

Amendment No.

CHAMBER ACTION

Senate

House

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1 The Conference Committee on CS/HB 843 offered the following:

2
3 **Conference Committee Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Paragraph (a) of subsection (9) of section
6 24.105, Florida Statutes, is amended to read:

7 24.105 Powers and duties of department.—The department
8 shall:

9 (9) Adopt rules governing the establishment and operation
10 of the state lottery, including:

11 (a) The type of lottery games to be conducted, except
12 that:

13 1. No name of an elected official shall appear on the
14 ticket or play slip of any lottery game or on any prize or on
15 any instrument used for the payment of prizes, unless such prize
16 is in the form of a state warrant.

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17 2. No coins or currency shall be dispensed from any
18 electronic computer terminal or device used in any lottery game.

19 3. Other than as specifically provided in s. 24.112
20 ~~subparagraph 4.~~, no terminal or device may be used for any
21 lottery game which may be operated solely by the player without
22 the assistance of the retailer.

23 ~~4. The only player activated machine which may be utilized~~
24 ~~is a machine which dispenses instant lottery game tickets~~
25 ~~following the insertion of a coin or currency by a ticket~~
26 ~~purchaser. To be authorized a machine must: be under the~~
27 ~~supervision and within the direct line of sight of the lottery~~
28 ~~retailer to ensure that the machine is monitored and only~~
29 ~~operated by persons at least 18 years of age; be capable of~~
30 ~~being electronically deactivated by the retailer to prohibit use~~
31 ~~by persons less than 18 years of age through the use of a~~
32 ~~lockout device that maintains the machine's deactivation for a~~
33 ~~period of no less than 5 minutes; and be designed to prevent its~~
34 ~~use or conversion for use in any manner other than the~~
35 ~~dispensing of instant lottery tickets. Authorized machines may~~
36 ~~dispense change to players purchasing tickets but may not be~~
37 ~~utilized for paying the holders of winning tickets of any kind.~~
38 ~~At least one clerk must be on duty at the lottery retailer while~~
39 ~~the machine is in operation. However, at least two clerks must~~
40 ~~be on duty at any lottery location which has violated s.~~
41 ~~24.1055.~~

42 Section 2. Paragraph (h) of subsection (2) of section
43 24.111, Florida Statutes, is amended to read:

44 24.111 Vendors; disclosure and contract requirements.—
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45 (2) The department shall investigate the financial
46 responsibility, security, and integrity of each vendor with
47 which it intends to negotiate a contract for major procurement.
48 Such investigation may include an investigation of the financial
49 responsibility, security, and integrity of any or all persons
50 whose names and addresses are required to be disclosed pursuant
51 to paragraph (a). Any person who submits a bid, proposal, or
52 offer as part of a major procurement must, at the time of
53 submitting such bid, proposal, or offer, provide the following:

54 (h) The department shall lease all ~~instant ticket~~ vending
55 machines that dispense online lottery tickets, instant lottery
56 tickets, or both online and instant lottery tickets.

57
58 The department shall not contract with any vendor who fails to
59 make the disclosures required by this subsection, and any
60 contract with a vendor who has failed to make the required
61 disclosures shall be unenforceable. Any contract with any vendor
62 who does not comply with such requirements for periodically
63 updating such disclosures during the tenure of such contract as
64 may be specified in such contract may be terminated by the
65 department. This subsection shall be construed broadly and
66 liberally to achieve the ends of full disclosure of all
67 information necessary to allow for a full and complete
68 evaluation by the department of the competence, integrity,
69 background, and character of vendors for major procurements.

70 Section 3. Subsection (15) is added to section 24.112,
71 Florida Statutes, to read:

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72 24.112 Retailers of lottery tickets; authorization of
73 vending machines to dispense lottery tickets.-

74 (15) A vending machine may be used to dispense online
75 lottery tickets, instant lottery tickets, or both online and
76 instant lottery tickets.

77 (a) The vending machine must:

78 1. Dispense a lottery ticket after a purchaser inserts a
79 coin or currency in the machine.

80 2. Be capable of being electronically deactivated for a
81 period of 5 minutes or more.

82 3. Be designed to prevent its use for any purpose other
83 than dispensing a lottery ticket.

84 (b) In order to be authorized to use a vending machine to
85 dispense lottery tickets, a retailer must:

86 1. Locate the vending machine in the retailer's direct
87 line of sight to ensure that purchases are only made by persons
88 at least 18 years of age.

89 2. Ensure that at least one employee is on duty when the
90 vending machine is available for use. However, if the retailer
91 has previously violated s. 24.1055, at least two employees must
92 be on duty when the vending machine is available for use.

93 (c) A vending machine that dispenses a lottery ticket may
94 dispense change to a purchaser but may not be used to redeem any
95 type of winning lottery ticket.

96 (d) The vending machine, or any machine or device linked
97 to the vending machine, may not include or make use of video
98 reels or mechanical reels or other video depictions of slot
99 machine or casino game themes or titles for game play. This does

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100 not preclude the use of casino game themes or titles on such
101 tickets or signage or advertising displays on the machines.

102 Section 4. This act shall take effect July 1, 2012.
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106 **T I T L E A M E N D M E N T**

107 Remove the entire title and insert:

108 A bill to be entitled

109 An act relating to the Department of the Lottery;
110 amending s. 24.105, F.S.; deleting a provision
111 relating to player-activated vending machines;
112 conforming provisions to changes made by the act;
113 amending s. 24.111, F.S.; revising the requirement
114 that the Department of the Lottery lease certain
115 vending machines; amending s. 24.112, F.S.; allowing
116 vending machines to dispense lottery tickets if
117 certain requirements are met; providing an effective
118 date.