

1 A bill to be entitled

2 An act relating to gaming; creating s. 11.93, F.S.;

3 creating the Joint Legislative Gaming Control

4 Nominating Committee to be governed by joint rules of

5 the Legislature; providing for membership and

6 organization; providing procedures for nomination of

7 candidates for membership on the Gaming Control

8 Commission; providing that commission members shall be

9 appointed by the Governor subject to confirmation by

10 the Senate; amending s. 20.165, F.S.; removing a

11 provision that establishes the Division of Pari-mutuel

12 Wagering in the Department of Business and

13 Professional Regulation; creating s. 20.222, F.S.;

14 creating the Department of Gaming Control; providing

15 that the commission is head of the department;

16 providing for appointment of an executive director;

17 authorizing the Governor to appoint an interim

18 executive director under certain circumstances;

19 providing for organization of the department; amending

20 s. 110.205, F.S., relating to the career service

21 system; exempting certain positions within the

22 department and the commission; amending s. 120.80,

23 F.S.; removing provisions relating to exemptions to

24 the hearing and notice requirements for the Division

25 of Pari-mutuel Wagering in the Department of Business

26 and Professional Regulation; providing exemptions to

27 certain hearing and notice requirements for the
28 Department of Gaming Control; directing the department
29 to adopt rules; amending s. 285.710, F.S., relating to
30 the Gaming Compact between the Seminole Tribe of
31 Florida and the State of Florida; specifying the
32 commission as the state compliance agency; amending s.
33 285.712, F.S.; correcting a reference; transferring
34 the Division of Pari-mutuel Wagering of the Department
35 of Business and Professional Regulation to the
36 Department of Gaming Control by type two transfer;
37 transferring the Pari-mutuel Wagering Trust Fund
38 within the Department of Business and Professional
39 Regulation to the Department of Gaming Control by type
40 two transfer; transferring the specified
41 responsibilities and functions relating to game
42 promotions within Department of Agriculture and
43 Consumer Services to the Department of Gaming Control
44 by type two transfer; repealing ss. 550.001-550.0235
45 and 550.0351-550.71, F.S., relating to pari-mutuel
46 wagering; redesignating chapter 551, F.S., as the
47 "Florida Gaming Control Act"; creating part I of
48 chapter 551, F.S., entitled "Florida Gaming Control";
49 creating s. 551.001, F.S.; defining terms; creating s.
50 551.0011, F.S.; creating the Gaming Control
51 Commission; providing for membership and organization;
52 prohibiting lobbying by the members of the commission;

53 specifying the commission as the agency head of the
54 department; providing for an executive director of the
55 department to be appointed by the commission;
56 providing for financial control of department funds;
57 directing the commission to appoint an inspector
58 general; creating s. 551.0012, F.S.; providing powers
59 and duties of the commission; renumbering and amending
60 ss. 550.0251 and 551.103, F.S.; providing powers and
61 duties of the department to implement, administer, and
62 enforce provisions for gaming activities; directing
63 the department to adopt rules; creating s. 551.0014,
64 F.S.; providing for application of the code of ethics
65 for public officers and employees under specified
66 provisions; prohibiting certain acts and
67 relationships; providing procedures for when a
68 commission member or an employee or prospective
69 employee is charged or convicted of a criminal act;
70 creating s. 551.0016, F.S.; prohibiting ex parte
71 communication with a commission member; providing
72 procedures for disclosure of such communication;
73 providing penalties and authorizing the Commission on
74 Ethics to enforce penalties; directing the Commission
75 on Ethics to investigate complaints and report its
76 findings to the Governor and the nominating committee;
77 restricting appearance before the Gaming Control
78 Commission of a person determined to have participated

79 | in ex parte communication; creating s. 551.0017, F.S.;

80 | providing penalties for violations of specified

81 | provisions by commission members and department

82 | employees; creating part II of chapter 551, F.S.,

83 | entitled "Pari-mutuel Wagering"; reorganizing and

84 | revising provisions for pari-mutuel wagering; removing

85 | obsolete provisions; creating s. 551.011, F.S.;

86 | providing a short title; creating s. 551.012, F.S.;

87 | providing definitions; creating s. 551.013, F.S.;

88 | authorizing pari-mutuel wagering; providing for

89 | wagering pools and distribution thereof; creating s.

90 | 551.018, F.S.; limiting taxation by counties,

91 | municipalities, and other political subdivisions;

92 | creating ss. 551.021, 551.0221, 551.0222, 551.0241,

93 | 551.0251, 551.0252, and 551.0253, F.S., relating to

94 | pari-mutuel permit application, issuance, ratification

95 | and revocation, relocation, conversion, and transfer;

96 | creating s. 551.026, F.S.; providing for nonwagering

97 | licenses; creating s. 551.029, F.S., relating to

98 | persons prohibited from holding permits; creating ss.

99 | 551.0321, 551.0322, 551.033, 551.034, and 551.035,

100 | F.S., relating to requirements for licensure of

101 | permitholders to conduct pari-mutuel operations, bond,

102 | periods of operation, inactive status, payment and

103 | disposition of fees and taxes, penalties for failure

104 | to pay, reporting, review, and auditing; creating s.

105 551.036, F.S., relating to escheat to state of
 106 abandoned interest in pari-mutuel pools; creating ss.
 107 551.037 and 551.038, F.S., relating to lease of pari-
 108 mutuel facilities and capital improvements; creating
 109 s. 551.039, F.S., relating to charity and scholarship
 110 days; creating ss. 551.042, 551.043, and 551.045,
 111 F.S., relating to greyhound racing operations,
 112 operating periods, pools, purses, takeout, taxes,
 113 fees, and greyhound adoptions; creating ss. 551.0511,
 114 551.0512, 551.0521, 551.0523, 551.0524, 551.053,
 115 551.0541, 551.0542, 551.0543, 551.0551, 551.0552,
 116 551.0553, and 551.056, F.S., relating to horseracing
 117 operations, thoroughbred, harness, quarter horse, and
 118 Appaloosa and Arabian horse racing, operating periods,
 119 pools, purses, takeout, awards, horsemen's
 120 associations, taxes, and fees; creating ss. 551.062,
 121 551.0622, and 551.063, F.S., relating to jai alai
 122 operations, operating periods, awards, taxes, and
 123 fees; creating s. 551.072, F.S., relating to
 124 transmission of racing and jai alai information,
 125 broadcast, reception, performances, wagers, pools,
 126 takeout, purses, taxes, uncashed tickets and breakage,
 127 and caterers; creating ss. 551.073, 551.074, 551.075,
 128 551.076, 551.077, and 551.078, F.S., relating to
 129 intertrack wagering, authorization, costs, purses,
 130 awards, pools, takeout, rebroadcast, broadcast rights,

131 limited licensure, and totalisators; creating s.
 132 551.082, F.S., relating to minors attending pari-
 133 mutuel performances; creating ss. 551.0921, 551.0922,
 134 551.093, 551.0941, 551.0942, 551.0943, 551.0944, and
 135 551.095, F.S., relating to prohibited acts, civil and
 136 criminal penalties, penalties against occupational
 137 licensees, and liability; creating part III of chapter
 138 551, F.S., entitled "Slot Machines"; amending ss.
 139 551.101, 551.102, 551.104, 551.105, 551.106, 551.108,
 140 551.109, 551.111, 551.112, 551.113, 551.114, 551.116,
 141 551.117, 551.118, 551.119, 551.121, 551.122, and
 142 551.123, F.S.; revising provisions for slot machine
 143 licensure and operation; revising definitions and
 144 provisions relating to authorization to possess slot
 145 machines and conduct slot machine gaming, licensing
 146 requirements and procedures, fees and taxes,
 147 prohibited relationships, exclusions, persons
 148 prohibited from playing, facilities, penalties,
 149 compulsive gambling, caterers, prohibited acts and
 150 devices, and oversight authority; providing rulemaking
 151 authority; creating part IV of chapter 551, F.S.,
 152 entitled "Cardrooms"; transferring, renumbering, and
 153 amending s. 849.086, F.S.; revising provisions for
 154 licensing and operation of cardrooms; creating part V
 155 of chapter 551, F.S., entitled "Occupational Employees
 156 and Associates"; transferring, renumbering, and

157 amending s. 550.105, F.S., relating to racetrack and
158 jai alai occupational licenses; transferring,
159 renumbering, and amending s. 551.107, F.S., relating
160 to occupational licenses for slot machines; repealing
161 s. 551.1045, F.S., relating to temporary licenses;
162 transferring, renumbering, and amending s. 849.086(6),
163 F.S., relating to business and employee occupational
164 licenses; transferring and renumbering ss. 550.901,
165 550.902, 550.903, 550.905, 550.906, 550.907, 550.908,
166 550.909, 550.910, 550.911, and 550.913, F.S., and
167 transferring, renumbering, and amending ss. 550.904
168 and 550.912, F.S., relating to the Interstate Compact
169 on Licensure of Participants in Pari-mutuel Wagering;
170 conforming cross-references; creating part VI of
171 chapter 551, F.S., entitled "Miscellaneous Gaming";
172 providing intent relating to changes made by the act
173 to specified provisions; repealing s. 849.092, F.S.,
174 and transferring, renumbering, and amending s.
175 849.094, F.S., relating to game promotions offered by
176 retail businesses; providing legislative findings;
177 providing for construction; revising and consolidating
178 provisions for prizes given away by lot for
179 advertising or promotional purposes; providing for
180 oversight by the commission; transferring,
181 renumbering, and amending ss. 849.085, 849.0931, and
182 849.141, F.S., relating to penny-ante games, bingo,

183 and bowling tournaments; making technical changes and
184 conforming cross-references; transferring,
185 renumbering, and amending s. 849.0935, F.S.; revising
186 provisions for drawings by chance offered by
187 charitable, nonprofit organizations; providing
188 legislative findings; providing for construction;
189 transferring, renumbering, and amending s. 849.161,
190 F.S.; revising provisions for amusement games or
191 machines; providing legislative intent; revising
192 definitions; requiring registration with the
193 department; providing for a fee; requiring the
194 department to review the sufficiency of allowed
195 redemption value of points or coupons awarded and
196 provide a report to the Legislature; specifying the
197 authority of the commission and department to enter
198 and inspect facilities and machines; authorizing the
199 department to adopt rules; amending s. 849.01, F.S.,
200 and repealing ss. 849.02, 849.03, 849.04, and 849.05,
201 F.S.; revising and consolidating provisions relating
202 to prohibited gambling operations, prohibited acts
203 relating to such operations, prima facie evidence that
204 a location is used for such gambling, and penalties
205 for violations; amending s. 849.07, F.S., and
206 repealing s. 849.08, F.S.; revising and consolidating
207 provisions prohibiting playing certain games for money
208 or thing of value and the penalties for violations;

209 amending s. 849.09, F.S., and repealing s. 849.10,
210 F.S.; revising and consolidating provisions
211 prohibiting lotteries and certain actions related to
212 lotteries and the penalties for violations; amending
213 ss. 849.091 and 849.0915, F.S.; revising provisions
214 prohibiting pyramid sales schemes and referral
215 selling; amending s. 849.11, F.S., transferring and
216 renumbering s. 849.12, F.S., and repealing s. 849.13,
217 F.S.; revising and consolidating provisions
218 prohibiting games of chance by lot or with other
219 gambling devices and the penalties for violations;
220 amending s. 849.14, F.S.; revising provisions
221 prohibiting wagering on the result of certain types of
222 events and the penalties for violations; amending s.
223 849.15, F.S., and transferring, renumbering, and
224 amending ss. 849.16, 849.17, 849.18, 849.19, 849.20,
225 849.21, 849.22, 849.23, and 849.235, F.S.; revising
226 and consolidating provisions prohibiting manufacture,
227 possession, and distribution of slot machines or
228 devices and provisions for seizure of such devices,
229 lien on place of operations, a declaration of common
230 nuisance, injunction for restraint, enforcement fees,
231 penalties for violations, and a defense to action or
232 prosecution; amending s. 849.231, F.S., and
233 transferring, renumbering, and amending ss. 849.232
234 and 849.233, F.S.; revising and consolidating

235 provisions prohibiting manufacture, possession, and
236 distribution of certain gambling devices and
237 provisions for seizure of such devices, application,
238 and penalties for violations; amending s. 849.25,
239 F.S.; revising provisions prohibiting bookmaking and
240 penalties for violations; amending s. 849.26, F.S.,
241 and transferring, renumbering, and amending ss.
242 849.29, 849.30, 849.31, 849.32, 849.33, and 849.34,
243 F.S., relating to gambling contracts, liability,
244 recovery, losers, procedures, and judgments; amending
245 s. 849.35, F.S., and transferring, renumbering, and
246 amending ss. 849.36, 849.37, 849.38, 849.39, 849.40,
247 849.41, 849.42, 849.43, 849.44, 849.45, and 849.46,
248 F.S., relating to seizure and forfeiture of property
249 used in the violation of lottery and gambling
250 prohibitions, procedures for disposition,
251 representation by state attorney, judgments, and fees;
252 creating s. 849.47, F.S.; providing for enforcement of
253 the chapter; directing the commission to conduct
254 studies of greyhound racing and medication in
255 horseracing and to submit reports to the Governor and
256 the Legislature; amending ss. 11.45, 72.011, 72.031,
257 196.183, 205.0537, 212.02, 212.031, 212.04, 212.05,
258 212.054, 212.12, 212.20, 267.0617, 338.234, 402.82,
259 455.116, 480.0475, 509.032, 559.801, 561.1105,
260 718.114, 721.111, 723.079, 772.102, 773.03, 895.02,

261 and 921.0022, F.S.; conforming cross-references and
262 provisions to changes made by the act; prohibiting the
263 Division of Pari-mutuel Wagering of the Department of
264 Business and Professional Regulation from issuing new
265 permits authorizing pari-mutuel wagering or new
266 licenses authorizing slot machines; directing the
267 division to revoke certain permits; providing for
268 transition; providing effective dates.
269

270 Be It Enacted by the Legislature of the State of Florida:
271

272 Section 1. Section 11.93, Florida Statutes, is created to
273 read:

274 11.93 Joint Legislative Gaming Control Nominating
275 Committee.—

276 (1) The Joint Legislative Gaming Control Nominating
277 Committee is created, consisting of six members.

278 (a) The committee shall be composed of three members of
279 the Senate appointed by the President of the Senate and three
280 members of the House of Representatives appointed by the Speaker
281 of the House of Representatives. Each member shall serve at the
282 pleasure of the presiding officer who appointed the member. A
283 committee vacancy shall be filled in the same manner as the
284 original appointment.

285 (b) The President of the Senate shall appoint the chair of
286 the committee in even-numbered years and the vice chair in odd-

287 numbered years, and the Speaker of the House of Representatives
288 shall appoint the chair of the committee in odd-numbered years
289 and the vice chair in even-numbered years, from among the
290 committee membership.

291 (c) The terms of committee members shall be for 2 years
292 and coincide with the 2-year elected terms of members of the
293 House of Representatives.

294 (2) The committee shall be governed by joint rules of the
295 Senate and the House of Representatives and shall convene as
296 necessary to carry out its responsibilities under this section.

297 (3) (a) The committee shall nominate to the Governor up to
298 three persons for each of the five positions on the Gaming
299 Control Commission and any vacancy occurring on the commission.
300 The committee shall submit the nominations to the Governor by
301 September 15 of those years in which the terms are to begin the
302 following January, or within 60 days after a vacancy occurs for
303 any reason other than expiration of the term.

304 (b) A person may not be nominated to the Governor for
305 appointment to the Gaming Control Commission until after a
306 background investigation of the person is conducted by the
307 Department of Law Enforcement and the committee determines that
308 the person is qualified to hold the position. The committee may
309 not nominate to the Governor a person who holds any office in a
310 political party, who has been convicted of a felony, or who has
311 been convicted of a misdemeanor related to gambling within the
312 previous 10 years. One member of the commission must be an

313 attorney, one member must be a certified public accountant, and
 314 three members must be competent and knowledgeable in one or more
 315 of the following fields: economics, economic development, public
 316 health, technology, tourism, or another field substantially
 317 related to the duties and functions of the commission.

318 (4) Each appointment to the Gaming Control Commission is
 319 subject to confirmation by the Senate. If the Senate refuses to
 320 confirm or fails to consider the Governor's appointment at the
 321 next regular session of the Legislature after the appointment is
 322 made, the committee shall initiate the nominating process within
 323 30 days.

324 (5) The committee shall be staffed by legislative staff
 325 members as assigned by the President of the Senate and the
 326 Speaker of the House of Representatives.

327 Section 2. Effective October 1, 2014, paragraph (g) of
 328 subsection (2) of section 20.165, Florida Statutes, is amended
 329 to read:

330 20.165 Department of Business and Professional
 331 Regulation.—There is created a Department of Business and
 332 Professional Regulation.

333 (2) The following divisions of the Department of Business
 334 and Professional Regulation are established:

335 ~~(g) Division of Pari-mutuel Wagering.~~

336 Section 3. Effective July 1, 2014, section 20.222, Florida
 337 Statutes, is created to read:

338 20.222 Department of Gaming Control.—The Department of

339 Gaming Control is created. The head of the department is the
340 Gaming Control Commission created under s. 551.0011.

341 (1) Effective October 1, 2014, the department, under the
342 Gaming Control Commission, is responsible for implementation,
343 administration, and enforcement of chapters 551 and 849 and any
344 other provisions as provided by law.

345 (2) (a) The Gaming Control Commission shall appoint an
346 executive director of the department who shall serve at the
347 pleasure of the commission. However, whenever necessary, the
348 Governor may appoint an interim executive director of the
349 department to serve until a permanent executive director is
350 appointed by the Gaming Control Commission.

351 (b) The operations of the department shall be organized
352 into six divisions as follows:

- 353 1. The Division of Administration.
- 354 2. The Division of Amusements.
- 355 3. The Division of Auditing and Tax Collections.
- 356 4. The Division of Enforcement.
- 357 5. The Division of Investigations.
- 358 6. The Division of Licensing and Permitting.

359 (c) Each division shall be headed by a director,
360 appointed by the executive director, with approval by the
361 commission.

362 (d) The Gaming Control Commission may create bureaus
363 within the divisions and allocate the various functions of the
364 department among such divisions and bureaus.

365 Section 4. Effective July 1, 2014, paragraph (y) is added
 366 to subsection (2) of section 110.205, Florida Statutes, to read:

367 110.205 Career service; exemptions.—

368 (2) EXEMPT POSITIONS.—The exempt positions that are not
 369 covered by this part include the following:

370 (y) The executive director, any deputy executive
 371 directors, the general counsel, attorneys, official reporters,
 372 and division directors within the Department of Gaming Control
 373 and the Gaming Control Commission. Unless otherwise fixed by
 374 law, the salary and benefits of the executive director, deputy
 375 executive directors, general counsel, attorneys, and division
 376 directors shall be set by the department in accordance with the
 377 rules of the Senior Management Service.

378 Section 5. Effective October 1, 2014, subsection (4) of
 379 section 120.80, Florida Statutes, is amended, and subsection
 380 (19) is added to that section, to read:

381 120.80 Exceptions and special requirements; agencies.—

382 (4) DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION.—

383 ~~(a) Business regulation. The Division of Pari-mutuel~~
 384 ~~Wagering is exempt from the hearing and notice requirements of~~
 385 ~~ss. 120.569 and 120.57(1) (a), but only for stewards, judges, and~~
 386 ~~boards of judges when the hearing is to be held for the purpose~~
 387 ~~of the imposition of fines or suspensions as provided by rules~~
 388 ~~of the Division of Pari-mutuel Wagering, but not for~~
 389 ~~revocations, and only upon violations of subparagraphs 1.-6. The~~
 390 ~~Division of Pari-mutuel Wagering shall adopt rules establishing~~

391 ~~alternative procedures, including a hearing upon reasonable~~
 392 ~~notice, for the following violations:~~

393 ~~1. Horse riding, harness riding, greyhound interference,~~
 394 ~~and jai alai game actions in violation of chapter 550.~~

395 ~~2. Application and usage of drugs and medication to~~
 396 ~~horses, greyhounds, and jai alai players in violation of chapter~~
 397 ~~550.~~

398 ~~3. Maintaining or possessing any device which could be~~
 399 ~~used for the injection or other infusion of a prohibited drug to~~
 400 ~~horses, greyhounds, and jai alai players in violation of chapter~~
 401 ~~550.~~

402 ~~4. Suspensions under reciprocity agreements between the~~
 403 ~~Division of Pari-mutuel Wagering and regulatory agencies of~~
 404 ~~other states.~~

405 ~~5. Assault or other crimes of violence on premises~~
 406 ~~licensed for pari-mutuel wagering.~~

407 ~~6. Prearranging the outcome of any race or game.~~

408 ~~(b) Professional regulation. Notwithstanding s.~~
 409 ~~120.57(1) (a), formal hearings may not be conducted by the~~
 410 ~~Secretary of Business and Professional Regulation or a board or~~
 411 ~~member of a board within the Department of Business and~~
 412 ~~Professional Regulation for matters relating to the regulation~~
 413 ~~of professions, as defined by chapter 455.~~

414 (19) DEPARTMENT OF GAMING CONTROL; PARI-MUTUEL WAGERING.-

415 (a) The Department of Gaming Control is exempt from the
 416 hearing and notice requirements of ss. 120.569 and 120.57(1) (a)

417 as applied to stewards, judges, and boards of judges if the
418 hearing is to be held for the purpose of imposing a fine or
419 suspension as provided by rules of the Department of Gaming
420 Control, but not for revocations, and only to consider
421 violations specified under paragraph (b).

422 (b) The Department of Gaming Control shall adopt rules
423 establishing alternative procedures, including a hearing upon
424 reasonable notice, for the following:

425 1. Horse riding, harness riding, greyhound interference,
426 and jai alai game actions in violation of part II of chapter
427 551.

428 2. Application and administration of drugs and medication
429 to a horse, greyhound, or jai alai player in violation of part
430 II of chapter 551.

431 3. Maintaining or possessing any device that could be used
432 for the injection or other infusion of a prohibited drug into a
433 horse, greyhound, or jai alai player in violation of part II of
434 chapter 551.

435 4. Suspensions under reciprocity agreements between the
436 department and regulatory agencies of other states.

437 5. Assault or other crimes of violence on premises
438 licensed for pari-mutuel wagering.

439 6. Prearranging the outcome of any race or game.

440 Section 6. Effective October 1, 2014, paragraph (f) of
441 subsection (1) and subsection (7) of section 285.710, Florida
442 Statutes, are amended to read:

443 285.710 Compact authorization.—

444 (1) As used in this section, the term:

445 (f) "State compliance agency" means the Gaming Control
 446 Commission, ~~Division of Pari-mutuel Wagering of the Department~~
 447 ~~of Business and Professional Regulation~~ which is designated as
 448 the state agency having the authority to carry out the state's
 449 oversight responsibilities under the compact.

450 (7) The Gaming Control Commission ~~Division of Pari-mutuel~~
 451 ~~Wagering of the Department of Business and Professional~~
 452 ~~Regulation~~ is designated as the state compliance agency having
 453 the authority to carry out the state's oversight
 454 responsibilities under the compact authorized by this section.

455 Section 7. Effective October 1, 2014, subsection (4) of
 456 section 285.712, Florida Statutes, is amended to read:

457 285.712 Tribal-state gaming compacts.—

458 (4) Upon receipt of an act ratifying a tribal-state
 459 compact, the Secretary of State shall forward a copy of the
 460 executed compact and the ratifying act to the United States
 461 Secretary of the Interior for his or her review and approval, in
 462 accordance with 25 U.S.C. s. 2710(d)(8) ~~s. 2710(8)(d)~~.

463 Section 8. (1) Effective October 1, 2014, all powers,
 464 duties, functions, records, offices, property, pending issues,
 465 existing contracts, administrative authority, administrative
 466 rules, and unexpended balance of appropriations, allocations,
 467 and other funds relating to the Division of Pari-mutuel Wagering
 468 within the Department of Business and Professional Regulation

469 are transferred by a type two transfer, as defined in s. 20.06,
470 Florida Statutes, to the Department of Gaming Control.

471 Subsequent to the type two transfer, the Department of Gaming
472 Control is permitted to use the licensing system maintained by
473 the Department of Business and Professional Regulation.

474 (2) Effective October 1, 2014, the Pari-Mutuel Wagering
475 Trust Fund within the Department of Business and Financial
476 Regulation is transferred to the Department of Gaming Control
477 and renamed the "Gaming Control Trust Fund."

478 (3) Effective October 1, 2014, all powers, duties,
479 functions, records, offices, property, pending issues, existing
480 contracts, administrative authority, administrative rules, and
481 unexpended balance of appropriations, allocations, and other
482 funds relating to game promotions under ss. 849.092 and 849.094,
483 Florida Statutes, within the Department of Agriculture and
484 Consumer Services are transferred by a type two transfer, as
485 defined in s. 20.06, Florida Statutes, to the Department of
486 Gaming Control.

487 Section 9. Effective October 1, 2014, sections 550.001,
488 550.002, 550.0115, 550.01215, 550.0235, 550.0351, 550.0425,
489 550.054, 550.0555, 550.0651, 550.0745, 550.0951, 550.09511,
490 550.09512, 550.09514, 550.09515, 550.1155, 550.125, 550.135,
491 550.155, 550.1625, 550.1645, 550.1646, 550.1647, 550.1648,
492 550.175, 550.1815, 550.235, 550.24055, 550.2415, 550.255,
493 550.2614, 550.26165, 550.2625, 550.2633, 550.26352, 550.2704,
494 550.285, 550.334, 550.3345, 550.3355, 550.3551, 550.3615,

495 550.375, 550.475, 550.495, 550.505, 550.5251, 550.615, 550.625,
 496 550.6305, 550.6308, 550.6315, 550.6325, 550.6335, 550.6345,
 497 550.70, and 550.71, Florida Statutes, are repealed.

498 Section 10. Effective July 1, 2014, chapter 551, Florida
 499 Statutes, is redesignated as the "Florida Gaming Control Act."

500 Section 11. Effective July 1, 2014, part I of chapter 551,
 501 Florida Statutes, consisting of ss. 551.001-551.0017, Florida
 502 Statutes, is created and entitled "FLORIDA GAMING CONTROL."

503 Section 12. Effective July 1, 2014, section 551.001,
 504 Florida Statutes, is created to read:

505 551.001 Definitions.—As used in this chapter, the term:

506 (1) "Chair" means the chair of the Gaming Control
 507 Commission.

508 (2) "Commission" means the Gaming Control Commission.

509 (3) "Department" means the Department of Gaming Control.

510 (4) "Executive director" means the executive director of
 511 the department.

512 (5) "Nominating committee" means the Joint Legislative
 513 Gaming Control Nominating Committee.

514 Section 13. Effective July 1, 2014, section 551.0011,
 515 Florida Statutes, is created to read:

516 551.0011 Gaming Control Commission.—

517 (1) CREATION.— The Gaming Control Commission is created
 518 within the Department of Gaming Control. The commission's
 519 headquarters shall be located in Tallahassee.

520 (2) MEMBERS.— The Governor shall appoint, subject to

521 confirmation by the Senate, each member of the commission from a
522 list of nominees submitted to the Governor by the nominating
523 committee pursuant to s. 11.93. The commission shall be composed
524 of five members who are residents of the state and who shall
525 serve on the commission on a part-time basis.

526 (a) One member shall be an attorney.

527 (b) One member shall be a certified public accountant.

528 (c) Three members shall have experience in economics,
529 economic development, public health, technology, tourism, or
530 another field substantially related to the duties and functions
531 of the commission.

532 (3) TERMS.—Each commission member shall be appointed to a
533 4-year term except that, initially, to achieve staggered terms,
534 two members shall each be appointed to a term ending December
535 31, 2018, and three members shall each be appointed to a term
536 ending December 31, 2016. Before expiration of the term of a
537 member, the Governor shall appoint a successor, subject to
538 confirmation by the Senate, from a list of nominees submitted to
539 the Governor by the nominating committee pursuant to s. 11.93 as
540 provided in subsection (2). The Governor may remove a member for
541 cause, including circumstances in which the member commits gross
542 misconduct or malfeasance in office, substantially neglects or
543 is unable to discharge his or her duties as a member, or is
544 convicted of a felony or misdemeanor related to gambling. The
545 Governor may remove a member without cause subject to approval
546 by a majority of the nominating committee. Upon the resignation

547 or removal from office of a member, the Governor shall appoint a
548 successor pursuant to subsection (2) who, subject to
549 confirmation by the Senate, shall serve the remainder of the
550 unfinished term. A member may not serve more than two full 4-
551 year terms, exclusive of service as an initial 2-year appointee
552 or service during an unexpired portion of a term due to a
553 vacancy.

554 (4) CHAIR AND VICE CHAIR.—

555 (a) The chair and vice chair of the commission shall be
556 elected by the commission members during the first meeting of
557 the commission and during the first meeting on or after January
558 1 of each year. The chair shall set the agenda for each meeting
559 and approve subpoenas. The chair may approve all notices and
560 reports as required by this part. The chair shall preserve order
561 and decorum and shall have general control of the commission
562 meetings. The chair shall decide all questions of order. The
563 chair may designate a member to perform the duties of the chair
564 for a meeting if such substitution does not extend beyond that
565 meeting.

566 (b) If the chair is absent, the vice chair shall assume
567 the duties of the chair during the chair's absence. On the
568 death, incapacitation, or resignation of the chair, the vice
569 chair shall perform the duties of the office until a successor
570 is elected at the next meeting of the commission.

571 (c) The administrative responsibilities of the chair are
572 to plan, organize, and control administrative support services

573 for the commission, with the assistance of the executive
 574 director.

575 (5) MEETINGS.—Three members of the commission constitute a
 576 quorum. Meetings of the commission shall be held in Tallahassee
 577 unless the chair determines that special circumstances warrant
 578 meeting at another location.

579 (6) LOBBYING.—A commission member may not lobby the
 580 Governor or any agency of the state, members or employees of the
 581 Legislature, or any county or municipal government or
 582 governmental agency except to represent the commission and
 583 department in his or her official capacity as a member.

584 (7) AGENCY HEAD.—The commission shall serve as the agency
 585 head of the department for purposes of chapter 120.

586 (8) EXECUTIVE DIRECTOR.—The commission shall appoint an
 587 executive director of the department, who shall:

588 (a) Serve at the pleasure of the commission.

589 (b) Subject to appropriation, receive a salary as may be
 590 determined by the commission.

591 (c) Have skills and experience in management and be
 592 responsible for administering and enforcing the provisions of
 593 law relative to the department, the commission, and each unit
 594 thereof.

595 (d) Maintain oversight of operations of the department.

596 (e) Employ such personnel, consultants, agents, and
 597 advisors, including legal counsel, as necessary, subject to
 598 commission approval and appropriation.

599 (f) Attend meetings of the commission unless excused by
 600 the chair.

601 (9) FINANCIAL CONTROL.—The chief financial and accounting
 602 officer shall be in charge of department funds, books of
 603 account, and accounting records. Funds may not be transferred by
 604 the department without the approval of the commission and the
 605 signatures of the executive director and the chief financial and
 606 accounting officer.

607 (10) INSPECTOR GENERAL.—The commission shall appoint an
 608 inspector general pursuant to s. 20.055.

609 Section 14. Effective July 1, 2014, section 551.0012,
 610 Florida Statutes, is created to read:

611 551.0012 Commission powers and duties.—

612 (1) The commission shall:

613 (a) Keep accurate and complete records of its proceedings
 614 and certify records as may be appropriate.

615 (b) Adopt rules providing for the practices and procedures
 616 of the commission within 180 days after the first meeting of the
 617 commission.

618 (c) Review all rules for approval before adoption.

619 (d) Review all actions taken against a permit or license
 620 issued by the commission with the exception of occupational
 621 licenses issued by the department under part V.

622 (2) The commission may:

623 (a) Investigate applicants for a license or permit,
 624 determine the applicants' eligibility, and approve or deny

625 applications as provided for in this chapter.

626 (b) Issue subpoenas for the attendance of witnesses and
627 subpoenas duces tecum for the production of books, records, and
628 other pertinent documents as provided by law, and to administer
629 oaths and affirmations to the witnesses, if, in the judgment of
630 the commission, it is necessary to enforce this chapter or
631 department rules. If a person fails to comply with a subpoena,
632 the commission may petition the circuit court of the county in
633 which the person subpoenaed resides or has his or her principal
634 place of business for an order requiring the subpoenaed person
635 to appear and testify and to produce books, records, and
636 documents as specified in the subpoena. The court may grant
637 legal, equitable, or injunctive relief, as the court deems
638 appropriate, until the person subpoenaed has fully complied with
639 the subpoena and the commission has completed the audit,
640 examination, or investigation. The commission is entitled to the
641 summary procedure provided in s. 51.011, and the court shall
642 advance the cause on its calendar. Costs incurred by the
643 commission to obtain an order granting, in whole or in part,
644 such petition for enforcement of a subpoena shall be charged
645 against the subpoenaed person.

646 (c) Require or allow a person to file a statement in
647 writing, under oath or otherwise as the commission or its
648 designee requires, as to the facts and circumstances concerning
649 the matter to be audited, examined, or investigated.

650 (d) Apply for injunctive or declaratory relief in a court

651 of competent jurisdiction to enforce this chapter and department
 652 rules.

653 (e) Establish field offices of the department, as deemed
 654 necessary by the commission.

655 (f) Take any other action as may be reasonable or
 656 appropriate to enforce this chapter or department rule.

657 Section 15. Effective October 1, 2014, section 550.0251,
 658 Florida Statutes, is transferred, renumbered as subsection (1)
 659 of section 551.0013, Florida Statutes, and reordered and
 660 amended, and section 551.103, Florida Statutes, is transferred,
 661 renumbered as subsections (2) through (5) of section 551.0013,
 662 Florida Statutes, and amended, to read:

663 551.0013 ~~550.0251~~ ~~The Powers and duties of the department~~
 664 ~~Division of Pari-mutuel Wagering of the Department of Business~~
 665 ~~and Professional Regulation.-~~

666 (1) The department, under the supervision of the
 667 commission, ~~division~~ shall administer this chapter and regulate
 668 the pari-mutuel and gaming industries ~~industry~~ under this
 669 chapter and the rules adopted pursuant thereto. ~~The department,~~
 670 and:

671 (a) Shall supervise and regulate pari-mutuel and gaming
 672 activities authorized in this chapter, including:

673 1. The making of and distribution from all pari-mutuel
 674 pools.

675 2. The conduct of horseracing, greyhound racing, and jai
 676 alai.

677 3. The welfare of racing animals and jai alai players at
678 pari-mutuel facilities.

679 4. The conduct of intertrack wagering, including
680 broadcasts of pari-mutuel events.

681 5. The conduct of authorized games at cardrooms.

682 6. The conduct of slot machine gaming.

683 7. The conduct of miscellaneous activities authorized by
684 part VI.

685 (b)(2) The division Shall require an oath on application
686 documents as required by rule, which oath must state that the
687 information contained in the document is true and complete.

688 (c) May require each applicant for a permit or license to
689 produce any statements or documentation necessary to establish
690 the integrity of all financial backers, investors, mortgagees,
691 bondholders, and holders of indentures, notes, or other
692 evidences of indebtedness, either in effect or proposed. Any
693 such banking or lending institution and institutional investors
694 may be waived from qualification requirements. However, upon
695 request by the commission, a banking or lending institution or
696 institutional investor shall produce any document or information
697 related to an application for a permit or license.

698 (d)(8) The department May collect taxes, assessments,
699 fees, and penalties. In addition, the department may require
700 licensees to remit taxes and fees by electronic funds transfer
701 if the taxes and fees amounted to \$50,000 or more in the prior
702 reporting year.

703 (e) Shall ~~and~~ require compliance with reporting
704 requirements for financial information as authorized by this
705 chapter. ~~In addition, the secretary of the department may~~
706 ~~require permit holders conducting pari-mutuel operations within~~
707 ~~the state to remit taxes, including fees, by electronic funds~~
708 ~~transfer if the taxes and fees amounted to \$50,000 or more in~~
709 ~~the prior reporting year.~~

710 (f) Shall require sufficient documentation from each
711 licensee to ensure that the purses paid by each licensee on live
712 racing and intertrack and simulcast broadcasts are in compliance
713 with this chapter and department rule.

714 (g) May monitor and ensure the proper collection of taxes
715 and fees for cardroom operations imposed by s. 551.20.
716 Permit holder internal controls are mandated to ensure state
717 funds are not compromised. To that end, a roaming department
718 auditor will monitor and verify the cash flow and accounting of
719 cardroom revenue for any given operating day.

720 ~~(3) The division shall adopt reasonable rules for the~~
721 ~~control, supervision, and direction of all applicants,~~
722 ~~permittees, and licensees and for the holding, conducting, and~~
723 ~~operating of all racetracks, race meets, and races held in this~~
724 ~~state. Such rules must be uniform in their application and~~
725 ~~effect, and the duty of exercising this control and power is~~
726 ~~made mandatory upon the division.~~

727 (h)-(4) ~~The division~~ May take testimony concerning any
728 matter within its jurisdiction and issue summons and subpoenas

729 for any witness and subpoenas duces tecum in connection with any
 730 matter within the jurisdiction of the department ~~division~~ under
 731 its seal and signed by the executive director.

732 (i) (9) Shall ~~The division may~~ conduct investigations
 733 necessary to fulfill its responsibilities under this chapter. in
 734 ~~enforcing this chapter, except that~~ All information obtained
 735 pursuant to an investigation by the department ~~division~~ for an
 736 alleged violation of this chapter or rules of the department
 737 ~~division~~ is exempt from s. 119.07(1) and from s. 24(a), Art. I
 738 of the State Constitution until an administrative complaint is
 739 issued or the investigation is closed or ceases to be active.
 740 This paragraph ~~subsection~~ does not prohibit the department
 741 ~~division~~ from providing such information to any law enforcement
 742 agency or to any other regulatory agency. For the purposes of
 743 this paragraph ~~subsection~~, an investigation is considered to be
 744 active while it is being conducted with reasonable dispatch and
 745 with a reasonable, good faith belief that it could lead to an
 746 administrative, civil, or criminal action by the department
 747 ~~division~~ or another administrative or law enforcement agency.
 748 Except for active criminal intelligence or criminal
 749 investigative information, as defined in s. 119.011, and any
 750 other information that, if disclosed, would jeopardize the
 751 safety of an individual, all information, records, and
 752 transcriptions become public when the investigation is closed or
 753 ceases to be active.

