

By Senator Sachs

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1                                   A bill to be entitled  
2       An act relating to greyhound racing; amending s.  
3       550.002, F.S.; revising the definition of the term  
4       "full schedule of live racing or games"; prohibiting a  
5       minimum requirement of live performances for greyhound  
6       permitholders; amending s. 550.01215, F.S.; revising  
7       the requirements for an application for a license to  
8       conduct performances; extending the period of time  
9       allowed to amend certain applications; amending s.  
10      550.054, F.S.; removing a requirement for holders of  
11      certain converted permits to conduct a full schedule  
12      of live racing to qualify for certain tax credits;  
13      amending s. 550.0951, F.S.; revising provisions  
14      relating to a transfer by a permitholder of a tax  
15      exemption or license fee credit to a greyhound  
16      permitholder; revising provisions relating to the tax  
17      on handle for dogracing and intertrack wagering;  
18      conforming a cross-reference; amending s. 550.09514,  
19      F.S.; revising provisions relating to the purse  
20      requirements for greyhound racing and for the payment  
21      of purses; amending s. 550.105, F.S.; revising  
22      provisions relating to municipal taxes for dogracing  
23      facilities; amending s. 550.26165, F.S.; conforming a  
24      cross-reference to changes made by the act; amending  
25      s. 550.475, F.S.; revising provisions relating to the  
26      leasing of pari-mutuel facilities by pari-mutuel  
27      permitholders; amending s. 550.615, F.S.; revising  
28      provisions relating to intertrack wagering; amending  
29      s. 550.6305, F.S.; conforming cross-references;

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30 amending s. 551.104, F.S.; revising a condition of  
31 licensure for the conduct of slot machine gaming;  
32 amending s. 551.114, F.S.; revising the requirements  
33 for designated slot machine gaming areas; amending s.  
34 849.086, F.S.; revising the requirements for initial  
35 and renewal issuance of a cardroom license to a  
36 greyhound permitholder; providing that a corresponding  
37 pari-mutuel license application or a minimum number of  
38 live performances is not required for a greyhound  
39 permitholder to maintain or renew a cardroom license;  
40 providing that the act does not authorize certain  
41 gambling activity; providing an effective date.

42  
43 Be It Enacted by the Legislature of the State of Florida:

44  
45 Section 1. Subsection (11) of section 550.002, Florida  
46 Statutes, is amended to read:

47 550.002 Definitions.—As used in this chapter, the term:

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

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59 alai games conducted at its pari-mutuel facility has been less  
60 than \$4 million per state fiscal year for at least 2 consecutive  
61 years after June 30, 1992, the conduct of a combination of at  
62 least 40 live evening or matinee performances during the  
63 preceding year; for a jai alai permitholder who operates slot  
64 machines in its pari-mutuel facility, the conduct of a  
65 combination of at least 150 performances during the preceding  
66 year; for a harness permitholder, the conduct of at least 100  
67 live regular wagering performances during the preceding year;  
68 for a quarter horse permitholder at its facility unless an  
69 alternative schedule of at least 20 live regular wagering  
70 performances is agreed upon by the permitholder and either the  
71 Florida Quarter Horse Racing Association or the horsemen's  
72 association representing the majority of the quarter horse  
73 owners and trainers at the facility and filed with the division  
74 along with its annual date application, in the 2010-2011 fiscal  
75 year, the conduct of at least 20 regular wagering performances,  
76 in the 2011-2012 and 2012-2013 fiscal years, the conduct of at  
77 least 30 live regular wagering performances, and for every  
78 fiscal year after the 2012-2013 fiscal year, the conduct of at  
79 least 40 live regular wagering performances; for a quarter horse  
80 permitholder leasing another licensed racetrack, the conduct of  
81 160 events at the leased facility; and for a thoroughbred  
82 permitholder, the conduct of at least 40 live regular wagering  
83 performances during the preceding year. For a permitholder which  
84 is restricted by statute to certain operating periods within the  
85 year when other members of its same class of permit are  
86 authorized to operate throughout the year, the specified number  
87 of live performances which constitute a full schedule of live

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88 racing or games shall be adjusted pro rata in accordance with  
89 the relationship between its authorized operating period and the  
90 full calendar year and the resulting specified number of live  
91 performances shall constitute the full schedule of live games  
92 for such permitholder and all other permitholders of the same  
93 class within 100 air miles of such permitholder. A live  
94 performance must consist of no fewer than eight races or games  
95 conducted live for each of a minimum of three performances each  
96 week at the permitholder's licensed facility under a single  
97 admission charge. Notwithstanding any other provision of law,  
98 beginning with the 2012-2013 fiscal year, there shall be no  
99 minimum requirement of live performances for greyhound  
100 permitholders.

