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CS/HB 843, Engrossed 1

2012 Legislature

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2 An act relating to the Department of the Lottery;
3 amending s. 24.105, F.S.; deleting a provision
4 relating to player-activated vending machines;
5 conforming provisions to changes made by the act;
6 amending s. 24.111, F.S.; revising the requirement
7 that the Department of the Lottery lease certain
8 vending machines; amending s. 24.112, F.S.; allowing
9 vending machines to dispense lottery tickets if
10 certain requirements are met; providing an effective
11 date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Paragraph (a) of subsection (9) of section
16 24.105, Florida Statutes, is amended to read:

17 24.105 Powers and duties of department.—The department
18 shall:

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

21 (a) The type of lottery games to be conducted, except
22 that:

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

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

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

33 ~~4. The only player-activated machine which may be utilized~~
 34 ~~is a machine which dispenses instant lottery game tickets~~
 35 ~~following the insertion of a coin or currency by a ticket~~
 36 ~~purchaser. To be authorized a machine must: be under the~~
 37 ~~supervision and within the direct line of sight of the lottery~~
 38 ~~retailer to ensure that the machine is monitored and only~~
 39 ~~operated by persons at least 18 years of age; be capable of~~
 40 ~~being electronically deactivated by the retailer to prohibit use~~
 41 ~~by persons less than 18 years of age through the use of a~~
 42 ~~lockout device that maintains the machine's deactivation for a~~
 43 ~~period of no less than 5 minutes; and be designed to prevent its~~
 44 ~~use or conversion for use in any manner other than the~~
 45 ~~dispensing of instant lottery tickets. Authorized machines may~~
 46 ~~dispense change to players purchasing tickets but may not be~~
 47 ~~utilized for paying the holders of winning tickets of any kind.~~
 48 ~~At least one clerk must be on duty at the lottery retailer while~~
 49 ~~the machine is in operation. However, at least two clerks must~~
 50 ~~be on duty at any lottery location which has violated s.~~
 51 ~~24.1055.~~

52 Section 2. Paragraph (h) of subsection (2) of section
 53 24.111, Florida Statutes, is amended to read:

54 24.111 Vendors; disclosure and contract requirements.—

55 (2) The department shall investigate the financial
 56 responsibility, security, and integrity of each vendor with

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57 | which it intends to negotiate a contract for major procurement.
58 | Such investigation may include an investigation of the financial
59 | responsibility, security, and integrity of any or all persons
60 | whose names and addresses are required to be disclosed pursuant
61 | to paragraph (a). Any person who submits a bid, proposal, or
62 | offer as part of a major procurement must, at the time of
63 | submitting such bid, proposal, or offer, provide the following:
64 | (h) The department shall lease all ~~instant ticket~~ vending
65 | machines that dispense online lottery tickets, instant lottery
66 | tickets, or both online and instant lottery tickets.

67 |
68 | The department shall not contract with any vendor who fails to
69 | make the disclosures required by this subsection, and any
70 | contract with a vendor who has failed to make the required
71 | disclosures shall be unenforceable. Any contract with any vendor
72 | who does not comply with such requirements for periodically
73 | updating such disclosures during the tenure of such contract as
74 | may be specified in such contract may be terminated by the
75 | department. This subsection shall be construed broadly and
76 | liberally to achieve the ends of full disclosure of all
77 | information necessary to allow for a full and complete
78 | evaluation by the department of the competence, integrity,
79 | background, and character of vendors for major procurements.

80 | Section 3. Subsection (15) is added to section 24.112,
81 | Florida Statutes, to read:

82 | 24.112 Retailers of lottery tickets; authorization of
83 | vending machines to dispense lottery tickets.—

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84 (15) A vending machine may be used to dispense online
 85 lottery tickets, instant lottery tickets, or both online and
 86 instant lottery tickets.

87 (a) The vending machine must:

88 1. Dispense a lottery ticket after a purchaser inserts a
 89 coin or currency in the machine.

90 2. Be capable of being electronically deactivated for a
 91 period of 5 minutes or more.

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

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

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

99 2. Ensure that at least one employee is on duty when the
 100 vending machine is available for use. However, if the retailer
 101 has previously violated s. 24.1055, at least two employees must
 102 be on duty when the vending machine is available for use.

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

106 (d) The vending machine, or any machine or device linked
 107 to the vending machine, may not include or make use of video
 108 reels or mechanical reels or other video depictions of slot
 109 machine or casino game themes or titles for game play. This does
 110 not preclude the use of casino game themes or titles on such
 111 tickets or signage or advertising displays on the machines.

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Section 4. This act shall take effect July 1, 2012.