754 (j) May conduct investigations and monitor the operation

755 of cardrooms and the playing of games therein.

756 (k) May review the books, accounts, and records of any
 757 current or former cardroom operator.

758 (l) ~~(10)~~ The ~~division~~ May impose an administrative fine or
 759 civil penalty for a violation under this chapter or rules
 760 adopted pursuant to this chapter of not more than \$1,000 for
 761 each count or separate offense, except that the department may
 762 impose a fine of more than \$1,000 when ~~as otherwise provided for~~
 763 in this chapter, and the department may deny, suspend, ~~or~~
 764 revoke, or place conditions on a permit or, a pari-mutuel
 765 license, or an occupational license for a violation under this
 766 chapter or a rule adopted pursuant to this chapter. If a
 767 permitholder or licensee fails to pay penalties imposed, the
 768 department may suspend or revoke the license of the licensee,
 769 revoke the permit of the licensee, or deny issuance of any
 770 further license or permit to the licensee. A penalty imposed
 771 under this paragraph does not exclude a prosecution for cruelty
 772 to animals or for any other criminal act. All fines and
 773 penalties imposed and collected under this paragraph shall be
 774 remitted to ~~subsection must be deposited with~~ the Chief
 775 Financial Officer for deposit into ~~to the credit of~~ the General
 776 Revenue Fund.

777 (m) ~~(13)~~ May The ~~division~~ shall have the authority to
 778 suspend a permitholder's permit or license, if such permitholder
 779 is operating a cardroom facility or slot machines and such
 780 permitholder's cardroom license or slot machine license has been

781 suspended or revoked ~~pursuant to s. 849.086.~~

782 (n) Shall revoke or suspend the license of any person who
783 is no longer qualified or who is found, after receiving a
784 license, to have been unqualified at the time of application for
785 the license.

786 (o)(5) ~~The division~~ May adopt rules establishing
787 procedures for testing occupational licensees ~~licenseholders~~
788 officiating at or participating in any event ~~race or game~~ at any
789 pari-mutuel or gaming facility under the jurisdiction of the
790 department ~~division~~ for a controlled substance or alcohol and
791 may prescribe procedural matters not in conflict with s.
792 120.80(4)(a).

793 (p)(6) ~~In addition to the power to exclude certain persons~~
794 ~~from any pari-mutuel facility in this state, the division~~ May
795 exclude any person from any and all pari-mutuel or gaming
796 facilities in this state for conduct that, if the person were a
797 licensee, would constitute, ~~if the person were a licensee,~~ a
798 violation of this chapter or the rules of the department
799 division. The department ~~division~~ may exclude from any pari-
800 mutuel or gaming facility within this state any person who has
801 been ejected from a pari-mutuel or gaming facility in this state
802 or who has been excluded from any pari-mutuel or gaming facility
803 in another state by the governmental department, agency,
804 commission, or authority exercising regulatory jurisdiction over
805 pari-mutuel or gaming facilities in such other state. The
806 department ~~division~~ may authorize any person who has been

807 ejected or excluded from pari-mutuel or gaming facilities in
808 this state or another state to attend the pari-mutuel or gaming
809 facilities in this state upon a finding by the commission that
810 the attendance of such person at pari-mutuel or gaming
811 facilities would not be adverse to the public interest or to the
812 integrity of the sport or industry. ~~;~~ ~~however,~~ this paragraph
813 does not ~~subsection shall not be construed to~~ abrogate the
814 common-law right of a licensee or pari-mutuel permit holder to
815 exclude absolutely a patron in this state.

816 (g)(1) ~~The division~~ Shall make an annual report to the
817 Governor, the President of the Senate, and the Speaker of the
818 House of Representatives. Such report shall include, at a
819 minimum:

820 1. Recent events in the gaming industry, including pending
821 litigation, pending facility license applications, and new and
822 pending rules.

823 2. Actions of the commission and the department relative
824 to the implementation and administration of this chapter.

825 3. The state revenues and expenses associated with each
826 form of authorized gaming. Revenues and expenses associated with
827 pari-mutuel wagering shall be further delineated by class of
828 license.

829 4. The performance of each pari-mutuel wagering licensee,
830 cardroom licensee, and slot licensee.

831 5. A summary of disciplinary actions taken by the
832 department. ~~showing its own actions, receipts derived under the~~

833 ~~provisions of this chapter, the practical effects of the~~
834 ~~application of this chapter, and~~

835 6. Any suggestions to more effectively achieve it may
836 ~~approve for the more effectual accomplishments of the purposes~~
837 ~~of this chapter.~~

838 ~~(7) The division may oversee the making of, and~~
839 ~~distribution from, all pari-mutuel pools.~~

840 ~~(11) The division shall supervise and regulate the welfare~~
841 ~~of racing animals at pari-mutuel facilities.~~

842 ~~(12) The division shall have full authority and power to~~
843 ~~make, adopt, amend, or repeal rules relating to cardroom~~
844 ~~operations, to enforce and to carry out the provisions of s.~~
845 ~~849.086, and to regulate the authorized cardroom activities in~~
846 ~~the state.~~

847 ~~551.103 Powers and duties of the division and law~~
848 ~~enforcement.-~~

849 (2)~~(1)~~ The department ~~division~~ shall adopt, ~~pursuant to~~
850 ~~the provisions of ss. 120.536(1) and 120.54, all rules necessary~~
851 ~~to implement, administer, and enforce chapter 849 and regulate~~
852 ~~slot machine gaming as authorized in this chapter. Such rules~~
853 ~~must include:~~

854 (a) Procedures for applying for permits and licenses
855 governed by this chapter and renewal of such licenses ~~a slot~~
856 ~~machine license and renewal of a slot machine license.~~

857 (b) Technical requirements and the qualifications
858 specified ~~contained~~ in this chapter which ~~that~~ are necessary to

859 receive a permit, license, or slot machine license or slot
860 ~~machine~~ occupational license.

861 (c) Procedures relating to gaming revenues, including
862 verifying and accounting for such revenues, auditing, and
863 collecting taxes and fees consistent with this chapter.

864 (d) Procedures for requiring licensees to maintain
865 specified records and submit any data, information, record, or
866 report, including financial and income records, required under
867 this chapter or determined by the department to be necessary to
868 the proper implementation and enforcement of this chapter.

869 (e) Minimum standards for security of facilities,
870 including floor plans, security cameras, and other security
871 equipment.

872 (f) Procedures for requiring licensees to implement and
873 establish drug-testing programs for all occupational licensees.

874 (g) Procedures for the control, supervision, and direction
875 of applicants, permitholders, and licensees and for the conduct
876 and operation of all aspects of pari-mutuel wagering, pari-
877 mutuel facilities, meets, live events, and broadcasts of events
878 held in this state. Such rules shall include, but are not
879 limited to, rules ensuring races and events are conducted
880 consistent with traditional industry practices.

881 (h) ~~(e)~~ Procedures to scientifically test and technically
882 evaluate slot machines and other gaming technology for
883 compliance with this chapter and chapter 849. The department
884 division may contract with an independent testing laboratories

885 ~~laboratory~~ to conduct any necessary testing under this section.
 886 Any ~~The~~ independent testing laboratory must have a national
 887 reputation as being ~~which is demonstrably~~ competent and
 888 qualified to scientifically test and evaluate slot machines and
 889 other gaming technology for compliance with this chapter and to
 890 otherwise perform the functions assigned to it in this chapter.
 891 An independent testing laboratory may ~~shall~~ not be owned or
 892 controlled by a licensee. If an independent testing laboratory
 893 is used for a purpose related to the conduct of slot machine
 894 gaming by a licensee under this chapter, such laboratory shall
 895 be selected from a list of laboratories approved by the
 896 department ~~The use of an independent testing laboratory for any~~
 897 ~~purpose related to the conduct of slot machine gaming by a~~
 898 ~~licensee under this chapter shall be made from a list of one or~~
 899 ~~more laboratories approved by the division.~~

900 ~~(d) Procedures relating to slot machine revenues,~~
 901 ~~including verifying and accounting for such revenues, auditing,~~
 902 ~~and collecting taxes and fees consistent with this chapter.~~

903 (i)(e) Procedures for regulating, managing, and auditing
 904 the operation, financial data, and program information relating
 905 to slot machine gaming. Such procedures shall allow the
 906 department ~~that allow the division~~ and the Department of Law
 907 Enforcement to audit the operation, financial data, and program
 908 information of a slot machine licensee, as required by the
 909 department ~~division~~ or the Department of Law Enforcement, and
 910 provide the department ~~division~~ and the Department of Law

911 Enforcement with the ability to monitor, at any time on a real-
912 time basis, wagering patterns, payouts, tax collection, and
913 compliance with any rules adopted by the department ~~division~~ for
914 the regulation and control of slot machines operated under this
915 chapter. Such continuous and complete access, at any time on a
916 real-time basis, shall include the ability of either the
917 department ~~division~~ or the Department of Law Enforcement to
918 suspend play immediately on particular slot machines if
919 monitoring of the facilities-based computer system indicates
920 possible tampering with or manipulation of those slot machines
921 or the ability to suspend play immediately of the entire
922 operation if ~~the tampering or manipulation is of~~ the computer
923 system itself is tampered with or manipulated. The department
924 ~~division~~ shall notify the Department of Law Enforcement or the
925 Department of Law Enforcement shall notify the department
926 ~~division~~, as appropriate, whenever there is a suspension of play
927 under this paragraph. The department ~~division~~ and the Department
928 of Law Enforcement shall exchange such information necessary for
929 and cooperate in the investigation of the circumstances
930 requiring suspension of play under this paragraph.

931 (j) ~~(f)~~ Procedures for requiring each slot machine licensee
932 at his or her own cost and expense to supply the department
933 ~~division~~ with a bond having the penal sum of \$2 million payable
934 to the Governor and his or her successors in office for each
935 year of the licensee's slot machine operations. A ~~Any~~ bond shall
936 be issued by a surety or sureties approved by the department

937 ~~division~~ and the Chief Financial Officer, conditioned to
938 faithfully make the payments to the Chief Financial Officer in
939 his or her capacity as treasurer of the department ~~division~~. The
940 licensee shall be required to keep its books and records and
941 make reports as provided in this chapter and to conduct its slot
942 machine operations in conformity with this chapter and all other
943 provisions of law. Such bond shall be separate and distinct from
944 the bond required in s. 551.0321 ~~550.125~~.

945 ~~(g) Procedures for requiring licensees to maintain~~
946 ~~specified records and submit any data, information, record, or~~
947 ~~report, including financial and income records, required by this~~
948 ~~chapter or determined by the division to be necessary to the~~
949 ~~proper implementation and enforcement of this chapter.~~

950 (k) ~~(h)~~ A requirement that the payout percentage of a slot
951 machine be at least ~~no less than~~ 85 percent.

952 (l) Rules relating to cardroom operations.

953 (m) Rules for the issuance of cardroom and employee
954 licenses for cardroom operations.

955 ~~(i) Minimum standards for security of the facilities,~~
956 ~~including floor plans, security cameras, and other security~~
957 ~~equipment.~~

958 ~~(j) Procedures for requiring slot machine licensees to~~
959 ~~implement and establish drug testing programs for all slot~~
960 ~~machine occupational licensees.~~

961 ~~(2) The division shall conduct such investigations~~
962 ~~necessary to fulfill its responsibilities under the provisions~~

963 ~~of this chapter.~~

964 (3) The Department of Law Enforcement and local law
 965 enforcement agencies shall have concurrent jurisdiction to
 966 investigate criminal violations of this chapter and may
 967 investigate any other criminal violation of law occurring at the
 968 facilities of a ~~slot machine licensee.~~ and Such investigations
 969 may be conducted in conjunction with the appropriate state
 970 attorney.

971 (4)~~(a)~~ The department division, the Department of Law
 972 Enforcement, and local law enforcement agencies shall have
 973 unrestricted access to the slot machine licensee's facility at
 974 all times and shall require of each slot machine licensee strict
 975 compliance with the laws of this state relating to the
 976 transaction of such business. The department division, the
 977 Department of Law Enforcement, and local law enforcement
 978 agencies may:

979 (a)1. Inspect and examine premises where slot machines are
 980 offered for play.

981 (b)2. Inspect slot machines and related equipment and
 982 supplies.

983 ~~(b) In addition, the division may:~~

984 ~~1. Collect taxes, assessments, fees, and penalties.~~

985 ~~2. Deny, revoke, suspend, or place conditions on the~~
 986 ~~license of a person who violates any provision of this chapter~~
 987 ~~or a rule adopted pursuant thereto.~~

988 ~~(5) The division shall revoke or suspend the license of~~

989 ~~any person who is no longer qualified or who is found, after~~
 990 ~~receiving a license, to have been unqualified at the time of~~
 991 ~~application for the license.~~

992 (5)~~(6)~~ This section does not:

993 (a) Prohibit the Department of Law Enforcement or any law
 994 enforcement authority whose jurisdiction includes a licensed
 995 facility from conducting investigations of criminal activities
 996 occurring at the facility of the ~~slot machine~~ licensee;

997 (b) Restrict access to the ~~slot machine~~ licensee's
 998 facility by the Department of Law Enforcement or any local law
 999 enforcement authority whose jurisdiction includes the ~~slot~~
 1000 ~~machine~~ licensee's facility; or

1001 (c) Restrict access by the Department of Law Enforcement
 1002 or local law enforcement authorities to information and records
 1003 necessary to the investigation of criminal activity that are
 1004 contained within the ~~slot machine~~ licensee's facility.

1005 Section 16. Effective July 1, 2014, section 551.0014,
 1006 Florida Statutes, is created to read:

1007 551.0014 Code of ethics.-

1008 (1) Members of the commission and employees of the
 1009 department are subject to the code of ethics for public officers
 1010 and employees as set forth in part III of chapter 112 and to the
 1011 requirements of the public records law and public meetings law
 1012 in chapters 119 and 286, respectively.

1013 (2) A commission member or an employee of the department
 1014 or a relative living in the same household as such member or

1015 employee may not hold a direct or indirect interest in, be
1016 employed by, or enter into a contract for services with an
1017 applicant or person licensed by the commission or department
1018 during the person's membership on the commission or employment
1019 and for a period of 2 years after the date of termination of the
1020 person's membership on the commission or employment.

1021 (3) Employees of the department must obtain prior approval
1022 from the executive director before undertaking any outside
1023 employment or other work activity. The executive director may
1024 not approve outside employment requests if the proposed
1025 employment involves working for a licensee or could otherwise
1026 create a conflict of interest with the employee's
1027 responsibilities.

1028 (4) A member of the commission or an employee of the
1029 department or a relative living in the same household as such
1030 member or employee may not place a wager in any facility
1031 licensed under this chapter or any facility in the state
1032 operated by an Indian tribe.

1033 (5) (a) The department may not hire a prospective employee
1034 if the prospective employee has been convicted of a felony;
1035 convicted of a misdemeanor within 10 years of the date of his or
1036 her application which the commission determines bears a close
1037 relationship to the duties and responsibilities of the position
1038 for which employment is sought; or dismissed from prior
1039 employment for gross misconduct or incompetence or if he or she
1040 intentionally made a false statement concerning a material fact

1041 in connection with his or her application to the department. If
1042 an employee of the department is charged with a felony while
1043 employed by the department, the department shall suspend the
1044 employee, with or without pay, and terminate employment with the
1045 department upon conviction. If an employee of the department is
1046 charged with a misdemeanor while employed by the department, the
1047 department shall suspend the employee, with or without pay, and
1048 may terminate employment with the department upon conviction if
1049 the commission determines that the offense for which he or she
1050 has been convicted bears a close relationship to the duties and
1051 responsibilities of the position held with the department.

1052 (b) A member of the commission or an employee of the
1053 department must immediately provide detailed written notice of
1054 the circumstances to the commission if the member or employee is
1055 indicted, charged with, convicted of, pleads guilty or nolo
1056 contendere to, or forfeits bail for:

1057 1. A misdemeanor involving gambling, dishonesty, theft, or
1058 fraud;

1059 2. A violation of any law in any state, or a law of the
1060 United States or any other jurisdiction, involving gambling,
1061 dishonesty, theft, or fraud which substantially corresponds to a
1062 misdemeanor in this state; or

1063 3. A felony under the laws of this or any other state, the
1064 United States, or any other jurisdiction.

1065 Section 17. Effective July 1, 2014, section 551.0016,
1066 Florida Statutes, is created to read:

1067 551.0016 Ex parte communication.-
 1068 (1) As used in this section, the term "ex parte
 1069 communication" means any communication that:
 1070 (a) If it is a written or printed communication or a
 1071 communication in electronic form, is not served on all parties
 1072 to a proceeding; or
 1073 (b) If it is an oral communication, is made without
 1074 adequate notice to the parties and without an opportunity for
 1075 the parties to be present and heard.
 1076 (2) Each commissioner shall accord to every person who is
 1077 legally interested in a proceeding, or the person's lawyer, full
 1078 right to be heard according to law, and, except as authorized by
 1079 law, shall not initiate, solicit, or consider ex parte
 1080 communications concerning a pending proposed agency action
 1081 proceeding, pending application, license, or enforcement action,
 1082 or a proceeding under s. 120.565, s. 120.569, or s. 120.57. An
 1083 individual may not discuss ex parte with a commissioner the
 1084 merits of any issue that he or she reasonably foresees will be
 1085 filed with the commission. The provisions of this subsection
 1086 shall not apply to department staff.
 1087 (3) If a commission member knowingly receives an ex parte
 1088 communication prohibited by this section, he or she must place
 1089 on the record of the proceeding copies of all written
 1090 communication received, copies of all written responses to the
 1091 communication, and a memorandum stating the substance of all
 1092 oral communication received and all oral responses made, and

1093 shall give written notice to all parties to the communication
1094 that such matters have been placed on the record. Any party to
1095 the proceeding who desires to respond to the communication may
1096 do so. The response must be received by the commission within 10
1097 days after receiving notice that the ex parte communication has
1098 been placed on the record. If a commission member deems it
1099 necessary to eliminate the effect of an ex parte communication
1100 received by him or her, the member may withdraw from the
1101 proceeding potentially impacted by the ex parte communication.

1102 (4) An individual who makes an ex parte communication
1103 prohibited by this section shall submit to the commission a
1104 written statement describing the nature of the communication,
1105 including the name of the person making the communication, the
1106 name of each commission member receiving the communication,
1107 copies of all written communication, all written responses to
1108 such communication, and a memorandum stating the substance of
1109 all oral communication received and all oral responses made. The
1110 commission shall place on the record of a proceeding all such
1111 communication.

1112 (5) A commission member who knowingly fails to place any
1113 ex parte communication on the record within 15 days after the
1114 date of the communication in violation of this section is
1115 subject to removal and may be assessed a civil penalty not to
1116 exceed \$5,000. A person who knowingly fails to comply with
1117 subsection (3) may be assessed a civil penalty not to exceed
1118 \$5,000.

1119 (6) The Commission on Ethics shall receive and investigate
1120 sworn complaints of violations of this section pursuant to ss.
1121 112.321-112.3241.

1122 (7) If the Commission on Ethics finds that a commission
1123 member has violated this section, it shall provide the Governor
1124 and the nominating committee with a report of its findings and
1125 recommendations. The Governor may enforce the findings and
1126 recommendations of the Commission on Ethics pursuant to part III
1127 of chapter 112.

1128 (8) If a commission member fails or refuses to pay the
1129 Commission on Ethics any civil penalties assessed pursuant to
1130 this section, the Commission on Ethics may bring an action in
1131 any circuit court to enforce such penalty.

1132 (9) If, during the course of an investigation by the
1133 Commission on Ethics into an alleged violation of this section,
1134 allegations are made as to the identity of the person who
1135 participated in the ex parte communication, that person must be
1136 given notice and an opportunity to participate in the
1137 investigation and relevant proceedings to present a defense. If
1138 the Commission on Ethics determines that the person participated
1139 in the ex parte communication, the person may not appear before
1140 the commission or otherwise represent anyone before the
1141 commission for 2 years.

1142 Section 18. Effective July 1, 2014, section 551.0017,
1143 Florida Statutes, is created to read:

1144 551.0017 Penalties for misconduct by a member or

1145 employee.-

1146 (1) A violation of this chapter by a commission member may
 1147 constitute cause for removal by the Governor or other
 1148 disciplinary action as determined by the commission.

1149 (2) A violation of this chapter by an employee of the
 1150 department may constitute cause for termination of employment as
 1151 determined by the executive director.

1152 Section 19. Effective October 1, 2014, part II of chapter
 1153 551, Florida Statutes, consisting of sections 551.011-551.095,
 1154 Florida Statutes, is created and entitled "PARI-MUTUEL
 1155 WAGERING."

1156 Section 20. Effective October 1, 2014, section 551.011,
 1157 Florida Statutes, is created to read:
 1158 551.011 Short title.-This part may be cited as the
 1159 "Florida Pari-mutuel Wagering Act."

1160 Section 21. Effective October 1, 2014, section 551.012,
 1161 Florida Statutes, is created to read:

1162 551.012 Definitions.-As used in this chapter, the term:

1163 (1) "Breaks" means the portion of a pari-mutuel pool
 1164 computed by rounding down to the nearest multiple of 10 cents
 1165 which is not distributed to the contributors or withheld by the
 1166 permitholder as takeout.

1167 (2) "Breeder and stallion awards" means financial
 1168 incentives paid to encourage the agricultural industry of
 1169 breeding racehorses in this state.

1170 (3) "Broadcast" means an electronic transmission in any

1171 medium or manner, including, but not limited to, community
1172 antenna systems that receive and retransmit television or radio
1173 signals by wire, cable, or otherwise to televisions or radios,
1174 and cable origination networks or programmers that transmit
1175 programming to community antenna televisions or closed-circuit
1176 systems by wire, cable, satellite, or otherwise.

1177 (4) "Contributor" means a person who contributes to a
1178 pari-mutuel pool by engaging in a pari-mutuel wager.

1179 (5) "Current meet" or "current race meet" means the
1180 conduct of racing or games pursuant to a current year's
1181 operating license issued by the commission.

1182 (6) "Event" means a single greyhound race, horserace, or
1183 jai alai game within a performance.

1184 (7) "Exotic pools" means wagering pools into which a
1185 contributor may place a wager on more than one entry or on more
1186 than one event in the same bet, including, but not limited to,
1187 daily doubles, perfectas, quinielas, quiniela daily doubles,
1188 exactas, trifectas, and Big Q pools.

1189 (8) "Fronton" means a building or enclosure that contains
1190 a playing court with three walls designed and constructed for
1191 playing the sport of jai alai.

1192 (9) "Full schedule of live events" means the minimum
1193 number of live performances that must be conducted by a
1194 permitholder. A live performance, consisting of at least eight
1195 events, must be conducted at least three times each week during
1196 the licensed meet at the permitholder's licensed facility.

1197 (10) "Guest facility" means a track or fronton receiving
 1198 or accepting an intertrack wager.

1199 (11) "Handle" means the aggregate contributions to pari-
 1200 mutuel pools.

1201 (12) "Horserace" or "horseracing" means a head-to-head
 1202 contest between two or more thoroughbred, quarter horse, or
 1203 standardbred horses racing with each other in the same event on
 1204 a flat track with banked turns and a connecting straight chute
 1205 at least 440 yards in length, which does not require a horse to
 1206 change its course in response to any obstacles on the racing
 1207 surface, and is further defined as follows:

1208 (a) "Harness race" or "harness racing" means such a
 1209 contest between two or more standardbred horses guided by state
 1210 and U.S. Trotting Association-licensed standardbred drivers
 1211 while pulling two-wheeled carts called sulxies and dispatched
 1212 from a regulation moving barrier. Standardbred racing also
 1213 includes monte racing, in which a state and U.S. Trotting
 1214 Association-licensed standardbred monte race driver competes
 1215 while astride the horse, rather than as a driver.

1216 (b) "Quarter horse race" or "quarter horse racing" means
 1217 such a contest between two or more quarter horses registered
 1218 with the American Quarter Horse Association at distances and
 1219 under conditions that qualify those contests for race
 1220 recognition pursuant to the Official Handbook of Rules and
 1221 Regulations of the American Quarter Horse Association, in effect
 1222 on January 1, 2014, dispatched from a regulation starting gate

1223 and mounted by state licensed jockeys.

1224 (c) "Thoroughbred race" or "thoroughbred racing" means
 1225 such a contest on such a track at least seven furlongs in
 1226 circumference, between two or more thoroughbreds dispatched from
 1227 a regulation starting gate and mounted by state licensed
 1228 jockeys.

1229
 1230 The term "horseracing" does not include steeplechases or hurdle
 1231 races, nor does it include barrel racing, timed events, pole
 1232 bending, or any other rodeo or gymkhana-style events.

1233 (13) "Horseracing licensee" means:

1234 (a) A thoroughbred racing permitholder licensed under this
 1235 part to conduct pari-mutuel wagering meets of thoroughbred
 1236 racing;

1237 (b) A harness racing permitholder licensed under this part
 1238 to conduct pari-mutuel wagering meets of harness racing; or

1239 (c) A quarter horse racing permitholder licensed under
 1240 this part to conduct pari-mutuel wagering meets of quarter horse
 1241 racing.

1242 (14) "Host facility" means a track or fronton that
 1243 broadcasts a live event or rebroadcasts a simulcast event that
 1244 is the subject of an intertrack wager.

1245 (15) "Intertrack wager" means a wager accepted at a pari-
 1246 mutuel facility on a live event that is broadcast to the pari-
 1247 mutuel facility or on a simulcast event that is rebroadcast to
 1248 the pari-mutuel facility from an in-state pari-mutuel facility.

1249 (16) "Jai alai" means a ball game of Spanish origin played
 1250 on a court with three walls and includes the term "pelota."

1251 (17) "Live event," "live game," "live race," or "live
 1252 performance" means such event or performance conducted live at
 1253 the referenced pari-mutuel facility and excludes broadcast and
 1254 simulcast events.

1255 (18) "Live handle" means the handle from wagers placed at
 1256 a pari-mutuel facility on the live events conducted at that
 1257 facility and excludes intertrack wagering.

1258 (19) "Market area" means an area within 25 miles of a
 1259 permitholder's track or fronton.

1260 (20) "Meet" or "meeting" means live events for any stake,
 1261 purse, prize, or premium.

1262 (21) "Net pool pricing" means a method of calculating
 1263 prices awarded to winning wagers relative to the contribution,
 1264 net of takeouts, to a pool by each participating jurisdiction
 1265 or, as applicable, each site.

1266 (22) "Operating day" means a continuous period of 24 hours
 1267 which starts at the beginning of the first performance event. If
 1268 an operating day starts during one calendar day and extends past
 1269 midnight, a greyhound race or jai alai game may not begin after
 1270 1:30 a.m. on that operating day.

1271 (23) "Pari-mutuel facility" means a racetrack, fronton, or
 1272 other facility used by a permitholder for the conduct of pari-
 1273 mutuel wagering.

1274 (24) "Pari-mutuel pool" means the total amount wagered on

1275 an event for a single possible result.

1276 (25) "Pari-mutuel wagering" means a system of betting on
 1277 events in which the winners divide the total amount bet, after
 1278 deducting management expenses and taxes, in proportion to the
 1279 sums they have wagered individually and with regard to the odds
 1280 assigned to particular outcomes.

1281 (26) "Performance" means a series of at least eight events
 1282 performed consecutively as one program.

1283 (27) "Post time" means the time set for the arrival at the
 1284 starting point of the horses or greyhounds in a race or the
 1285 beginning of a game in jai alai.

1286 (28) "Purse" means the cash portion of the prize for which
 1287 an event is contested.

1288 (29) "Quarter horse" means a breed of horse developed in
 1289 the western United States which is capable of high speed for a
 1290 short distance and used in quarter horse racing registered with
 1291 the American Quarter Horse Association.

1292 (30) "Racing greyhound" or "greyhound" means a greyhound
 1293 registered with the National Greyhound Association which is or
 1294 was used, or is being bred, raised, or trained to be used, in
 1295 racing at a pari-mutuel facility.

1296 (31) "Same class of races, games, or permit" means:

1297 (a) With respect to a jai alai permitholder, jai alai
 1298 games or other jai alai permitholders;

1299 (b) With respect to a greyhound racing permitholder,
 1300 greyhound races or other greyhound racing permitholders;

1301 (c) With respect to a thoroughbred racing permitholder,
 1302 thoroughbred races or other thoroughbred racing permitholders;
 1303 (d) With respect to a harness racing permitholder, harness
 1304 races or other harness racing permitholders; and
 1305 (e) With respect to a quarter horse racing permitholder,
 1306 quarter horse races or other quarter horse racing permitholders.
 1307 (32) "Simulcasting" means the live broadcast of events
 1308 occurring live at an in-state location to an out-of-state
 1309 location, or receiving at an in-state location a live broadcast
 1310 of events occurring live at an out-of-state location.
 1311 (33) "Standardbred horse" means a pacing or trotting horse
 1312 used in harness racing which has been registered as a
 1313 standardbred by the United States Trotting Association or by a
 1314 foreign registry whose stud book is recognized by the United
 1315 States Trotting Association.
 1316 (34) "Takeout" means the percentage of the pari-mutuel
 1317 pools deducted by the permitholder before the distribution of
 1318 the pool.
 1319 (35) "Thoroughbred" means a purebred horse whose ancestry
 1320 can be traced back to one of three foundation sires and whose
 1321 pedigree is registered in the American Stud Book or in a foreign
 1322 stud book that is recognized by the Jockey Club and the
 1323 International Stud Book Committee.
 1324 (36) "Totalisator" means the computer system used to
 1325 accumulate wagers, record sales, calculate payoffs, and display
 1326 wagering data on a display device that is located at a pari-

1327 mutuel facility.

1328 (37) "Ultimate equitable owner" means a natural person
 1329 who, directly or indirectly, owns or controls 5 percent or more
 1330 of an ownership interest in a corporation, foreign corporation,
 1331 or alien business organization, regardless of whether such
 1332 person owns or controls such ownership through one or more
 1333 natural persons or one or more proxies, powers of attorney,
 1334 nominees, corporations, associations, partnerships, trusts,
 1335 joint stock companies, or other entities or devices, or any
 1336 combination thereof.

1337 Section 22. Effective October 1, 2014, section 551.013,
 1338 Florida Statutes, is created to read:

1339 551.013 Pari-mutuel wagering authorized; distribution of
 1340 pool; prohibited purchase.-

1341 (1) Wagering on the results of a horserace or greyhound
 1342 race or on the scores or points of a jai alai game and the sale
 1343 of tickets or other evidences showing an interest in or a
 1344 contribution to a pari-mutuel pool are allowed only within the
 1345 enclosure of a pari-mutuel facility licensed and operating under
 1346 this part, must be supervised by the department, are subject to
 1347 such reasonable rules adopted by the commission, and are
 1348 prohibited elsewhere in this state.

1349 (2) The permitholder's share of the takeout is that
 1350 portion of the takeout that remains after the pari-mutuel tax
 1351 imposed upon the contributions to the pari-mutuel pool is
 1352 deducted from the takeout and paid by the permitholder. The

1353 takeout is deducted from all pari-mutuel pools but may be
1354 different depending on the type of pari-mutuel pool. The
1355 permitholder shall inform the patrons, either through the
1356 official program or via the posting of signs at conspicuous
1357 locations, as to the takeout currently being applied to handle
1358 at the facility.

1359 (3) After deducting the takeout and the breaks, a pari-
1360 mutuel pool must be redistributed to the contributors.

1361 (4) Redistribution of funds otherwise distributable to the
1362 contributors of a pari-mutuel pool must be a sum equal to the
1363 next lowest multiple of 10 on all races and games.

1364 (5) A distribution of a pari-mutuel pool may not be made
1365 of the breaks.

1366 (6) A person or corporation may not directly or indirectly
1367 purchase pari-mutuel tickets or participate in the purchase of
1368 any part of a pari-mutuel pool for another for hire or for any
1369 gratuity. A person may not purchase any part of a pari-mutuel
1370 pool through another if she or he gives or pays directly or
1371 indirectly such other person anything of value. Any person who
1372 violates this subsection commits a misdemeanor of the second
1373 degree, punishable as provided in s. 775.082 or s. 775.083.

1374 Section 23. Effective October 1, 2014, section 551.018,
1375 Florida Statutes, is created to read:

1376 551.018 Local government taxes and fees on pari-mutuel
1377 wagering.—The tax imposed by s. 551.301 is in lieu of all
1378 license, excise, or occupational taxes to the state or any

1379 county, municipality, or other political subdivision. However, a
 1380 municipality may assess and collect an additional tax against
 1381 any person conducting live events within its corporate limits,
 1382 which tax may not exceed \$150 per day for horseracing or \$50 per
 1383 day for greyhound racing or jai alai. Except as provided in this
 1384 part, a municipality may not assess or collect any additional
 1385 excise or revenue tax against any person conducting race
 1386 meetings within the corporate limits of the municipality or
 1387 against any patron of any such person.

1388 Section 24. Effective October 1, 2014, section 551.021,
 1389 Florida Statutes, is created to read:

1390 551.021 Application for permit to conduct pari-mutuel
 1391 wagering.—

1392 (1) Applications for a pari-mutuel wagering permit may be
 1393 made to the department in accordance with department rules.
 1394 Applications for a pari-mutuel permit are exempt from the 90-day
 1395 licensing requirement of s. 120.60. Within 120 days after
 1396 receipt of a complete application, the commission shall grant or
 1397 deny the permit. A completed application that is not acted upon
 1398 within 120 days after receipt is deemed approved, and the
 1399 commission shall grant the permit.

1400 (2) If the commission approves the application, it shall
 1401 issue a permit to the applicant setting forth the name of the
 1402 permitholder, the location of the pari-mutuel facility, the type
 1403 of pari-mutuel activity desired to be conducted, and a statement
 1404 showing qualifications of the applicant to conduct pari-mutuel

1405 performances under this part. Such permit authorizes the county
1406 in which the applicant seeks to operate to hold an election
1407 ratifying such permit pursuant to s. 551.0221 and does not
1408 authorize pari-mutuel wagering.

1409 (3) An application for a permit may not be considered, nor
1410 may a permit be issued by the commission or be voted upon in any
1411 county, to conduct horseraces, harness races, or greyhound races
1412 at a location within 100 miles of an existing pari-mutuel
1413 facility, or for jai alai within 50 miles of an existing pari-
1414 mutuel facility. Such distance shall be measured on a straight
1415 line from the nearest property line of one pari-mutuel facility
1416 to the nearest property line of the other facility.

1417 (4) The commission shall require that each applicant
1418 submit an application that includes, at a minimum:

1419 (a) The full name, business address, e-mail address,
1420 telephone number, social security number, and if applicable,
1421 federal tax identification number of the applicant.

1422 (b) If a corporation, the name of the state in which
1423 incorporated and the names and addresses of the officers,
1424 directors, and shareholders holding 5 percent or more equity or,
1425 if a business entity other than a corporation, the names and
1426 addresses of the principals, partners, or shareholders holding 5
1427 percent or more equity.

1428 (c) The names and addresses of the ultimate equitable
1429 owners for a corporation or other business entity, if different
1430 from those provided under paragraph (b), unless the securities

1431 of the corporation or entity are registered pursuant to s. 12 of
1432 the Securities Exchange Act of 1934, 15 U.S.C. ss. 78a-78kk; and
1433 if such corporation or entity files with the United States
1434 Securities and Exchange Commission the reports required by s. 13
1435 of that act or if the securities of the corporation or entity
1436 are regularly traded on an established securities market in the
1437 United States.

1438 (d) Information, documentation, and assurances concerning
1439 the applicant's financial background and resources as required
1440 to establish the financial stability, integrity, and
1441 responsibility of the applicant. This includes a statement of
1442 the assets and liabilities of the applicant, business, and
1443 personal income and disbursement schedules, tax returns, and
1444 other reports filed with governmental agencies, and business and
1445 personal accounting, check records, and ledgers. In addition,
1446 each applicant must provide written authorization for the
1447 examination of all bank accounts and records as may be deemed
1448 necessary by the commission.

1449 (e) For each individual listed in the application as an
1450 owner, partner, officer, or director, a complete set of
1451 fingerprints taken by an authorized law enforcement officer. The
1452 set of fingerprints must be submitted to the Federal Bureau of
1453 Investigation for processing. An applicant who is a foreign
1454 national shall submit such documents as necessary to allow the
1455 department to conduct a criminal history records check in the
1456 applicant's home country. The applicant must pay the cost of

1457 processing. The department may charge a \$2 handling fee for each
1458 set of fingerprint records.

1459 (f) The exact location where the applicant will conduct
1460 pari-mutuel performances.

1461 (g) Whether the pari-mutuel facility is owned or leased
1462 and, if leased, the name and residence of the fee owner or, if a
1463 corporation, the names and addresses of the directors and
1464 stockholders thereof. However, this part does not prevent a
1465 person from applying to the commission for a permit to conduct
1466 pari-mutuel operations, regardless of whether the pari-mutuel
1467 facility has been constructed, and having an election held in
1468 any county at the same time that elections are held for the
1469 ratification of any permit in that county.

1470 (h) The names and addresses of any mortgagee of any pari-
1471 mutuel facility and any financial agreement between the parties.
1472 The commission may require the names and addresses of the
1473 officers and directors of the mortgagee and of those
1474 stockholders who hold more than 10 percent of the stock of the
1475 mortgagee.

1476 (i) A business plan for the first year of operation.

1477 (j) The type of pari-mutuel activity to be conducted and
1478 the desired period of operation.

1479 (k) Other information the commission requires.

1480 (5) The commission shall require each applicant to deposit
1481 with the board of county commissioners of the county in which
1482 the election is to be held a sufficient sum, in currency or by

1483 check certified by a bank licensed to do business in the state,
 1484 to pay the expenses of holding the election provided in s.
 1485 551.0221.