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

103 550.01215 License application; periods of operation; bond,  
104 conversion of permit.—

105 (1) Each permitholder shall annually, during the period  
106 between December 15 and January 4, file in writing with the  
107 division its application for a license to conduct pari-mutuel  
108 wagering activities ~~performances~~ during the next state fiscal  
109 year. Each application requesting live performances, if any,  
110 shall specify the number, dates, and starting times of all  
111 performances which the permitholder intends to conduct. It shall  
112 also specify which performances will be conducted as charity or  
113 scholarship performances. In addition, each application for a  
114 license shall include, for each permitholder which elects to  
115 operate a cardroom, the dates and periods of operation the  
116 permitholder intends to operate the cardroom or, for each

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117 thoroughbred permitholder which elects to receive or rebroadcast  
118 out-of-state races after 7 p.m., the dates for all performances  
119 which the permitholder intends to conduct. A greyhound  
120 permitholder may receive a license to conduct pari-mutuel  
121 wagering activities at a licensed greyhound facility pursuant to  
122 s. 550.475. Permitholders ~~may~~ shall be entitled to amend their  
123 applications through February 28 ~~or, for applications by~~  
124 greyhound permitholders relating to the 2012-2013 fiscal year,  
125 through August 31, 2012.

126 Section 3. Paragraph (b) of subsection (14) of section  
127 550.054, Florida Statutes, is amended to read:

128 550.054 Application for permit to conduct pari-mutuel  
129 wagering.—

130 (14)

131 (b) The division, upon application from the holder of a jai  
132 alai permit meeting all conditions of this section, shall  
133 convert the permit and shall issue to the permitholder a permit  
134 to conduct greyhound racing. ~~A permitholder of a permit~~  
135 ~~converted under this section shall be required to apply for and~~  
136 ~~conduct a full schedule of live racing each fiscal year to be~~  
137 ~~eligible for any tax credit provided by this chapter.~~ The holder  
138 of a permit converted pursuant to this subsection or any holder  
139 of a permit to conduct greyhound racing located in a county in  
140 which it is the only permit issued pursuant to this section who  
141 operates at a leased facility pursuant to s. 550.475 may move  
142 the location for which the permit has been issued to another  
143 location within a 30-mile radius of the location fixed in the  
144 permit issued in that county, provided the move does not cross  
145 the county boundary and such location is approved under the

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146 zoning regulations of the county or municipality in which the  
147 permit is located, and upon such relocation may use the permit  
148 for the conduct of pari-mutuel wagering and the operation of a  
149 cardroom. The provisions of s. 550.6305(9)(d) and (f) shall  
150 apply to any permit converted under this subsection and shall  
151 continue to apply to any permit which was previously included  
152 under and subject to such provisions before a conversion  
153 pursuant to this section occurred.

154 Section 4. Subsection (1) and paragraph (c) of subsection  
155 (3) of section 550.0951, Florida Statutes, are amended to read:  
156 550.0951 Payment of daily license fee and taxes;  
157 penalties.—

158 (1) (a) DAILY LICENSE FEE.—Each person engaged in the  
159 business of conducting race meetings or jai alai games under  
160 this chapter, hereinafter referred to as the "permitholder,"  
161 "licensee," or "permittee," shall pay to the division, for the  
162 use of the division, a daily license fee on each live or  
163 simulcast pari-mutuel event of \$100 for each horserace and \$80  
164 for each dograce and \$40 for each jai alai game conducted at a  
165 racetrack or fronton licensed under this chapter. In addition to  
166 the tax exemption specified in s. 550.09514(1) of \$360,000 or  
167 \$500,000 per greyhound permitholder per state fiscal year, each  
168 greyhound permitholder shall receive in the current state fiscal  
169 year a tax credit equal to the number of live greyhound races  
170 conducted in the previous state fiscal year times the daily  
171 license fee specified for each dograce in this subsection  
172 applicable for the previous state fiscal year. This tax credit  
173 and the exemption in s. 550.09514(1) shall be applicable to any  
174 tax imposed by this chapter or the daily license fees imposed by

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175 this chapter except during any charity or scholarship  
176 performances conducted pursuant to s. 550.0351. Each  
177 permitholder shall pay daily license fees not to exceed \$500 per  
178 day on any simulcast races or games on which such permitholder  
179 accepts wagers regardless of the number of out-of-state events  
180 taken or the number of out-of-state locations from which such  
181 events are taken. This license fee shall be deposited with the  
182 Chief Financial Officer to the credit of the Pari-mutuel  
183 Wagering Trust Fund.

