

By the Committee on Budget; and Senator Jones

576-03453-12

2012902c1

1 A bill to be entitled
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 that:

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

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

28 3. Other than as specifically provided in s. 24.112
29 ~~subparagraph 4.~~, no terminal or device may be used for any

576-03453-12

2012902c1

30 lottery game which may be operated solely by the player without
31 the assistance of the retailer.

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

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

53 24.111 Vendors; disclosure and contract requirements.—

54 (2) The department shall investigate the financial
55 responsibility, security, and integrity of each vendor with
56 which it intends to negotiate a contract for major procurement.
57 Such investigation may include an investigation of the financial
58 responsibility, security, and integrity of any or all persons

576-03453-12

2012902c1

59 whose names and addresses are required to be disclosed pursuant
60 to paragraph (a). Any person who submits a bid, proposal, or
61 offer as part of a major procurement must, at the time of
62 submitting such bid, proposal, or offer, provide the following:

63 (h) The department shall lease all ~~instant ticket~~ vending
64 machines that dispense online lottery tickets, instant lottery
65 tickets, or both online and instant lottery tickets.

66

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

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

81 24.112 Retailers of lottery tickets; authorization of
82 vending machines to dispense lottery tickets.-

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

86 (a) The vending machine must:

87 1. Dispense a lottery ticket after a purchaser inserts a

576-03453-12

2012902c1

88 coin or currency in the machine.

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

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

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

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

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

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

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

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