1486 (6) Upon receiving an application and any amendments
 1487 properly made thereto, the department shall further investigate
 1488 the matters contained in the application. The department shall
 1489 present its findings to the commission for review. If the
 1490 applicant meets all requirements, conditions, and qualifications
 1491 set forth in this part and the rules of the commission and the
 1492 commission finds that it would be in the best interests of the
 1493 state, the commission may grant the permit. In addition to the
 1494 applicant's qualifications, the commission shall consider the
 1495 overall impact to state revenues, including those generated
 1496 under tribal-state gaming compacts.

1497 (7) After initial approval of the permit and the source of
 1498 financing, the terms and parties of any subsequent refinancing
 1499 must be disclosed by the applicant or the permitholder to the
 1500 commission.

1501 (8) If the commission refuses to grant the permit, the
 1502 money deposited with the board of county commissioners for
 1503 holding the election must be refunded to the applicant. If the
 1504 commission grants the permit applied for, the board of county
 1505 commissioners shall order an election for ratification of the
 1506 permit in the county, as provided in s. 551.0221.

1507 (9) (a) The department may charge the applicant for
 1508 reasonable, anticipated costs incurred by the department in

1509 determining the eligibility of any person or entity specified in
1510 s. 551.029 to hold any pari-mutuel permit.

1511 (b) The department may, by rule, determine the manner of
1512 paying its anticipated costs associated with determination of
1513 eligibility and the procedure for filing applications for
1514 determination of eligibility.

1515 (c) The department shall furnish to the applicant an
1516 itemized statement of actual costs incurred during the
1517 investigation to determine eligibility.

1518 (d) If unused funds remain at the conclusion of such
1519 investigation, they must be returned to the applicant within 60
1520 days after the determination of eligibility has been made.

1521 (e) If the actual costs of investigation exceed
1522 anticipated costs, the department shall assess the applicant the
1523 amount necessary to recover all actual costs.

1524 (10) After a permit has been granted by the commission and
1525 has been ratified and approved by the majority of the electors
1526 participating in the election in the county designated in the
1527 permit, the permitholder may apply for, subject to the
1528 conditions of this part, a license to conduct pari-mutuel
1529 operations under this part at the location fixed in the permit
1530 and ratified in the election. After the first license has been
1531 issued to the holder of a ratified permit for pari-mutuel
1532 operations in any county, all subsequent annual applications for
1533 a license by that permitholder must be accompanied by proof, in
1534 such form as the commission requires, that the ratified

1535 permitholder still possesses all the qualifications prescribed
1536 by this part and that the permit has not been recalled at a
1537 later election held in the county.

1538 (11) (a) If a permitholder has failed to complete
1539 construction of at least 50 percent of the facilities necessary
1540 to conduct pari-mutuel operations within 12 months after
1541 approval of the permit by the voters or within 12 months after
1542 receiving the permit if ratification was not required, the
1543 commission shall revoke the permit upon adequate notice to the
1544 permitholder. However, the commission, upon good cause shown by
1545 the permitholder, may grant one extension of up to 12 months.

1546 (b) If a permitholder has failed to conduct live events
1547 for a period of 12 consecutive months, the commission shall
1548 revoke the permit upon adequate notice to the permitholder.
1549 However, the commission, upon good cause shown by the
1550 permitholder, may grant one extension of up to 12 months.

1551 (c) The permit of a pari-mutuel wagering permitholder that
1552 does not pay tax on handle for a full schedule of live events
1553 during any 2 consecutive state fiscal years shall be revoked
1554 unless such failure to operate and pay tax on handle was the
1555 direct result of fire, strike, war, or other disaster or event
1556 beyond the permitholder's control. Financial hardship to the
1557 permitholder is not, in and of itself, just cause for failure to
1558 operate and pay tax on handle.

1559 (d) A permit revoked under this subsection is void and may
1560 not be reissued.

1561 (12) A pari-mutuel permitholder may apply to the
1562 commission to place the pari-mutuel permit into inactive status
1563 for a period of 12 months pursuant to the rules of the
1564 department. The commission, upon good cause shown by the
1565 permitholder, may renew inactive status for up to 12 months. A
1566 permit may not be in inactive status for a period of more than
1567 24 consecutive months. While a permit is inactive, it is not
1568 subject to revocation under paragraph (11)(b) or paragraph
1569 (11)(c). Holders of permits in inactive status are not eligible
1570 for licensure for pari-mutuel wagering, slot machines, or
1571 cardrooms.

1572 (13)(a) A permit granted under this part may not be
1573 transferred or assigned except upon written approval by the
1574 commission pursuant to s. 551.029.

1575 (b) If a permit to conduct pari-mutuel wagering is held by
1576 a corporation or business entity other than an individual, the
1577 transfer of 10 percent or more of the stock or other evidence of
1578 ownership or equity in the permitholder may not be made without
1579 the prior approval of the transferee by the commission pursuant
1580 to s. 551.029.

1581 (14) Changes in ownership of or interest in a pari-mutuel
1582 permit of 5 percent or more of the stock or other evidence of
1583 ownership or equity in the permitholder shall be approved by the
1584 commission before such change, unless the owner is an existing
1585 owner of that permit who was previously approved by the
1586 commission. Changes in ownership of or interest in a pari-mutuel

1587 permit of less than 5 percent must be reported to the department
1588 within 20 days after the change. The department may then conduct
1589 an investigation to ensure that the permit is properly updated
1590 to show the change in ownership or interest.

1591 Section 25. Effective October 1, 2014, section 551.0221,
1592 Florida Statutes, is created to read:

1593 551.0221 Elections for ratification of permits.—

1594 (1) Any permitholder may have submitted to the electors of
1595 the county designated therein the question of whether such
1596 permit will be ratified. Such question shall be submitted to the
1597 electors for approval or rejection at a special election to be
1598 called for that purpose only. The board of county commissioners
1599 of the county designated, upon the presentation to such board at
1600 a regular or special meeting of a written application,
1601 accompanied by a certified copy of the permit granted by the
1602 commission, and asking for an election in the county in which
1603 the application was made, shall order a special election in the
1604 county for the particular purpose of deciding whether such
1605 permit shall be approved and a license issued and race or game
1606 meetings allowed in the county by such permitholder. The clerk
1607 of such board shall give notice of the special election by
1608 publishing the same once each week for 2 consecutive weeks in
1609 one or more newspapers of general circulation in the county.
1610 Each permit for a pari-mutuel facility must be voted upon
1611 separately and in separate elections. An election may not be
1612 called more often than once every 2 years for the ratification

1613 of any permit for the same pari-mutuel facility.

1614 (2) All elections ordered under this part must be held
 1615 within 90 days and not less than 21 days after the time of
 1616 presenting the application to the board of county commissioners.
 1617 The inspectors of election shall be appointed and qualified as
 1618 in cases of general elections, and they shall count the votes
 1619 cast and make due returns of the votes to the board of county
 1620 commissioners without delay. The board of county commissioners
 1621 shall canvass the returns, declare the results, and cause the
 1622 results to be recorded as provided in the general law concerning
 1623 elections so far as applicable.

1624 (3) If the permitholder has not applied to the board of
 1625 county commissioners within 6 months after the permit was issued
 1626 by the commission, the permit is void. The commission shall
 1627 cancel the permit without notice to the permitholder, and the
 1628 board of county commissioners holding the deposit for the
 1629 election shall refund the deposit to the permitholder upon being
 1630 notified by the commission that the permit is void and has been
 1631 canceled.

1632 (4) All electors duly registered and qualified to vote at
 1633 the last preceding general election held in the county are
 1634 qualified electors for the ratification election. The
 1635 registration books for the county shall be opened on the 10th
 1636 day after the ratification election is ordered and called,
 1637 however, if the 10th day is a Sunday or a holiday, then on the
 1638 next day that is not a Sunday or holiday. The registration books

1639 must remain open for 10 days. Electors for the ratification
1640 election have the same qualifications for and prerequisites to
1641 voting in elections as under the general election laws.

1642 (5) If, at any such ratification election, the majority of
1643 electors voting on the question of ratification of a permit vote
1644 against ratification, the permit is void. If a majority of the
1645 electors voting on the question of ratification vote for
1646 ratification, the permit becomes effective, and the permitholder
1647 may conduct events upon complying with the other provisions of
1648 this part. The board of county commissioners shall immediately
1649 certify the results of the election to the department.

1650 Section 26. Effective October 1, 2014, section 551.0222,
1651 Florida Statutes, is created to read:

1652 551.0222 Petition for election to revoke permit.—In any
1653 county where a permitholder has been licensed and racing or
1654 games have been conducted under this part, the county commission
1655 shall, upon petition of 20 percent of the registered electors of
1656 the county, provide for the submission to the electors of such
1657 county at the next succeeding general election the question of
1658 whether a permit shall be revoked. If a majority of the electors
1659 voting on such question in such election vote to revoke the
1660 permit, the commission may no longer grant any license on the
1661 permit. Every signature on every petition to revoke a permit
1662 must be signed in the presence of the clerk of the board of
1663 county commissioners at the office of the clerk of the circuit
1664 court of the county. The petitioner must present at the time of

1665 such signing her or his registration receipt showing the
1666 petitioner's qualification as an elector of the county at the
1667 time of signing the petition. Only one permit may be included in
1668 any one petition. In all elections in which the revocation of
1669 more than one permit is voted on, the voters shall be given an
1670 opportunity to vote for or against the revocation of each permit
1671 separately. This part does not prevent the holding of later
1672 referendum or revocation elections.

1673 Section 27. Effective October 1, 2014, section 551.0241,
1674 Florida Statutes, is created to read:

1675 551.0241 Relocation of permit.-

1676 (1) A licensed pari-mutuel permit holder may apply to the
1677 commission to change the location where it is authorized to
1678 conduct pari-mutuel wagering under its permit pursuant to the
1679 rules of the commission.

1680 (2) The commission may consider a relocation application
1681 only if the relocation is within the same county, or within a
1682 contiguous county that has ratified a pari-mutuel wagering
1683 permit by referendum, and the applicant provides clear and
1684 convincing evidence that:

1685 (a) The proposal would not have a net negative impact on
1686 state revenues, including those generated under tribal-state
1687 gaming compacts.

1688 (b) Pari-mutuel wagering at the proposed location is
1689 approved under the zoning and land use regulations of the
1690 applicable county or municipality.

1691 (3) The commission may approve a relocation proposal if it
1692 determines such relocation is in the best interests of the
1693 state. In making such determination, the commission shall
1694 consider any impact to state resources, the local community, the
1695 industry and other pari-mutuel wagering licensees.

1696 (4) If the commission approves the relocation, it shall
1697 issue a revised permit setting forth the new location of the
1698 pari-mutuel facility. Pari-mutuel wagering or other gaming may
1699 not be conducted at the new location unless the permit holder
1700 receives a license for such wagering or gaming at the new
1701 location pursuant to this chapter.

1702 Section 28. Effective October 1, 2014, section 551.0251,
1703 Florida Statutes, is created to read:

1704 551.0251 Limited thoroughbred racing permit.-

1705 (1) In recognition of the important and long-standing
1706 economic contribution of the thoroughbred horse breeding
1707 industry to this state and the state's vested interest in
1708 promoting the continued viability of this agricultural activity,
1709 the state intends to provide a limited opportunity for the
1710 conduct of live thoroughbred racing with the net revenues from
1711 such racing dedicated to the enhancement of thoroughbred purses
1712 and breeder, stallion, and special racing awards under this
1713 part; the general promotion of the thoroughbred horse breeding
1714 industry; and the care in this state of thoroughbred horses
1715 retired from racing.

1716 (2) A quarter horse racing permit previously converted to

1717 a limited thoroughbred racing permit may only be held by a not-
1718 for-profit corporation formed under state law to serve the
1719 purposes of the state as provided in subsection (1). The board
1720 of directors of the not-for-profit corporation must be comprised
1721 of 11 members, four of whom shall be designated by the
1722 corporation pursuant to its articles and bylaws, four of whom
1723 shall be designated by the Florida Thoroughbred Breeders' and
1724 Owners' Association, and three of whom shall be designated by
1725 the other eight directors, with at least one of these three
1726 members being an authorized representative of another
1727 thoroughbred racing licensee in this state. A permit converted
1728 under former s. 550.3345 and the not-for-profit corporation are
1729 subject to the following requirements:

1730 (a) All net revenues derived by the corporation under the
1731 thoroughbred racing permit converted under former s. 550.3345,
1732 after the funding of operating expenses and capital
1733 improvements, shall be dedicated to the enhancement of
1734 thoroughbred racing purses and breeder, stallion, and special
1735 racing awards under this part; the general promotion of the
1736 thoroughbred horse breeding industry; and the care in this state
1737 of thoroughbred horses retired from racing.

1738 (b) From December 1, through April 30, live thoroughbred
1739 racing may not be conducted under the permit converted under
1740 former s. 550.3345 on any day during which another thoroughbred
1741 racing licensee is conducting live thoroughbred racing within
1742 125 air miles of the corporation's pari-mutuel facility unless

1743 the other thoroughbred racing licensee gives its written
 1744 consent.

1745 (c) After the issuance of its initial license to conduct
 1746 pari-mutuel wagering meets of thoroughbred racing, the
 1747 corporation must apply annually to the commission for a license
 1748 pursuant to s. 551.0521.

1749 (d) A permit converted under former s. 550.3345 is not
 1750 eligible for transfer to another person or entity.

1751 (3) Unless otherwise provided in this section, the permit
 1752 converted under former s. 550.3345 and the not-for-profit
 1753 corporation shall be treated under the laws of this state as a
 1754 thoroughbred racing permit and as a thoroughbred racing
 1755 permitholder, respectively, with the exception of s.
 1756 551.021(11).

1757 Section 29. Effective October 1, 2014, section 551.0252,
 1758 Florida Statutes, is created to read:

1759 551.0252 Conversion of permit.—

1760 (1) A licensed pari-mutuel wagering permitholder may apply
 1761 to the commission to convert its permit to another class of
 1762 pari-mutuel wagering permit pursuant to the rules of the
 1763 commission.

1764 (2) The commission may consider a conversion application
 1765 only if the applicant provides clear and convincing evidence
 1766 that:

1767 (a) The proposal would not have a negative impact on state
 1768 revenues, including those generated under tribal-state gaming

1769 compacts.

1770 (b) The proposed activity is approved under the zoning and
 1771 land use regulations of the applicable county or municipality.

1772 (3) The commission may approve a conversion proposal if it
 1773 determines such conversion is in the best interests of the
 1774 state. In making such determination, the commission shall
 1775 consider any impact to state resources, the local community, the
 1776 industry and other pari-mutuel wagering licensees.

1777 (4) If the commission approves the conversion, it shall
 1778 issue a revised permit setting forth the class of pari-mutuel
 1779 wagering authorized under the permit.

1780 Section 30. Effective October 1, 2014, section 551.0253,
 1781 Florida Statutes, is created to read:

1782 551.0253 Summer jai alai.-

1783 (1) A pari-mutuel permitholder that converted its permit
 1784 under former 550.0745 may conduct a summer jai alai fronton
 1785 during the summer season beginning May 1 and ending November 30
 1786 of each year on such dates as may be selected by the
 1787 permitholder for the same number of days and performances as are
 1788 allowed and granted to winter jai alai frontons within such
 1789 county. Such permitholder shall pay the same taxes as are fixed
 1790 and required to be paid from the pari-mutuel pools of winter jai
 1791 alai permitholders and is bound by all of the rules and
 1792 provisions of this part which apply to the operation of winter
 1793 jai alai frontons. Such permitholder may operate a jai alai
 1794 fronton only after its application has been approved by the

1795 commission and its license has been issued pursuant to the
1796 application. The license is renewable annually as provided by
1797 law.

1798 (2) Such permitholder may apply for a license for the
1799 operation of a jai alai fronton during the summer season as
1800 provided in this section. A permitholder granted a license under
1801 this section may not conduct pari-mutuel pools during the summer
1802 season except at a jai alai fronton as provided in this section.

1803 (3) A license issued under subsection (2) may not allow
1804 the operation of a jai alai fronton during the jai alai winter
1805 season. The jai alai winter licensee and the jai alai summer
1806 licensee may not operate on the same days or in competition with
1807 each other. This section does not prevent the summer jai alai
1808 licensee from leasing the facilities of the winter jai alai
1809 licensee for the operation of the summer meet.

1810 Section 31. Effective October 1, 2014, section 551.026,
1811 Florida Statutes, is created to read:

1812 551.026 Nonwagering horseracing licenses.-

1813 (1) (a) Except as provided in this section, permits and
1814 licenses issued by the commission are intended to be used for
1815 pari-mutuel wagering operations in conjunction with horseraces,
1816 greyhound races, or jai alai performances.

1817 (b) Subject to the requirements of this section, the
1818 commission may issue annual licenses for the conduct of
1819 horserace meets without pari-mutuel wagering or any other form
1820 of wagering being conducted in conjunction with such meets. A

1821 pari-mutuel wagering permitholder need not obtain an additional
1822 permit from the commission for conducting nonwagering racing
1823 under this section but must apply to the commission for the
1824 issuance of a license under this section. The holder of a
1825 nonwagering license is prohibited from conducting pari-mutuel
1826 wagering or any other form of wagering in conjunction with
1827 racing conducted under the license. This subsection does not
1828 prohibit horseracing for any stake, purse, prize, or premium.

1829 (c) The holder of a nonwagering license is exempt from s.
1830 551.301 and is not required to pay daily license fees and
1831 admission tax.

1832 (2) (a) A person who is not prohibited from holding any
1833 type of pari-mutuel permit under s. 551.029 may apply to the
1834 commission for a nonwagering license. The applicant must
1835 demonstrate that the location where the nonwagering license will
1836 be used is available for such use and that the applicant has the
1837 financial ability to satisfy the reasonably anticipated
1838 operational expenses.

1839 (b) The department may conduct an eligibility
1840 investigation to determine whether the applicant meets the
1841 requirements of paragraph (a).

1842 (3) (a) After receipt of an initial nonwagering license,
1843 the licensee may apply to the commission before June 1 of each
1844 year to renew the nonwagering license for the next succeeding
1845 calendar year. The application must set forth the days and
1846 locations at which the licensee will conduct nonwagering

1847 horseracing and must indicate any changes in ownership or
1848 management of the licensee occurring since the date of
1849 application for the prior license. The department may conduct an
1850 eligibility investigation to determine the qualifications of any
1851 new ownership or management interest in the license.

1852 (b) On or before August 1 of each year and upon approval
1853 of the racing dates by the commission, the department shall
1854 issue an annual nonwagering license authorizing the permit holder
1855 to conduct nonwagering horseracing during the succeeding
1856 calendar year during the period and for the number of days set
1857 forth in the application, subject to all other provisions of
1858 this section.

1859 (4) Only horses registered with an established breed
1860 registration organization approved by the commission may be
1861 raced at a race meeting authorized under this section.

1862 (5) The commission may order any person participating in a
1863 nonwagering meet to cease and desist from participating in such
1864 meet if the commission determines that the person is not of good
1865 moral character. The commission may order the operators of a
1866 nonwagering meet to cease and desist from operating the meet if
1867 the commission determines the meet is being operated for any
1868 illegal purpose.

1869 Section 32. Effective October 1, 2014, section 551.029,
1870 Florida Statutes, is created to read:

1871 551.029 Certain persons prohibited from holding permits;
1872 suspension and revocation.—

1873 (1) A corporation, general or limited partnership, sole
 1874 proprietorship, business trust, joint venture, unincorporated
 1875 association, or other business entity may not hold a pari-mutuel
 1876 permit in this state if any one of the persons or entities
 1877 specified in paragraph (a) has been determined by the commission
 1878 not to be of good moral character or has been convicted of any
 1879 offense specified in paragraph (b).

- 1880 (a)1. The permitholder;
 1881 2. An employee of the permitholder;
 1882 3. The sole proprietor of the permitholder;
 1883 4. A corporate officer or director of the permitholder;
 1884 5. A general partner of the permitholder;
 1885 6. A trustee of the permitholder;
 1886 7. A member of an unincorporated association permitholder;
 1887 8. A joint venturer of the permitholder;
 1888 9. The owner of more than 5 percent of any equity interest
 1889 in the permitholder, whether as a common shareholder, general or
 1890 limited partner, voting trustee, or trust beneficiary; or
 1891 10. An owner of any interest in the permit or
 1892 permitholder, including any immediate family member of the
 1893 owner, or holder of any debt, mortgage, contract, or concession
 1894 from the permitholder, who by virtue thereof is able to control
 1895 the business of the permitholder.

- 1896 (b)1. A felony in this state;
 1897 2. A felony in any other state which would be a felony
 1898 under the laws of this state if committed in this state;

1899 3. A felony under the laws of the United States;
 1900 4. A felony related to gambling in any other state which
 1901 would be a felony under the laws of this state if committed in
 1902 this state; or
 1903 5. Bookmaking as defined in s. 849.25.
 1904 (2) (a) If the applicant for a pari-mutuel permit or a
 1905 permitholder has received a full pardon or a restoration of
 1906 civil rights with respect to the conviction specified in
 1907 paragraph (1) (b), the conviction does not constitute an absolute
 1908 bar to the issuance or renewal of a permit or a ground for the
 1909 revocation or suspension of a permit.
 1910 (b) A corporation convicted of a felony may apply for and
 1911 receive a restoration of its civil rights in the same manner and
 1912 on the same grounds as an individual.
 1913 (3) (a) After notice and hearing, the commission shall
 1914 suspend or refuse to issue or renew, as appropriate, any permit
 1915 in violation of subsection (1). The order shall become effective
 1916 120 days after service of the order upon the permitholder and
 1917 shall be amended to constitute a final order of revocation
 1918 unless the permitholder has, within that 120-day period:
 1919 1. Caused the divestiture, or agreed with the convicted
 1920 person upon a complete immediate divestiture, of her or his
 1921 holding;
 1922 2. Petitioned the circuit court as provided in subsection
 1923 (4); or
 1924 3. In the case of corporate officers or directors of the

1925 permitholder or employees of the permitholder, terminated the
 1926 relationship between the permitholder and such persons.

1927 (b) The commission may, by order, extend the 120-day
 1928 period for divestiture, upon good cause shown, to avoid
 1929 interruption of any meet or to otherwise effectuate this
 1930 section. If action has not been taken by the permitholder within
 1931 the 120-day period after the issuance of the order of
 1932 suspension, the commission shall, without further notice or
 1933 hearing, enter a final order of revocation of the permit.

1934 (c) When any permitholder or sole proprietor of a
 1935 permitholder is convicted of an offense specified in paragraph
 1936 (1) (b), the department may approve a transfer of the permit to a
 1937 qualified applicant upon a finding that revocation of the permit
 1938 would impair the state's revenue from the operation of the
 1939 permit or otherwise be detrimental to the interests of the state
 1940 in the regulation of the industry of pari-mutuel wagering.
 1941 Notwithstanding any other provision of law, a public referendum
 1942 is not required for approval of the transfer under this
 1943 paragraph. A petition for transfer after conviction must be
 1944 filed with the department within 30 days after service upon the
 1945 permitholder of the final order of revocation. The timely filing
 1946 of such a petition automatically stays any revocation order
 1947 until further order of the department.

1948 (4) The circuit courts have jurisdiction to decide a
 1949 petition brought by the holder of a pari-mutuel permit showing
 1950 that its permit is in jeopardy of suspension or revocation under

1951 subsection (3) and that it is unable to agree upon the terms of
 1952 divestiture of interest with the person specified in
 1953 subparagraphs (1) (a) 3.-9. who has been convicted of an offense
 1954 specified in paragraph (1) (b). The court shall determine the
 1955 reasonable value of the interest of the convicted person and
 1956 order a divestiture upon such terms and conditions as it finds
 1957 just. In determining the value of the interest of the convicted
 1958 person, the court may consider, among other matters, the value
 1959 of the assets of the permitholder, its good will and value as a
 1960 going concern, recent and expected future earnings, and other
 1961 criteria usual and customary in the sale of like enterprises.

1962 (5) The department shall adopt rules for photographing,
 1963 fingerprinting, and obtaining personal data of individuals
 1964 described in paragraph (1) (a) and obtaining such data regarding
 1965 the business entities described in paragraph (1) (a) as necessary
 1966 to effectuate this section.

1967 Section 33. Effective October 1, 2014, section 551.0321,
 1968 Florida Statutes, is created to read:

1969 551.0321 Permitholder bond.-

1970 (1) Before delivery of an initial license, each
 1971 permitholder granted a license under this part must, at its own
 1972 expense, give a bond payable to the Governor and the Governor's
 1973 successors in the penal sum of \$50,000. Such bond must be in the
 1974 form of a surety or sureties approved by the commission and the
 1975 Chief Financial Officer and shall be conditioned on the
 1976 following:

1977 (a) The permitholder faithfully making payments to the
 1978 Chief Financial Officer acting in his or her capacity as
 1979 treasurer of the commission and department;

1980 (b) The permitholder keeping books and records and making
 1981 the required reports; and

1982 (c) The permitholder conducting racing in conformity with
 1983 this part.

1984 (2) If the greatest amount of tax owed during any month in
 1985 the prior fiscal year in which a full schedule of live racing
 1986 was conducted is less than \$50,000, the commission may assess a
 1987 bond less than \$50,000. The commission may review the bond for
 1988 adequacy and require adjustments to the bond amount each fiscal
 1989 year. The commission may adopt rules to implement this
 1990 subsection and establish guidelines for such bonds.

1991 (3) The provisions of this part concerning bonding do not
 1992 apply to nonwagering licenses issued under s. 551.026.

1993 Section 34. Effective October 1, 2014, section 551.0322,
 1994 Florida Statutes, is created to read:

1995 551.0322 License application; periods of operation.-

1996 (1) After a permit has been issued by the commission and
 1997 approved by election, the permitholder may apply for an initial
 1998 annual license to conduct pari-mutuel operations at the location
 1999 specified in the permit pursuant to this part.

2000 (2) Annually, between December 15 and January 4, each
 2001 permitholder shall file with the department its written
 2002 application for a license to conduct performances during the

2003 next fiscal year. Each application must specify the number,
 2004 dates, and starting times of all performances the permitholder
 2005 intends to conduct and specify which performances will be
 2006 conducted as charity or scholarship performances. In addition,
 2007 each application for a license must include:

2008 (a) For each permitholder that is authorized to accept
 2009 intertrack wagers or receive or rebroadcast out-of-state races,
 2010 the dates and periods of operation that the licensee intends to
 2011 operate such wagering.

2012 (b) For each permitholder that holds a cardroom license,
 2013 the dates and periods of operation that the permitholder intends
 2014 to operate the cardroom.

2015 (c) For each permitholder that holds a slot machine
 2016 license, the dates and periods of operation that the
 2017 permitholder intends to operate slot machines.

2018 (3) After the first license has been issued to a
 2019 permitholder, all subsequent annual applications for a license
 2020 must be accompanied by proof, in such form as the commission may
 2021 by rule require, that the permitholder continues to possess the
 2022 qualifications required under this part and that the permit has
 2023 not been disapproved at a later election.

2024 (4) A permitholder may amend its application through
 2025 February 28. After February 28, each permitholder must operate
 2026 the full number of days authorized on each of the dates set
 2027 forth in its license as a condition precedent to the validity of
 2028 its license and its right to retain its permit.

2029 (5) The commission shall issue each license no later than
2030 March 15. Each permitholder shall operate all performances on
2031 the dates and at the times specified on its license. The
2032 commission may approve changes in operating dates after a
2033 license has been issued. The department may approve minor
2034 changes in operating dates after a license has been issued if
2035 there is no objection from any operating licensee located within
2036 50 miles of the licensee requesting the changes in operating
2037 dates. If there is an objection, the commission shall determine
2038 whether to approve the change based upon its impact on operating
2039 licensees located within 50 miles of the licensee requesting the
2040 change in operating dates. In making the determination whether
2041 to change operating dates, the commission shall take into
2042 consideration the impact of such changes on state revenues.

2043 (6) If a licensee fails to operate all performances on the
2044 dates and at the times specified on its license, the commission
2045 shall hold a hearing to determine whether to penalize the
2046 licensee, unless such failure was the direct result of fire,
2047 strike, war, or other disaster or event beyond the ability of
2048 the licensee to control. Financial hardship to the licensee is
2049 not, in and of itself, just cause for failure to operate all
2050 performances on the dates and at the times specified.

2051 (7) If performances licensed to be operated by a
2052 permitholder are vacated, are abandoned, or will not be used for
2053 any reason, any permitholder may, pursuant to department rule,
2054 apply to conduct performances on the dates for which the

2055 performances have been abandoned. The commission shall issue an
 2056 amended license for all such replacement performances that have
 2057 been requested in compliance with this part and department
 2058 rules.

2059 Section 35. Effective October 1, 2014, section 551.033,
 2060 Florida Statutes, is created to read:

2061 551.033 Payment of daily license fee and taxes;
 2062 penalties.-

2063 (1) PAYMENT AND DISPOSITION OF FEES AND TAXES.-Payments
 2064 imposed by ss. 551.043, 551.053, 551.0543, 551.0553, and 551.063
 2065 shall be paid to the commission for deposit into the Gaming
 2066 Control Trust Fund, hereby established. The licensee shall remit
 2067 to the commission payment for the daily license fee, the
 2068 admission tax, the tax on handle, and the breaks tax. Such
 2069 payments shall be remitted by 3 p.m. on the 5th day of each
 2070 calendar month for taxes imposed and collected for the preceding
 2071 calendar month. If the 5th day of the calendar month falls on a
 2072 weekend, payments shall be remitted by 3 p.m. the first Monday
 2073 after the weekend. Licensees shall file a report under oath by
 2074 the 5th day of each calendar month for all taxes remitted during
 2075 the preceding calendar month. Such payments shall be accompanied
 2076 by a report under oath showing the total of all admissions, the
 2077 pari-mutuel wagering activities for the preceding calendar
 2078 month, and such other information required by the commission.

2079 (2) PENALTIES.-

2080 (a) A licensee that fails to make payments as required in

2081 subsection (1) may be subjected by the department to a civil
 2082 penalty of up to \$1,000 for each day the tax payment is not
 2083 remitted.

2084 (b) In addition to the civil penalty in paragraph (a), any
 2085 willful or wanton failure by a licensee to make payments of the
 2086 daily license fee, admission tax, tax on handle, or breaks tax
 2087 constitutes sufficient grounds for the commission to suspend or
 2088 revoke the license of the licensee, cancel the permit of the
 2089 licensee, or deny issuance of any further license or permit to
 2090 the licensee.

2091 Section 36. Effective October 1, 2014, section 551.034,
 2092 Florida Statutes, is created to read:

2093 551.034 Uniform reporting system.—

2094 (1) The Legislature finds that a uniform reporting system
 2095 should be developed to provide acceptable uniform financial data
 2096 and statistics.

2097 (2) (a) Each permitholder that conducts events under this
 2098 part shall keep records that clearly show the total number of
 2099 admissions and the total amount of money contributed to each
 2100 pari-mutuel pool on each event separately and the amount of
 2101 money received daily from admission fees and, within 120 days
 2102 after the end of its fiscal year, shall submit to the department
 2103 a complete annual report of its accounts, audited by a certified
 2104 public accountant licensed to practice in the state.

2105 (b) The department shall adopt rules specifying the form
 2106 and content of such reports, including, but not limited to,

2107 requirements for a financial statement of assets and
2108 liabilities, operating revenues and expenses, and net worth and
2109 any supporting informational schedule found necessary by the
2110 commission to verify the financial statement. The financial
2111 statement must be audited by a certified public accountant
2112 licensed to practice in this state, and any supporting
2113 informational schedule must be attested to under oath by the
2114 permitholder or an officer of record. The form and content of
2115 such reports must permit the commission to:

2116 1. Assess the profitability and financial soundness of
2117 permitholders, both individually and as an industry;

2118 2. Plan and recommend measures necessary to preserve and
2119 protect the pari-mutuel revenues of the state; and

2120 3. Completely identify the holdings, transactions, and
2121 investments of permitholders with other business entities.

2122 (c) The Auditor General and the Office of Program Policy
2123 Analysis and Government Accountability may, pursuant to their
2124 own authority or at the direction of the Legislative Auditing
2125 Committee, audit, examine, and check the books and records of
2126 any permitholder. These audit reports shall become part of, and
2127 be maintained in, the commission files.

2128 (d) The commission shall annually review the books and
2129 records of each permitholder and verify that the breaks and
2130 unclaimed ticket payments made by each permitholder are true and
2131 correct.

2132 Section 37. Effective October 1, 2014, section 551.035,

2133 Florida Statutes, is created to read:

2134 551.035 Distribution of moneys.-

2135 (1) All moneys deposited into the Gaming Control Trust
 2136 Fund under this part shall be distributed as follows:

2137 (a) The daily license fee revenues collected pursuant to
 2138 ss. 551.043(2), 551.053(2), 551.0543(2), 551.0553(1), and
 2139 551.063(2) shall be used to fund the operating cost of the
 2140 commission and department; however, other revenues in the Gaming
 2141 Control Trust Fund may also be used to fund the operation of the
 2142 commission and department in accordance with authorized
 2143 appropriations.

2144 (b) All unappropriated funds in excess of \$1.5 million
 2145 shall be deposited into the General Revenue Fund.

2146 (2) The slot machine license fee, the slot machine
 2147 occupational license fee, and the compulsive or addictive
 2148 gambling prevention program fee collected pursuant to ss.
 2149 551.106, 551.302(2)(a)1., and 551.118 shall be used to fund the
 2150 direct and indirect operating expenses of the department's slot
 2151 machine regulation operations and to provide funding for
 2152 relevant enforcement activities in accordance with authorized
 2153 appropriations. Funds deposited into the Gaming Control Trust
 2154 Fund pursuant to ss. 551.106, 551.302(2)(a)1., and 551.118 shall
 2155 be reserved in the trust fund for slot machine regulation
 2156 operations. On June 30, any unappropriated funds in excess of
 2157 those necessary for incurred obligations and subsequent year
 2158 cash flow for slot machine regulation operations shall be

2159 deposited into the General Revenue Fund.

2160 Section 38. Effective October 1, 2014, section 551.036,
2161 Florida Statutes, is created to read:

2162 551.036 Escheat to state of abandoned interest in or
2163 contribution to pari-mutuel pools.-

2164 (1) It is the public policy of the state, while protecting
2165 the interest of the owners, to possess all unclaimed and
2166 abandoned interests in or contributions to certain pari-mutuel
2167 pools conducted in this state under this part for the benefit of
2168 all the people of the state. This section shall be liberally
2169 construed to accomplish the purposes of this section.

2170 (2) Except as otherwise provided in this part, all money
2171 or other property represented by any unclaimed, uncashed, or
2172 abandoned pari-mutuel ticket that has remained in the custody or
2173 under the control of any licensee for a period of 1 year after
2174 the date the pari-mutuel ticket was issued, if the rightful
2175 owner or owners thereof have made no claim or demand for such
2176 money or other property within the 1-year period, shall escheat
2177 to and become the property of the state.

2178 (3) Annually, within 60 days after the close of the race
2179 meeting of the licensee, all money or other property that has
2180 escheated to the state under this section and that is held by
2181 the licensee shall be paid by such licensee to the Chief
2182 Financial Officer for deposit into the State School Fund to be
2183 used for support and maintenance of public free schools as
2184 required by s. 6, Art. IX of the State Constitution.

2185 Section 39. Effective October 1, 2014, section 551.037,
2186 Florida Statutes, is created to read:

2187 551.037 Lease of pari-mutuel facilities.—Holders of valid
2188 pari-mutuel permits for the conduct of any jai alai games,
2189 greyhound racing, or thoroughbred or harness racing in this
2190 state may lease their facilities to any other holder that is
2191 located within a 35-mile radius and holds a same class valid
2192 pari-mutuel permit for jai alai games, greyhound racing, or
2193 thoroughbred or harness racing. Such lessee is entitled to a
2194 license to operate its race meet or jai alai games at the leased
2195 premises.

2196 Section 40. Effective October 1, 2014, section 551.038,
2197 Florida Statutes, is created to read:

2198 551.038 Proposed capital improvement.—If a permitholder
2199 licensed under this part proposes a capital improvement to a
2200 pari-mutuel facility existing on June 23, 1981, which capital
2201 improvement requires, pursuant to any municipal or county
2202 ordinance, resolution, or regulation, the qualification or
2203 approval of the municipality or county in which the permitholder
2204 conducts its business operations, the capital improvement shall
2205 be approved. Such permitholder must pay the municipality or
2206 county the cost of a building permit, and the improvement must
2207 be contiguous to or within the existing pari-mutuel facility
2208 site. However, the municipality or county shall deny approval of
2209 the capital improvement if the municipality or county can show
2210 that the proposed improvement presents a justifiable and

2211 immediate hazard to the health and safety of municipal or county
 2212 residents or if the improvement qualifies as a development of
 2213 regional impact as defined in s. 380.06.

2214 Section 41. Effective October 1, 2014, section 551.039,
 2215 Florida Statutes, is created to read:

2216 551.039 Charity and scholarship days; derbies.-

2217 (1) The commission may, upon the request of any licensee,
 2218 authorize the licensee to hold up to five charity or scholarship
 2219 days in addition to the regular racing or game days authorized
 2220 by law.

2221 (2) The commission shall maintain a list of charities
 2222 approved to receive the proceeds of charity and scholarship
 2223 performances. The commission shall not approve any charity that
 2224 fails to provide evidence of compliance with chapter 496 and
 2225 possession of a valid exemption from federal taxation issued by
 2226 the Internal Revenue Service. The authorized list must include
 2227 the Racing Scholarship Trust Fund, the Historical Resources
 2228 Operating Trust Fund, major state and private institutions of
 2229 higher learning, and Florida community colleges.

2230 (3) The licensee shall, within 120 days after the
 2231 conclusion of its fiscal year, pay to the authorized charities
 2232 the total of all profits derived from the operation of the
 2233 charity or scholarship day performances conducted. If charity or
 2234 scholarship days are operated on behalf of another licensee
 2235 pursuant to law, the licensee entitled to distribute the
 2236 proceeds shall distribute the proceeds to charity within 30 days

2237 after the actual receipt of the proceeds.