184 (b) Each permitholder that cannot utilize the full amount  
185 of the exemption of \$360,000 or \$500,000 provided in s.  
186 550.09514(1) or the daily license fee credit provided in this  
187 section may, at any time after notifying the division in  
188 writing, ~~elect once per state fiscal year~~ on a form provided by  
189 the division, elect to transfer such exemption or credit or any  
190 portion thereof to any greyhound permitholder which acts as a  
191 host track to such permitholder for the purpose of intertrack  
192 wagering. Notwithstanding any other provision of law, the  
193 exemption of \$360,000 or \$500,000 provided in s. 550.09514(1),  
194 for each greyhound permitholder that does not conduct live  
195 racing shall be pooled for distribution to eligible greyhound  
196 permitholders in the current fiscal year and any portion of the  
197 exemptions provided in s. 550.09514(1) unused or not transferred  
198 by each greyhound permitholder that elects to conduct live  
199 racing shall be pooled for distribution to eligible greyhound  
200 permitholders in the following fiscal year. Each greyhound  
201 permitholder conducting at least 100 live performances of at  
202 least eight races during a fiscal year shall be eligible for an  
203 additional tax credit from the pool in an amount equal to the

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204 product of the respective permitholder's percentage share of  
205 live and intertrack wagering handle, excluding the live and  
206 intertrack wagering handle of permitholders that do not conduct  
207 live racing during the year in which the credits are distributed  
208 under subsection (3) during the preceding fiscal year and the  
209 total value of tax credits available in the pool. A greyhound  
210 permitholder conducting live racing shall use the credits  
211 provided in paragraph (a) and s. 550.1647 prior to the  
212 exemptions provided in s. 550.09514(1) for purposes of  
213 calculating the amount of unused exemptions. Once an election to  
214 transfer such exemption or credit is filed with the division, it  
215 shall not be rescinded. The division shall disapprove the  
216 transfer when the amount of the exemption or credit or portion  
217 thereof is unavailable to the transferring permitholder for any  
218 reason, including being unavailable because the transferring  
219 permitholder did not conduct at least 100 live performances of  
220 at least eight races during the fiscal year, or when the  
221 permitholder who is entitled to transfer the exemption or credit  
222 or who is entitled to receive the exemption or credit owes taxes  
223 to the state pursuant to a deficiency letter or administrative  
224 complaint issued by the division. Upon approval of the transfer  
225 by the division, the transferred tax exemption or credit shall  
226 be effective for the first performance of the next payment  
227 period as specified in subsection (5). The exemption or credit  
228 transferred to such host track may be applied by such host track  
229 against any taxes imposed by this chapter or daily license fees  
230 imposed by this chapter. The greyhound permitholder host track  
231 to which such exemption or credit is transferred shall reimburse  
232 such permitholder the exact monetary value of such transferred



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233 exemption or credit as actually applied against the taxes and  
234 daily license fees of the host track. The division shall ensure  
235 that all transfers of exemption or credit are made in accordance  
236 with this subsection and shall have the authority to adopt rules  
237 to ensure the implementation of this section.

238 (c) A greyhound permitholder that conducts at least 100  
239 live performances of at least eight races during each of the 5  
240 years after July 1, 2012; that subsequently elects to not  
241 conduct live racing; and that served as a host track for  
242 intertrack wagering in each of the 10 years preceding its  
243 election to not conduct live racing, or was converted pursuant  
244 to s. 550.054(14), is entitled to an annual tax credit for each  
245 year the greyhound permitholder conducted live racing after July  
246 1, 2012, not to exceed 10 years, in an amount equal to the  
247 average tax credit received by the greyhound permitholder  
248 pursuant to paragraph (b) during the 3 years preceding the  
249 greyhound permitholder's election to not conduct live racing.  
250 The tax credit provided under this paragraph shall be deducted  
251 from the pool pursuant to paragraph (b) and may be applied  
252 against any taxes or fees imposed by this chapter or any taxes  
253 or fees imposed by s. 849.086.

254 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on  
255 contributions to pari-mutuel pools, the aggregate of which is  
256 hereinafter referred to as "handle," on races or games conducted  
257 by the permitholder. The tax is imposed daily and is based on  
258 the total contributions to all pari-mutuel pools conducted  
259 during the daily performance. If a permitholder conducts more  
260 than one performance daily, the tax is imposed on each  
261 performance separately.

