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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/30/2011	.	
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The Committee on Governmental Oversight and Accountability  
(Ring) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 5510 and 5511  
insert:  
Section 75. Section 849.48, Florida Statutes, is created to  
read:

849.48 Gambling operator, manufacturer, distributor  
licenses; application; qualifications; fees; renewal;  
duplicates.-

(1) (a) Unless exempt under the rules of the Department of  
Gaming Control, each person, firm, association, partnership, or  
corporate entity that seeks to operate a gambling business or to



259700

13 allow gambling to occur on its premises must obtain a license  
14 from the department. Any person, firm, association, partnership,  
15 or corporate entity owning, leasing, furnishing, manufacturing,  
16 distributing, or operating gambling devices must obtain a  
17 license from the Department of Gaming Control.

18 (b) An application for a license must be made on a form  
19 adopted by rule of the department. The form must require the  
20 applicant to set forth the name under which the applicant  
21 transacts or intends to transact business, the address of the  
22 location of the applicant's place of business, and any other  
23 information the department requires. If the applicant has, or  
24 intends to have, more than one place of business where gambling  
25 will occur or gambling devices will be located, a separate  
26 application must be made for each place of business. If the  
27 applicant is a firm, association, partnership, or corporate  
28 entity, the application must set forth the names and addresses  
29 of the persons owning more than 5 percent of, or exercising any  
30 decisionmaking control over, the business. If the applicant is a  
31 corporate entity, the application must additionally set forth  
32 the names and addresses of the principal officers of the  
33 corporation. The application must also set forth any other  
34 information prescribed by the department for the purpose of  
35 identifying the applicant, its owners, or its decisionmaking  
36 principals. The application must be signed and verified by oath  
37 or affirmation by the owner. If the owner is a firm,  
38 association, or partnership, the application must be signed by  
39 the members or partners thereof, or, if the owner is a corporate  
40 entity, by a decisionmaking principal authorized by the entity  
41 to sign the application, together with the written evidence of



259700

42 the principal's authority. The application must be accompanied  
43 by the annual license fee prescribed by the department.

44 (c) Licenses shall be issued annually, upon payment of the  
45 annual license fee prescribed by the department. The department  
46 shall fix the fee in an amount sufficient to meet the costs of  
47 carrying out its licensing, enforcement, and administrative  
48 responsibilities under this chapter, but the fee may not exceed  
49 \$1,000. The proceeds of the fee shall be deposited into the  
50 Department of Gaming Control Trust Fund.

51 (d) The holder of a license may renew the license each  
52 year, on or before January 15, upon payment of the annual  
53 license fee. A licensee that does not timely renew its license  
54 must pay a delinquent renewal fee of \$500 for each month or  
55 portion of a month occurring after expiration, and before  
56 renewal, of the license.

57 (e) The department may not grant an exemption from the  
58 license fees prescribed in this subsection to any applicant.

59 (f) The department shall establish a procedural rule that,  
60 to the greatest extent possible, provides for the Department of  
61 Law Enforcement to conduct background investigations for the  
62 initial licensing and licensing renewals.

63 (2)(a) A license may be issued only to a person who is at  
64 least 18 years of age or to a corporation having officers who  
65 are at least 18 years of age.

66 (b) The department may refuse to issue a license to:

67 1. Any person, firm, association, partnership, or corporate  
68 entity whose license has been revoked by the department;

69 2. Any corporation having an officer whose license has been  
70 revoked by the department; or



259700

71           3. Any person who is or has been an officer of a  
72 corporation whose license has been revoked by the department or  
73 who is or has been an officer of a corporation whose license  
74 relating to gambling activities has been revoked in another  
75 jurisdiction.

76           (c) The department shall revoke any license issued to a  
77 firm, association, partnership, or corporate entity that is  
78 prohibited from licensure under this section.

79           (3) Upon approval of an application for a license, the  
80 Department of Gaming Control shall issue to the applicant a  
81 license for the place of business or premises specified in the  
82 application. A license is not assignable and is valid only for  
83 the person in whose name the license is issued and for the place  
84 designated in the license. The license must be conspicuously  
85 displayed at all times at the place for which issued.

86           (4) If a license has been destroyed or lost, the licensee  
87 may apply to the Department of Gaming Control for the issuance  
88 of a duplicate license. The department shall issue a duplicate  
89 license upon payment of a \$150 fee, which the department shall  
90 deposit into the Department of Gaming Control Trust Fund.

91  
92 ===== T I T L E   A M E N D M E N T =====

93 And the title is amended as follows:

94           Delete line 83

95 and insert:

96           changes made by the act; creating s. 849.48, F.S.;

97           requiring that a person or entity seeking to operate a

98           gambling business, to allow gambling on the person's

99           or entity's premises, or to lease, manufacture, or



259700

100 distribute gambling devices apply for licensure from  
101 the Department of Gaming Control; providing for the  
102 application to be made on a form adopted by rule of  
103 the Department of Gaming Control; specifying the  
104 maximum annual licensure fee; providing for the  
105 deposit of the fees into a certain trust fund;  
106 providing for a fine if the licenseholder does not  
107 renew the license by a certain date each year;  
108 prohibiting the department from granting an exemption  
109 from the license fees; requiring the Department of  
110 Gaming Control to work with the Department of Law  
111 Enforcement to conduct background investigations of  
112 applicants for a license; providing for a minimum age  
113 for the license; specifying grounds for the Department  
114 of Gaming Control to revoke or deny a license;  
115 providing that the license is valid only for the  
116 person in whose name the license is issued and for the  
117 place designated in the license; providing an  
118 effective date.