2238 (4) The total of all profits derived from the conduct of a
 2239 charity or scholarship day performance must include all revenues
 2240 derived from the conduct of that performance, including all
 2241 state taxes that would otherwise be due to the state, except
 2242 that the daily license fee as provided in ss. 551.043(2),
 2243 551.053(2), 551.0543(2), 551.0553(1), and 551.063(2) and the
 2244 breaks for the promotional trust funds as provided in ss.
 2245 551.0523(2), 551.0542(2), 551.0552(2), and 551.056(1) and (2)
 2246 shall be paid to the department. All other revenues from the
 2247 charity or scholarship performance, including the commissions,
 2248 breaks, and admissions and the revenues from parking, programs,
 2249 and concessions, shall be included in the total of all profits.

2250 (5) In determining profit, the licensee may elect to
 2251 distribute as proceeds only the amount equal to the state tax
 2252 that would otherwise be paid to the state if the charity or
 2253 scholarship day were conducted as a regular or matinee
 2254 performance.

2255 (6) (a) The commission may authorize one additional
 2256 scholarship day for horseracing in addition to the regular
 2257 racing days authorized by this part and any additional days
 2258 authorized by this section, to be conducted at all horse tracks
 2259 located in Hillsborough County.

2260 (b) The funds derived from the operation of the additional
 2261 scholarship day shall be allocated as provided in this section
 2262 and paid to Pasco-Hernando Community College.

2263 (7) In addition to the charity or scholarship days
 2264 authorized by this section, any greyhound racing permitholder
 2265 may allow its facility to be used for conducting "hound dog
 2266 derbies" or "mutt derbies" on any day during each racing season
 2267 by any charitable, civic, or nonprofit organization for the
 2268 purpose of conducting "hound dog derbies" or "mutt derbies" if
 2269 only dogs other than greyhounds are permitted to race and if
 2270 adults and minors are allowed to participate as dog owners or
 2271 spectators. During these racing events, betting, gambling, and
 2272 the sale or use of alcoholic beverages are prohibited.

2273 (8) In addition to the eligible charities that meet the
 2274 criteria set forth in this section, a jai alai licensee may
 2275 conduct two additional charity performances each fiscal year for
 2276 a fund to benefit retired jai alai players. This performance
 2277 shall be known as the "Retired Jai Alai Players Charity Day."
 2278 The administration of this fund shall be determined by rule by
 2279 the department.

2280 Section 42. Effective October 1, 2014, section 551.042,
 2281 Florida Statutes, is created to read:

2282 551.042 Greyhound racing; purse requirements.-

2283 (1) For a greyhound racing permitholder, a full schedule
 2284 of live events is a combination of at least 100 live evening or
 2285 matinee performances during the state fiscal year.

2286 (2) The department shall determine for each greyhound
 2287 racing permitholder the annual purse percentage rate of live
 2288 handle for the 1993-1994 state fiscal year by dividing total

2289 purses paid on live handle by the permitholder, exclusive of
 2290 payments made from outside sources, during the 1993-1994 state
 2291 fiscal year by the permitholder's live handle for the 1993-1994
 2292 state fiscal year. Each permitholder shall pay as purses for
 2293 live races conducted during its current race meet a percentage
 2294 of its live handle not less than the percentage determined under
 2295 this subsection, exclusive of payments made by outside sources,
 2296 for its 1993-1994 state fiscal year.

2297 (3) Except as otherwise set forth in this section, in
 2298 addition to the minimum purse percentage required under
 2299 subsection (2), each permitholder shall pay as purses an annual
 2300 amount equal to 75 percent of the daily license fees paid by
 2301 each permitholder for the 1994-1995 fiscal year. This purse
 2302 supplement shall be disbursed weekly during the permitholder's
 2303 race meet in an amount determined by dividing the annual purse
 2304 supplement by the number of performances approved for the
 2305 permitholder pursuant to its annual license and multiplying that
 2306 amount by the number of performances conducted each week. The
 2307 additional purses provided by this subsection must be used
 2308 exclusively for purses other than stakes. The department shall
 2309 conduct audits necessary to ensure compliance with this section.

2310 (4) (a) Each greyhound racing licensee, when conducting at
 2311 least three live performances during any week, shall pay purses
 2312 in that week on wagers it accepts as a guest facility on
 2313 intertrack and simulcast greyhound races at the same rate as it
 2314 pays on live races. Each greyhound racing licensee, when

2315 conducting at least three live performances during any week,
2316 shall pay purses in that week, at the same rate as it pays on
2317 live races, on wagers accepted on greyhound races at a guest
2318 facility that is not conducting live racing and that is located
2319 within the same market area as the greyhound racing licensee
2320 conducting at least three live performances during any week.

2321 (b) Each host greyhound racing licensee shall pay purses
2322 on its simulcast and intertrack broadcasts of greyhound races to
2323 guest facilities that are located outside its market area in an
2324 amount equal to one quarter of an amount determined by
2325 subtracting the transmission costs of sending the simulcast or
2326 intertrack broadcasts from an amount determined by adding the
2327 fees received for greyhound simulcast races plus 3 percent of
2328 the greyhound intertrack handle at guest facilities that are
2329 located outside the market area of the host and that paid
2330 contractual fees to the host for such broadcasts of greyhound
2331 races.

2332 (5) In addition to the purse requirements of subsections
2333 (2)-(4), each greyhound racing permitholder shall pay as purses
2334 an amount equal to one-third of the amount of the tax reduction
2335 on live and simulcast handle applicable to such permitholder as
2336 a result of the reductions in tax rates provided through s.
2337 551.043(4). With respect to intertrack wagering when the host
2338 and guest facilities are greyhound racing permitholders not
2339 within the same market area, an amount equal to the tax
2340 reduction applicable to the guest facility handle as a result of

2341 the reduction in tax rate provided through s. 551.043(5) shall
2342 be distributed to the guest facility, one-third of which amount
2343 shall be paid as purses at the guest facility. However, if the
2344 guest facility is a greyhound racing permitholder within the
2345 market area of the host or if the guest facility is not a
2346 greyhound racing permitholder, an amount equal to such tax
2347 reduction applicable to the guest facility handle shall be
2348 retained by the host facility, one-third of which amount shall
2349 be paid as purses at the host facility. These purse funds shall
2350 be disbursed in the week received if the permitholder conducts
2351 at least one live performance during that week. If the
2352 permitholder does not conduct at least one live performance
2353 during the week in which the purse funds are received, the purse
2354 funds shall be disbursed weekly during the permitholder's next
2355 race meet in an amount determined by dividing the purse amount
2356 by the number of performances approved for the permitholder
2357 pursuant to its annual license and multiplying that amount by
2358 the number of performances conducted each week. The department
2359 shall conduct audits as necessary to ensure compliance with this
2360 section.

2361 (6) Each greyhound racing licensee shall, during the
2362 licensee's race meet, supply kennel operators and the department
2363 with a weekly report showing purses paid on live greyhound races
2364 and all greyhound intertrack and simulcast broadcasts, including
2365 both as a guest and a host together with the handle or
2366 commission calculations on which such purses were paid and the

2367 transmission costs of sending the simulcast or intertrack
2368 broadcasts, so that the kennel operators may determine statutory
2369 and contractual compliance.

2370 (7) Each greyhound racing licensee shall make direct
2371 payment of purses to the greyhound owners who have filed with
2372 such licensee appropriate federal taxpayer identification
2373 information based on the percentage amount agreed upon between
2374 the kennel operator and the greyhound owner.

2375 (8) At the request of a majority of kennel operators under
2376 contract with a greyhound racing licensee, the licensee shall
2377 make deductions from purses paid to each kennel operator
2378 electing such deduction and shall make a direct payment of such
2379 deductions to the local association of greyhound kennel
2380 operators formed by a majority of kennel operators under
2381 contract with the licensee. The amount of the deduction shall be
2382 at least 1 percent of purses as determined by the local
2383 association of greyhound kennel operators. A deduction may not
2384 be taken pursuant to this subsection without a kennel operator's
2385 specific approval.

2386 Section 43. Effective October 1, 2014, section 551.043,
2387 Florida Statutes, is created to read:

2388 551.043 Greyhound racing; taxes and fees.—

2389 (1) FINDINGS.—

2390 (a) The Legislature finds that the operation of a
2391 greyhound race track and legalized pari-mutuel betting at
2392 greyhound race tracks in this state is a privilege and is an

2393 operation that requires strict supervision and regulation in the
 2394 best interests of the state. Pari-mutuel wagering at greyhound
 2395 race tracks in this state is a substantial business, and taxes
 2396 derived from wagering constitute part of the tax structures of
 2397 the state and the counties. The operators of greyhound race
 2398 tracks should pay their fair share of taxes to the state but
 2399 should not be taxed to such an extent as to cause a track that
 2400 is operated under sound business principles to be forced out of
 2401 business.

2402 (b) A permitholder that conducts greyhound racing under
 2403 this part must pay the daily license fee, the admission tax, the
 2404 breaks tax, and the tax on pari-mutuel handle and is subject to
 2405 all penalties and sanctions provided in s. 551.033(2).

2406 (2) DAILY LICENSE FEE.— Each licensed permitholder engaged
 2407 in the business of conducting greyhound race meetings shall pay
 2408 to the department, for the use of the department, a daily
 2409 license fee on each live or simulcast pari-mutuel event of \$80
 2410 for each greyhound race conducted at the licensee's racetrack.
 2411 Each permitholder shall pay daily license fees not to exceed
 2412 \$500 per day on any simulcast event on which such permitholder
 2413 accepts wagers regardless of the number of out-of-state events
 2414 taken or the number of out-of-state locations from which such
 2415 events are taken. The daily license fees shall be remitted to
 2416 the Chief Financial Officer for deposit into the Gaming Control
 2417 Trust Fund.

2418 (3) ADMISSION TAX.—An admission tax equal to the greater

2419 of 15 percent of the admission charge for entrance to the
 2420 permitholder's facility and grandstand area or 10 cents is
 2421 imposed on each person attending a greyhound race. The
 2422 permitholder is responsible for collecting the admission tax.

2423 (4) TAX ON LIVE HANDLE.—Each licensee shall pay a tax on
 2424 live handle from races conducted by the licensee. The tax is
 2425 imposed daily and is based on the total contributions to all
 2426 pari-mutuel pools conducted during the daily live performance.
 2427 If a licensee conducts more than one live performance daily, the
 2428 tax is imposed on each live performance separately.

2429 (a) The tax on live handle for greyhound racing
 2430 performances is 5.5 percent of the handle.

2431 (b) Notwithstanding paragraph (a), the tax on live handle
 2432 for charity or scholarship greyhound racing performances held
 2433 pursuant to s. 551.039 is 7.6 percent of the handle.

2434 (5) TAX ON HANDLE FROM INTERTRACK WAGERING.—If the host
 2435 facility is a greyhound race track, the tax on handle for
 2436 intertrack wagering is 5.5 percent of the handle with the
 2437 following exceptions:

2438 (a) On broadcasts of charity or scholarship performances
 2439 held pursuant to s. 551.039, if the guest facility is a
 2440 greyhound race track located within the market area of the host
 2441 facility, the tax on handle for intertrack wagering at the guest
 2442 greyhound race track is 7.6 percent of the handle.

2443 (b) If the guest facility is located outside the market
 2444 area of the host facility and within the market area of a

2445 thoroughbred racing licensee currently conducting a live race
2446 meet, the tax on handle for intertrack wagering is 0.5 percent
2447 of the handle.

2448 (c) If the guest facility is a greyhound race track
2449 located in an area of the state in which there are only three
2450 permitholders, all of which are greyhound permitholders, located
2451 in three contiguous counties, on events received from a
2452 greyhound racing permitholder also located within such area, the
2453 tax on handle for intertrack wagering is 3.9 percent of the
2454 handle.

2455 (d) If the guest facility is a greyhound race track
2456 located as specified in s. 551.073(8), on events received from a
2457 greyhound racing permitholder located within the same market
2458 area, the tax on handle for intertrack wagering is 3.9 percent
2459 of the handle.

2460 (6) ABANDONED CONTRIBUTIONS TO OR INTEREST IN PARI-MUTUEL
2461 POOLS.—All money or other property represented by any unclaimed,
2462 uncashed, or abandoned pari-mutuel ticket which has remained in
2463 the custody of or under the control of any permitholder
2464 authorized to conduct greyhound racing pari-mutuel pools in this
2465 state for a period of 1 year after the date the pari-mutuel
2466 ticket was issued, if the rightful owner or owners thereof have
2467 made no claim or demand for such money or other property within
2468 that 1-year period, shall, with respect to live races conducted
2469 by the permitholder, be remitted to the state pursuant to s.
2470 551.036.

2471 (7) TAX CREDITS.—
 2472 (a) Each greyhound racing permitholder shall receive in
 2473 the current state fiscal year a tax credit equal to the number
 2474 of live greyhound races conducted in the preceding state fiscal
 2475 year multiplied by the daily license fee per race as specified
 2476 in subsection (2) for the preceding state fiscal year. This tax
 2477 credit applies to any tax imposed by this part or the daily
 2478 license fees imposed by this part except during any charity or
 2479 scholarship performances conducted pursuant to s. 551.039.
 2480 (b) A greyhound racing permitholder may receive a tax
 2481 credit equal to the actual amount remitted to the state in the
 2482 preceding state fiscal year pursuant to subsection (6) with
 2483 respect to live races. The credit may be applied against any
 2484 taxes imposed under this part. Each such greyhound racing
 2485 permitholder shall pay, from any source, including the proceeds
 2486 from performances conducted pursuant to s. 551.039, an amount
 2487 not less than 10 percent of the amount of the credit provided by
 2488 this paragraph to any organization that promotes or encourages
 2489 adoption of greyhounds, provides evidence of compliance with
 2490 chapter 496, and possesses a valid exemption from federal
 2491 taxation issued by the Internal Revenue Service. Such
 2492 organization must, as a condition of adoption, provide
 2493 sterilization of greyhounds by a licensed veterinarian before
 2494 giving custody of the greyhound to the adopter. The fee for
 2495 sterilization may be included in the cost of adoption.
 2496 (c)1. After providing written notice to the commission, a

2497 permitholder unable to use the full amount of the exemption
 2498 provided in paragraph (8) (c) or the daily license fee credit
 2499 provided in this subsection may elect once per state fiscal
 2500 year, on a form provided by the department, to transfer such
 2501 exemption or credit or any portion thereof to any greyhound
 2502 racing permitholder that acts as a host facility to such
 2503 permitholder for the purpose of intertrack wagering. Once an
 2504 election to transfer such exemption or credit is filed with the
 2505 commission, it may not be rescinded. The commission may not
 2506 approve the transfer if:

2507 a. The amount of the exemption or credit or portion
 2508 thereof is unavailable to the transferring permitholder; or

2509 b. The permitholder who is entitled to transfer the
 2510 exemption or credit or who is entitled to receive the exemption
 2511 or credit owes taxes to the state pursuant to a deficiency
 2512 letter or administrative complaint issued by the commission.

2513 2. Upon approval of the transfer by the commission, the
 2514 transferred tax exemption or credit shall be effective for the
 2515 first performance of the next payment period as specified in s.
 2516 551.033(1). The exemption or credit transferred to such host
 2517 facility may be applied by the host facility against any taxes
 2518 imposed by this part or daily license fees imposed by this part.
 2519 The greyhound racing permitholder host facility to which such
 2520 exemption or credit is transferred shall reimburse such
 2521 permitholder the exact monetary value of such transferred
 2522 exemption or credit as actually applied against the taxes and

2523 daily license fees of the host facility.

2524 3. The department shall ensure that all transfers of
 2525 exemption or credit are made in accordance with this subsection
 2526 and may adopt rules to implement this section.

2527 (8) TAX EXEMPTIONS.—

2528 (a) An admission tax under this part or chapter 212 may
 2529 not be imposed on any free passes or complimentary cards issued
 2530 to persons for which there is no cost to the person for
 2531 admission to pari-mutuel events.

2532 (b) A permitholder may issue tax-free passes to its
 2533 officers, officials, and employees; to other persons actually
 2534 engaged in working at the facility, including accredited press
 2535 representatives such as reporters and editors; and to other
 2536 permitholders for the use of their officers and officials. The
 2537 permitholder shall file with the department a list of all
 2538 persons to whom tax-free passes are issued under this paragraph.

2539 (c) A permitholder shall pay no tax on handle until such
 2540 time as this paragraph has resulted in a tax savings per state
 2541 fiscal year of \$360,000. Thereafter, each permitholder shall pay
 2542 the tax as specified in subsections (4) and (5) on all handle
 2543 for the remainder of the permitholder's current race meet. For
 2544 the three permitholders that conducted a full schedule of live
 2545 racing in 1995 and that are closest to another state that
 2546 authorizes greyhound pari-mutuel wagering, the maximum tax
 2547 savings per state fiscal year shall be \$500,000. The provisions
 2548 of this paragraph relating to tax exemptions do not apply to any

2549 charity or scholarship performances conducted pursuant to s.
 2550 551.039.

2551 Section 44. Effective October 1, 2014, section 551.045,
 2552 Florida Statutes, is created to read:

2553 551.045 Greyhound adoptions.—

2554 (1) Each greyhound racing permitholder operating a
 2555 greyhound racing facility in this state shall provide for a
 2556 greyhound adoption booth to be located at the facility. The
 2557 greyhound adoption booth must be operated on weekends by
 2558 personnel or volunteers from an organization that promotes or
 2559 encourages the adoption of greyhounds and meets the requirements
 2560 for such organization specified in s. 551.043. As used in this
 2561 section, the term "weekend" includes the hours during which live
 2562 greyhound racing is conducted on Friday, Saturday, or Sunday.
 2563 Information pamphlets and application forms shall be provided to
 2564 the public upon request. The kennel operator or owner shall
 2565 notify the permitholder that a greyhound is available for
 2566 adoption, and the permitholder shall provide information
 2567 concerning the adoption of a greyhound in each race program and
 2568 shall post adoption information at conspicuous locations
 2569 throughout the greyhound racing facility. Any greyhound
 2570 participating in a race which will be available for future
 2571 adoption must be noted in the race program. The permitholder
 2572 shall allow greyhounds to be walked through the track facility
 2573 to publicize the greyhound adoption program.

2574 (2) In addition to the charity days authorized under s.

2575 551.039, a greyhound racing permitholder may fund the greyhound
2576 adoption program by holding a charity racing day designated as
2577 "Greyhound Adopt-A-Pet Day." All profits derived from the
2578 operation of the charity day must be placed into a fund used to
2579 support activities at the racing facility which promote the
2580 adoption of greyhounds. The department may adopt rules for
2581 administering the fund. Proceeds from the charity day authorized
2582 in this subsection may not be used as a source of funds for the
2583 purposes set forth in s. 551.043.

2584 (3) The commission may impose a penalty as provided in s.
2585 551.0013(1)(h) for a violation of this section by a permitholder
2586 or licensee and require the permitholder or licensee to take
2587 corrective action.

2588 Section 45. Effective October 1, 2014, section 551.0511,
2589 Florida Statutes, is created to read:

2590 551.0511 Horseracing; purse requirement; breeder and owner
2591 awards.-

2592 (1) The Legislature finds that the purse structure and the
2593 availability of breeder awards are important factors in
2594 attracting the entry of well-bred horses in race meets in this
2595 state, which in turn helps to produce maximum racing revenues
2596 for the state and the counties.

2597 (2) Each licensee conducting a horserace meet must pay
2598 from the takeout withheld on pari-mutuel pools a sum for purses
2599 in accordance with the type of race performed.

2600 (3) (a) Takeout may be used for the payment of awards to

2601 owners of registered Florida-bred horses placing first in a
2602 claiming race, an allowance race, a maiden special race, or a
2603 stakes race in which the announced purse, exclusive of entry and
2604 starting fees and added moneys, does not exceed \$40,000.

2605 (b) The licensee shall determine for each qualified race
2606 the amount of the owner award for which a registered Florida-
2607 bred horse will be eligible. The amount of the available owner
2608 award shall be established in the same manner in which purses
2609 are established and shall be published in the condition book for
2610 the period during which the race is to be conducted. A single
2611 award may not exceed 50 percent of the gross purse for the race
2612 won.

2613 (c) If the moneys generated under paragraph (a) during the
2614 meet exceed owner awards earned during the meet, the excess
2615 funds shall be held in a separate interest-bearing account, and
2616 the total interest and principal shall be used to increase the
2617 owner awards during the licensee's next meet.

2618 (d) Breeder awards for thoroughbred racing and harness
2619 racing authorized by ss. 551.0523(2) and 551.0542(2) may not be
2620 paid on owner awards.

2621 (e) This subsection governs only those owner awards paid
2622 on thoroughbred races in this state unless a written agreement
2623 is filed with the department which establishes the rate,
2624 procedures, and eligibility requirements for owner awards,
2625 including place of finish, class of race, maximum purse, and
2626 maximum award and the agreement is entered into by the licensee,

2627 the Florida Thoroughbred Breeders' and Owners' Association, and
 2628 the association representing a majority of the racehorse owners
 2629 and trainers at the permitholder's location.

2630 (4) The department shall adopt reasonable rules to ensure
 2631 the timely and accurate payment of all amounts withheld by
 2632 horseracing licensees regarding the distribution of purses,
 2633 owner awards, and other amounts collected for payment to owners
 2634 and breeders. Each licensee that fails to pay out all moneys
 2635 collected for payment to owners and breeders shall, within 10
 2636 days after the end of the meet during which the licensee
 2637 underpaid, deposit an amount equal to the underpayment into a
 2638 separate interest-bearing account to be distributed to owners
 2639 and breeders in accordance with department rules.

2640 Section 46. Effective October 1, 2014, section 551.0512,
 2641 Florida Statutes, is created to read:

2642 551.0512 Breeder awards.—

2643 (1) The purpose of this section is to encourage the
 2644 agricultural activity of breeding and training racehorses in
 2645 this state. Moneys dedicated in this part for use as breeder
 2646 awards and stallion awards are to be used for awards to breeders
 2647 of registered Florida-bred horses winning horseraces and for
 2648 similar awards to the owners of stallions who sired Florida-bred
 2649 horses winning stakes races, if the stallions are registered as
 2650 Florida stallions standing in this state. The awards shall be
 2651 given at a uniform rate to all winners of the awards. Such
 2652 awards may not be greater than 20 percent or less than 15

2653 percent of the announced gross purse if funds are available. No
2654 less than 17 percent and no more than 40 percent, as determined
2655 by the Florida Thoroughbred Breeders' and Owners' Association,
2656 of the moneys dedicated in this part for use as breeder awards
2657 and stallion awards for thoroughbreds shall be returned pro rata
2658 to the licensees that generated the moneys for special racing
2659 awards and shall be distributed by the licensees to owners of
2660 thoroughbred horses participating in prescribed thoroughbred
2661 stakes races, nonstakes races, or both, pursuant to a written
2662 agreement establishing the rate, procedure, and eligibility
2663 requirements for such awards entered into by the licensee, the
2664 Florida Thoroughbred Breeders' and Owners' Association, and the
2665 Florida Horsemen's Benevolent and Protective Association, Inc.
2666 However, the plan for the distribution by any licensee located
2667 in the area described in s. 551.073(8) shall be agreed upon by
2668 that licensee, the Florida Thoroughbred Breeders' and Owners'
2669 Association, and the association representing a majority of the
2670 thoroughbred racehorse owners and trainers at that location.
2671 Awards for thoroughbred races are to be paid through the Florida
2672 Thoroughbred Breeders' and Owners' Association, and awards for
2673 standardbred races are to be paid through the Florida
2674 Standardbred Breeders and Owners Association. Among other
2675 sources specified in this part, moneys for thoroughbred breeder
2676 awards will come from the 0.955 percent of handle for
2677 thoroughbred races conducted, received, broadcast, or simulcast
2678 under this part as provided in s. 551.0523(2). The moneys for

2679 quarter horse and harness horse breeder awards will come from
2680 the breaks and uncashed tickets on live quarter horse and
2681 harness racing performances and 1 percent of handle on
2682 intertrack wagering. The funds for the breeder awards shall be
2683 paid to the respective breeder associations by the licensees
2684 conducting the races.

2685 (2) Each breeder association shall develop a plan each
2686 year that will provide for a uniform rate of payment and
2687 procedure for breeder and stallion awards. The plan for payment
2688 of breeder and stallion awards may set a cap on winnings and may
2689 limit, exclude, or defer payments on certain classes of races,
2690 such as the Florida stallion stakes races, in order to ensure
2691 that there are adequate revenues to meet the proposed uniform
2692 rate. Priority shall be placed on imposing such restrictions in
2693 lieu of allowing the uniform rate for breeder and stallion
2694 awards to be less than 15 percent of the total purse payment.
2695 The plan must provide for the maximum possible payments within
2696 revenues.

2697 (3) Breeder associations shall submit their plans to the
2698 department at least 60 days before the beginning of the payment
2699 year. The payment year may be a calendar year or any 12-month
2700 period, but once established, the payment year may not be
2701 changed except for compelling reasons. Once a plan is approved,
2702 the department may not allow the plan to be amended during the
2703 year except for the most compelling reasons.

2704 (4) Funds in the breeder association special payment

2705 account may not be allowed to grow excessively; however, payment
 2706 each year is not required to equal receipts each year. The rate
 2707 each year shall be adjusted to compensate for changing revenues
 2708 from year to year.

2709 (5) (a) The awards programs in this part are intended to
 2710 encourage thoroughbred breeding and training operations to
 2711 locate in this state and must be responsive to rapidly changing
 2712 incentive programs in other states. To attract such operations,
 2713 it is appropriate to provide greater flexibility to thoroughbred
 2714 industry participants in this state so that they may design
 2715 competitive awards programs.

2716 (b) Notwithstanding any other provision of law, the
 2717 Florida Thoroughbred Breeders' and Owners' Association, as part
 2718 of its annual plan, may:

2719 1. Pay breeder awards on horses finishing in first,
 2720 second, or third place in thoroughbred races; pay breeder awards
 2721 that are greater than 20 percent and less than 15 percent of the
 2722 announced gross purse; and vary the rates for breeder awards
 2723 based on the place of finish, class of race, state or country in
 2724 which the race took place, and state in which the stallion
 2725 siring the horse was standing when the horse was conceived.

2726 2. Pay stallion awards on horses finishing in first,
 2727 second, or third place in thoroughbred races; pay stallion
 2728 awards that are greater than 20 percent and less than 15 percent
 2729 of the announced gross purse; reduce or eliminate stallion
 2730 awards to enhance breeder awards or awards under subparagraph

2731 3.; and vary the rates for stallion awards based on the place of
 2732 finish, class of race, and state or country in which the race
 2733 took place.

2734 3. Pay awards from the funds dedicated for breeder awards
 2735 and stallion awards to owners of registered Florida-bred horses
 2736 finishing in first, second, or third place in thoroughbred races
 2737 in this state without regard to any awards paid pursuant to s.
 2738 551.0511(3).

2739 (c) Breeder awards or stallion awards under this part may
 2740 not be paid on thoroughbred races taking place in other states
 2741 or countries unless agreed to in writing by all thoroughbred
 2742 racing permitholders in this state, the Florida Thoroughbred
 2743 Breeders' and Owners' Association, and the Florida Horsemen's
 2744 Benevolent and Protective Association, Inc.

2745 Section 47. Effective October 1, 2014, section 551.0521,
 2746 Florida Statutes, is created to read:

2747 551.0521 Thoroughbred racing; operations.-

2748 (1) For a thoroughbred racing permitholder, a full
 2749 schedule of live events is at least 40 live regular wagering
 2750 performances during the state fiscal year.

2751 (2) A thoroughbred racing licensee may not begin any race
 2752 later than 7 p.m.

2753 (3) (a) Each thoroughbred racing licensee in this state
 2754 must run an average of one race per racing day in which horses
 2755 bred in this state and duly registered with the Florida
 2756 Thoroughbred Breeders' and Owners' Association have preference

2757 as entries over non-Florida-bred horses unless otherwise agreed
2758 to in writing by the licensee, the Florida Thoroughbred
2759 Breeders' and Owners' Association, and the association
2760 representing a majority of the thoroughbred racehorse owners and
2761 trainers at that location. All licensed thoroughbred tracks
2762 shall write the conditions for such races in which Florida-bred
2763 horses are preferred so as to ensure that all Florida-bred
2764 horses available for racing at such tracks are given full
2765 opportunity to run in the class of races for which they are
2766 qualified. The opportunity of running must be afforded to each
2767 class of horses in the proportion that the number of horses in
2768 such class bears to the total number of Florida-bred horses
2769 available. A track is not required to write conditions for a
2770 race to accommodate a class of horses for which a race would
2771 otherwise not be run at the track during its meet.

2772 (b) Each thoroughbred racing licensee in this state may
2773 run one additional race per racing day composed exclusively of
2774 Arabian horses registered with the Arabian Horse Registry of
2775 America. A thoroughbred racing licensee that elects to run one
2776 additional such race per racing day is not required to provide
2777 stables for the Arabian horses racing under this paragraph.

2778 (c) Each thoroughbred racing licensee in this state may
2779 run up to three additional races per racing day composed
2780 exclusively of quarter horses registered with the American
2781 Quarter Horse Association.

2782 Section 48. Effective October 1, 2014, section 551.0523,

2783 Florida Statutes, is created to read:

2784 551.0523 Thoroughbred racing; purses and awards.—

2785 (1) PURSES.—

2786 (a) A licensee conducting a thoroughbred race meet must
 2787 pay from the takeout withheld at least 7.75 percent of all
 2788 contributions to pari-mutuel pools conducted during the race
 2789 meet as purses.

2790 1. In addition to the 7.75-percent minimum purse payment,
 2791 licensees conducting live thoroughbred racing performances must
 2792 pay as additional purses:

2793 a. For performances conducted during the period beginning
 2794 January 3 and ending March 16, 0.625 percent of live handle.

2795 b. For performances conducted during the period beginning
 2796 March 17 and ending May 22, 0.225 percent of live handle.

2797 c. For performances conducted during the period beginning
 2798 May 23 and ending January 2, 0.85 percent of live handle.

2799 2. Any thoroughbred racing licensee whose total handle on
 2800 live performances during the 1991-1992 state fiscal year was not
 2801 greater than \$34 million is not subject to the additional purse
 2802 payment under subparagraph 1.

2803 3. A licensee authorized to conduct thoroughbred racing
 2804 may withhold from the handle an additional 1 percent of exotic
 2805 pools for use as owner awards and 2 percent of exotic pools for
 2806 use as overnight purses. A licensee may not withhold more than
 2807 20 percent from the handle unless the licensee withholds the
 2808 amounts set forth in this subsection.

2809 (b) An amount equal to 8.5 percent of the purse account
2810 generated through intertrack wagering and interstate
2811 simulcasting will be used for Florida owner awards as set forth
2812 in subsection (2). Any thoroughbred racing licensee with an
2813 average blended takeout that does not exceed 20 percent and with
2814 an average daily purse distribution, excluding sponsorship,
2815 entry fees, and nominations, exceeding \$225,000 is exempt from
2816 this paragraph.

2817 (2) AWARDS.—Each horseracing licensee conducting any
2818 thoroughbred racing, including any intertrack race taken
2819 pursuant to ss. 551.073-551.075 or any interstate simulcast
2820 taken pursuant to s. 551.072(3), shall pay a sum equal to 0.955
2821 percent of all pari-mutuel pools conducted during any such race
2822 for the payment of breeder, stallion, or special racing awards
2823 as authorized in this part. This subsection also applies to all
2824 Breeder's Cup races conducted outside this state taken pursuant
2825 to s. 551.072(3). For any race originating live in this state
2826 which is broadcast out-of-state to any location at which wagers
2827 are accepted pursuant to s. 551.072(2), the host facility shall
2828 pay 3.475 percent of the gross revenue derived from such out-of-
2829 state broadcasts as breeder, stallion, or special racing awards.
2830 The Florida Thoroughbred Breeders' and Owners' Association may
2831 receive these payments from the licensees and make payments of
2832 awards earned. The Florida Thoroughbred Breeders' and Owners'
2833 Association may withhold up to 10 percent of the licensee's
2834 payments under this section as a fee for administering the

2835 payments of awards and for general promotion of the industry.
2836 The licensee shall remit these payments to the Florida
2837 Thoroughbred Breeders' and Owners' Association by the 5th day of
2838 each calendar month for such sums accruing during the preceding
2839 calendar month and shall report such payments to the department
2840 as required by the department. Breeder awards authorized by this
2841 subsection may not be paid on owner awards. With the exception
2842 of the 10-percent fee, the moneys paid by licensees shall be
2843 maintained in a separate, interest-bearing account, and such
2844 payments, together with any interest earned, shall be used
2845 exclusively for the payment of breeder, stallion, or special
2846 racing awards in accordance with the following:

2847 (a) Breeder awards.—

2848 1. The breeder of each Florida-bred thoroughbred winning a
2849 thoroughbred race is entitled to an award of up to, but not
2850 exceeding, 20 percent of the announced gross purse, including
2851 nomination fees, eligibility fees, starting fees, supplementary
2852 fees, and moneys added by the sponsor of the race.

2853 2. The breeder of a Florida-bred thoroughbred is eligible
2854 to receive a breeder award if the horse is registered as a
2855 Florida-bred horse with the Florida Thoroughbred Breeders' and
2856 Owners' Association and if the Jockey Club certificate for the
2857 horse shows that it is duly registered as a Florida-bred horse
2858 as evidenced by the seal and the proper serial number assigned
2859 by the Florida Thoroughbred Breeders' and Owners' Association
2860 registry. The Florida Thoroughbred Breeders' and Owners'

2861 Association may charge the registrant a reasonable fee for the
2862 verification and registration.

2863 (b) Stallion awards.—

2864 1. The owner of the sire of a Florida-bred thoroughbred
2865 that wins a stakes race is entitled to a stallion award of up to
2866 20 percent of the announced gross purse, including nomination
2867 fees, eligibility fees, starting fees, supplementary fees, and
2868 moneys added by the sponsor of the race.

2869 2. The owner of the sire of a thoroughbred winning a
2870 stakes race is eligible to receive a stallion award if:

2871 a. The stallion was registered with the Florida
2872 Thoroughbred Breeders' and Owners' Association;

2873 b. The breeding of the registered Florida-bred horse
2874 occurred in this state; and

2875 c. The stallion is standing permanently in this state
2876 between February 1 and June 15 of each year, or, if the stallion
2877 has died, stood permanently in this state for at least 1 year
2878 immediately before its death.

2879 3. If a stallion is removed from this state between
2880 February 1 and June 15 of any year for any reason other than for
2881 prescribed medical treatment approved by the Florida
2882 Thoroughbred Breeders' and Owners' Association, the owner of the
2883 stallion is not eligible to receive a stallion award for
2884 offspring sired before removal. However, if a removed stallion
2885 is returned to this state, the owner of the stallion is eligible
2886 to receive stallion awards, but only for those offspring sired

2887 after the stallion returned to this state.

2888 4. The Florida Thoroughbred Breeders' and Owners'

2889 Association shall maintain a record of all of the following:

2890 a. The date the stallion arrived in this state for the

2891 first time.

2892 b. Whether the stallion permanently remained in this

2893 state.

2894 c. The location of the stallion.

2895 d. Whether the stallion is still standing in this state.

2896 e. Awards earned, received, and distributed.

2897 5. The association may charge the owner or breeder a

2898 reasonable fee for services rendered under this paragraph.

2899 (c) Special racing awards.—The owner of a thoroughbred

2900 participating in thoroughbred stakes races, nonstakes races, or

2901 both may receive a special racing award in accordance with the

2902 agreement established pursuant to s. 551.0512(1).

2903 (d) Reporting and recordkeeping.—

2904 1. A licensee conducting a thoroughbred race shall, within

2905 30 days after the end of the race meet during which the race is

2906 conducted, certify to the Florida Thoroughbred Breeders' and

2907 Owners' Association such information relating to the

2908 thoroughbred winning a stakes or other horserace at the meet as

2909 may be required to determine the eligibility for payment of

2910 breeder, stallion, and special racing awards.

2911 2. The Florida Thoroughbred Breeders' Association shall

2912 maintain complete records showing the starters and winners in

2913 all races conducted at thoroughbred tracks in this state and
2914 records showing awards earned, received, and distributed. The
2915 association may charge the owner or breeder a reasonable fee for
2916 this service.

2917 (e) Rates and procedures.—The Florida Thoroughbred
2918 Breeders' and Owners' Association shall annually establish a
2919 uniform rate and procedure plan for the payment of breeder and
2920 stallion awards and shall make breeder and stallion award
2921 payments in strict compliance with the established uniform rate
2922 and procedure plan. The plan may set a cap on winnings and may
2923 limit, exclude, or defer payments to certain classes of races,
2924 such as the Florida stallion stakes races, in order to ensure
2925 that there are adequate revenues to meet the proposed uniform
2926 rate. Such plan must include proposals for the general promotion
2927 of the industry. Priority shall be placed upon imposing such
2928 restrictions in lieu of allowing the uniform rate to be less
2929 than 15 percent of the total purse payment. The uniform rate and
2930 procedure plan must be approved by the commission before
2931 implementation. In the absence of an approved plan and
2932 procedure, the authorized rate for breeder and stallion awards
2933 is 15 percent of the announced gross purse for each race. Such
2934 purse must include nomination fees, eligibility fees, starting
2935 fees, supplementary fees, and moneys added by the sponsor of the
2936 race. If the funds in the account for payment of breeder and
2937 stallion awards are not sufficient to meet all earned breeder
2938 and stallion awards, those breeders and stallion owners not

2939 receiving payments have first call on any subsequent receipts in
 2940 that or any subsequent year.

2941 (f) Reports.—The Florida Thoroughbred Breeders' and
 2942 Owners' Association shall keep accurate records showing receipts
 2943 and disbursements of such payments and shall annually file a
 2944 complete report with the department showing such receipts and
 2945 disbursements and the sums withheld for administration. The
 2946 commission may audit the records and accounts of the Florida
 2947 Thoroughbred Breeders' and Owners' Association to determine
 2948 whether payments have been made to eligible breeders and
 2949 stallion owners in accordance with this section.