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262 (c)1. The tax on handle for intertrack wagering is 2.0  
263 percent of the handle if the host track is a horse track, 3.3  
264 percent if the host track is a harness track, 5.5 percent if the  
265 host track is a dog track, and 7.1 percent if the host track is  
266 a jai alai fronton. The tax on handle for intertrack wagering is  
267 0.5 percent if the host track and the guest track are  
268 thoroughbred permitholders or if the guest track is located  
269 outside the market area of the host track and within the market  
270 area of a thoroughbred permitholder currently conducting a live  
271 race meet. The tax on handle for intertrack wagering on  
272 rebroadcasts of simulcast thoroughbred horseraces is 2.4 percent  
273 of the handle and 1.5 percent of the handle for intertrack  
274 wagering on rebroadcasts of simulcast harness horseraces. The  
275 tax shall be deposited into the Pari-mutuel Wagering Trust Fund.

276 2. The tax on handle for intertrack wagers accepted by any  
277 dog track located in an area of the state in which there are  
278 only three permitholders, all of which are greyhound  
279 permitholders, located in three contiguous counties, from any  
280 greyhound permitholder also located within such area or any dog  
281 track or jai alai fronton located as specified in s. 550.615(6)  
282 or (8) ~~(9)~~, on races or games received from the same class of  
283 permitholder located within the same market area is 3.9 percent  
284 if the host facility is a greyhound permitholder and, if the  
285 host facility is a jai alai permitholder, the rate shall be 6.1  
286 percent except that it shall be 2.3 percent on handle at such  
287 time as the total tax on intertrack handle paid to the division  
288 by the permitholder during the current state fiscal year exceeds  
289 the total tax on intertrack handle paid to the division by the  
290 permitholder during the 1992-1993 state fiscal year.

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

293 550.09514 Greyhound dogracing taxes; purse requirements.-

294 (2)

295 (b) Except as otherwise set forth herein, in addition to  
296 the minimum purse percentage required by paragraph (a), each  
297 permitholder conducting live racing during a fiscal year shall  
298 pay as purses an annual amount equal to 75 percent of the daily  
299 license fees paid by each permitholder for the 1994-1995 fiscal  
300 year. This purse supplement shall be disbursed weekly during the  
301 permitholder's race meet in an amount determined by dividing the  
302 annual purse supplement by the number of performances approved  
303 for the permitholder pursuant to its annual license and  
304 multiplying that amount by the number of performances conducted  
305 each week. ~~For the greyhound permitholders in the county where~~  
306 ~~there are two greyhound permitholders located as specified in s.~~  
307 ~~550.615(6), such permitholders shall pay in the aggregate an~~  
308 ~~amount equal to 75 percent of the daily license fees paid by~~  
309 ~~such permitholders for the 1994-1995 fiscal year. These~~  
310 ~~permitholders shall be jointly and severally liable for such~~  
311 ~~purse payments.~~ The additional purses provided by this paragraph  
312 must be used exclusively for purses other than stakes. The  
313 division shall conduct audits necessary to ensure compliance  
314 with this section.

315 (c)1. Each greyhound permitholder when conducting at least  
316 three live performances during any week shall pay purses in that  
317 week on wagers it accepts as a guest track on intertrack and  
318 simulcast greyhound races at the same rate as it pays on live  
319 races. Each greyhound permitholder when conducting at least

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320 three live performances during any week shall pay purses in that  
321 week, at the same rate as it pays on live races, on wagers  
322 accepted on greyhound races at a guest track which is not  
323 conducting live racing and is located within the same market  
324 area as the greyhound permitholder conducting at least three  
325 live performances during any week.

326 2. Each host greyhound permitholder shall pay purses on its  
327 simulcast and intertrack broadcasts of greyhound races to guest  
328 facilities that are located outside its market area in an amount  
329 equal to one quarter of an amount determined by subtracting the  
330 transmission costs of sending the simulcast or intertrack  
331 broadcasts from an amount determined by adding the fees received  
332 for greyhound simulcast races plus 3 percent of the greyhound  
333 intertrack handle at guest facilities that are located outside  
334 the market area of the host and that paid contractual fees to  
335 the host for such broadcasts of greyhound races. For guest  
336 greyhound permitholders not conducting live racing during a  
337 fiscal year and not subject to the purse requirements in  
338 subparagraph 1., 3 percent of the greyhound intertrack handle  
339 shall be paid to the host greyhound permitholder for payment of  
340 purses at the host track.

