128       an effective date.