2950 (3) NONCOMPLIANCE.—If the commission finds that the
 2951 Florida Thoroughbred Breeders' and Owners' Association has not
 2952 complied with this section, the commission may order the
 2953 association to cease and desist from receiving and administering
 2954 funds under this section. If the commission enters such an
 2955 order, the licensee shall make the payments authorized in this
 2956 section to the department for deposit into the Gaming Control
 2957 Trust Fund, and any funds in the Florida Thoroughbred Breeders'
 2958 and Owners' Association account shall be immediately paid to the
 2959 department for deposit into the Gaming Control Trust Fund. The
 2960 department shall authorize payment from these funds to any
 2961 breeder or stallion owner entitled to an award that has not been
 2962 previously paid by the Florida Thoroughbred Breeders' and
 2963 Owners' Association in accordance with the applicable rate.

2964 Section 49. Effective October 1, 2014, section 551.0524,

2965 Florida Statutes, is created to read:

2966 551.0524 Breeders' Cup Meet.—

2967 (1) Notwithstanding any provision of this part, there is
 2968 created a special thoroughbred race meet designated as the
 2969 "Breeders' Cup Meet." Breeders' Cup Limited shall select the
 2970 Florida permitholder to conduct the Breeders' Cup Meet at its
 2971 facility. Upon selection of the Florida permitholder as host for
 2972 the Breeders' Cup Meet and application by the selected
 2973 permitholder, the commission shall issue a license to the
 2974 selected permitholder to operate the Breeders' Cup Meet. The
 2975 Breeders' Cup Meet may be conducted on dates on which the
 2976 selected permitholder is not otherwise authorized to conduct a
 2977 race meet. The Breeders' Cup Meet shall consist of 3 days: the
 2978 day on which the Breeders' Cup races are conducted, the
 2979 preceding day, and the subsequent day.

2980 (2) The permitholder conducting the Breeders' Cup Meet may
 2981 create pari-mutuel pools during the Breeders' Cup Meet by
 2982 accepting pari-mutuel wagers on the thoroughbred races run
 2983 during such meet.

2984 (3) The permitholder conducting the Breeders' Cup Meet is
 2985 exempt from the payment of purses and other payments to horsemen
 2986 on all on-track, intertrack, interstate, and international
 2987 wagers or rights fees or payments arising therefrom for all
 2988 races for which the purse is paid or supplied by Breeders' Cup
 2989 Limited. However, the permitholder conducting the Breeders' Cup
 2990 Meet is not exempt from breeder awards payments for on-track and

2991 intertrack wagers as provided in ss. 551.0542(2) and 551.074(2)
 2992 for races in which the purse is paid or supplied by Breeders'
 2993 Cup Limited.

2994 (4) (a) Pursuant to s. 551.072(2), the permitholder
 2995 conducting the Breeders' Cup Meet may transmit broadcasts of the
 2996 races conducted during the Breeders' Cup Meet to locations
 2997 outside of this state for wagering purposes. The commission may
 2998 approve broadcasts to pari-mutuel permitholders and other
 2999 betting systems authorized under the laws of any other state or
 3000 country. Wagers accepted by any out-of-state pari-mutuel
 3001 permitholder or betting system on any races broadcast under this
 3002 section may be commingled with the pari-mutuel pools of the
 3003 permitholder conducting the Breeders' Cup Meet. Payoff on
 3004 national pari-mutuel pools with commingled wagers may be
 3005 calculated by the permitholder's totalisator contractor at a
 3006 location outside of this state. Pool amounts from wagers placed
 3007 at pari-mutuel facilities or other betting systems in foreign
 3008 countries before being commingled with the pari-mutuel pool of
 3009 the Florida permitholder conducting the Breeders' Cup Meet shall
 3010 be calculated by the totalisator contractor and transferred to
 3011 the commingled pool in United States currency in cycles
 3012 customarily used by the permitholder. Pool amounts from wagers
 3013 placed at any foreign pari-mutuel facility or other betting
 3014 system may not be commingled with a Florida pool until a
 3015 determination is made by the commission that the technology used
 3016 by the totalisator contractor is adequate to ensure commingled

3017 pools will result in the calculation of accurate payoffs to
 3018 Florida bettors. Any totalisator contractor at a location
 3019 outside of this state shall comply with s. 551.078 relating to
 3020 totalisator licensing.

3021 (b) The permitholder conducting the Breeders' Cup Meet may
 3022 transmit broadcasts of the races conducted during the Breeders'
 3023 Cup Meet to other pari-mutuel facilities located in this state
 3024 for wagering purposes. However, the permitholder conducting the
 3025 Breeders' Cup Meet is not required to transmit broadcasts to any
 3026 pari-mutuel facility located within 25 miles of the facility at
 3027 which the Breeders' Cup Meet is conducted.

3028 (5) The department may adopt rules necessary to facilitate
 3029 the Breeders' Cup Meet as authorized in this section and may
 3030 adopt or waive rules regarding the overall conduct of racing
 3031 during the Breeders' Cup Meet to ensure the integrity of the
 3032 races, licensing for all participants, special stabling and
 3033 training requirements for foreign horses, commingling of pari-
 3034 mutuel pools, and audit requirements for tax credits and other
 3035 benefits.

3036 (6) This section shall prevail over any conflicting
 3037 provision of this part.

3038 Section 50. Effective October 1, 2014, section 551.053,
 3039 Florida Statutes, is created to read:

3040 551.053 Thoroughbred racing; taxes and fees.—

3041 (1) REQUIREMENT TO PAY.—

3042 (a) The Legislature finds that pari-mutuel wagering at

3043 thoroughbred tracks in this state is an important business
3044 enterprise, and taxes derived therefrom constitute a part of the
3045 tax structure that funds operations of the state. Thoroughbred
3046 racing permitholders should pay their fair share of these taxes
3047 to the state but should not be taxed to such an extent as to
3048 cause any racetrack that is operated under sound business
3049 principles to be forced out of business. Due to the need to
3050 protect the public health, safety, and welfare, the gaming laws
3051 of the state provide for the thoroughbred industry to be highly
3052 regulated and taxed. The state recognizes that identifiable
3053 differences exist between thoroughbred racing permitholders
3054 based upon their ability to operate under such regulation and
3055 tax system and at different periods during the year.

3056 (b) A permitholder that conducts thoroughbred racing under
3057 this part must pay the daily license fee, the admission tax, the
3058 breaks tax, and the tax on pari-mutuel handle and is subject to
3059 all penalties and sanctions provided in s. 551.033(2).

3060 (2) DAILY LICENSE FEE.—Each licensed permitholder engaged
3061 in the business of conducting thoroughbred race meets shall pay
3062 to the department, for the use of the department, a daily
3063 license fee on each live or simulcast pari-mutuel event of \$100
3064 for each thoroughbred race conducted at the licensee's
3065 racetrack. Each permitholder shall pay daily license fees not to
3066 exceed \$500 per day on any simulcast event on which such
3067 permitholder accepts wagers regardless of the number of out-of-
3068 state events taken or the number of out-of-state locations from

3069 which such events are taken. The daily license fees shall be
 3070 remitted to the Chief Financial Officer for deposit into the
 3071 Gaming Control Trust Fund.

3072 (3) ADMISSION TAX.—An admission tax equal to the greater
 3073 of 15 percent of the admission charge for entrance to the
 3074 permitholder's facility and grandstand area or 10 cents is
 3075 imposed on each person attending a thoroughbred race. The
 3076 permitholder is responsible for collecting the admission tax.

3077 (4) TAX ON LIVE HANDLE.—

3078 (a) Each licensee shall pay a tax on live handle from
 3079 racetracks conducted by the licensee. The tax is imposed daily and is
 3080 based on the total contributions to all pari-mutuel pools
 3081 conducted during the daily live performance. If a licensee
 3082 conducts more than one live performance daily, the tax is
 3083 imposed on each live performance separately.

3084 (b) The tax on live handle for thoroughbred racing
 3085 performances is 0.5 percent of the handle.

3086 (5) TAX ON HANDLE FROM INTERTRACK WAGERING.—If the host
 3087 facility is a thoroughbred race track, the tax on handle for
 3088 intertrack wagering is 2 percent of the handle with the
 3089 following exceptions:

3090 (a) If the host facility and the guest facility are
 3091 thoroughbred racing permitholders, the tax on handle for
 3092 intertrack wagering is 0.5 percent of the handle.

3093 (b) If the guest facility is located outside the market
 3094 area of the host facility and within the market area of a

3095 thoroughbred racing licensee currently conducting a live race
 3096 meet, the tax on handle for intertrack wagering is 0.5 percent
 3097 of the handle.

3098 (c) On rebroadcasts of simulcast thoroughbred races:

3099 1. The tax on handle for intertrack wagering is 2.4
 3100 percent of the handle.

3101 2. If the guest facility is a thoroughbred race track
 3102 located more than 35 miles from the host facility, the host
 3103 facility shall pay a tax of 0.5 percent of the handle, and shall
 3104 pay to the guest facility 1.9 percent of the handle to be used
 3105 by the guest facility solely for purses.

3106 (6) OTHER TAXES AND FEES.—

3107 (a) All moneys or other property represented by any
 3108 unclaimed, uncashed, or abandoned pari-mutuel ticket that has
 3109 remained in the custody of or under the control of any
 3110 thoroughbred racing permitholder for 1 year after the date the
 3111 pari-mutuel ticket was issued, if the rightful owner or owners
 3112 thereof have made no claim or demand for such money or other
 3113 property within the 1-year period, shall escheat to and become
 3114 the property of the state.

3115 (b) Notwithstanding paragraph (a), uncashed tickets and
 3116 breaks on live racing conducted by a thoroughbred racing
 3117 licensee shall be retained by the licensee conducting the live
 3118 race.

3119 (7) TAX CREDITS.—

3120 (a) Retired jockey funds contributions.—A thoroughbred

3121 racing permitholder may receive a credit against taxes on live
3122 handle due for a taxable year equal to the amount of
3123 contributions it made during the taxable year directly to the
3124 Jockeys' Guild or its health and welfare fund to provide health
3125 and welfare benefits for active, disabled, and retired Florida
3126 jockeys and their dependents pursuant to reasonable rules of
3127 eligibility established by the Jockeys' Guild. A thoroughbred
3128 racing permitholder may not receive a credit greater than an
3129 amount equal to 1 percent of its paid taxes for the preceding
3130 taxable year.

3131 (b) Breeders' Cup Meet.—

3132 1. A licensee located within 35 miles of the permitholder
3133 conducting the Breeders' Cup Meet may not conduct a thoroughbred
3134 race meet on any of the 3 days of the Breeders' Cup Meet. The
3135 licensees prohibited from operating during the Breeders' Cup
3136 Meet shall receive a credit against the taxes otherwise due and
3137 payable to the state under this section. The credit shall be an
3138 amount equal to the operating loss determined to have been
3139 suffered by the operating licensees as a result of not operating
3140 on the prohibited racing days but shall not exceed \$950,000. The
3141 determination of the amount to be credited shall be made by the
3142 commission upon application by the affected licensee. The tax
3143 credits provided in this paragraph shall not be available unless
3144 an operating licensee is required to close a meet consisting in
3145 part of no fewer than 10 scheduled performances in the 15 days
3146 immediately preceding or 10 scheduled performances in the 15

3147 days immediately after the Breeders' Cup Meet. Such tax credit
 3148 shall be in lieu of any other compensation or consideration for
 3149 the loss of racing days. There shall be no replacement or makeup
 3150 of any lost racing days.

3151 2. The permitholder conducting the Breeders' Cup Meet
 3152 shall receive a credit against the taxes otherwise due and
 3153 payable to the state under this section generated during the
 3154 permitholder's next ensuing regular thoroughbred race meet. Such
 3155 credit shall not exceed \$950,000 and shall be used by the
 3156 permitholder to pay the purses offered by the permitholder
 3157 during the Breeders' Cup Meet in excess of the purses that the
 3158 permitholder is otherwise required by law to pay. The amount to
 3159 be credited shall be determined by the commission upon
 3160 application of the permitholder which is subject to audit by the
 3161 department.

3162 3. The permitholder conducting the Breeders' Cup Meet
 3163 shall receive a credit against the taxes otherwise due and
 3164 payable to the state under this section generated during the
 3165 permitholder's next ensuing regular thoroughbred race meet. Such
 3166 credit shall not exceed \$950,000 and shall be used by the
 3167 permitholder for capital improvements and extraordinary expenses
 3168 as necessary for operation of the Breeders' Cup Meet. The amount
 3169 to be credited shall be determined by the commission upon
 3170 application of the licensee which is subject to audit by the
 3171 department.

3172 4. The tax credits provided in this paragraph may not be

3173 granted to or claimed by the permitholder until an audit is
3174 completed by the department. The department must complete the
3175 audit within 30 days after receipt of the necessary
3176 documentation from the permitholder to verify the permitholder's
3177 claim for tax credits. If the documentation submitted by the
3178 permitholder is incomplete or is insufficient to document the
3179 permitholder's claim for tax credits, the department may request
3180 such additional documentation as necessary to complete the
3181 audit. Upon receipt by the department of the additional
3182 documentation requested, the 30-day time limitation begins anew.

3183 5. Any dispute between the commission and a permitholder
3184 regarding the tax credits authorized under this paragraph shall
3185 be determined by a hearing officer of the Division of
3186 Administrative Hearings under s. 120.57(1).

3187 (8) TAX EXEMPTIONS.—

3188 (a) Free passes.—An admission tax under this part or
3189 chapter 212 may not be imposed on any free pass or complimentary
3190 card issued to a person for which there is no cost to the person
3191 for admission to a pari-mutuel event. A licensee may issue tax-
3192 free passes to its officers, officials, and employees; to other
3193 persons actually engaged in working at the facility, including
3194 accredited press representatives such as reporters and editors;
3195 and to other permitholders for use by their officers and
3196 officials. The licensee shall file with the department a list of
3197 all persons to whom tax-free passes are issued under this
3198 paragraph.

3199 (b) Notwithstanding any other provision of this section,
 3200 the permitholder conducting the Breeders' Cup Meet shall pay no
 3201 taxes on the handle included within the pari-mutuel pools of the
 3202 permitholder during the Breeders' Cup Meet.

3203 Section 51. Effective October 1, 2014, section 551.0541,
 3204 Florida Statutes, is created to read:

3205 551.0541 Harness racing.—

3206 (1) The Legislature finds that the operation of harness
 3207 race tracks and legalized pari-mutuel betting at harness race
 3208 tracks in this state will become a substantial business
 3209 compatible with the best interests of the state and that the
 3210 taxes derived from such enterprises will constitute an important
 3211 and integral part of the tax structure of the state and
 3212 counties. The Legislature further finds that the operation of
 3213 harness race tracks within the state will establish and
 3214 encourage the acquisition and maintenance of breeding farms for
 3215 the breeding of standardbred horses used in harness races and
 3216 that this exhibition sport will attract a large tourist business
 3217 to the state.

3218 (2) (a) For a harness racing permitholder, a full schedule
 3219 of live events is at least 100 live regular wagering
 3220 performances during the state fiscal year.

3221 (b) A harness racing licensee may conduct harness racing
 3222 only between the hours of 7 p.m. and 2 a.m.

3223 (3) A permitholder conducting a harness race meet must pay
 3224 the daily license fee, the admission tax, the tax on breaks, and

3225 the tax on pari-mutuel handle provided in s. 551.0543 and is
3226 subject to all penalties and sanctions provided in s.
3227 551.033(2).

3228 (4) Each licensed harness race track in the state must
3229 schedule an average of one race per racing day on which horses
3230 bred in this state and duly registered as standardbred harness
3231 horses have preference as entries over non-Florida-bred horses.
3232 All licensed harness race tracks must write the conditions for
3233 such races in which Florida-bred horses are preferred to ensure
3234 that all Florida-bred horses available for racing at such tracks
3235 are given full opportunity to perform in the class races for
3236 which they are qualified. The opportunity to perform must be
3237 afforded to each class of horses in proportion to the number of
3238 horses in such class as compared to the total number of Florida-
3239 bred horses available. However, a track is not required to write
3240 conditions for a race to accommodate a class of horses for which
3241 a race would otherwise not be scheduled at such track during its
3242 meet.

3243 (5) Any harness race track licensed to operate under this
3244 section may apply to the commission for a license to operate up
3245 to 50 quarter horse racing days during the summer season, which
3246 shall extend from July 1 until October 1 of each year. Such
3247 license to operate quarter horse racing for up to 50 days is in
3248 addition to the racing days and dates provided in this section
3249 for harness racing during the winter seasons and does not affect
3250 the right of such licensee to operate harness racing at the

3251 track as provided in this section during the winter season. All
3252 provisions of this part governing quarter horse racing not in
3253 conflict with this subsection apply to the operation of quarter
3254 horse meets authorized in this subsection. However, all quarter
3255 horse racing permitted under this subsection shall be conducted
3256 at night.

3257 Section 52. Effective October 1, 2014, section 551.0542,
3258 Florida Statutes, is created to read:

3259 551.0542 Harness races; purses and awards.—

3260 (1) PURSES.—

3261 (a) A licensee conducting a harness race meet must pay to
3262 the purse pool from the takeout withheld a purse requirement of
3263 at least 8.25 percent of all contributions to pari-mutuel pools
3264 conducted during the race meet. At least 7.75 percent of the
3265 total handle shall be paid from this purse pool as purses.

3266 (b) An amount not to exceed 0.5 percent of the total
3267 handle on all harness races that are subject to the purse
3268 requirement of paragraph (a) must be available for use to
3269 provide medical, dental, surgical, life, funeral, or disability
3270 insurance benefits for occupational licensees who work at tracks
3271 in this state at which harness races are conducted. Such
3272 insurance benefits must be paid from the purse pool specified in
3273 paragraph (a). An annual plan for payment of insurance benefits
3274 from the purse pool, including qualifications for eligibility,
3275 must be submitted by the Florida Standardbred Breeders and
3276 Owners Association for approval to the department. An annual

3277 report of the implemented plan shall be submitted to the
3278 department. All records of the Florida Standardbred Breeders and
3279 Owners Association concerning the administration of the plan
3280 must be available for audit at the discretion of the commission
3281 to determine whether the plan has been implemented and
3282 administered as authorized. If the commission finds that the
3283 Florida Standardbred Breeders and Owners Association has not
3284 complied with this section, the commission may order the
3285 association to cease and desist from administering the plan and
3286 shall appoint the department as temporary administrator of the
3287 plan until the commission reestablishes administration of the
3288 plan with the association.

3289 (2) AWARDS.—Each licensee conducting a harness race shall
3290 pay a sum equal to the breaks on all pari-mutuel pools conducted
3291 during that race for the payment of breeder awards, stallion
3292 awards, and stallion stakes and for additional expenditures as
3293 authorized in this section. The Florida Standardbred Breeders
3294 and Owners Association may receive these payments from licensees
3295 and make payments as authorized in this subsection. The Florida
3296 Standardbred Breeders and Owners Association may withhold up to
3297 10 percent of the licensee's payments under this section and
3298 under s. 551.0543(6) as a fee for administering the payments.
3299 The licensee shall remit these payments to the Florida
3300 Standardbred Breeders and Owners Association by the 5th day of
3301 each calendar month for such sums accruing during the preceding
3302 calendar month and shall report such payments to the department

3303 as required by the commission. With the exception of the 10-
3304 percent fee for administering the payments and the use of the
3305 moneys authorized by paragraph (g), the moneys paid by the
3306 licensees shall be maintained in a separate, interest-bearing
3307 account, and such payments together with any interest earned
3308 shall be allocated for the payment of breeder awards, stallion
3309 awards, stallion stakes, additional purses, and prizes for, and
3310 the general promotion of owning and breeding, Florida-bred
3311 standardbred horses. Breeder awards authorized by this
3312 subsection may not be paid on owner awards. Payment of breeder
3313 awards and stallion awards shall be made pursuant to the
3314 following:

3315 (a) Breeder awards.—

3316 1. The breeder of each Florida-bred standardbred horse
3317 that wins a harness race is entitled to an award of up to 20
3318 percent of the announced gross purse, including nomination fees,
3319 eligibility fees, starting fees, supplementary fees, and moneys
3320 added by the sponsor of the race.

3321 2. The breeder of a Florida-bred standardbred horse is
3322 eligible to receive a breeder award if the horse winning the
3323 race was registered as a Florida-bred horse with the Florida
3324 Standardbred Breeders and Owners Association and if a
3325 registration certificate under seal for the winning horse shows
3326 that the winner is duly registered as a Florida-bred horse as
3327 evidenced by the seal and proper serial number of the United
3328 States Trotting Association registry. The Florida Standardbred

3329 Breeders and Owners Association may charge the registrant a
3330 reasonable fee for the verification and registration.

3331 (b) Stallion awards.—

3332 1. The owner of the sire of a Florida-bred standardbred
3333 horse that wins a stakes race is entitled to a stallion award of
3334 up to 20 percent of the announced gross purse, including
3335 nomination fees, eligibility fees, starting fees, supplementary
3336 fees, and moneys added by the sponsor of the race.

3337 2. The owner of the sire of a standardbred horse that wins
3338 a stakes race is eligible to receive a stallion award if:

3339 a. The stallion is registered with the Florida
3340 Standardbred Breeders and Owners Association;

3341 b. The breeding of the registered Florida-bred horse
3342 occurred in this state; and

3343 c. The stallion is standing permanently in this state or,
3344 if the stallion has died, stood permanently in this state for at
3345 least 1 year immediately before its death.

3346 3. If a stallion is removed from this state for any reason
3347 other than prescribed medical treatment, the owner of the
3348 stallion is not eligible to receive a stallion award under any
3349 circumstances for offspring sired before removal. However, if a
3350 removed stallion is returned to this state, the owner of the
3351 stallion is eligible to receive a stallion award, but only for
3352 those offspring sired after the stallion returned to this state.

3353 4. The Florida Standardbred Breeders and Owners
3354 Association shall maintain a record of all of the following:

3355 a. The date the stallion arrived in this state for the
 3356 first time.

3357 b. Whether the stallion remained in this state
 3358 permanently.

3359 c. The location of the stallion.

3360 d. Whether the stallion is still standing in this state.

3361 e. Awards earned, received, and distributed.

3362 5. The association may charge the owner, owners, or
 3363 breeder a reasonable fee for services rendered under this
 3364 paragraph.

3365 (c) Reporting and recordkeeping.—

3366 1. A licensee conducting a harness race shall, within 30
 3367 days after the end of the race meet during which the race is
 3368 conducted, certify to the Florida Standardbred Breeders and
 3369 Owners Association such information relating to the horse
 3370 winning a stakes or other horserace at the meet as may be
 3371 required to determine the eligibility for payment of breeder
 3372 awards and stallion awards.

3373 2. The Florida Standardbred Breeders and Owners
 3374 Association shall maintain complete records showing the starters
 3375 and winners in all races conducted at harness horse racetracks
 3376 in this state; shall maintain complete records showing awards
 3377 earned, received, and distributed; and may charge the owner,
 3378 owners, or breeder a reasonable fee for this service.

3379 (d) Rates and procedures.—The Florida Standardbred
 3380 Breeders and Owners Association shall annually establish a

3381 uniform rate and procedure plan for the payment of breeder
3382 awards, stallion awards, stallion stakes, additional purses, and
3383 prizes for Florida-bred standardbred horses, and for the general
3384 promotion of owning and breeding such horses, and shall make
3385 award payments and allocations in strict compliance with the
3386 established uniform rate and procedure plan. The plan may set a
3387 cap on winnings and may limit, exclude, or defer payments to
3388 certain classes of races, such as the Florida Breeders' stakes
3389 racers, in order to ensure that there are adequate revenues to
3390 meet the proposed uniform rate. Priority shall be placed on
3391 imposing such restrictions in lieu of allowing the uniform rate
3392 allocated to payment of breeder and stallion awards to be less
3393 than 10 percent of the total purse payment. The uniform rate and
3394 procedure plan must be approved by the commission before
3395 implementation. In the absence of an approved plan and
3396 procedure, the authorized rate for breeder and stallion awards
3397 is 10 percent of the announced gross purse for each race. Such
3398 purse must include nomination fees, eligibility fees, starting
3399 fees, supplementary fees, and moneys added by the sponsor of the
3400 race. If the funds in the account for payment of breeder and
3401 stallion awards are not sufficient to meet all earned breeder
3402 and stallion awards, those breeders and stallion owners not
3403 receiving payments have first call on any subsequent receipts in
3404 that or any subsequent year.

3405 (e) Reports.—The Florida Standardbred Breeders and Owners
3406 Association shall keep accurate records showing receipts and

3407 disbursements of such payments and shall annually file a
3408 complete report with the department showing such receipts and
3409 disbursements and the sums withheld for administration. The
3410 department may audit the records and accounts of the Florida
3411 Standardbred Breeders and Owners Association to determine
3412 whether payments have been made to eligible breeders, stallion
3413 owners, and owners of Florida-bred standardbred horses in
3414 accordance with this section.

3415 (f) Noncompliance.—If the commission finds that the
3416 Florida Standardbred Breeders and Owners Association has not
3417 complied with this section, the commission may order the
3418 association to cease and desist from receiving and administering
3419 funds under this section and s. 551.0543(6). If the commission
3420 enters such an order, the permitholder shall make the payments
3421 authorized under this section and s. 551.0543(6) to the
3422 department for deposit into the Gaming Control Trust Fund, and
3423 any funds in the Florida Standardbred Breeders and Owners
3424 Association account shall be immediately paid to the department
3425 for deposit into the Gaming Control Trust Fund. The commission
3426 shall authorize payment from these funds to any breeder,
3427 stallion owner, or owner of a Florida-bred standardbred horse
3428 entitled to an award that has not been previously paid by the
3429 Florida Standardbred Breeders and Owners Association in
3430 accordance with the applicable rate.

3431 (g) Additional use of funds.—The board of directors of the
3432 Florida Standardbred Breeders and Owners Association may

3433 authorize the release of up to 25 percent of the funds available
3434 for breeder awards, stallion awards, stallion stakes, additional
3435 purses, and prizes for, and for the general promotion of owning
3436 and breeding, Florida-bred standardbred horses to be used for
3437 purses for, and promotion of, Florida-bred standardbred horses
3438 at race meets at which there is no pari-mutuel wagering unless,
3439 and to the extent that, such release would render the funds
3440 available for such awards insufficient to pay the breeder and
3441 stallion awards earned pursuant to the annual plan of the
3442 association. Any such funds so released and used for purses are
3443 not considered to be an "announced gross purse" as that term is
3444 used in paragraphs (a) and (b), and no breeder or stallion
3445 awards, stallion stakes, or owner awards are required to be paid
3446 for standardbred horses winning races in meets at which there is
3447 no pari-mutuel wagering. The amount of purses to be paid from
3448 funds so released and the meets eligible to receive such funds
3449 for purses must be approved by the board of directors of the
3450 Florida Standardbred Breeders and Owners Association.

3451 Section 53. Effective October 1, 2014, section 551.0543,
3452 Florida Statutes, is created to read:

3453 551.0543 Harness racing; taxes and fees.—

3454 (1) FINDINGS.—The Legislature finds that pari-mutuel
3455 wagering at harness race tracks in this state is an important
3456 business enterprise, and taxes derived therefrom constitute a
3457 part of the tax structure that funds operations of the state.
3458 Harness racing permitholders should pay their fair share of

3459 these taxes to the state but should not be taxed to such an
3460 extent as to cause any racetrack that is operated under sound
3461 business principles to be forced out of business. Due to the
3462 need to protect the public health, safety, and welfare, the
3463 gaming laws of the state provide for the harness horse industry
3464 to be highly regulated and taxed. The state recognizes that
3465 identifiable differences exist between harness racing
3466 permitholders based upon their ability to operate under such
3467 regulation and tax system.

3468 (2) DAILY LICENSE FEE.—Each harness racing licensee shall
3469 pay to the department, for the use of the department, a daily
3470 license fee on each live or simulcast pari-mutuel event of \$100
3471 for each harness race conducted at the licensee's racetrack.
3472 Each licensee shall pay daily license fees not to exceed \$500
3473 per day on any simulcast event on which such licensee accepts
3474 wagers regardless of the number of out-of-state events taken or
3475 the number of out-of-state locations from which such events are
3476 taken. The daily license fees shall be remitted to the Chief
3477 Financial Officer for deposit into the Gaming Control Trust
3478 Fund.

3479 (3) ADMISSION TAX.—An admission tax equal to the greater
3480 of 15 percent of the admission charge for entrance to the
3481 licensee's facility and grandstand area or 10 cents is imposed
3482 on each person attending a harness race. The licensee is
3483 responsible for collecting the admission tax.

3484 (4) TAX ON LIVE HANDLE.—

3485 (a) Each licensee shall pay a tax on live handle from
 3486 races conducted by the licensee. The tax is imposed daily and is
 3487 based on the total contributions to all pari-mutuel pools
 3488 conducted during the daily live performance. If a licensee
 3489 conducts more than one live performance daily, the tax is
 3490 imposed on each live performance separately.

3491 (b) The tax on live handle for harness racing performances
 3492 is 0.5 percent of the handle.

3493 (5) TAX ON HANDLE FROM INTERTRACK WAGERING.—If the host
 3494 facility is a harness race track, the tax on handle for
 3495 intertrack wagering is 3.3 percent of the handle with the
 3496 following exceptions:

3497 (a) If the guest facility is located outside the market
 3498 area of the host facility and within the market area of a
 3499 thoroughbred racing licensee currently conducting a live race
 3500 meet, the tax on handle for intertrack wagering is 0.5 percent
 3501 of the handle.

3502 (b) On rebroadcasts of simulcast harness races, the tax on
 3503 handle for intertrack wagering is 1.5 percent of the handle.

3504 (6) ABANDONED CONTRIBUTIONS TO OR INTEREST IN PARI-MUTUEL
 3505 POOLS.—

3506 (a) All moneys or other property represented by any
 3507 unclaimed, uncashed, or abandoned pari-mutuel ticket that has
 3508 remained in the custody of or under the control of any harness
 3509 racing permitholder for 1 year after the date the pari-mutuel
 3510 ticket was issued, if the rightful owner or owners thereof have

3511 made no claim or demand for such money or other property within
 3512 the 1-year period, shall escheat to and become the property of
 3513 the state.

3514 (b) Notwithstanding any other provision of law, all moneys
 3515 or other property that has escheated to and become the property
 3516 of the state as provided in this section and that is held by a
 3517 harness racing permitholder authorized to conduct pari-mutuel
 3518 pools in this state shall be paid annually by the permitholder
 3519 to the Florida Standardbred Breeders and Owners Association
 3520 within 60 days after the close of the race meet of the
 3521 permitholder and shall be used for the payment of harness horse
 3522 breeder awards, stallion awards, stallion stakes, additional
 3523 purses, and prizes and for the general promotion of owning and
 3524 breeding Florida-bred standardbred horses, as provided for in s.
 3525 551.0542.

3526 (7) TAX EXEMPTIONS.—

3527 (a) An admission tax under this part or chapter 212 may
 3528 not be imposed on any free pass or complimentary card issued to
 3529 a person for which there is no cost to the person for admission
 3530 to a pari-mutuel event.

3531 (b) A licensee may issue tax-free passes to its officers,
 3532 officials, and employees; to other persons actually engaged in
 3533 working at the facility, including accredited press
 3534 representatives such as reporters and editors; and to other
 3535 permitholders for use by their officers and officials. The
 3536 licensee shall file with the department a list of all persons to

3537 whom tax-free passes are issued under this paragraph.
 3538 Section 54. Effective October 1, 2014, section 551.0551,
 3539 Florida Statutes, is created to read:
 3540 551.0551 Quarter horse racing; operations.-
 3541 (1) (a) For a quarter horse racing permitholder at its
 3542 facility, a full schedule of live events is:
 3543 1. At least 20 live regular wagering performances during
 3544 the state fiscal year if an alternative schedule of at least 20
 3545 live regular wagering performances each state fiscal year is
 3546 agreed upon by the permitholder and either the Florida Quarter
 3547 Horse Racing Association or the horsemen's association
 3548 representing the majority of the quarter horse owners and
 3549 trainers at the facility and is filed with the department along
 3550 with its annual date application; or
 3551 2.a. During the 2010-2011 fiscal year, at least 20 regular
 3552 wagering performances.
 3553 b. During the 2011-2012 and 2012-2013 fiscal years, at
 3554 least 30 live regular wagering performances.
 3555 c. During every fiscal year after the 2012-2013 fiscal
 3556 year, at least 40 live regular wagering performances.
 3557 (b) For a quarter horse racing licensee leasing another
 3558 licensed racetrack, a full schedule of live events is at least
 3559 160 live regular wagering events at the leased facility during
 3560 the state fiscal year.
 3561 (2) To be eligible to conduct intertrack wagering, a
 3562 quarter horse racing permitholder must have conducted a full

3563 schedule of live events in the preceding year.

3564 (3) The operator of a licensed racetrack may lease such
3565 track to any quarter horse racing licensee located within 35
3566 miles of such track for quarter horse racing under this part.
3567 However, a quarter horse racing licensee located in a county
3568 where a referendum was conducted to authorize slot machines
3569 pursuant to s. 23, Art. X of the State Constitution is not
3570 subject to the mileage restriction if the licensee leases the
3571 track from a licensed racetrack located within such county.

3572 (4) Quarter horses participating in such races must be
3573 duly registered by the American Quarter Horse Association.
3574 Before each race, such horses must be examined and declared in
3575 fit condition by a qualified person designated by the
3576 department.

3577 (5) A quarter horse racing licensee may apply to the
3578 commission to substitute races of other breeds of horses that
3579 are registered with the American Paint Horse Association,
3580 Appaloosa Horse Club, Arabian Horse Registry of America,
3581 Palomino Horse Breeders of America, United States Trotting
3582 Association, Florida Cracker Horse Association, or Jockey Club,
3583 respectively, for no more than 50 percent of the quarter horse
3584 races during its meet.

3585 (6) Any nonprofit corporation organized and incorporated
3586 under the laws of this state, including, but not limited to, an
3587 agricultural cooperative marketing association, may apply for a
3588 quarter horse racing permit and may operate race meets under

3589 such permit if all pari-mutuel taxes and fees applicable to such
 3590 racing are paid by the corporation. However, regarding its pari-
 3591 mutuel operations, the corporation shall be considered to be a
 3592 corporation for profit and is subject to taxation on all
 3593 property used and profits earned in connection with these
 3594 operations.

3595 Section 55. Effective October 1, 2014, section 551.0552,
 3596 Florida Statutes, is created to read:

3597 551.0552 Quarter horse races; purses and awards.-

3598 (1) PURSES.-A licensee conducting a quarter horse race
 3599 meet shall pay from the takeout withheld at least 6 percent of
 3600 all contributions to pari-mutuel pools conducted during the race
 3601 meet as purses.

3602 (2) PROMOTIONS AND AWARDS.-

3603 (a) Purses and prizes.-Except as provided in s. 551.056,
 3604 each licensee conducting a quarter horse race meet shall pay a
 3605 sum equal to the breaks plus a sum equal to 1 percent of all
 3606 pari-mutuel pools conducted during that race for supplementing
 3607 and augmenting purses and prizes and for the general promotion
 3608 of owning and breeding racing quarter horses in this state as
 3609 authorized in this section. The Florida Quarter Horse Breeders
 3610 and Owners Association may receive these payments from the
 3611 licensees and make payments as authorized in this subsection.
 3612 The Florida Quarter Horse Breeders and Owners Association may
 3613 withhold up to 10 percent of the licensee's payments under this
 3614 section and s. 551.0553(5) as a fee for administering the

3615 payments. The licensee shall remit these payments to the Florida
3616 Quarter Horse Breeders and Owners Association by the 5th day of
3617 each calendar month for such sums accruing during the preceding
3618 calendar month and shall report such payments to the department
3619 as required by the commission. With the exception of the 10-
3620 percent fee for administering the payments, the moneys paid by
3621 the licensees shall be maintained in a separate, interest-
3622 bearing account.

3623 (b) Use of funds.—The Florida Quarter Horse Breeders and
3624 Owners Association shall use these funds solely for
3625 supplementing and augmenting purses and prizes and for the
3626 general promotion of owning and breeding racing quarter horses
3627 in this state and for general administration of the Florida
3628 Quarter Horse Breeders and Owners Association in this state.

3629 (c) Owner and breeder awards.—

3630 1. The owner or breeder of a Florida-bred quarter horse is
3631 eligible to receive an award if the horse winning a race is
3632 registered as a Florida-bred horse with the Florida Quarter
3633 Horse Breeders and Owners Association and if a registration
3634 certificate under seal for the winning horse shows that the
3635 winning horse was duly registered before the race as a Florida-
3636 bred horse as evidenced by the seal and proper serial number of
3637 the Florida Quarter Horse Breeders and Owners Association
3638 registry. The Department of Agriculture and Consumer Services
3639 may assist the association in maintaining this registry.

3640 2. The Florida Quarter Horse Breeders and Owners

3641 Association may charge the registrant a reasonable fee for
3642 verification and registration.

3643 3. Any person who registers unqualified horses or
3644 misrepresents information shall be denied any future
3645 participation in breeder awards, and all horses misrepresented
3646 will no longer be deemed to be Florida-bred.

3647 (d) Reporting and recordkeeping.—

3648 1. A licensee conducting a quarter horse race shall,
3649 within 30 days after the end of the race meet during which the
3650 race is conducted, certify to the Florida Quarter Horse Breeders
3651 and Owners Association such information relating to the horse
3652 winning a stakes or other horserace at the meet as required to
3653 determine the eligibility for payment of breeder awards under
3654 this section.

3655 2. The Florida Quarter Horse Breeders and Owners
3656 Association shall maintain records showing the starters and
3657 winners in all quarter horse races conducted under quarter horse
3658 racing permits in this state and awards earned, received, and
3659 distributed, and it may charge the owner or breeder a reasonable
3660 fee for this service.