341 (e) In addition to the purse requirements of paragraphs  
342 (a)-(c), each greyhound permitholder shall pay as purses an  
343 amount equal to one-third of the amount of the tax reduction on  
344 live and simulcast handle applicable to such permitholder as a  
345 result of the reductions in tax rates provided ~~by this act~~  
346 through the amendments to s. 550.0951(3) in chapter 2000-354,  
347 Laws of Florida. With respect to intertrack wagering when the  
348 host and guest tracks are greyhound permitholders not within the

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349 same market area, an amount equal to the tax reduction  
350 applicable to the guest track handle as a result of the  
351 reduction in tax rates ~~rate~~ provided ~~by this act~~ through the  
352 amendments ~~amendment~~ to s. 550.0951(3) in chapter 2000-354, Laws  
353 of Florida, shall be distributed to the guest track, one-third  
354 of which amount shall be paid as purses at ~~the~~ guest tracks  
355 conducting live racing ~~track~~. However, if the guest track is a  
356 greyhound permitholder within the market area of the host or if  
357 the guest track is not a greyhound permitholder, an amount equal  
358 to such tax reduction applicable to the guest track handle shall  
359 be retained by the host track, one-third of which amount shall  
360 be paid as purses at the host track. These purse funds shall be  
361 disbursed in the week received if the permitholder conducts at  
362 least one live performance during that week. If the permitholder  
363 does not conduct at least one live performance during the week  
364 in which the purse funds are received, the purse funds shall be  
365 disbursed weekly during the permitholder's next race meet in an  
366 amount determined by dividing the purse amount by the number of  
367 performances approved for the permitholder pursuant to its  
368 annual license, and multiplying that amount by the number of  
369 performances conducted each week. The division shall conduct  
370 audits necessary to ensure compliance with this paragraph.

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

373 550.105 Occupational licenses of racetrack employees; fees;  
374 denial, suspension, and revocation of license; penalties and  
375 fines.—

376 (9) The tax imposed by this section is in lieu of all  
377 license, excise, or occupational taxes to the state or any

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378 county, municipality, or other political subdivision, except  
379 that, if a race meeting or game is held or conducted in a  
380 municipality, the municipality may assess and collect an  
381 additional tax against any person conducting live racing or  
382 games within its corporate limits, which tax may not exceed \$150  
383 per day for horseracing or \$50 per day for dogracing,  
384 simulcasts, intertrack wagering, cardroom games, or jai alai, up  
385 to the maximum of 100 days for dogracing facilities. This tax  
386 may be levied on simulcasts, intertrack wagering, and cardroom  
387 games only to the extent that the facility does not have an  
388 existing agreement with the municipality. Except as provided in  
389 this chapter, a municipality may not assess or collect any  
390 additional excise or revenue tax against any person conducting  
391 race meetings within the corporate limits of the municipality or  
392 against any patron of any such person.

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

395 550.26165 Breeders' awards.—

396 (1) The purpose of this section is to encourage the  
397 agricultural activity of breeding and training racehorses in  
398 this state. Moneys dedicated in this chapter for use as  
399 breeders' awards and stallion awards are to be used for awards  
400 to breeders of registered Florida-bred horses winning horseraces  
401 and for similar awards to the owners of stallions who sired  
402 Florida-bred horses winning stakes races, if the stallions are  
403 registered as Florida stallions standing in this state. Such  
404 awards shall be given at a uniform rate to all winners of the  
405 awards, shall not be greater than 20 percent of the announced  
406 gross purse, and shall not be less than 15 percent of the

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407 announced gross purse if funds are available. In addition, no  
408 less than 17 percent nor more than 40 percent, as determined by  
409 the Florida Thoroughbred Breeders' Association, of the moneys  
410 dedicated in this chapter for use as breeders' awards and  
411 stallion awards for thoroughbreds shall be returned pro rata to  
412 the permitholders that generated the moneys for special racing  
413 awards to be distributed by the permitholders to owners of  
414 thoroughbred horses participating in prescribed thoroughbred  
415 stakes races, nonstakes races, or both, all in accordance with a  
416 written agreement establishing the rate, procedure, and  
417 eligibility requirements for such awards entered into by the  
418 permitholder, the Florida Thoroughbred Breeders' Association,  
419 and the Florida Horsemen's Benevolent and Protective  
420 Association, Inc., except that the plan for the distribution by  
421 any permitholder located in the area described in s. 550.615(8)  
422 ~~s. 550.615(9)~~ shall be agreed upon by that permitholder, the  
423 Florida Thoroughbred Breeders' Association, and the association  
424 representing a majority of the thoroughbred racehorse owners and  
425 trainers at that location. Awards for thoroughbred races are to  
426 be paid through the Florida Thoroughbred Breeders' Association,  
427 and awards for standardbred races are to be paid through the  
428 Florida Standardbred Breeders and Owners Association. Among  
429 other sources specified in this chapter, moneys for thoroughbred  
430 breeders' awards will come from the 0.955 percent of handle for  
431 thoroughbred races conducted, received, broadcast, or simulcast  
432 under this chapter as provided in s. 550.2625(3). The moneys for  
433 quarter horse and harness breeders' awards will come from the  
434 breaks and uncashed tickets on live quarter horse and harness  
435 racing performances and 1 percent of handle on intertrack

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436 wagering. The funds for these breeders' awards shall be paid to  
437 the respective breeders' associations by the permitholders  
438 conducting the races.