3661 (e) Procedures.—The Florida Quarter Horse Breeders and
3662 Owners Association shall annually establish a plan for
3663 supplementing and augmenting purses and prizes and for the
3664 general promotion of owning and breeding Florida-bred racing
3665 quarter horses and shall make award payments and allocations in
3666 strict compliance with the annual plan. The annual plan must be

3667 approved by the commission before implementation. If the funds
3668 in the account for payment of purses and prizes are not
3669 sufficient to meet all purses and prizes to be awarded, those
3670 breeders and owners not receiving payments have first call on
3671 any subsequent receipts in that or any subsequent year.

3672 (f) Reports.—The Florida Quarter Horse Breeders and Owners
3673 Association shall keep accurate records showing receipts and
3674 disbursements of payments made under this section and shall
3675 annually file a full and complete report to the commission
3676 showing such receipts and disbursements and the sums withheld
3677 for administration. The commission may audit the records and
3678 accounts of the Florida Quarter Horse Breeders and Owners
3679 Association to determine whether payments have been made in
3680 accordance with this section.

3681 (g) Noncompliance.—If the commission finds that the
3682 Florida Quarter Horse Breeders and Owners Association has not
3683 complied with this section, the commission may order the
3684 association to cease and desist from receiving and administering
3685 funds under this section and s. 551.0553(5). If the commission
3686 enters such an order, the licensee shall make the payments
3687 authorized in this section and s. 551.0553(5) to the department
3688 for deposit into the Gaming Control Trust Fund, and any funds in
3689 the Florida Quarter Horse Breeders and Owners Association
3690 account shall be immediately paid to the department for deposit
3691 into the Gaming Control Trust Fund. The commission shall
3692 authorize payment from these funds to any breeder or owner of a

3693 quarter horse entitled to an award that has not been previously
3694 paid by the Florida Quarter Horse Breeders and Owners
3695 Association in accordance with this section.

3696 Section 56. Effective October 1, 2014, section 551.0553,
3697 Florida Statutes, is created to read:

3698 551.0553 Quarter horse racing; taxes and fees.-

3699 (1) DAILY LICENSE FEE.-Each licensed permitholder engaged
3700 in the business of conducting quarter horse race meetings shall
3701 pay to the department, for use by the department, a daily
3702 license fee on each live or simulcast pari-mutuel event of \$100
3703 for each quarter horse race conducted at the licensee's
3704 racetrack. Each licensee shall pay daily license fees not to
3705 exceed \$500 per day on any simulcast event on which such
3706 licensee accepts wagers regardless of the number of out-of-state
3707 events taken or the number of out-of-state locations from which
3708 such events are taken. The daily license fees shall be remitted
3709 to the Chief Financial Officer for deposit into the Gaming
3710 Control Trust Fund.

3711 (2) ADMISSION TAX.-An admission tax equal to the greater
3712 of 15 percent of the admission charge for entrance to the
3713 licensee's facility and grandstand area or 10 cents is imposed
3714 on each person attending a quarter horse race. The licensee is
3715 responsible for collecting the admission tax.

3716 (3) TAX ON LIVE HANDLE.-

3717 (a) Each licensee shall pay a tax on live handle from
3718 racetracks conducted by the licensee. The tax is imposed daily and is

3719 based on the total contributions to all pari-mutuel pools
3720 conducted during the daily live performance. If a licensee
3721 conducts more than one live performance daily, the tax is
3722 imposed on each live performance separately.

3723 (b) The tax on live handle for quarter horse racing
3724 performances is 1 percent of the handle.

3725 (4) TAX ON HANDLE FROM INTERTRACK WAGERING.—If the host
3726 facility is a quarter horse race track, the tax on handle for
3727 intertrack wagering is 2 percent of the handle. However, if the
3728 guest facility is located outside the market area of the host
3729 facility and within the market area of a thoroughbred racing
3730 licensee currently conducting a live race meet, the tax on
3731 handle for intertrack wagering is 0.5 percent of the handle.

3732 (5) ABANDONED CONTRIBUTIONS TO OR INTEREST IN PARI-MUTUEL
3733 POOLS.—

3734 (a) All moneys or other property represented by any
3735 unclaimed, uncashed, or abandoned pari-mutuel ticket that has
3736 remained in the custody of or under the control of any quarter
3737 horse racing permitholder for 1 year after the date the pari-
3738 mutuel ticket was issued, if the rightful owner or owners
3739 thereof have made no claim or demand for such money or other
3740 property within the 1-year period, shall escheat to and become
3741 the property of the state.

3742 (b) Notwithstanding s. 551.036, all moneys or other
3743 property that has escheated to and become the property of the
3744 state as provided in this section and that is held by a quarter

3745 horse racing permitholder authorized to conduct pari-mutuel
 3746 pools in this state shall be paid annually by the permitholder
 3747 to the Florida Quarter Horse Breeders and Owners Association
 3748 within 60 days after the close of the race meet of the
 3749 permitholder and shall be allocated solely for supplementing and
 3750 augmenting purses and prizes and for the general promotion of
 3751 owning and breeding racing quarter horses in this state, as
 3752 provided for in s. 551.0552.

3753 (6) TAX EXEMPTIONS.—

3754 (a) An admission tax under this part or chapter 212 may
 3755 not be imposed on any free pass or complimentary card issued to
 3756 a person for which there is no cost to the person for admission
 3757 to a pari-mutuel event.

3758 (b) A licensee may issue tax-free passes to its officers,
 3759 officials, and employees; to other persons actually engaged in
 3760 working at the facility, including accredited press
 3761 representatives such as reporters and editors; and to other
 3762 permitholders for use by their officers and officials. The
 3763 licensee shall file with the department a list of all persons to
 3764 whom tax-free passes are issued under this paragraph.

3765 Section 57. Effective October 1, 2014, section 551.056,
 3766 Florida Statutes, is created to read:

3767 551.056 Appaloosa horse races; Arabian horse races; purse
 3768 requirement.—

3769 (1) PROMOTIONS; APPALOOSA HORSE RACES.—

3770 (a) Each licensee that conducts race meets under this part

3771 and runs Appaloosa horse races shall pay to the department a sum
3772 equal to the breaks plus a sum equal to 1 percent of the total
3773 contributions to each pari-mutuel pool conducted on each
3774 Appaloosa horse race. The payments shall be remitted to the
3775 department by the 5th day of each calendar month for sums
3776 accruing during the preceding calendar month.

3777 (b) The department shall deposit collections under
3778 paragraph (a) into the General Inspection Trust Fund in a
3779 special account to be known as the "Florida Appaloosa Racing
3780 Promotion Account." The Department of Agriculture and Consumer
3781 Services shall administer the funds and adopt suitable and
3782 reasonable rules for their administration. The moneys in the
3783 Florida Appaloosa Racing Promotion Account shall be allocated
3784 solely for supplementing and augmenting purses and prizes and
3785 for the general promotion of owning and breeding racing
3786 Appaloosas in this state. The moneys may not be used to defray
3787 any expense of the Department of Agriculture and Consumer
3788 Services under this section.

3789 (2) PROMOTIONS; ARABIAN HORSE RACES.—Each licensee that
3790 conducts race meets under this part and runs Arabian horse races
3791 shall pay to the department a sum equal to the breaks plus a sum
3792 equal to 1 percent of the total contributions to each pari-
3793 mutuel pool conducted on each Arabian horse race. Payments shall
3794 be remitted to the department by the 5th day of each calendar
3795 month for sums accruing during the preceding calendar month.

3796 Section 58. Effective October 1, 2014, section 551.062,

3797 Florida Statutes, is created to read:

3798 551.062 Jai alai; general provisions.-

3799 (1) (a) For a jai alai permitholder, a full schedule of
3800 live events is at least 100 live performances during the state
3801 fiscal year.

3802 (b) For a jai alai permitholder that does not operate slot
3803 machines in its pari-mutuel facility, that has conducted at
3804 least 100 live performances per year for at least 10 years after
3805 December 31, 1992, and that has had handle on live jai alai
3806 games conducted at its pari-mutuel facility of less than \$4
3807 million per state fiscal year for at least 2 consecutive years
3808 after June 30, 1992, a full schedule of live events is at least
3809 40 live performances during the state fiscal year.

3810 (c) For a jai alai permitholder that operates slot
3811 machines in its pari-mutuel facility, a full schedule of live
3812 events is at least 150 live performances during the state fiscal
3813 year.

3814 (d) For a permitholder restricted by statute to certain
3815 operating periods within the year when other members of its same
3816 class of permit are authorized to operate throughout the year, a
3817 full schedule of live events shall be the specified number of
3818 live performances adjusted pro rata in accordance with the
3819 relationship between its authorized operating period and the
3820 full calendar year. The resulting specified number of live
3821 performances shall constitute the full schedule of live events
3822 for such permitholder and all other permitholders of the same

3823 class within 100 air miles of such permitholder.

3824 (2) A chief court judge must be present for each jai alai
3825 game at which pari-mutuel wagering is authorized. Chief court
3826 judges must be able to demonstrate extensive knowledge of the
3827 rules and game of jai alai and be able to meet the physical
3828 requirements of the position. The decisions of a chief court
3829 judge are final as to any incident relating to the playing of a
3830 jai alai game.

3831 (3) This part does not prohibit any jai alai fronton or
3832 facility from being used to conduct amateur jai alai or pelota
3833 contests or games during each fronton season by any charitable,
3834 civic, or nonprofit organization if only players other than
3835 those usually used in jai alai contests or games are permitted
3836 to play and if adults and minors may participate as players or
3837 spectators. However, during such jai alai games or contests,
3838 betting and gambling and the sale or use of alcoholic beverages
3839 are prohibited.

3840 (4) Every jai alai player participating in games at a
3841 licensee's jai alai facility must be certified as an eligible
3842 professional player by the International Jai Alai Players
3843 Association or any other players association that was recognized
3844 by the National Labor Relations Board before 1990.

3845 (5) A jai alai permitholder that does not operate slot
3846 machines in its pari-mutuel facility must maintain a minimum
3847 active roster of at least 16 different professional players. A
3848 jai alai permitholder that operates slot machines in its pari-

3849 mutuel facility must maintain a minimum active roster of at
 3850 least 36 different professional players.

3851 (6) Jai alai players may not be required to perform on
 3852 more than 6 consecutive calendar days.

3853 (7) Section 551.013 allows wagering on points during a
 3854 game; however, the pari-mutuel machines must be locked upon the
 3855 start of the serving motion of each serve for wagers on that
 3856 game.

3857 Section 59. Effective October 1, 2014, section 551.0622,
 3858 Florida Statutes, is created to read:

3859 551.0622 Jai Alai Tournament of Champions Meet.-

3860 (1) Notwithstanding any provision of this part, there is
 3861 created a special jai alai meet designated as the "Jai Alai
 3862 Tournament of Champions Meet," which shall be hosted by Florida
 3863 jai alai licensees selected by the National Association of Jai
 3864 Alai Frontons, Inc., to conduct such meet. The meet shall
 3865 consist of three qualifying performances and a final
 3866 performance, each of which is conducted on a different day. Upon
 3867 the selection of the Florida licensees for the meet and
 3868 application by the selected licensees, the commission shall
 3869 issue a license to each of the selected permitholders to operate
 3870 the meet. The meet may be conducted during a season in which the
 3871 licensees selected to conduct the meet are not otherwise
 3872 authorized to conduct a meet. Notwithstanding any provision of
 3873 this section, a Florida licensee that is to conduct a
 3874 performance that is a part of the Jai Alai Tournament of

3875 Champions Meet is not required to apply for the license for the
3876 meet if it will run during the regular season for which such
3877 licensee has a license.

3878 (2) Qualifying performances and the final performance of
3879 the tournament shall be held at different locations throughout
3880 the state, and the licensees selected shall be under different
3881 ownership to the extent possible.

3882 (3) A Jai Alai Tournament of Champions Meet may not exceed
3883 4 days in any state fiscal year, and only one performance may be
3884 conducted on any one day of the meet. There shall be only one
3885 Jai Alai Tournament of Champions Meet in any state fiscal year.

3886 (4) The department may adopt rules necessary to facilitate
3887 the Jai Alai Tournament of Champions Meet as authorized in this
3888 section and may adopt rules regarding the overall conduct of the
3889 tournament to ensure the integrity of the event, licensing for
3890 participants, commingling of pari-mutuel pools, and audit
3891 requirements for tax credits and exemptions.

3892 (5) This section shall prevail over any conflicting
3893 provision of this part.

3894 Section 60. Effective October 1, 2014, section 551.063,
3895 Florida Statutes, is created to read:

3896 551.063 Jai alai; taxes and fees.—

3897 (1) FINDINGS.—The Legislature finds that pari-mutuel
3898 wagering at jai alai frontons in this state is an important
3899 business enterprise, and taxes derived therefrom constitute a
3900 part of the tax structure that funds operations of the state.

3901 Jai alai permitholders should pay their fair share of these
3902 taxes to the state but should not be taxed to such an extent as
3903 to cause any fronton that is operated under sound business
3904 principles to be forced out of business or be subjected to taxes
3905 that might cause it to operate at a loss, impair its ability to
3906 service debt or to maintain its fixed assets, or otherwise
3907 jeopardize its existence and the jobs of its employees. Due to
3908 the need to protect the public health, safety, and welfare, the
3909 gaming laws of the state provide for the jai alai industry to be
3910 highly regulated and taxed. The state recognizes that
3911 identifiable differences exist between jai alai permitholders
3912 based upon their ability to operate under such regulation and
3913 tax system.

3914 (2) DAILY LICENSE FEE.—Each licensed permitholder engaged
3915 in the business of conducting jai alai games shall pay to the
3916 department, for the use of the department, a daily license fee
3917 on each live or simulcast pari-mutuel event of \$40 for each jai
3918 alai game conducted at the licensee's fronton. Each licensee
3919 shall pay daily license fees not to exceed \$500 per day on any
3920 simulcast event on which such licensee accepts wagers regardless
3921 of the number of out-of-state events taken or the number of out-
3922 of-state locations from which such events are taken. The daily
3923 license fees shall be remitted to the Chief Financial Officer
3924 for deposit into the Gaming Control Trust Fund.

3925 (3) ADMISSION TAX.—An admission tax equal to the greater
3926 of 15 percent of the admission charge for entrance to the

3927 licensee's facility and grandstand area or 10 cents is imposed
3928 on each person attending a jai alai game. The licensee is
3929 responsible for collecting the admission tax.

3930 (4) TAX ON LIVE HANDLE.—

3931 (a) Each licensee shall pay a tax on live handle from
3932 games conducted by the licensee. The tax is imposed daily and is
3933 based on the total contributions to all pari-mutuel pools
3934 conducted during the daily live performance. If a licensee
3935 conducts more than one live performance daily, the tax is
3936 imposed on each live performance separately.

3937 (b) The tax on live handle for jai alai performances is 2
3938 percent of the handle.

3939 (5) TAX ON HANDLE FROM INTERTRACK WAGERING.—If the host
3940 facility is a jai alai fronton, the tax on handle for intertrack
3941 wagering is 7.1 percent of the handle with the following
3942 exceptions:

3943 (a) If the guest facility is located outside the market
3944 area of the host facility and within the market area of a
3945 thoroughbred racing licensee currently conducting a live race
3946 meet, the tax on handle for intertrack wagering is 0.5 percent
3947 of the handle.

3948 (b) If the guest facility is a jai alai fronton located as
3949 specified in s. 551.073(8), on games received from any jai alai
3950 permitholder located within the same market area, the tax on
3951 handle for intertrack wagers is 6.1 percent.

3952 (c) Notwithstanding paragraph (b), if the guest facility

3953 is a jai alai fronton located as specified in s. 551.073(8), on
3954 games received from any jai alai permitholder located within the
3955 same market area, the tax on handle for intertrack wagers shall
3956 be 2.3 percent of the handle when the total tax on intertrack
3957 handle paid to the department by the permitholder during the
3958 current state fiscal year exceeds the total tax on intertrack
3959 handle paid to the department by the permitholder during the
3960 1992-1993 state fiscal year.

3961 (d)1. Any jai alai permitholder that is prohibited under
3962 this part from operating live performances on a year-round basis
3963 may conduct intertrack wagering as a host permitholder on live
3964 jai alai games at its fronton at a tax rate of 3.3 percent of
3965 handle when the total tax on intertrack handle paid to the
3966 department by the permitholder during the current state fiscal
3967 year exceeds the total tax on intertrack handle paid to the
3968 state by the permitholder during the 1992-1993 state fiscal
3969 year.

3970 2. The payment of taxes under subparagraph 1. shall be
3971 calculated and begin the day the permitholder is first entitled
3972 to the reduced rate specified in this paragraph.

3973 (6) OTHER TAXES AND FEES.—

3974 (a) All money or other property represented by any
3975 unclaimed, uncashed, or abandoned pari-mutuel ticket that has
3976 remained in the custody of or under the control of any
3977 permitholder authorized to conduct jai alai pari-mutuel pools in
3978 this state for 1 year after the date the pari-mutuel ticket was

3979 issued, if the rightful owners thereof have made no claim or
 3980 demand for such money or other property within that 1-year
 3981 period, shall, with respect to live games conducted by the
 3982 permitholder, be remitted to the state pursuant to s. 551.036.

3983 (b)1. Each licensee conducting jai alai performances shall
 3984 pay a tax equal to the breaks.

3985 2. A jai alai licensee paying taxes under this section
 3986 shall retain the breaks and pay an amount equal to the breaks as
 3987 special prize awards, which shall be in addition to the regular
 3988 contracted prize money paid to jai alai players at the
 3989 permitholder's facility. Payment of the special prize money
 3990 shall be made during the permitholder's current meet.

3991 (c) A jai alai permitholder conducting fewer than 100 live
 3992 performances in any calendar year shall pay to the state the
 3993 same aggregate amount of daily license fees on live jai alai
 3994 games, admissions tax, and tax on live handle that it paid to
 3995 the state during the most recent prior calendar year in which
 3996 the jai alai permitholder conducted at least 100 live
 3997 performances.

3998 (7) TAX CREDITS.—

3999 (a) A jai alai permitholder that has incurred state taxes
 4000 on handle and admissions in an amount that exceeds its operating
 4001 earnings in a fiscal year may credit the excess amount of the
 4002 taxes against state pari-mutuel taxes due and payable during its
 4003 next ensuing meets. As used in this paragraph, the term
 4004 "operating earnings" means total revenues from pari-mutuel

4005 operations net of state taxes and fees less total expenses;
4006 however, deductions for interest, depreciation and amortization,
4007 payments to affiliated entities other than for reimbursement of
4008 expenses related to pari-mutuel operations, and any increase in
4009 an officer's or director's annual compensation above the amount
4010 paid during calendar year 1997 are excluded from total expenses.

4011 (b) A jai alai permitholder may receive a tax credit equal
4012 to 25 percent of the actual amount remitted to the state in the
4013 preceding state fiscal year pursuant to paragraph (6) (a) with
4014 respect to live games. The credit may be applied against any
4015 taxes imposed under this part. Funds equal to such credit from
4016 any live jai alai games shall be paid by the permitholder to the
4017 National Association of Jai Alai Frontons to be used for the
4018 general promotion of the sport of jai alai in the state,
4019 including professional tournaments and amateur jai alai youth
4020 programs. Such youth programs must focus on benefiting children
4021 in after-school and anti-drug programs with special attention to
4022 inner-city areas.

4023 (c)1. Jai Alai Tournament of Champions Meet permitholders
4024 shall also receive a credit against the taxes, otherwise due and
4025 payable under this section, generated during the permitholders'
4026 current regular meet. The credit shall be:

- 4027 a. In the aggregate amount of \$150,000;
4028 b. Prorated equally among the permitholders; and
4029 c. Used by the permitholders solely to supplement awards
4030 for the performance conducted during the Jai Alai Tournament of

4031 Champions Meet.

4032 2. All awards shall be paid to the tournament's
4033 participating players no later than 30 days after the conclusion
4034 of the Jai Alai Tournament of Champions Meet.

4035 (d)1. In addition to the credit authorized in paragraph
4036 (c), Jai Alai Tournament of Champions Meet permitholders shall
4037 receive a credit against the taxes, otherwise due and payable
4038 under this section, generated during the permitholders' current
4039 regular meet, not to exceed the aggregate amount of \$150,000,
4040 which shall be prorated equally among the permitholders and used
4041 by the permitholders for such capital improvements and
4042 extraordinary expenses, including marketing expenses, necessary
4043 for the operation of the meet. The determination of the amount
4044 to be credited shall be made by the commission upon application
4045 of the permitholders.

4046 2. The permitholder may receive the permitholder's pro
4047 rata share of the \$150,000 tax credit provided in subparagraph
4048 1. without making application if appropriate documentation to
4049 substantiate the expenditures is provided to the commission
4050 within 30 days after the Jai Alai Tournament of Champions Meet.

4051 (8) TAX EXEMPTIONS.—

4052 (a) An admission tax under this part or chapter 212 may
4053 not be imposed on any free pass or complimentary card issued to
4054 a person for which there is no cost to the person for admission
4055 to a pari-mutuel event.

4056 (b) A licensee may issue tax-free passes to its officers,

4057 officials, and employees; to other persons actually engaged in
4058 working at the facility, including accredited press
4059 representatives such as reporters and editors; and to other
4060 permitholders for use by their officers and officials. The
4061 licensee shall file with the department a list of all persons to
4062 whom tax-free passes are issued under this paragraph.

4063 (c) When the live handle of a permitholder during the
4064 preceding state fiscal year was less than \$15 million, the tax
4065 shall be paid on the handle in excess of \$30,000 per performance
4066 per day.

4067 (d) Notwithstanding any provision of this part, each
4068 permitholder licensed to conduct performances as part of the Jai
4069 Alai Tournament of Champions Meet shall pay no taxes on handle
4070 under subsection (4) or subsection (5) for any performance
4071 conducted by such permitholder as part of the Jai Alai
4072 Tournament of Champions Meet. This paragraph applies to a
4073 maximum of four performances.

4074 Section 61. Effective October 1, 2014, section 551.072,
4075 Florida Statutes, is created to read:

4076 551.072 Transmission of racing and jai alai information;
4077 commingling of pari-mutuel pools.-

4078 (1) (a) A person who transmits racing information to any
4079 person or relays such information to any person by word of
4080 mouth, by signal, or by use of telephone, telegraph, radio, or
4081 any other means knowing that the information is used or intended
4082 to be used for illegal gambling purposes or in furtherance of

4083 illegal gambling commits a felony of the third degree,
 4084 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

4085 (b) Paragraph (a) is an exercise of the police power of
 4086 the state for the protection of the public welfare, health,
 4087 peace, safety, and morals of the people of the state, and this
 4088 section shall be liberally construed for the accomplishment of
 4089 such purpose.

4090 (2) A pari-mutuel licensee in this state may broadcast
 4091 events conducted at the enclosure of the licensee to locations
 4092 outside this state.

4093 (a) All broadcasts of horseraces to locations outside this
 4094 state must comply with the Interstate Horseracing Act of 1978,
 4095 15 U.S.C. ss. 3001 et seq.

4096 (b) Wagers accepted by any out-of-state pari-mutuel
 4097 licensee or licensed betting system on a race broadcast under
 4098 this subsection may be included in the pari-mutuel pools of the
 4099 horse track in this state that broadcasts the race upon which
 4100 wagers are accepted. The handle referenced in ss. 551.043(4),
 4101 551.053(4), 551.0543(4), 551.0553(3), and 551.063(4) does not
 4102 include any wagers accepted by an out-of-state pari-mutuel
 4103 licensee or licensed betting system, irrespective of whether
 4104 such wagers are included in the pari-mutuel pools of the Florida
 4105 licensee under this subsection.

4106 (3) A horserace licensee in this state may receive
 4107 broadcasts of horseraces conducted at other horse tracks located
 4108 outside this state at the racetrack enclosure of the licensee

4109 during its race meet.

4110 (a) All broadcasts of horseraces received from locations
4111 outside this state must comply with the Interstate Horseracing
4112 Act of 1978, 15 U.S.C. ss. 3001 et seq.

4113 (b) Wagers accepted at the horse track in this state may
4114 be included in the pari-mutuel pools of the out-of-state horse
4115 track that broadcasts the race. Notwithstanding any provision of
4116 this part, if the horse track in this state includes wagers
4117 accepted on such races in the pari-mutuel pools of the out-of-
4118 state horse track that broadcasts the race, from the amount
4119 wagered by patrons at the horse track in this state and included
4120 in the pari-mutuel pools of the out-of-state horse track, the
4121 horse track in this state shall deduct as the takeout from the
4122 amount wagered by patrons at the horse track in this state and
4123 included in the pari-mutuel pools of the out-of-state horse
4124 track a percentage equal to the percentage deducted from the
4125 amount wagered at the out-of-state racetrack as is authorized by
4126 the laws of the jurisdiction exercising regulatory authority
4127 over the out-of-state horse track.

4128 (c) All forms of pari-mutuel wagering are allowed on races
4129 broadcast under this section, and all money wagered by patrons
4130 on such races shall be computed as part of the total amount of
4131 money wagered at each racing performance for purposes of
4132 taxation under ss. 551.043, 551.053, 551.0543, 551.0553, and
4133 551.063. Sections 551.0523(1)(a), 551.0542(1), and 551.0552(1)
4134 do not apply to any money wagered on races broadcast under this

4135 section. The takeout shall be increased by breaks and uncashed
4136 tickets for wagers on races broadcast under this section,
4137 notwithstanding any provision of this part.

4138 (4) A greyhound racing licensee or jai alai permitholder
4139 in this state may receive broadcasts of greyhound races or jai
4140 alai games conducted at other greyhound tracks or frontons
4141 located outside the state at the track enclosure of the licensee
4142 during its operational meeting. All forms of pari-mutuel
4143 wagering are allowed on greyhound races or jai alai games
4144 broadcast under this subsection. All money wagered by patrons on
4145 greyhound races broadcast under this subsection shall be
4146 computed in the amount of money wagered at each performance for
4147 purposes of taxation under this part.

4148 (5) A pari-mutuel licensee under this part may not receive
4149 broadcasts of events from outside this state except from an out-
4150 of-state pari-mutuel permitholder that holds the same type or
4151 class of pari-mutuel permit as the pari-mutuel permitholder
4152 licensed under this part that intends to receive the broadcast.

4153 (6) (a) A maximum of 20 percent of the total number of
4154 races on which wagers are accepted by a greyhound racing
4155 licensee may be received from locations outside this state. A
4156 licensee may not conduct fewer than eight live events on any
4157 authorized race day except as provided in this subsection. A
4158 thoroughbred racing licensee may not conduct fewer than eight
4159 live races on any race day without the written approval of the
4160 Florida Thoroughbred Breeders' and Owners' Association and the

4161 Florida Horsemen's Benevolent and Protective Association, Inc.,
4162 unless it is determined by the commission that another entity
4163 represents a majority of the thoroughbred racehorse owners and
4164 trainers in the state. A harness racing licensee may conduct
4165 fewer than eight live races on any authorized race day, except
4166 that such licensee must conduct a full schedule of live racing
4167 during its race meet consisting of at least eight live races per
4168 authorized race day for at least 100 days. A harness racing
4169 licensee that, during the preceding racing season, conducted a
4170 full schedule of live racing may receive, at any time during its
4171 current race meet, full-card broadcasts of harness races
4172 conducted at harness race tracks outside this state at the
4173 harness race track of the permitholder and accept wagers on such
4174 harness races. With specific authorization from the commission
4175 for special racing events, a licensee may conduct fewer than
4176 eight live events if the licensee also broadcasts out-of-state
4177 events. The commission may not authorize more than two such
4178 exceptions a year for a licensee in any 12-month period, and
4179 those two exceptions may not be consecutive.

4180 (b) Notwithstanding any provision of this part, a harness
4181 racing licensee that accepts broadcasts of out-of-state harness
4182 races when not conducting live races must make the out-of-state
4183 signal available to all licensees eligible to conduct intertrack
4184 wagering and shall pay to guest facilities located as specified
4185 in s. 551.073(8) 50 percent of the net proceeds after taxes and
4186 fees to the out-of-state host facility on harness race wagers

4187 that they accept. A harness racing licensee shall pay into its
4188 purse account 50 percent of the net income retained by the
4189 licensee on wagering on the out-of-state broadcasts received
4190 pursuant to this subsection. Nine-tenths of a percent of all
4191 harness race wagering proceeds on the broadcasts received
4192 pursuant to this subsection shall be paid to the Florida
4193 Standardbred Breeders and Owners Association under s.
4194 551.0552(2) for the purposes specified in that subsection.

4195 (7) A racetrack or fronton may not pay a patron for any
4196 pari-mutuel ticket purchased on any event transmitted pursuant
4197 to this section until the stewards, judges, or panel of judges
4198 or other similarly constituted body at the racetrack or fronton
4199 where the event originates confirms the event as official.

4200 (8) By entering and participating in a race for a purse or
4201 any other prize of any racing animal, the owner of the animal
4202 and the jockey or driver agree to accept such purse or prize as
4203 full and complete remuneration and payment, including the
4204 broadcast of such event, except as otherwise provided in this
4205 section.

4206 (9) The rights, privileges, or immunities granted under
4207 this section prevail over any conflicting provision to the
4208 extent that such rights, privileges, or immunities conflict with
4209 any other law or affect any order or rule of the Florida Public
4210 Service Commission relating to the regulation of public
4211 utilities and the furnishing to others of any communication,
4212 wire service, or other similar service or equipment.

4213 (10) The department may adopt rules necessary to
4214 facilitate commingling of pari-mutuel pools, to ensure the
4215 proper calculation of payoffs in circumstances in which
4216 different commission percentages are applicable, and to regulate
4217 distribution of net proceeds between the horse track and, in
4218 this state, the horsemen's associations.

4219 (11) Greyhound tracks and jai alai frontons have the same
4220 privileges as provided in this section to horse tracks, subject
4221 to rules adopted under subsection (10).

4222 (12) All permitholders licensed under this part have
4223 standing to enforce subsections (2) and (3) in the courts of
4224 this state.

4225 (13) This section does not prohibit the commingling of
4226 national pari-mutuel pools by a totalisator company that is
4227 licensed under this part. Such commingling of national pools is
4228 subject to commission review and approval and must be performed
4229 in accordance with rules adopted by the department to ensure
4230 accurate calculation and distribution of the pools.

4231 (14) Notwithstanding the provisions of paragraph (3) (b)
4232 pertaining to takeout, takeouts different from those of the host
4233 facility may be used when the totalisator is programmed for net
4234 pool pricing and the host facility elects to use net pool
4235 pricing in the calculation of its pools. This subsection also
4236 applies to greyhound intertrack and simulcast wagers.

4237 (15) Section 565.02(5) applies to any guest facility.
4238 Section 62. Effective October 1, 2014, section 551.073,

4239 Florida Statutes, is created to read:

4240 551.073 Intertrack wagering.—

4241 (1) A horseracing licensee that has conducted a full
 4242 schedule of live events may, at any time, receive at its
 4243 facility broadcasts of and accept wagers on horseraces conducted
 4244 by horseracing permitholders licensed under this part.

4245 (2) Any licensed track or fronton that, in the preceding
 4246 year, conducted a full schedule of live events may, at any time,
 4247 receive broadcasts of any class of pari-mutuel events and accept
 4248 wagers on such events conducted by any class of licensed
 4249 permitholder.

4250 (3) If a licensee broadcasts to any licensee in this
 4251 state, any licensee that is eligible to conduct intertrack
 4252 wagering under ss. 551.073-551.077 may receive the broadcast and
 4253 conduct intertrack wagering under this section. A host facility
 4254 may require a guest facility within the market area of another
 4255 licensee to accept within any week at least 60 percent of the
 4256 live races that the host facility is making available regardless
 4257 of whether the guest facility is operating live events. A person
 4258 may not restrain or attempt to restrain any licensee that is
 4259 otherwise authorized to conduct intertrack wagering from
 4260 receiving the signal of any other licensee or sending its signal
 4261 to any licensee.

4262 (4) A guest facility within the market area of an
 4263 operating licensee may not take an intertrack wager on the same
 4264 class of live events without the written consent of such

4265 operating licensee conducting the same class of live events.

4266 (5) A licensee within the market area of the host facility
 4267 may not take an intertrack wager on the host facility without
 4268 the consent of the host facility.

4269 (6) In any county of the state where there are only two
 4270 permits, one for greyhound racing and one for jai alai, an
 4271 intertrack wager may not be taken during the period of time when
 4272 a permitholder is not licensed to conduct live events without
 4273 the written consent of the other permitholder that is conducting
 4274 live events. However, if neither permitholder is conducting live
 4275 events, either permitholder may accept intertrack wagers on
 4276 horseraces or on the same class of events, or on both horseraces
 4277 and the same class of events, as is authorized by its permit.

4278 (7) In any three contiguous counties of the state where
 4279 there are only three licensees, all of which are greyhound
 4280 racing permitholders, if a licensee leases the facility of
 4281 another permitholder for all or any portion of its live race
 4282 meet pursuant to s. 551.037, such lessee may conduct intertrack
 4283 wagering at its prelease permitted facility throughout the
 4284 entire year, including while its live meet is being conducted at
 4285 the leased facility, if such permitholder has conducted a full
 4286 schedule of live racing during the preceding fiscal year at its
 4287 prelease permitted facility, at a leased facility, or at both.

4288 (8) In any two contiguous counties of the state in which
 4289 only four licensees are operating, one for thoroughbred racing,
 4290 two for greyhound racing, and one for jai alai games, an

4291 intertrack wager may not be accepted on the same class of live
4292 events as those of any licensee within the same market area
4293 without the written consent of each such licensee conducting the
4294 same class of live events within the market area of the guest
4295 facility.

4296 (9) Uncashed tickets and breakage tax on intertrack wagers
4297 shall be retained by the licensee conducting the live event.

4298 (10) All costs of receiving broadcasts shall be borne by
4299 the guest facility, and all costs of sending broadcasts shall be
4300 borne by the host facility.

4301 Section 63. Effective October 1, 2014, section 551.074,
4302 Florida Statutes, is created to read:

4303 551.074 Intertrack wagering; purses; breeder awards.—If a
4304 host facility is a horse track:

4305 (1) A host facility racing under a thoroughbred racing
4306 permit or quarter horse racing permit shall pay as purses during
4307 its current race meet an amount equal to 7 percent of all wagers
4308 placed pursuant to s. 551.073. At the option of the host
4309 facility, up to 0.5 percent of all wagers placed pursuant to s.
4310 551.073 may be deducted from the amount retained by the host
4311 facility for purses to supplement the awards program for owners
4312 of Florida-bred horses as specified in s. 551.0511(3). A host
4313 facility racing under a harness racing permit shall pay an
4314 amount equal to 7 percent of all wagers placed pursuant to s.
4315 551.073 as purses during its current race meet. If a host
4316 facility underpays or overpays purses required by this part,

4317 then s. 551.0511 applies to the overpayment or underpayment.
4318 (2) For all wagers placed under s. 551.073:
4319 (a) If the host facility is a thoroughbred race track, an
4320 amount equal to 0.75 percent of such wagers shall be paid to the
4321 Florida Thoroughbred Breeders' and Owners' Association for the
4322 payment of breeder awards.
4323 (b) If the host facility is a harness race track, an
4324 amount equal to 1 percent of such wagers shall be paid to the
4325 Florida Standardbred Breeders and Owners Association for the
4326 payment of breeder awards, stallion awards, stallion stakes,
4327 additional purses, and prizes for, and the general promotion of
4328 owning and breeding, Florida-bred standardbred horses.
4329 (c) If the host facility is a quarter horse race track, an
4330 amount equal to 1 percent of such wagers shall be paid to the
4331 Florida Quarter Horse Breeders and Owners Association for the
4332 payment of breeder awards and general promotion.
4333 (3) The payment to a breeder organization shall be
4334 combined with any other amounts received by the respective
4335 breeder and owner associations as designated. Each breeder and
4336 owner association receiving such funds may withhold the same
4337 percentage specified in ss. 551.0523, 551.0542, and 551.0552 to
4338 be used for administering the payment of awards and for the
4339 general promotion of its respective industry. Notwithstanding
4340 any other provision of law, if the total combined amount
4341 received for thoroughbred breeder awards exceeds 15 percent of
4342 the purse required to be paid under subsection (1), the breeder

4343 and owner association, as designated, shall submit a plan to the
4344 commission for approval which would use the excess funds in
4345 promoting the breeding industry by increasing the purse
4346 structure for Florida-bred horses. Preference shall be given to
4347 the track generating such excess.

4348 Section 64. Effective October 1, 2014, section 551.075,
4349 Florida Statutes, is created to read:

4350 551.075 Intertrack wagering; guest facility payments;
4351 accounting rules.-

4352 (1) (a) All guest facilities receiving broadcasts of:

4353 1. Horseraces from a host facility racing under a
4354 thoroughbred racing license or quarter horse racing license are
4355 entitled to 7 percent of the total contributions to the pari-
4356 mutuel pool on wagers accepted at the guest facility.

4357 2. Greyhound races or jai alai games from a host facility
4358 other than a thoroughbred racing or harness racing licensee are
4359 entitled to at least 5 percent of the total contributions to the
4360 daily pari-mutuel pool on wagers accepted at the guest facility.

4361 3. Horseraces from a host facility racing under a harness
4362 racing license are entitled to 5 percent of the total
4363 contributions to the daily pari-mutuel pool on wagers accepted
4364 at the guest facility.

4365 (b)1. If the guest facility is a horseracing licensee that
4366 accepts intertrack wagers during its current race meet, one-half
4367 of the amount provided in this subsection and s. 551.076 shall
4368 be paid as purses during its current race meet; or

4369 2. If the host facility is a thoroughbred racing licensee,
 4370 and the guest facility is also a thoroughbred racing licensee
 4371 and accepts intertrack wagers on thoroughbred races during its
 4372 current race meet, one-third of the amount provided in this
 4373 subsection shall be paid as purses during its current race meet.
 4374 In addition, an amount equal to 2 percent of the intertrack
 4375 handle at the guest facility shall be deducted from the purses
 4376 required to be paid by the host facility and remitted by the
 4377 host facility to the guest facility and paid by the guest
 4378 facility as purses during its current race meet.

4379 (c) If intertrack wagering on thoroughbred racing is taken
 4380 at any guest facility, including a thoroughbred guest facility,
 4381 which is located within the market area of any thoroughbred
 4382 racing licensee that is not conducting live racing, an amount
 4383 equal to 2 percent of the intertrack handle at all such guest
 4384 facilities, including the thoroughbred guest facility, shall be
 4385 deducted from the purses otherwise required to be paid by the
 4386 host facility and remitted by the host facility to the
 4387 thoroughbred racing licensee that was not conducting live
 4388 racing. The amount paid under this paragraph to the thoroughbred
 4389 racing licensee that was not conducting live racing shall be
 4390 used to pay purses during its next race meet.

4391 (2) For the purpose of calculating odds and payoffs and
 4392 distributing pari-mutuel pools, all intertrack wagers shall be
 4393 combined with the pari-mutuel pools at the host facility.
 4394 Notwithstanding this subsection or subsection (4), a greyhound

4395 racings licensee may conduct intertrack wagering without
4396 combining pari-mutuel pools on not more than three races in any
4397 week, not to exceed 20 races in a year. All other provisions
4398 concerning pari-mutuel takeout and payments, including state tax
4399 payments, apply as if the pool had been combined.

4400 (3) All forms of pari-mutuel wagering are allowed on all
4401 wagering authorized by s. 551.073 and this section.

4402 (4) The takeout on all intertrack wagering shall be the
4403 same as the takeout on similar pari-mutuel pools conducted at
4404 the host facility.

4405 (5) The department shall adopt rules providing an
4406 expedient accounting procedure for the transfer of the pari-
4407 mutuel pool in order to properly account for payment of state
4408 taxes and purses and payment to the guest facility, the host
4409 facility, breeder associations, horsemen's associations, and the
4410 public.

4411 (6) Each host facility or guest facility conducting
4412 intertrack wagering shall annually file an audit that complies
4413 with s. 551.034 which distinguishes intertrack wagering from
4414 wagering conducted live.

4415 (7) A guest facility may not make any payment on a pari-
4416 mutuel ticket purchased on any event broadcast until the
4417 stewards, judges, or panel of judges at the host facility where
4418 the event originated confirms the event as official.

4419 (8) By entering and participating in a race for a purse or
4420 other prize of any racing animal, the owner of the animal and

4421 the jockey or driver agree to accept such purse or prize as full
4422 and complete remuneration and payment for such entry and
4423 participation, including the broadcast of such event.

4424 (9) A host facility that has contracted with an out-of-
4425 state horse track to broadcast live races conducted at the out-
4426 of-state horse track pursuant to s. 551.072(5) may rebroadcast
4427 simulcasts of such races to any guest facility and accept wagers
4428 thereon in the same manner as is provided in s. 551.072.

4429 (a) For purposes of this section, the term "net proceeds"
4430 means the amount of takeout remaining after payment of state
4431 taxes and purses, the amount paid to the out-of-state horse
4432 track, and breeder awards paid to the Florida Thoroughbred
4433 Breeders' and Owners' Association and the Florida Standardbred
4434 Breeders and Owners Association, to be used as set forth in s.
4435 551.074(2).

4436 (b) Notwithstanding subsection (1) and s. 551.074(1) and
4437 (2), distribution of the net proceeds that are retained by a
4438 thoroughbred racing host facility from the takeout on a
4439 simulcast race rebroadcast under this subsection shall be as
4440 follows:

4441 1. One-third shall be paid to the guest facility;
4442 2. One-third shall be retained by the host facility; and
4443 3. One-third shall be paid by the host facility as purses
4444 at the host facility.

4445 (c) All guest facilities, other than thoroughbred racing
4446 licensees, receiving wagers on simulcast horseraces rebroadcast

4447 from a thoroughbred racing host facility are subject to the
4448 distribution of net proceeds specified in paragraph (b) unless
4449 the host facility and guest facility licensees and the
4450 recognized horseman's group agree by contract to a different
4451 distribution of their respective portions of the proceeds.

4452 (d) A licensee located in any market area of the state
4453 where there are only two permits, one for greyhound racing and
4454 one for jai alai, may accept wagers on rebroadcasts of simulcast
4455 thoroughbred races from an in-state thoroughbred racing licensee
4456 and is not subject to paragraph (b) if the thoroughbred racing
4457 licensee is both conducting live races and accepting wagers on
4458 out-of-state horseraces. In such case, the guest licensee is
4459 entitled to 45 percent of the net proceeds on wagers accepted at
4460 the guest facility. Of the remaining net proceeds, one-half
4461 shall be retained by the host facility and one-half shall be
4462 paid by the host facility as purses at the host facility.

4463 (e) Notwithstanding subsection (1) and s. 551.074(1) and
4464 (2), the proceeds that are retained by a harness racing host
4465 facility from the takeout on a race broadcast under this
4466 subsection shall be distributed as follows:

4467 1. Of the total intertrack handle on the broadcast, 1
4468 percent shall be deducted from the proceeds and paid to the
4469 Florida Standardbred Breeders and Owners Association to be used
4470 as set forth in s. 551.074(2).

4471 2. After the deduction under subparagraph 1., one-third of
4472 the proceeds shall be paid to the guest facility, one-third

4473 shall be retained by the host facility, and one-third shall be
4474 paid by the host facility as purses at the host facility.

4475 (f) A licensee located in any market area of the state
4476 where there are only two permits, one for greyhound racing and
4477 one for jai alai, may accept wagers on rebroadcasts of simulcast
4478 harness races from an in-state harness racing licensee and is
4479 not subject to paragraph (b) if the harness racing licensee is
4480 conducting live races. In such case, the guest licensee is
4481 entitled to 45 percent of the net proceeds on wagers accepted at
4482 the guest facility. Of the remaining net proceeds, one-half
4483 shall be retained by the host facility and one-half shall be
4484 paid by the host facility as purses at the host facility.

4485 (g)1. A thoroughbred racing licensee that accepts wagers
4486 on a simulcast signal must make the signal available to any
4487 licensee that is eligible to conduct intertrack wagering under
4488 ss. 551.073-551.077. A licensee licensed under s. 551.077 which
4489 receives the rebroadcast after 6 p.m. may accept wagers on such
4490 rebroadcast simulcast signals for a number of performances not
4491 exceeding that which constitutes a full schedule of live races
4492 for a quarter horse racing permitholder pursuant to s. 551.0551,
4493 notwithstanding any provision of this part, except that the
4494 restrictions provided in s. 551.077(1) apply to wagers on such
4495 rebroadcast simulcast signals.

4496 2. A thoroughbred licensee is not required to continue to
4497 rebroadcast a simulcast signal to any in-state permitholder if
4498 the average per performance gross receipts returned to the host

4499 licensee over the preceding 30-day period were less than \$100.
4500 Subject to s. 551.073(4), as a condition of receiving
4501 rebroadcasts of thoroughbred simulcast signals under this
4502 paragraph, a guest licensee must accept intertrack wagers on all
4503 live races conducted by all then-operating thoroughbred racing
4504 licensees.

4505 (10) All events conducted at a permitholder's facility,
4506 all broadcasts of such events, and all related broadcast rights
4507 are owned by the permitholder at whose facility such events are
4508 conducted and are the permitholder's property as defined in s.
4509 812.012(4). Transmission, reception of a transmission,
4510 exhibition, use, or other appropriation of such events,
4511 broadcasts of such events, or related broadcast rights without
4512 the written consent of the permitholder is theft of such
4513 property under s. 812.014, and, in addition to the penal
4514 sanctions contained in s. 812.014, the permitholder may avail
4515 itself of the civil remedies specified in ss. 772.104, 772.11,
4516 and 812.035 in addition to any other remedies available under
4517 applicable state or federal law.

4518 (11) To the extent that any rights, privileges, or
4519 immunities granted to pari-mutuel permitholders in this section
4520 conflict with any provision of any other law or affect any order
4521 or rule of the Florida Public Service Commission relating to the
4522 regulation of public utilities and the furnishing to others of
4523 any communication, wire service, or other similar service or
4524 equipment, the rights, privileges, and immunities granted under

4525 this section prevail over such conflicting provision.

4526 Section 65. Effective October 1, 2014, section 551.076,
4527 Florida Statutes, is created to read:

4528 551.076 Surcharge; supplement payments.-

4529 (1) SURCHARGE ON INTERTRACK POOL.-

4530 (a) Any guest facility that accepts intertrack wagers may
4531 collect and retain a surcharge on any intertrack pool in an
4532 amount not to exceed 3 percent of each winning pari-mutuel
4533 ticket cashed.

4534 (b) A thoroughbred racing licensee that accepts wagers on
4535 out-of-state races may impose a surcharge on each winning
4536 ticket, or interstate pool, on such out-of-state race in an
4537 amount not to exceed 5 percent of each winning pari-mutuel
4538 winning ticket cashed. If a licensee rebroadcasts such signal
4539 and elects to impose a surcharge, the surcharge shall be imposed
4540 on any winning ticket at any guest facility at the same rate as
4541 the surcharge on wagers accepted at its own facility. The
4542 proceeds from the surcharge shall be distributed as follows:

4543 1. If the wager is made at the host facility, one-half of
4544 the proceeds shall be retained by the host licensee and one-half
4545 shall be paid as purses at the host facility.

4546 2. If the wager is made at a guest facility, one-half of
4547 the proceeds shall be retained by the guest licensee, one-
4548 quarter shall be paid to the host licensee, and one-quarter
4549 shall be paid as purses at the host facility.

4550 (c) Any surcharge taken under this subsection must be

4551 calculated after breakage is deducted from the wagering pool.
4552 (2) SUPPLEMENTAL PAYMENTS BY HARNESS RACING HOST
4553 FACILITY.—A harness racing permitholder host facility may pay
4554 any guest facility that receives broadcasts and accepts wagers
4555 on races from the host facility an additional percentage of the
4556 total contribution to the pari-mutuel pool on wagers accepted at
4557 that guest facility as a supplement to the payment authorized in
4558 s. 551.075. A harness racing permitholder host facility that
4559 supplements payments to a guest facility may reduce the account
4560 available for payment of purses during its current race meet by
4561 50 percent of the supplemental amount paid to the guest
4562 facility, but the total reduction may not exceed 1 percent of
4563 the intertrack wagers placed on races that are part of the
4564 regular ontrack program of the host facility during its current
4565 race meet pursuant to s. 551.073.

4566 Section 66. Effective October 1, 2014, section 551.077,
4567 Florida Statutes, is created to read:

4568 551.077 Limited intertrack wagering license.—In
4569 recognition of the economic importance of the thoroughbred
4570 breeding industry to this state, its positive impact on tourism,
4571 and the importance of a permanent thoroughbred sales facility as
4572 a key focal point for the activities of the industry, a limited
4573 license to conduct intertrack wagering is established to ensure
4574 the continued viability and public interest in thoroughbred
4575 breeding in Florida.

4576 (1) (a) Upon application to the commission on or before

4577 January 31 of each year, a person who is licensed to conduct
4578 public sales of thoroughbred horses under s. 535.01 and who has
4579 conducted thoroughbred horse sales for at least 8 days at a
4580 permanent sales facility in this state for at least 3
4581 consecutive years may be issued a license, subject to the
4582 conditions specified in this section and department rule, to
4583 conduct intertrack wagering at such a permanent sales facility.

4584 (b) Only one license may be issued under this subsection,
4585 and the license may not be issued for a facility located within
4586 50 miles of any for-profit thoroughbred racing licensee's track.

4587 (2) If more than one application is submitted for such
4588 license, the commission shall determine which applicant is
4589 granted the license. In making its determination, the commission
4590 shall grant the license to the applicant demonstrating superior
4591 capabilities, as measured by the length of time the applicant
4592 has been conducting thoroughbred horse sales within this state
4593 or elsewhere, the applicant's total volume of thoroughbred horse
4594 sales within this state or elsewhere, the length of time the
4595 applicant has maintained a permanent thoroughbred sales facility
4596 in this state, and the quality of the facility.

4597 (3) The applicant must comply with ss. 551.0321(2),
4598 551.034, and 551.029.

4599 (4) The licensee shall be considered a guest facility
4600 under this part.

4601 Section 67. Effective October 1, 2014, section 551.078,
4602 Florida Statutes, is created to read:

4603 551.078 Totalisator licensing.-

4604 (1) A totalisator may not be operated at a pari-mutuel
 4605 facility in this state, or at a facility located in or out of
 4606 this state which is used as the primary totalisator for an event
 4607 conducted in this state, unless the totalisator company
 4608 possesses a business license issued by the department.

4609 (2) (a) Each totalisator company must apply to the
 4610 department for an annual business license. The application must
 4611 include such information as the department by rule requires.

4612 (b) As a part of its license application, each totalisator
 4613 company must agree in writing to pay to the department an amount
 4614 equal to the loss of any state revenues due to missed or
 4615 canceled events or performances due to acts of the totalisator
 4616 company or its agents or employees or failures of the
 4617 totalisator system, except for circumstances beyond the control
 4618 of the totalisator company or agent or employee, as determined
 4619 by the commission.

4620 (c) Each totalisator company must file with the department
 4621 a performance bond, acceptable to the department, in the sum of
 4622 \$250,000 issued by a surety approved by the department or must
 4623 file acceptable proof of insurance in the amount of \$250,000 to
 4624 insure the state against such a revenue loss.

4625 (d) If there is a loss of state tax revenues, the
 4626 department shall determine:

4627 1. The estimated revenue lost as a result of missed or
 4628 canceled events or performances;

4629 2. The number of events or performances which is
4630 practicable for the permitholder to conduct in an attempt to
4631 mitigate the revenue loss; and

4632 3. The amount of the revenue loss that the makeup events
4633 or performances will not recover and for which the totalisator
4634 company is liable.

4635 (e) Upon making the determinations under paragraph (d),
4636 the department shall issue to the totalisator company and to the
4637 affected permitholder an order setting forth the determinations
4638 of the department.

4639 (f) If the order is contested by the totalisator company
4640 or any affected permitholder, chapter 120 applies. If the
4641 totalisator company contests the order on the grounds that the
4642 revenue loss was due to circumstances beyond its control, the
4643 totalisator company has the burden of proving that circumstances
4644 were in fact beyond its control. For purposes of this paragraph,
4645 strikes and acts of God are beyond the control of the
4646 totalisator company.

4647 (g) Upon the failure of the totalisator company to make
4648 the payment found to be due the state, the department may cause
4649 the forfeiture of the bond or may proceed against the insurance
4650 contract, and the proceeds of the bond or contract shall be
4651 deposited into the Gaming Control Trust Fund. If the bond was
4652 not posted or insurance was not obtained, the department may
4653 proceed against any assets of the totalisator company to collect
4654 the amounts due under this subsection.

4655 (3) If the applicant meets the requirements of this
4656 section and of the department rules and pays the license fee,
4657 the department shall issue the license.

4658 (4) Each totalisator company shall conduct operations in
4659 accordance with rules adopted by the department in such form,
4660 content, and frequency as the department by rule determines.

4661 (5) The department and its representatives may enter and
4662 inspect any area of the premises of a licensed totalisator
4663 company, and may examine totalisator records, during the
4664 licensee's regular business or operating hours.

4665 Section 68. Effective October 1, 2014, section 551.082,
4666 Florida Statutes, is created to read:

4667 551.082 Minors' attendance at pari-mutuel performances;
4668 restrictions.-

4669 (1) A minor, when accompanied by one or both parents or by
4670 her or his legal guardian, may attend pari-mutuel performances
4671 under the conditions and at the times specified by each
4672 permitholder conducting the pari-mutuel performance.

4673 (2) A person under the age of 18 may not place a wager at
4674 any pari-mutuel performance.

4675 (3) Notwithstanding subsections (1) and (2), a minor may
4676 be employed at a pari-mutuel facility except in a position
4677 directly involving wagering or alcoholic beverages or except as
4678 otherwise prohibited by law.

4679 (4) A minor child of a licensed greyhound trainer, kennel
4680 operator, or other licensed person employed in the kennel

4681 compound areas may be granted access to kennel compound areas
4682 without being licensed if the minor is in no way employed at the
4683 facility and only when the minor is under the direct supervision
4684 of her or his parent or legal guardian.

4685 Section 69. Effective October 1, 2014, section 551.0921,
4686 Florida Statutes, is created to read:

4687 551.0921 Use of controlled substances or alcohol
4688 prohibited; testing of certain occupational licensees.—

4689 (1) The use of a controlled substance as defined in
4690 chapter 893 or of alcohol by any occupational licensees
4691 officiating at or participating in an event is prohibited.

4692 (2) (a) An occupational licensee, by applying for and
4693 holding such license, is deemed to have given consent to submit
4694 to an approved chemical test of her or his breath for the
4695 purpose of determining the alcoholic content of the person's
4696 blood and to a urine or blood test for the purpose of detecting
4697 the presence of a controlled substance. Such tests shall be
4698 conducted only upon reasonable cause that a violation has
4699 occurred as determined by the stewards at a horserace meeting or
4700 the judges or board of judges at a greyhound track or jai alai
4701 meet. Failure to submit to such test may result in a suspension
4702 of the person's occupational license for 10 days or until this
4703 section has been complied with, whichever is longer.

4704 1. If at the time of the test the person's blood contained
4705 0.05 percent or less by weight of alcohol, the person is
4706 presumed not to have been under the influence of alcoholic

4707 beverages to the extent that the person's normal faculties were
4708 impaired, and no action may be taken by the stewards, judges, or
4709 board of judges or the commission.

4710 2. If at the time of the test the person's blood contained
4711 more than 0.05 percent but less than 0.08 percent by weight of
4712 alcohol, it may not be presumed that the person was under the
4713 influence of alcoholic beverages to the extent that the person's
4714 faculties were impaired. In this instance, the stewards, judges,
4715 or board of judges may consider that fact in determining whether
4716 the person will be allowed to officiate or participate in a
4717 given event.

4718 3. If at the time of the test the person's blood contained
4719 0.08 percent or more by weight of alcohol, this fact is prima
4720 facie evidence that the person was under the influence of
4721 alcoholic beverages to the extent that the person's normal
4722 faculties were impaired, and the stewards or judges may take
4723 action as specified in this section, but the person may not
4724 officiate at or participate in any event on the day of such
4725 test.

4726 (b) All tests relating to alcohol must be performed in a
4727 manner identical or substantially similar to the provisions of
4728 s. 316.1934 and rules adopted pursuant to that section. After a
4729 test of the urine or blood to determine the presence of a
4730 controlled substance as defined in chapter 893, if a controlled
4731 substance is found to exist, the stewards, judges, or board of
4732 judges may take such action as is permitted in this section.

4733 (3) (a) For the first violation of subsection (2), the
4734 stewards, judges, or board of judges may suspend a licensee for
4735 up to 10 days or, in lieu of suspension, may impose a civil fine
4736 of up to \$500.

4737 (b) For a second violation of subsection (2) within 1 year
4738 after the first violation, the stewards, judges, or board of
4739 judges may suspend a licensee for up to 30 days and, in addition
4740 to or in lieu of suspension, may impose a civil fine of up to
4741 \$2,000.

4742 (c) In lieu of or in addition to the penalties prescribed
4743 under paragraph (a) for a first offense or paragraph (b) for a
4744 second offense, the stewards, judges, or board of judges may
4745 require the licensee to participate in a drug or alcohol
4746 rehabilitation program and to be retested.

4747 (d) If the second violation occurred within 1 year after
4748 the first violation, upon the finding of a third violation of
4749 this section within 1 year after the second violation, the
4750 stewards, judges, or board of judges may suspend the licensee
4751 for up to 120 days, and the stewards, judges, or board of judges
4752 shall forward the results of the tests under paragraphs (a) and
4753 (b) and this violation to the commission. In addition to the
4754 action taken by the stewards, judges, or board of judges, the
4755 commission, after a hearing, may deny, suspend, or revoke the
4756 occupational license of the licensee and may impose a civil
4757 penalty of up to \$5,000 in addition to or in lieu of a
4758 suspension or revocation. The commission shall have no authority

4759 over the enforcement of this section until a licensee commits a
 4760 third violation within 2 years after the first violation.

4761 (4) Section 120.80(4)(a) applies to all actions taken by
 4762 the stewards, judges, or board of judges pursuant to this
 4763 section without regard to the limitation imposed in that
 4764 section.

4765 (5) This section does not apply to the possession and use
 4766 of controlled or chemical substances that are prescribed as part
 4767 of the care and treatment of a disease or injury by a
 4768 practitioner licensed under chapter 458, chapter 459, part I of
 4769 chapter 464, or chapter 466.

4770 (6) It is the intent of the Legislature to protect the
 4771 health, safety, and welfare of those officiating at or
 4772 participating in an event. Therefore, evidence of any test or
 4773 actions taken by the stewards, judges, or board of judges or the
 4774 commission under this section is inadmissible in court for
 4775 criminal prosecution. However, this subsection does not prohibit
 4776 any person so authorized from pursuing an independent
 4777 investigation as a result of a ruling made by the stewards,
 4778 judges, board of judges, or commission.

4779 Section 70. Effective October 1, 2014, section 551.0922,
 4780 Florida Statutes, is created to read:

4781 551.0922 Authority of stewards, judges, panel of judges,
 4782 or player's manager to impose penalties against occupational
 4783 licensees; disposition of funds collected.-

4784 (1) The stewards at a horse track; the judges at a

4785 greyhound track; or the judges, a panel of judges, or a player's
4786 manager at a jai alai fronton may impose a civil penalty against
4787 any occupational licensee for violation of the pari-mutuel laws
4788 or any rule adopted by the department. The penalty may not
4789 exceed \$1,000 for each count or separate offense or exceed 60
4790 days of suspension for each count or separate offense.

4791 (2) All penalties imposed and collected pursuant to this
4792 section at each pari-mutuel facility shall be deposited into a
4793 board of relief fund established by the pari-mutuel
4794 permitholder. Each association shall name a board of relief
4795 composed of three of its officers, with the general manager of
4796 the permitholder being the ex officio treasurer of such board.
4797 Moneys deposited into the board of relief fund shall be
4798 disbursed by the board for the specific purpose of aiding
4799 occupational licensees and their immediate family members at
4800 each pari-mutuel facility.

4801 Section 71. Effective October 1, 2014, section 551.093,
4802 Florida Statutes, is created to read:

4803 551.093 Racing animals under certain conditions
4804 prohibited; penalties; exceptions.—

4805 (1) (a) Racing an animal that has been administered any
4806 drug, medication, stimulant, depressant, hypnotic, narcotic,
4807 local anesthetic, or drug-masking agent is prohibited. A person
4808 may not administer or cause to be administered any drug,
4809 medication, stimulant, depressant, hypnotic, narcotic, local
4810 anesthetic, or drug-masking agent to an animal which will result

4811 in a positive test for such substance based on samples taken
4812 from the animal immediately before or immediately after racing
4813 that animal. Test results and the identities of animals being
4814 tested and of their trainers and owners of record are
4815 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
4816 of the State Constitution for 10 days after testing of all
4817 samples collected on a particular day has been completed and any
4818 positive test results derived from such samples have been
4819 reported to the executive director of the department or
4820 administrative action has begun.

4821 (b) A race-day specimen may not contain a level of a
4822 naturally occurring substance which exceeds normal physiological
4823 concentrations. The department may adopt rules that specify
4824 normal physiological concentrations of naturally occurring
4825 substances in the natural untreated animal and rules that
4826 specify acceptable levels of environmental contaminants and
4827 trace levels of substances in test samples.

4828 (c) The finding of a prohibited substance in a race-day
4829 specimen constitutes prima facie evidence that the substance was
4830 administered and was carried in the body of the animal while
4831 participating in the race.

4832 (2) The department may take administrative action against
4833 an occupational licensee responsible under department rule for
4834 the condition of an animal that has been medicated or drugged in
4835 violation of this section.

4836 (3) (a) Upon the finding of a violation of this section,

4837 the department may:

4838 1. Revoke or suspend the license or permit of the violator
4839 or deny a license or permit to the violator;

4840 2. Impose a fine against the violator in an amount not
4841 exceeding \$5,000;

4842 3. Require the full or partial return of the purse,
4843 sweepstakes, and trophy of the race at issue; or

4844 4. Impose any combination of the penalties in
4845 subparagraphs 1.-3.

4846 (b) Notwithstanding chapter 120, the department may
4847 summarily suspend the license of an occupational licensee
4848 responsible under this section or department rule for the
4849 condition of a race animal if the department laboratory reports
4850 the presence of a prohibited substance in the animal or its
4851 blood, urine, saliva, or any other bodily fluid, either before a
4852 race in which the animal is entered or after a race the animal
4853 has run.

4854 (c) If an occupational licensee is summarily suspended
4855 under this section, the department shall offer the licensee a
4856 postsuspension hearing within 72 hours, at which the department
4857 shall produce the laboratory report and documentation that, on
4858 its face, establishes the responsibility of the occupational
4859 licensee. Upon production of the documentation, the occupational
4860 licensee has the burden of proving his or her lack of
4861 responsibility.

4862 (d) Any proceeding for administrative action against a

4863 licensee or permitholder, other than a proceeding under
4864 paragraph (c), shall be conducted in compliance with chapter
4865 120.

4866 (e) The finding of a violation of this section does not
4867 prohibit a prosecution for any criminal act committed.

4868 (4) A prosecution brought under this section must begin
4869 within 2 years after the violation was committed. Service of an
4870 administrative complaint marks the beginning of administrative
4871 action.

4872 (5) The department shall implement a split-sample
4873 procedure for testing animals under this section.

4874 (a) Upon finding a positive drug test result, the
4875 department shall notify the owner or trainer of the results. The
4876 owner may request that each urine and blood sample be split into
4877 a primary sample and a secondary sample, which must be
4878 accomplished in the laboratory under rules approved by the
4879 commission. Custody of both samples must remain with the
4880 department. However, upon request by the affected trainer or
4881 owner of the animal from which the sample was obtained, the
4882 department shall send the secondary sample to an approved
4883 independent laboratory for analysis. The department shall
4884 establish standards and rules for uniform enforcement and shall
4885 maintain a list of at least five approved independent
4886 laboratories from which an owner or trainer shall select in the
4887 event that a sample tests positive.

4888 (b) If the state laboratory's findings are not confirmed

4889 by the independent laboratory, further administrative or
4890 disciplinary action under this section may not be pursued. The
4891 department may adopt rules identifying substances that diminish
4892 in a blood or urine sample due to passage of time and that must
4893 be taken into account in applying this section.

4894 (c) If the independent laboratory confirms the state
4895 laboratory's positive result or if there is an insufficient
4896 quantity of the secondary sample for confirmation of the state
4897 laboratory's positive result, the department may begin
4898 administrative proceedings under this part and consistent with
4899 chapter 120.

4900 (d) For purposes of this subsection, the department shall
4901 in good faith attempt to obtain a sufficient quantity of the
4902 test fluid to allow both a primary test and a secondary test to
4903 be conducted.

4904 (6) (a) It is the intent of the Legislature that animals
4905 that participate in races in this state on which pari-mutuel
4906 wagering is conducted and animals that are bred and trained in
4907 this state for racing be treated humanely, both on and off
4908 racetracks, throughout the lives of the animals.

4909 (b) The department shall, by rule, establish the
4910 procedures for euthanizing greyhounds. However, a greyhound may
4911 not be put to death by any means other than by lethal injection
4912 of the drug sodium pentobarbital. A greyhound may not be removed
4913 from this state for the purpose of being destroyed.

4914 (c) An occupational licensee may not train a greyhound

4915 using live or dead animals. A greyhound may not be taken from
4916 this state for the purpose of being trained through the use of
4917 live or dead animals.

4918 (d) Any act committed by any licensee that would
4919 constitute cruelty to animals as defined in s. 828.02 involving
4920 any animal is a violation of this part. Imposition of any
4921 penalty by the department for violation of this part or any rule
4922 adopted by the department pursuant to this part does not
4923 prohibit a criminal prosecution for cruelty to animals.

4924 (e) The department may inspect any area at a pari-mutuel
4925 facility where racing animals are raced, trained, housed, or
4926 maintained, including any areas where food, medications, or
4927 other supplies are kept, to ensure the humane treatment of
4928 racing animals and compliance with this part and the rules of
4929 the department.

4930 (7) (a) Medication may not be administered to an animal
4931 within 24 hours before the officially scheduled post time of a
4932 race in which the animal is participating except as provided for
4933 in this section. The department shall, by rule:

4934 1. Establish conditions for the use of furosemide to treat
4935 exercise-induced pulmonary hemorrhage.

4936 2. Establish conditions for the use of prednisolone sodium
4937 succinate. Furosemide or prednisolone sodium succinate may not
4938 be administered to an animal within 4 hours before the
4939 officially scheduled post time for the race.

4940 3. Establish conditions for the use of phenylbutazone and

4941 synthetic corticosteroids. Except as provided in subparagraph
4942 2., phenylbutazone and synthetic corticosteroids may not be
4943 given to an animal within 24 hours before the officially
4944 scheduled post time of a race. Oral corticosteroids are
4945 prohibited unless prescribed by a licensed veterinarian and
4946 reported to the department on forms prescribed by the
4947 department.

4948 4. Establish acceptable levels of allowed medications and
4949 identify the appropriate biological specimens by which the
4950 administration of such medication is monitored.

4951 (b) This section does not prohibit the use of vitamins,
4952 minerals, or naturally occurring substances in an amount that
4953 does not exceed the normal physiological concentration in a
4954 race-day specimen.

4955 (8) (a) Medication may not be administered to an animal
4956 within 24 hours before the officially scheduled post time of the
4957 race except as provided in this section.

4958 (b) If the department first determines that the use of
4959 furosemide, phenylbutazone, or prednisolone sodium succinate in
4960 horses is in the best interest of racing, the department may
4961 adopt rules allowing such use, but the rules must specify the
4962 conditions for such use. A rule may not allow the administration
4963 of furosemide or prednisolone sodium succinate within 4 hours
4964 before the officially scheduled post time for the race. A rule
4965 may not allow the administration of phenylbutazone or any other
4966 synthetic corticosteroid within 24 hours before the officially

4967 scheduled post time for the race. Any administration of
4968 synthetic corticosteroids is limited to parenteral routes. Oral
4969 administration of synthetic corticosteroids is expressly
4970 prohibited. If this paragraph is unconstitutional, it is
4971 severable from the remainder of this section.

4972 (9) (a) The department may conduct a postmortem examination
4973 of any animal that is injured while in training or in
4974 competition at a permitted racetrack and that subsequently
4975 expires or is destroyed. The department may conduct a postmortem
4976 examination of any animal that expires while housed at a
4977 permitted racetrack, association compound, or licensed kennel or
4978 farm. Trainers and owners must comply with this paragraph as a
4979 condition of licensure.

4980 (b) Upon the death of an animal specified in paragraph
4981 (a), the department may take possession of the animal for
4982 postmortem examination. The department may submit blood, urine,
4983 other bodily fluid specimens, or other tissue specimens
4984 collected during a postmortem examination for testing by the
4985 department laboratory or its designee. Upon completion of the
4986 postmortem examination, the carcass must be returned to the
4987 owner or disposed of at the owner's option.

4988 (10) The presence in an animal of a prohibited substance
4989 that breaks down during a race, found by the department
4990 laboratory in a bodily fluid specimen collected during the
4991 postmortem examination of the animal, constitutes a violation of
4992 this section.

4993 (11) The cost of postmortem examinations, testing, and
 4994 disposal shall be borne by the department.

4995 (12) Except as specifically modified by statute or by rule
 4996 of the department, the Uniform Classification Guidelines for
 4997 Foreign Substances, revised February 14, 1995, as promulgated by
 4998 the Association of Racing Commissioners International, Inc., is
 4999 adopted by reference as the uniform classification system for
 5000 class IV and V medications.

5001 (13) The department shall use only the thin layer
 5002 chromatography (TLC) screening process to test for the presence
 5003 of class IV and V medications in samples taken from racehorses
 5004 except when thresholds of a class IV or class V medication have
 5005 been established and are enforced by rule. Once a sample has
 5006 been identified as suspicious for a class IV or class V
 5007 medication by the TLC screening process, the sample shall be
 5008 sent for confirmation by and through additional testing methods.
 5009 All other medications not classified by rule as a class IV or
 5010 class V medication shall be subject to all forms of testing
 5011 available to the department.

5012 (14) The department may implement by rule medication
 5013 levels recommended by the University of Florida College of
 5014 Veterinary Medicine developed pursuant to an agreement between
 5015 the department and the University of Florida College of
 5016 Veterinary Medicine. The University of Florida College of
 5017 Veterinary Medicine may provide written notification to the
 5018 department that it has completed research or review on a

5019 particular drug pursuant to the agreement and when the College
5020 of Veterinary Medicine has completed a final report of its
5021 findings, conclusions, and recommendations to the department.

5022 (15) The testing medium for phenylbutazone in horses shall
5023 be serum, and the department may collect up to six full 15-
5024 milliliter blood tubes for each horse being sampled.

5025 (16) The department shall adopt rules to implement this
5026 section. The rules may include a classification system for
5027 prohibited substances and a corresponding penalty schedule for
5028 violations.

5029 Section 72. Effective October 1, 2014, section 551.0941,
5030 Florida Statutes, is created to read:

5031 551.0941 Penalty for conducting unauthorized race.—Every
5032 horserace or greyhound race conducted for any stake, purse,
5033 prize, or premium, except as allowed by this part, is prohibited
5034 and declared to be a public nuisance, and a person who conducts,
5035 attempts to conduct, or assists in the conduct or attempted
5036 conduct of horseracing or greyhound racing in this state in
5037 violation of this part commits a misdemeanor of the second
5038 degree, punishable as provided in s. 775.082 or s. 775.083.

5039 Section 73. Effective October 1, 2014, section 551.0942,
5040 Florida Statutes, is created to read:

5041 551.0942 Conspiring to prearrange result of an event;
5042 using medication or drugs on horse or greyhound; penalty.—

5043 (1) Any person who influences or conspires with an owner,
5044 jockey, groom, or other person associated with or interested in

5045 any stable, kennel, or event to prearrange or predetermine the
 5046 results of an event involving a horse, greyhound, or jai alai
 5047 player commits a felony of the third degree, punishable as
 5048 provided in s. 775.082, s. 775.083, or s. 775.084.

5049 (2) Any person who attempts to affect the outcome of a
 5050 horse race or greyhound race by unlawfully administering
 5051 medication or drugs to a race animal or by administering
 5052 prohibited medication or drugs to a race animal or who conspires
 5053 to administer or attempt to administer such medication or drugs
 5054 commits a felony of the third degree, punishable as provided in
 5055 s. 775.082, s. 775.083, or s. 775.084.

5056 Section 74. Effective October 1, 2014, section 551.0943,
 5057 Florida Statutes, is created to read:

5058 551.0943 Obtaining goods or services with intent to
 5059 defraud.—

5060 (1) Any owner, trainer, or custodian of any horse or
 5061 greyhound being used, or being bred, raised, or trained to be
 5062 used, in racing at a pari-mutuel facility who obtains food,
 5063 drugs, transportation, veterinary services, or supplies for the
 5064 use or benefit of the horse or greyhound with intent to defraud
 5065 the person from whom the food, drugs, transportation, veterinary
 5066 services, or supplies are obtained commits a misdemeanor of the
 5067 second degree, punishable as provided in s. 775.082 or s.
 5068 775.083.

5069 (2) In a prosecution under this section, proof that the
 5070 food, drugs, transportation, veterinary services, or supplies

5071 had been furnished and not paid for, and that the owner,
 5072 trainer, or custodian of the horse or greyhound was removing or
 5073 attempting to remove any horse or greyhound from the state and
 5074 beyond the jurisdiction of the courts of this state, is prima
 5075 facie evidence of intent to defraud under this section.

5076 Section 75. Effective October 1, 2014, section 551.0944,
 5077 Florida Statutes, is created to read:

5078 551.0944 Bookmaking on the grounds of a permitholder;
 5079 duties of employees.-

5080 (1) Any person who engages in bookmaking, as defined in s.
 5081 849.25, on the grounds or property of a permitholder of a horse
 5082 or greyhound track or jai alai fronton commits a felony of the
 5083 third degree, punishable as provided in s. 775.082, s. 775.083,
 5084 or s. 775.084. A second or subsequent violation under this
 5085 subsection is a felony of the second degree, punishable as
 5086 provided in s. 775.082, s. 775.083, or s. 775.084.

5087 Notwithstanding s. 948.01, a person convicted under this
 5088 subsection may not have adjudication of guilt suspended,
 5089 deferred, or withheld.

5090 (2) A person convicted of bookmaking in this state or any
 5091 other state of the United States or any foreign country shall be
 5092 denied admittance to and may not attend any racetrack or fronton
 5093 in this state during its racing seasons or operating dates,
 5094 including any practice or preparation days, for 2 years after
 5095 the date of conviction or the date of final appeal. After the
 5096 period of ineligibility expires, the executive director of the

5097 department may authorize admittance of such person after a
5098 hearing on the matter. Any such person who knowingly violates
5099 this subsection commits a misdemeanor of the first degree,
5100 punishable as provided in s. 775.082 or s. 775.083.

5101 (3) If the activities of a person show that this section
5102 is being violated and such activities are witnessed by or are
5103 common knowledge of any track or fronton employee, that employee
5104 shall bring the activities of the person to the immediate
5105 attention of the permitholder or manager, or her or his
5106 designee, who shall notify a law enforcement agency having
5107 jurisdiction. Willful failure on the part of any track or
5108 fronton employee to comply with this subsection is a ground for
5109 the department to suspend or revoke that employee's occupational
5110 license.

5111 (4) Each permitholder shall display, in conspicuous places
5112 at its track or fronton and in all race and jai alai daily
5113 programs, a warning to all patrons concerning the prohibition
5114 and penalties of bookmaking contained in this section and s.
5115 849.25. The department shall adopt rules concerning the uniform
5116 size of all warnings and the number of placements throughout a
5117 track or fronton. Failure on the part of the permitholder to
5118 display such warnings may result in the imposition of a \$500
5119 fine by the department for each offense.

5120 (5) The prohibition of and penalties for bookmaking
5121 contained in this section do not apply to a person attending a
5122 track or fronton, or employed by a track or fronton, who places

5123 a bet through the legalized pari-mutuel pool for another person
5124 if such service is rendered gratuitously and without fee or
5125 other reward.