439 Section 8. Section 550.475, Florida Statutes, is amended to  
440 read:

441 550.475 Lease of pari-mutuel facilities by pari-mutuel  
442 permitholders.—Holders of valid pari-mutuel permits for the  
443 conduct of any jai alai games, dogracing, or thoroughbred and  
444 standardbred horse racing in this state are entitled to lease  
445 any and all of their facilities to any other holder of a same  
446 class valid pari-mutuel permit for jai alai games, dogracing, or  
447 thoroughbred or standardbred horse racing, when located within a  
448 35-mile radius of each other; and such lessee is entitled to a  
449 ~~permit and~~ license to operate its race meet or jai alai games at  
450 the leased premises.

451 Section 9. Section 550.615, Florida Statutes, is amended to  
452 read:

453 550.615 Intertrack wagering.—

454 (1) Any horserace permitholder licensed under this chapter  
455 which has conducted a full schedule of live racing may, at any  
456 time, receive broadcasts of horseraces and accept wagers on  
457 horseraces conducted by horserace permitholders licensed under  
458 this chapter at its facility.

459 (2) A Any track or fronton licensed under this chapter  
460 which conducted a full schedule of live racing or games ~~which~~ in  
461 the preceding year, any greyhound permitholder that has held an  
462 annual license to conduct pari-mutuel wagering activities in  
463 each of the preceding 10 years, or any greyhound permitholder  
464 converted pursuant to s. 550.054(14) ~~conducted a full schedule~~



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465 ~~of live racing~~ is qualified to, at any time, receive broadcasts  
466 of any class of pari-mutuel race or game and accept wagers on  
467 such races or games conducted by any class of permitholders  
468 licensed under this chapter.

469 (3) If a permitholder elects to broadcast its signal to any  
470 permitholder in this state, any permitholder that is eligible to  
471 conduct intertrack wagering under the provisions of ss. 550.615-  
472 550.6345 is entitled to receive the broadcast and conduct  
473 intertrack wagering under this section; provided, however, that  
474 the host track may require a guest track within 25 miles of  
475 another permitholder to receive in any week at least 60 percent  
476 of the live races that the host track is making available on the  
477 days that the guest track is otherwise operating live races or  
478 games. A host track may require a guest track not operating live  
479 races or games and within 25 miles of another permitholder to  
480 accept within any week at least 60 percent of the live races  
481 that the host track is making available. A person may not  
482 restrain or attempt to restrain any permitholder that is  
483 otherwise authorized to conduct intertrack wagering from  
484 receiving the signal of any other permitholder or sending its  
485 signal to any permitholder.

486 (4) In no event shall any intertrack wager be accepted on  
487 the same class of live races or games of any permitholder  
488 without the written consent of such operating permitholders  
489 conducting the same class of live races or games if the guest  
490 track is within the market area of such operating permitholder.  
491 A greyhound permitholder licensed under chapter 551 which  
492 accepts intertrack wagers on live greyhound signals is not  
493 required to obtain the written consent required pursuant to this

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494 subsection from any operating greyhound permitholder within its  
495 market area.

496 (5) No permitholder within the market area of the host  
497 track shall take an intertrack wager on the host track without  
498 the consent of the host track.

499 (6) Notwithstanding the provisions of subsection (3), in  
500 any area of the state where there are three or more horserace  
501 permitholders within 25 miles of each other, intertrack wagering  
502 between permitholders in said area of the state shall only be  
503 authorized under the following conditions: Any permitholder,  
504 other than a thoroughbred permitholder, may accept intertrack  
505 wagers on races or games conducted live by a permitholder of the  
506 same class or any harness permitholder located within such area  
507 and any harness permitholder may accept wagers on games  
508 conducted live by any jai alai permitholder located within its  
509 market area and from a jai alai permitholder located within the  
510 area specified in this subsection when no jai alai permitholder  
511 located within its market area is conducting live jai alai  
512 performances; any greyhound or jai alai permitholder may receive  
513 broadcasts of and accept wagers on any permitholder of the other  
514 class provided that a permitholder, other than the host track,  
515 of such other class is not operating a contemporaneous live  
516 performance within the market area.

517 ~~(7) In any county of the state where there are only two~~  
518 ~~permits, one for dogracing and one for jai alai, no intertrack~~  
519 ~~wager may be taken during the period of time when a permitholder~~  
520 ~~is not licensed to conduct live races or games without the~~  
521 ~~written consent of the other permitholder that is conducting~~  
522 ~~live races or games. However, if neither permitholder is~~

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523 ~~conducting live races or games, either permitholder may accept~~  
524 ~~intertrack wagers on horseraces or on the same class of races or~~  
525 ~~games, or on both horseraces and the same class of races or~~  
526 ~~games as is authorized by its permit.~~

527 ~~(7)(8) In any three contiguous counties of the state where~~  
528 ~~there are only three permitholders, all of which are greyhound~~  
529 ~~permitholders, If any greyhound permitholder leases the facility~~  
530 ~~of another greyhound permitholder for the purpose of conducting~~  
531 ~~all or any portion of ~~the conduct of~~ its live race meet pursuant~~  
532 ~~to s. 550.475, such lessee may conduct intertrack wagering at~~  
533 ~~its pre-lease permitted facility throughout the entire year,~~  
534 ~~including while its race live meet is being conducted at the~~  
535 ~~leased facility, ~~if such permitholder has conducted a full~~~~  
536 ~~schedule of live racing during the preceding fiscal year at its~~  
537 ~~pre-lease permitted facility or at a leased facility, or~~  
538 ~~combination thereof.~~

539 ~~(8)(9) In any two contiguous counties of the state in which~~  
540 ~~there are located only four active permits, one for thoroughbred~~  
541 ~~horse racing, two for greyhound dogracing, and one for jai alai~~  
542 ~~games, no intertrack wager may be accepted on the same class of~~  
543 ~~live races or games of any permitholder without the written~~  
544 ~~consent of such operating permitholders conducting the same~~  
545 ~~class of live races or games if the guest track is within the~~  
546 ~~market area of such operating permitholder.~~

547 ~~(9)(10) All costs of receiving the transmission of the~~  
548 ~~broadcasts shall be borne by the guest track; and all costs of~~  
549 ~~sending the broadcasts shall be borne by the host track.~~

550 Section 10. Paragraph (g) of subsection (9) of section  
551 550.6305, Florida Statutes, is amended to read:

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552 550.6305 Intertrack wagering; guest track payments;  
553 accounting rules.—

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

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

563 2. Any thoroughbred permitholder which accepts wagers on a  
564 simulcast signal received after 6 p.m. must make such signal  
565 available to any permitholder that is eligible to conduct  
566 intertrack wagering under the provisions of ss. 550.615-  
567 550.6345, including any permitholder located as specified in s.  
568 550.615(6). Such guest permitholders are authorized to accept  
569 wagers on such simulcast signal, notwithstanding any other  
570 provision of this chapter to the contrary.

571 3. Any thoroughbred permitholder which accepts wagers on a  
572 simulcast signal received after 6 p.m. must make such signal  
573 available to any permitholder that is eligible to conduct  
574 intertrack wagering under the provisions of ss. 550.615-  
575 550.6345, including any permitholder located as specified in s.  
576 550.615(8) ~~s. 550.615(9)~~. Such guest permitholders are  
577 authorized to accept wagers on such simulcast signals for a  
578 number of performances not to exceed that which constitutes a  
579 full schedule of live races for a quarter horse permitholder  
580 pursuant to s. 550.002(11), notwithstanding any other provision

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581 of this chapter to the contrary, except that the restrictions  
582 provided in s. 550.615(8)(a) ~~s. 550.615(9)(a)~~ apply to wagers on  
583 such simulcast signals.

584

585 No thoroughbred permitholder shall be required to continue to  
586 rebroadcast a simulcast signal to any in-state permitholder if  
587 the average per performance gross receipts returned to the host  
588 permitholder over the preceding 30-day period were less than  
589 \$100. Subject to the provisions of s. 550.615(4), as a condition  
590 of receiving rebroadcasts of thoroughbred simulcast signals  
591 under this paragraph, a guest permitholder must accept  
592 intertrack wagers on all live races conducted by all then-  
593 operating thoroughbred permitholders.

594 Section 11. Paragraph (c) of subsection (4) of section  
595 551.104, Florida Statutes, is amended to read:

596 551.104 License to conduct slot machine gaming.—

597 (4) As a condition of licensure and to maintain continued  
598 authority for the conduct of slot machine gaming, the slot  
599 machine licensee shall:

600 (c) Conduct no fewer than a full schedule of live racing or  
601 games as defined in s. 550.002(11), except for holders of  
602 greyhound permits that do not have a live racing requirement. A  
603 permitholder's responsibility to conduct such number of live  
604 races or games shall be reduced by the number of races or games  
605 that could not be conducted due to the direct result of fire,  
606 war, hurricane, or other disaster or event beyond the control of  
607 the permitholder.

608 Section 12. Subsections (2) and (4) of section 551.114,  
609 Florida Statutes, are amended to read:

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610 551.114 Slot machine gaming areas.—

611 (2) The slot machine licensee shall display pari-mutuel  
612 races or games within the designated slot machine gaming areas  
613 and offer patrons within the designated slot machine gaming  
614 areas the ability to engage in pari-mutuel wagering on any live,  
615 intertrack, and simulcast races conducted or offered to patrons  
616 of the licensed facility.

617 (4) Designated slot machine gaming areas may be located  
618 within the current live gaming facility or in an existing  
619 building that must be contiguous and connected to the live  
620 gaming facility, if applicable. If a designated slot machine  
621 gaming area is to be located in a building that is to be  
622 constructed, that new building must be contiguous and connected  
623 to the live gaming facility.

624 Section 13. Paragraphs (a) and (b) of subsection (5) and  
625 paragraph (d) of subsection (13) of section 849.086, Florida  
626 Statutes, are amended to read:

627 849.086 Cardrooms authorized.—

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

631 (a) Only those persons holding a valid cardroom license  
632 issued by the division may operate a cardroom. A cardroom  
633 license may only be issued to a licensed pari-mutuel  
634 permitholder and an authorized cardroom may only be operated at  
635 the same facility at which the permitholder is authorized under  
636 its valid pari-mutuel wagering permit to conduct pari-mutuel  
637 wagering activities. An initial cardroom license shall be issued  
638 to a pari-mutuel permitholder only after its facilities are in

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639 place and after it conducts its first day of live racing or  
640 games or, for a greyhound permitholder, only after it has  
641 conducted a full schedule of live racing in each of the  
642 preceding 10 years or after it was converted pursuant to s.  
643 550.054(14). A new cardroom license may not be issued in an area  
644 unless the local government has approved of such activity within  
645 its boundaries in accordance with subsection (16).

646 (b) After the initial cardroom license is granted, the  
647 application for the annual license renewal shall be made in  
648 conjunction with the applicant's annual application for its  
649 pari-mutuel license. If a permitholder has operated a cardroom  
650 during any of the 3 previous fiscal years and fails to include a  
651 renewal request for the operation of the cardroom in its annual  
652 application for license renewal, the permitholder may amend its  
653 annual application to include operation of the cardroom. Except  
654 for greyhound permitholders, in order for a cardroom license to  
655 be renewed the applicant must have requested, as part of its  
656 pari-mutuel annual license application, to conduct at least 90  
657 percent of the total number of live performances conducted by  
658 such permitholder during either the state fiscal year in which  
659 its initial cardroom license was issued or the state fiscal year  
660 immediately prior thereto if the permitholder ran at least a  
661 full schedule of live racing or games in the prior year. If the  
662 application is for a harness permitholder cardroom, the  
663 applicant must have requested authorization to conduct a minimum  
664 of 140 live performances during the state fiscal year  
665 immediately prior thereto. If more than one permitholder is  
666 operating at a facility, each permitholder must have applied for  
667 a license to conduct a full schedule of live racing. However, a

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668 minimum number of requested or conducted live performances is  
669 not required for a greyhound permitholder to maintain or renew a  
670 cardroom license.

671 (13) TAXES AND OTHER PAYMENTS.—

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

678 2. Each thoroughbred and harness horse racing permitholder  
679 that operates a cardroom facility shall use at least 50 percent  
680 of such permitholder's cardroom monthly net proceeds as follows:  
681 47 percent to supplement purses and 3 percent to supplement  
682 breeders' awards during the permitholder's next ensuing racing  
683 meet.

684 3. No cardroom license or renewal thereof shall be issued  
685 to an applicant holding a permit under chapter 550 to conduct  
686 pari-mutuel wagering meets of quarter horse racing unless the  
687 applicant has on file with the division a binding written  
688 agreement between the applicant and the Florida Quarter Horse  
689 Racing Association or the association representing a majority of  
690 the horse owners and trainers at the applicant's eligible  
691 facility, governing the payment of purses on live quarter horse  
692 races conducted at the licensee's pari-mutuel facility. The  
693 agreement governing purses may direct the payment of such purses  
694 from revenues generated by any wagering or gaming the applicant  
695 is authorized to conduct under Florida law. All purses shall be  
696 subject to the terms of chapter 550.



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697           Section 14. This act does not authorize gambling activity  
698 beyond what is provided for under current law as of March 1,  
699 2012.

700           Section 15. This act shall take effect upon becoming a law.