5126 (6) This section does not apply to prosecutions filed and
5127 pending on December 16, 1992, but all such cases shall be
5128 disposed of under existing law at the time of institution of
5129 such prosecutions.

5130 Section 76. Effective October 1, 2014, section 551.095,
5131 Florida Statutes, is created to read:

5132 551.095 Limitation of civil liability.—A permittee
5133 conducting a race meet pursuant to this part, a commissioner or
5134 an employee of the department, or a steward, a judge, or any
5135 other person appointed to act pursuant to this part may not be
5136 held liable to any person, partnership, association,
5137 corporation, or other business entity for any cause whatsoever
5138 arising out of or from her or his performance of her or his
5139 duties and the exercise of her or his discretion with respect to
5140 the implementation and enforcement of the statutes and rules
5141 governing the conduct of pari-mutuel wagering if she or he acted
5142 in good faith. This section does not limit liability if
5143 negligent maintenance of the premises or negligent conduct of a
5144 race contributed to an accident and does not limit any
5145 contractual liability.

5146 Section 77. Effective October 1, 2014, part III of chapter
5147 551, Florida Statutes, consisting of sections 551.101-551.123,
5148 is created and entitled "SLOT MACHINES."

5149 Section 78. Effective October 1, 2014, section 551.101,
 5150 Florida Statutes, is amended to read:

5151 551.101 Slot machine gaming authorized.—Possession of slot
 5152 machines and conduct of slot machine gaming is only allowed at
 5153 licensed eligible facilities pursuant to this part and
 5154 department rule. ~~Any licensed pari-mutuel facility located in~~
 5155 ~~Miami Dade County or Broward County existing at the time of~~
 5156 ~~adoption of s. 23, Art. X of the State Constitution that has~~
 5157 ~~conducted live racing or games during calendar years 2002 and~~
 5158 ~~2003 may possess slot machines and conduct slot machine gaming~~
 5159 ~~at the location where the pari-mutuel permit holder is authorized~~
 5160 ~~to conduct pari-mutuel wagering activities pursuant to such~~
 5161 ~~permit holder's valid pari-mutuel permit provided that a majority~~
 5162 ~~of voters in a countywide referendum have approved slot machines~~
 5163 ~~at such facility in the respective county.~~ Notwithstanding any
 5164 other provision of law, it is not a crime for a person to
 5165 participate in slot machine gaming at a pari-mutuel facility
 5166 licensed to possess slot machines and conduct slot machine
 5167 gaming or to participate in slot machine gaming described in
 5168 this part ~~chapter~~.

5169 Section 79. Effective October 1, 2014, section 551.102,
 5170 Florida Statutes, is amended to read:

5171 551.102 Definitions.—As used in this part ~~chapter~~, the
 5172 term:

5173 (1) ~~"Distributor" means any person who sells, leases, or~~
 5174 ~~offers or otherwise provides, distributes, or services any slot~~

5175 ~~machine or associated equipment for use or play of slot machines~~
 5176 ~~in this state. A manufacturer may be a distributor within the~~
 5177 ~~state.~~

5178 (1)~~(2)~~ "Designated slot machine gaming area" means the
 5179 area or areas of a facility of a slot machine licensee in which
 5180 slot machine gaming may be conducted ~~in accordance with the~~
 5181 ~~provisions of this chapter.~~

5182 (2) "Distributor" means a person who sells, leases, or
 5183 offers or otherwise provides, distributes, or services a slot
 5184 machine or associated equipment for use or play of slot machines
 5185 in this state. A manufacturer may be a distributor within the
 5186 state.

5187 ~~(3)~~ "~~Division~~" means ~~the Division of Pari-mutuel Wagering~~
 5188 ~~of the Department of Business and Professional Regulation.~~

5189 (3)~~(4)~~ "Eligible facility" means a any licensed pari-
 5190 mutuel facility that meets the requirements of s. 551.104(3)
 5191 ~~located in Miami-Dade County or Broward County existing at the~~
 5192 ~~time of adoption of s. 23, Art. X of the State Constitution that~~
 5193 ~~has conducted live racing or games during calendar years 2002~~
 5194 ~~and 2003 and has been approved by a majority of voters in a~~
 5195 ~~countywide referendum to have slot machines at such facility in~~
 5196 ~~the respective county; any licensed pari-mutuel facility located~~
 5197 ~~within a county as defined in s. 125.011, provided such facility~~
 5198 ~~has conducted live racing for 2 consecutive calendar years~~
 5199 ~~immediately preceding its application for a slot machine~~
 5200 ~~license, pays the required license fee, and meets the other~~

5201 ~~requirements of this chapter; or any licensed pari-mutuel~~
5202 ~~facility in any other county in which a majority of voters have~~
5203 ~~approved slot machines at such facilities in a countywide~~
5204 ~~referendum held pursuant to a statutory or constitutional~~
5205 ~~authorization after the effective date of this section in the~~
5206 ~~respective county, provided such facility has conducted a full~~
5207 ~~schedule of live racing for 2 consecutive calendar years~~
5208 ~~immediately preceding its application for a slot machine~~
5209 ~~license, pays the required license ~~licensed~~ fee, and meets the~~
5210 other requirements of this part ~~chapter~~.

5211 ~~(4)-(5)~~ "Manufacturer" means a ~~any~~ person who manufactures,
5212 builds, rebuilds, fabricates, assembles, produces, programs,
5213 designs, or otherwise makes modifications to a ~~any~~ slot machine
5214 or associated equipment for use or play of slot machines in this
5215 state for gaming purposes. A manufacturer may be a distributor
5216 within the state.

5217 ~~(5)-(6)~~ "Nonredeemable credits" means slot machine
5218 operating credits that cannot be redeemed for cash or any other
5219 thing of value by a slot machine, a kiosk, or the slot machine
5220 licensee and that are provided free of charge to patrons. Such
5221 operating credits become ~~do not constitute~~ "nonredeemable
5222 credits" when ~~until such time as~~ they are metered as credit into
5223 a slot machine and recorded in the facility-based monitoring
5224 system.

5225 ~~(6)-(7)~~ "Progressive system" means a computerized system
5226 linking slot machines in one or more licensed facilities within

5227 | this state or other jurisdictions and offering one or more
 5228 | common progressive payouts based on the amounts wagered.

5229 | (7)~~(8)~~ "Slot machine" means a ~~any~~ mechanical or electrical
 5230 | contrivance, terminal that may ~~or may not~~ be capable of
 5231 | downloading slot games from a central server system, machine, or
 5232 | other device that, upon insertion of a coin, bill, ticket,
 5233 | token, or similar object or upon payment of any consideration
 5234 | whatsoever, including the use of an ~~any~~ electronic payment
 5235 | system except a credit card or debit card, is available to play
 5236 | or operate, the play or operation of which, whether by reason of
 5237 | skill or application of the element of chance or both, may
 5238 | deliver or entitle the person or persons playing or operating
 5239 | the contrivance, terminal, machine, or other device to receive
 5240 | cash, billets, tickets, tokens, or electronic credits to be
 5241 | exchanged for cash or to receive merchandise or anything of
 5242 | value whatsoever, whether the payoff is made automatically from
 5243 | the machine or manually. The term includes associated equipment
 5244 | necessary to conduct the operation of the contrivance, terminal,
 5245 | machine, or other device. Slot machines may use spinning reels,
 5246 | video displays, or both. A slot machine is not a "coin-operated
 5247 | amusement machine" as defined in s. 212.02(24) or an amusement
 5248 | game or machine as described in s. 551.56 ~~s. 849.161~~, and slot
 5249 | machines are not subject to the tax imposed under ~~by~~ s.
 5250 | 212.05(1)(h).

5251 | (8)~~(9)~~ "Slot machine facility" means a facility at which
 5252 | slot machines ~~as defined in this chapter~~ are lawfully offered

5253 for play.

5254 (9)~~(10)~~ "Slot machine license" means a license issued by
5255 the commission ~~division~~ authorizing a pari-mutuel licensee
5256 ~~permitholder~~ to place and operate slot machines as provided by
5257 s. 23, Art. X of the State Constitution, ~~the provisions of this~~
5258 part chapter, and department ~~division~~ rules.

5259 (10)~~(11)~~ "Slot machine licensee" means a pari-mutuel
5260 licensee ~~permitholder~~ who holds a slot machine license issued by
5261 ~~the division pursuant to this chapter that authorizes such~~
5262 ~~person to possess a slot machine within facilities specified in~~
5263 ~~s. 23, Art. X of the State Constitution and allows slot machine~~
5264 ~~gaming.~~

5265 (11)~~(12)~~ "Slot machine operator" means a person employed
5266 or contracted by a slot machine licensee ~~the owner of a licensed~~
5267 ~~facility~~ to conduct slot machine gaming at a slot machine ~~that~~
5268 ~~licensed~~ facility.

5269 (12)~~(13)~~ "Slot machine revenues" means the total of all
5270 cash and property, except nonredeemable credits, received by the
5271 slot machine licensee from the operation of slot machines less
5272 the amount of cash, cash equivalents, credits, and prizes paid
5273 to winners of slot machine gaming.

5274 Section 80. Effective October 1, 2014, section 551.104,
5275 Florida Statutes, is amended to read:

5276 551.104 License to conduct slot machine gaming.—

5277 (1) Applications for a slot machine licensure may be made
5278 to the commission in accordance with the rules of the

5279 | department.

5280 | (2) Upon receiving an application, any amendments properly
 5281 | made thereto, and payment of the initial license fee, the
 5282 | department shall further investigate the matters contained in
 5283 | the application and present its findings to and a finding by the
 5284 | commission for review. If ~~division after investigation that the~~
 5285 | ~~application is complete and~~ the applicant is qualified pursuant
 5286 | to this chapter and the rules of the department and the
 5287 | commission finds that it would be in the best interests of the
 5288 | state and payment of the initial license fee, the commission
 5289 | ~~division~~ may issue a license to conduct slot machine gaming in
 5290 | the designated slot machine gaming area of the eligible
 5291 | facility. Once licensed, slot machine gaming may be conducted
 5292 | subject to ~~the requirements of this part chapter~~ and the rules
 5293 | adopted pursuant to this part ~~thereto~~.

5294 | (3)~~(2)~~ An application may be considered or approved by the
 5295 | commission ~~division~~ only if the applicant provides clear and
 5296 | convincing evidence that:

5297 | (a) The facility at which the applicant seeks to operate
 5298 | slot machines is:

5299 | 1. A licensed pari-mutuel facility where live racing or
 5300 | games were conducted during calendar years 2002 and 2003,
 5301 | located in Miami-Dade County or Broward County, and authorized
 5302 | for slot machine licensure pursuant to s. 23, Art. X of the
 5303 | State Constitution if ~~after~~ the voters of the county where the
 5304 | applicant's facility is located have authorized by referendum

5305 slot machines within pari-mutuel facilities in that county; or
 5306 2. A licensed pari-mutuel facility where live horseracing
 5307 has been conducted for 2 consecutive calendar years immediately
 5308 preceding its application for a slot machine license and located
 5309 within a county as defined in s. 125.011 as specified in s. 23,
 5310 Art. X of the State Constitution.

5311 (b) Issuance of the license would not have a net negative
 5312 impact on state revenues, including those generated under
 5313 tribal-state gaming compacts.

5314 (c) Slot machine gaming at the proposed location is
 5315 approved under the zoning and land use regulations of the
 5316 applicable county or municipality.

5317 (4)~~(3)~~ A slot machine license may be issued only to a
 5318 licensed pari-mutuel permitholder, and slot machine gaming may
 5319 be conducted only at the eligible facility at which the
 5320 permitholder is authorized under its valid pari-mutuel wagering
 5321 permit to conduct pari-mutuel wagering activities.

5322 (5)~~(4)~~ As a condition of licensure and to maintain
 5323 continued authority to ~~for the~~ conduct of slot machine gaming,
 5324 the slot machine licensee must ~~shall~~:

5325 (a) Continue to be in compliance with this part ~~chapter~~.

5326 (b) Continue to be in compliance with part II ~~chapter 550,~~
 5327 where applicable, and maintain the pari-mutuel permit and
 5328 license in good standing pursuant to part II ~~the provisions of~~
 5329 ~~chapter 550. Notwithstanding any contrary provision of law and~~
 5330 ~~in order to expedite the operation of slot machines at eligible~~

5331 ~~facilities, any eligible facility shall be entitled within 60~~
5332 ~~days after the effective date of this act to amend its 2006-2007~~
5333 ~~pari-mutuel wagering operating license issued by the division~~
5334 ~~under ss. 550.0115 and 550.01215. The division shall issue a new~~
5335 ~~license to the eligible facility to effectuate any approved~~
5336 ~~change.~~

5337 (c) Conduct at least ~~no fewer than~~ a full schedule of live
5338 events ~~racing or games~~ as defined in part II ~~s.~~ 550.002(11). A
5339 permitholder's responsibility to conduct such number of live
5340 events ~~raees or games~~ shall be reduced by the number of events
5341 ~~raees or games~~ that could not be conducted due to the direct
5342 result of fire, war, hurricane, or other disaster or event
5343 beyond the control of the permitholder.

5344 (d) Upon approval of a change ~~any changes~~ relating to the
5345 pari-mutuel permit by the commission ~~division~~, be responsible
5346 for providing appropriate current and accurate documentation on
5347 a timely basis to the department ~~division~~ in order to continue
5348 the slot machine license in good standing. Changes in ownership
5349 or interest of a slot machine license of 5 percent or more of
5350 the stock or other evidence of ownership or equity in the slot
5351 machine license or any parent corporation or other business
5352 entity that in any way owns or controls the slot machine license
5353 shall be approved by the commission before ~~division prior to~~
5354 such change, unless the owner is an existing holder of that
5355 license who was previously approved ~~by the division~~. Changes in
5356 ownership or interest of a slot machine license of less than 5

5357 | percent, unless such change results in a cumulative total change
 5358 | of 5 percent or more, shall be reported to the department
 5359 | ~~division~~ within 20 days after such ~~the~~ change. The department
 5360 | ~~division~~ may then conduct an investigation to ensure that the
 5361 | license is properly updated to show the change in ownership or
 5362 | interest. ~~No~~ Reporting is not required if the person holds ~~is~~
 5363 | ~~holding~~ 5 percent or less equity or securities of a corporate
 5364 | owner of the slot machine licensee that has its securities
 5365 | registered pursuant to s. 12 of the Securities Exchange Act of
 5366 | 1934, 15 U.S.C. ss. 78a-78kk, and if such corporation or entity
 5367 | files with the United States Securities and Exchange Commission
 5368 | the reports required by s. 13 of that act or if the securities
 5369 | of the corporation or entity are regularly traded on an
 5370 | established securities market in the United States. A change in
 5371 | ownership or interest of less than 5 percent which results in a
 5372 | cumulative ownership or interest of 5 percent or more shall be
 5373 | approved by the commission before ~~division prior to~~ such change
 5374 | unless the owner is an existing holder of the license who was
 5375 | previously approved ~~by the division~~.

5376 | (e) Allow the commission, the department, ~~division~~ and the
 5377 | Department of Law Enforcement unrestricted access to and right
 5378 | of inspection of facilities of a slot machine licensee in which
 5379 | an ~~any~~ activity relative to the conduct of slot machine gaming
 5380 | is conducted.

5381 | (f) Ensure that the facilities-based computer system that
 5382 | the licensee will use for operational and accounting functions

5383 of the slot machine facility is specifically structured to
5384 facilitate regulatory oversight. The facilities-based computer
5385 system must ~~shall be designed to~~ provide the department ~~division~~
5386 and the Department of Law Enforcement with the ability to
5387 monitor, at any time on a real-time basis, the wagering
5388 patterns, payouts, tax collection, and such other operations as
5389 necessary to determine whether the facility is in compliance
5390 with this part ~~statutory provisions~~ and rules adopted by the
5391 department pursuant to this part ~~division for the regulation and~~
5392 ~~control of slot machine gaming~~. The commission ~~division~~ and the
5393 Department of Law Enforcement shall have complete and continuous
5394 access to the ~~this~~ system. Such access shall include the ability
5395 of either the department ~~division~~ or the Department of Law
5396 Enforcement to suspend play immediately on particular slot
5397 machines if monitoring of the system indicates possible
5398 tampering or manipulation of those slot machines or the ability
5399 to suspend play immediately of the entire operation if the
5400 tampering or manipulation is of the computer system itself. The
5401 computer system shall be reviewed and approved by the department
5402 ~~division~~ to ensure necessary access, security, and
5403 functionality. The department ~~division~~ may adopt rules to
5404 provide for the approval process.

5405 (g) Ensure that each slot machine is protected from
5406 manipulation or tampering to affect the random probabilities of
5407 winning plays. The department ~~division~~ or the Department of Law
5408 Enforcement may ~~shall have the authority to~~ suspend play upon

5409 reasonable suspicion of ~~any~~ manipulation or tampering. When play
 5410 has been suspended on a any slot machine, the department
 5411 ~~division~~ or the Department of Law Enforcement may examine the
 5412 ~~any~~ slot machine to determine whether the machine has been
 5413 tampered with or manipulated and whether the machine should be
 5414 returned to operation.

5415 (h) Submit a security plan, including the facilities'
 5416 floor plans ~~plan~~, the locations of security cameras, and a
 5417 listing of all security equipment that is capable of observing
 5418 and electronically recording activities being conducted in the
 5419 facilities of the slot machine licensee. The security plan must
 5420 meet the minimum security requirements as determined by
 5421 department rule ~~the division under s. 551.103(1)(i)~~ and be
 5422 implemented before ~~prior to~~ operation of slot machine gaming.
 5423 The slot machine licensee's facilities must adhere to the
 5424 security plan at all times. Any changes to the security plan
 5425 must be submitted by the licensee to the department before
 5426 ~~division prior to~~ implementation. The department ~~division~~ shall
 5427 furnish copies of the security plan and changes in the plan to
 5428 the Department of Law Enforcement.

5429 (i) Create and file with the department ~~division~~ a written
 5430 policy for:

- 5431 1. Creating opportunities to purchase from vendors in this
- 5432 state, including minority vendors.
- 5433 2. Creating opportunities for employment of residents of
- 5434 this state, including minority residents.

5435 3. Ensuring opportunities for construction services from
5436 minority contractors.

5437 4. Ensuring that opportunities for employment are offered
5438 on an equal, nondiscriminatory basis.

5439 5. Training ~~for~~ employees on responsible gaming and on a
5440 prevention program for ~~working with a~~ compulsive or addictive
5441 gambling ~~prevention program~~ to further its purposes as provided
5442 for in s. 551.118.

5443 6. Implementing ~~The implementation of~~ a drug-testing
5444 program that includes, but is not limited to, requiring each
5445 employee to sign an agreement that he or she understands that
5446 the slot machine facility is a drug-free workplace.

5447 (j) ~~The slot machine licensee shall~~ Use the Internet-based
5448 job-listing system of the Department of Economic Opportunity to
5449 advertise in advertising employment opportunities.

5450 (k) ~~Beginning in June 2007, each slot machine licensee~~
5451 ~~shall~~ Provide an annual report to the department ~~division~~
5452 containing information indicating compliance with ~~this~~ paragraph
5453 (i) regarding in regard to minority persons.

5454 (1) ~~(j)~~ Ensure that the payout percentage of a slot machine
5455 gaming facility is at least 85 percent.

5456 (6) ~~(5)~~ A slot machine license is not transferable.

5457 (7) ~~(6)~~ A slot machine licensee shall keep and maintain
5458 permanent daily records of its slot machine operation and shall
5459 maintain such records for a period of at least ~~not less than~~ 5
5460 years. These records must include all financial transactions and

5461 contain sufficient detail to determine compliance with ~~the~~
5462 ~~requirements of this part chapter~~. All records must ~~shall~~ be
5463 available during the licensee's regular business hours for audit
5464 and inspection by the department ~~division~~, the Department of Law
5465 Enforcement, or other law enforcement agencies ~~during the~~
5466 ~~licensee's regular business hours~~.

5467 (8) ~~(7)~~ A slot machine licensee shall file with the
5468 department ~~division~~ a monthly report containing the required
5469 records of such slot machine operation. The required reports
5470 shall be submitted on forms prescribed by the department
5471 ~~division~~ and are ~~shall be~~ due at the same time as the monthly
5472 pari-mutuel reports are due to the department. ~~division~~, and The
5473 reports become ~~shall be deemed~~ public records when ~~once~~ filed.

5474 (9) ~~(8)~~ A slot machine licensee shall file with the
5475 department ~~division~~ an audit of the receipt and distribution of
5476 all slot machine revenues provided by an independent certified
5477 public accountant verifying compliance with all financial and
5478 auditing provisions of this part ~~chapter~~ and the associated
5479 rules adopted under this part ~~chapter~~. The audit must include
5480 verification of compliance with all statutes and rules regarding
5481 all required records of slot machine operations. The ~~Such~~ audit
5482 shall be filed within 60 days after ~~the~~ completion of the
5483 permitholder's pari-mutuel meet.

5484 (10) ~~(9)~~ The department ~~division~~ may share ~~any~~ information
5485 with the Department of Law Enforcement, any other law
5486 enforcement agency having jurisdiction over slot machine gaming

5487 or pari-mutuel activities, or any other state or federal law
 5488 enforcement agency the department ~~division~~ or the Department of
 5489 Law Enforcement deems appropriate. A ~~Any~~ law enforcement agency
 5490 having jurisdiction over slot machine gaming or pari-mutuel
 5491 activities may share ~~any~~ information obtained or developed by it
 5492 with the department ~~division~~.

5493 (11) ~~(10)~~ (a)1. A ~~No~~ slot machine license or renewal license
 5494 may not ~~thereof shall~~ be issued to an applicant holding a permit
 5495 under part II ~~chapter 550~~ to conduct pari-mutuel wagering meets
 5496 of thoroughbred racing unless the applicant has on file with the
 5497 department ~~division~~ a binding written agreement between the
 5498 applicant and the Florida Horsemen's Benevolent and Protective
 5499 Association, Inc., governing the payment of purses on live
 5500 thoroughbred races conducted at the licensee's pari-mutuel
 5501 facility. In addition, a ~~no~~ slot machine license or renewal
 5502 license may not ~~thereof shall~~ be issued to such an applicant
 5503 unless the applicant has on file with the department ~~division~~ a
 5504 binding written agreement between the applicant and the Florida
 5505 Thoroughbred Breeders' Association, Inc., governing the payment
 5506 of breeder ~~breeders'~~, stallion, and special racing awards on
 5507 live thoroughbred races conducted at the licensee's pari-mutuel
 5508 facility. The agreement governing purses and the agreement
 5509 governing awards may direct the payment of such purses and
 5510 awards from revenues generated by any wagering or gaming the
 5511 applicant is authorized to conduct ~~under Florida law~~. All purses
 5512 and awards are ~~shall be~~ subject to part II ~~the terms of chapter~~

5513 550. All sums for breeder ~~breeders'~~, stallion, and special
5514 racing awards shall be remitted monthly to the Florida
5515 Thoroughbred Breeders' Association, Inc., for the payment of
5516 awards subject to the administrative fee authorized under part
5517 II ~~in s. 550.2625(3)~~.

5518 2. A ~~no~~ slot machine license or renewal license may not
5519 ~~thereof shall~~ be issued to an applicant holding a permit under
5520 part II ~~chapter 550~~ to conduct pari-mutuel wagering meets of
5521 quarter horse racing unless the applicant has on file with the
5522 department ~~division~~ a binding written agreement between the
5523 applicant and the Florida Quarter Horse Racing Association or
5524 the association representing a majority of the horse owners and
5525 trainers at the applicant's eligible facility, governing the
5526 payment of purses on live quarter horse races conducted at the
5527 licensee's pari-mutuel facility. The agreement governing purses
5528 may direct the payment of such purses from revenues generated by
5529 any wagering or gaming the applicant is authorized to conduct
5530 ~~under Florida law~~. All purses are ~~shall be~~ subject to part II
5531 ~~the terms of chapter 550~~.

5532 (b) The commission ~~division~~ shall suspend a slot machine
5533 license if one or more of the agreements required under
5534 paragraph (a) are terminated or otherwise cease to operate or if
5535 the commission ~~division~~ determines that the licensee is
5536 materially failing to comply with the terms of such an
5537 agreement. ~~Any~~ Such suspension shall take place pursuant to ~~in~~
5538 ~~accordance with~~ chapter 120.

5539 (c)1. If an agreement required under paragraph (a) cannot
 5540 be reached before ~~prior to~~ the initial issuance of the slot
 5541 machine license, either party may request arbitration or, in the
 5542 case of a renewal, if an agreement required under paragraph (a)
 5543 is not in place 120 days before ~~prior to~~ the scheduled
 5544 expiration date of the slot machine license, the applicant shall
 5545 immediately ask the American Arbitration Association to furnish
 5546 a list of 11 arbitrators, each of whom shall have at least 5
 5547 years of commercial arbitration experience and no financial
 5548 interest in or prior relationship with any of the parties or
 5549 their affiliated or related entities or principals. Each
 5550 required party to the agreement shall select a single arbitrator
 5551 from the list provided by the American Arbitration Association
 5552 within 10 days after ~~of~~ receipt, and the individuals so selected
 5553 shall choose one additional arbitrator from the list within the
 5554 next 10 days.

5555 2. If an agreement required under paragraph (a) is not in
 5556 place 60 days after the request under subparagraph 1. in the
 5557 case of an initial slot machine license or, in the case of a
 5558 renewal, 60 days before ~~prior to~~ the scheduled expiration date
 5559 of the slot machine license, the matter shall be immediately
 5560 submitted to mandatory binding arbitration to resolve the
 5561 disagreement between the parties. The three arbitrators selected
 5562 pursuant to subparagraph 1. shall constitute the panel that
 5563 shall arbitrate the dispute between the parties pursuant to the
 5564 American Arbitration Association Commercial Arbitration Rules

5565 and chapter 682.

5566 3. At the conclusion of the proceedings, which shall be no
5567 later than 90 days after the request under subparagraph 1. in
5568 the case of an initial slot machine license or, in the case of a
5569 renewal, 30 days before ~~prior to~~ the scheduled expiration date
5570 of the slot machine license, the arbitration panel shall present
5571 to the parties a proposed agreement that the majority of the
5572 panel believes equitably balances the rights, interests,
5573 obligations, and reasonable expectations of the parties. The
5574 parties shall immediately enter into such agreement, which shall
5575 satisfy the requirements of paragraph (a) and permit issuance of
5576 the pending annual slot machine license or renewal. The
5577 agreement produced by the arbitration panel under this
5578 subparagraph shall be effective until the last day of the
5579 license or renewal period or until the parties enter into a
5580 different agreement. Each party shall pay its respective costs
5581 of arbitration and shall pay one-half of the costs of the
5582 arbitration panel, unless the parties otherwise agree. If the
5583 agreement produced by the arbitration panel under this
5584 subparagraph remains in place 120 days before ~~prior to~~ the
5585 scheduled issuance of the next annual license renewal, then the
5586 arbitration process established in this paragraph will begin
5587 again.

5588 4. If ~~In the event that~~ neither of the agreements required
5589 under subparagraph (a)1. or the agreement required under
5590 subparagraph (a)2. are in place by the deadlines established in

5591 | this paragraph, arbitration regarding each agreement will
 5592 | proceed independently, with separate lists of arbitrators,
 5593 | arbitration panels, arbitration proceedings, and resulting
 5594 | agreements.

5595 | 5. With respect to the agreements required under paragraph
 5596 | (a) governing the payment of purses, the arbitration and
 5597 | resulting agreement called for under this paragraph shall be
 5598 | limited to the payment of purses from slot machine revenues
 5599 | only.

5600 | (d) If a ~~any~~ provision of this subsection or its
 5601 | application to a ~~any~~ person or circumstance is held invalid, the
 5602 | invalidity does not affect other provisions or applications of
 5603 | this subsection or part ~~chapter~~ which can be given effect
 5604 | without the invalid provision or application, and to this end
 5605 | the provisions of this subsection are severable.

5606 | Section 81. (1) Subsection (3) of section 551.104,
 5607 | Florida Statutes, as amended by this act, is amended to read:

5608 | 551.104 License to conduct slot machine gaming.—

5609 | (3) An application may be considered or approved by the
 5610 | commission only if the applicant provides clear and convincing
 5611 | evidence that:

5612 | (a) The facility at which the applicant seeks to operate
 5613 | slot machines is:

5614 | 1. A licensed pari-mutuel facility where live racing or
 5615 | games were conducted during calendar years 2002 and 2003,
 5616 | located in Miami-Dade County or Broward County, and authorized

5617 for slot machine licensure pursuant to s. 23, Art. X of the
5618 State Constitution if the voters of the county where the
5619 applicant's facility is located have authorized by referendum
5620 slot machines within pari-mutuel facilities in that county; ~~or~~

5621 2. A licensed pari-mutuel facility where live horseracing
5622 has been conducted for two consecutive calendar years
5623 immediately preceding its application for a slot machine license
5624 and located within a county as defined in s. 125.011; or

5625 3. A licensed pari-mutuel facility located in a county in
5626 which a majority of voters have approved slot machines at pari-
5627 mutuel facilities in a countywide referendum held concurrently
5628 with a general election in which the offices of President and
5629 Vice President of the United States were on the ballot, if:

5630 a. The applicant has conducted at least 250 live
5631 performances under the permit for which slot machine licensure
5632 is sought for each of the 10 consecutive calendar years
5633 immediately preceding its application; and

5634 b. The permitholder presents to the commission for
5635 revocation all permits for pari-mutuel wagering, other than the
5636 permit for which slot machine licensure is sought, in which the
5637 permitholder directly or indirectly maintains a majority
5638 ownership interest.

5639 (b) Issuance of the license would not have a net negative
5640 impact on state revenues, including those generated under
5641 tribal-state gaming compacts. This paragraph does not apply to
5642 an applicant under subparagraph (a)3., if the operation of slot

5643 machines at the facility is specifically contemplated by a
 5644 compact ratified in part II of chapter 285 and approved by the
 5645 United States Department of the Interior.

5646 (c) Slot machine gaming at the proposed location is
 5647 approved under the zoning and land use regulations of the
 5648 applicable county or municipality.

5649 (2) This section shall take effect only if the Governor
 5650 and an authorized representative of the Seminole Tribe of
 5651 Florida execute an amended Indian Gaming Compact pursuant to the
 5652 Indian Gaming Regulatory Act of 1988 and part II of chapter 285,
 5653 the compact is ratified by the Legislature, and approved or
 5654 deemed approved by the Department of the Interior, and only if
 5655 such compact provides for the operation of slot machines at
 5656 state-licensed facilities outside of Miami-Dade and Broward
 5657 counties without the suspension of all revenue sharing payments.
 5658 This section shall take effect on the date that such a compact
 5659 is published in the Federal Register.

5660 Section 82. Effective October 1, 2014, section 551.105,
 5661 Florida Statutes, is amended to read:

5662 551.105 Slot machine license renewal.—

5663 (1) Slot machine licenses are ~~shall be~~ effective for 1
 5664 year after issuance ~~and shall be renewed annually~~. The annual
 5665 application for renewal must contain all revisions to the
 5666 information submitted in the prior year's application which ~~that~~
 5667 are necessary to maintain such information as both accurate and
 5668 current.

5669 (2) The applicant for renewal shall attest that a change
 5670 in any information does ~~changes do~~ not affect the applicant's
 5671 qualifications for license renewal.

5672 (3) Upon determination by the commission ~~division~~ that the
 5673 application for renewal is complete and qualifications have been
 5674 met, including payment of the renewal fee, the slot machine
 5675 license shall be renewed ~~annually~~.

5676 Section 83. Effective October 1, 2014, section 551.106,
 5677 Florida Statutes, is amended to read:

5678 551.106 License fee; tax rate; penalties.—

5679 (1) LICENSE FEE.—

5680 (a) Upon submission of the initial application for a slot
 5681 machine license, the applicant shall pay to the department a
 5682 nonrefundable license fee of \$3 million. Each year and annually
 5683 thereafter, on the anniversary date of the issuance of the
 5684 initial license, the licensee shall ~~must~~ pay to the department
 5685 ~~division~~ a nonrefundable license fee of \$2 ~~\$3~~ million for the
 5686 succeeding 12 months of licensure. ~~In the 2010-2011 fiscal year,~~
 5687 ~~the licensee must pay the division a nonrefundable license fee~~
 5688 ~~of \$2.5 million for the succeeding 12 months of licensure. In~~
 5689 ~~the 2011-2012 fiscal year and for every fiscal year thereafter,~~
 5690 ~~the licensee must pay the division a nonrefundable license fee~~
 5691 ~~of \$2 million for the succeeding 12 months of licensure. The~~
 5692 license fee shall be deposited into the Gaming Control Trust
 5693 Fund ~~Pari-mutuel Wagering Trust Fund~~ of the department and ~~of~~
 5694 ~~Business and Professional Regulation to be used by the~~

5695 department ~~division~~ and the Department of Law Enforcement for
5696 investigations, regulation of slot machine gaming, and
5697 enforcement of ~~slot machine gaming provisions under this part~~
5698 ~~chapter~~. The ~~These~~ payments shall be accounted for separately
5699 from taxes or fees paid pursuant to part II ~~the provisions of~~
5700 ~~chapter 550~~.

5701 (b) ~~Prior to January 1, 2007,~~ The commission ~~division~~
5702 shall biennially evaluate the license fee and ~~shall~~ make
5703 recommendations to the President of the Senate and the Speaker
5704 of the House of Representatives regarding the optimum level of
5705 slot machine license fees necessary to ~~in order to adequately~~
5706 support the slot machine regulatory program.

5707 (2) TAX ON SLOT MACHINE REVENUES.—

5708 (a) Each facility shall be taxed at a rate of ~~The tax rate~~
5709 ~~on slot machine revenues at each facility shall be~~ 35 percent of
5710 slot machine revenues. If, during a ~~any~~ state fiscal year, the
5711 aggregate amount of tax paid to the state by all slot machine
5712 licensees in Broward and Miami-Dade Counties is less than the
5713 aggregate amount of tax paid to the state by all slot machine
5714 licensees in the 2008-2009 fiscal year, each slot machine
5715 licensee shall pay to the state within 45 days after the end of
5716 the state fiscal year a surcharge equal to its pro rata share of
5717 an amount equal to the difference between the aggregate amount
5718 of tax paid to the state by all slot machine licensees in the
5719 2008-2009 fiscal year and the amount of tax paid during the
5720 fiscal year. Each licensee's pro rata share shall be ~~an amount~~

5721 determined by dividing the number 1 by the number of facilities
 5722 licensed to operate slot machines during the applicable fiscal
 5723 year, regardless of whether the facility is operating such
 5724 machines.

5725 (b) The ~~slot machine revenue~~ tax imposed by this section
 5726 shall be paid by the slot machine licensee to the department
 5727 ~~division~~ for deposit into the Gaming Control Trust Fund of the
 5728 department and immediately transferred Pari-mutuel Wagering
 5729 ~~Trust Fund for immediate transfer~~ by the Chief Financial Officer
 5730 ~~for deposit~~ into the Educational Enhancement Trust Fund of the
 5731 Department of Education. ~~Any~~ Interest earnings on the tax
 5732 revenues shall also be transferred to the Educational
 5733 Enhancement Trust Fund.

5734 (c)1. Funds transferred to the Educational Enhancement
 5735 Trust Fund under paragraph (b) shall be used to supplement
 5736 public education funding statewide.

5737 2. If necessary to comply with a ~~any~~ covenant established
 5738 pursuant to s. 1013.68(4), s. 1013.70(1), or s. 1013.737(3),
 5739 funds transferred to the Educational Enhancement Trust Fund
 5740 under paragraph (b) shall first be available to pay debt service
 5741 on lottery bonds issued to fund school construction in the event
 5742 lottery revenues are insufficient for such purpose or to satisfy
 5743 debt service reserve requirements established in connection with
 5744 lottery bonds. Moneys available pursuant to this subparagraph
 5745 are subject to annual appropriation by the Legislature.

5746 (d) (3) ~~PAYMENT AND DISPOSITION OF TAXES.~~ ~~Payment for the~~

5747 ~~tax on slot machine revenues imposed by this section shall be~~
5748 ~~paid to the division. The division shall deposit these sums with~~
5749 ~~the Chief Financial Officer, to the credit of the Pari-mutuel~~
5750 ~~Wagering Trust Fund. The slot machine licensee shall pay remit~~
5751 ~~to the division payment for the tax on slot machine revenues.~~
5752 ~~Such payments shall be remitted by 3 p.m. Wednesday of each week~~
5753 ~~for taxes imposed and collected for the preceding week ending on~~
5754 ~~Sunday. Beginning on July 1, 2012, the slot machine licensee~~
5755 ~~shall remit to the division payment for the tax on slot machine~~
5756 ~~revenues by 3 p.m. on the 5th day of each calendar month for~~
5757 ~~taxes imposed and collected for the preceding calendar month. If~~
5758 ~~the 5th day of the calendar month falls on a weekend, payments~~
5759 ~~shall be remitted by 3 p.m. the first Monday following the~~
5760 ~~weekend. The slot machine licensee shall file a report under~~
5761 ~~oath by the 5th day of each calendar month for all taxes~~
5762 ~~remitted during the preceding calendar month. Such payments~~
5763 ~~shall be accompanied by a report under oath showing all slot~~
5764 ~~machine gaming activities for the preceding calendar month and~~
5765 ~~such other information as may be prescribed by the department~~
5766 ~~division.~~

5767 ~~(e) (4) TO PAY TAX; PENALTIES.~~ A slot machine licensee who
5768 fails to make tax payments as required under this section is
5769 subject to an administrative penalty of up to \$10,000 for each
5770 day the tax payment is not remitted. All administrative
5771 penalties imposed and collected shall be deposited into the
5772 Gaming Control Trust Fund ~~Pari-mutuel Wagering Trust Fund~~ of the

5773 department ~~of Business and Professional Regulation~~. If a any
 5774 slot machine licensee fails to pay penalties imposed by order of
 5775 the commission division under this paragraph subsection, the
 5776 commission division may suspend, revoke, or refuse to renew the
 5777 license of the slot machine licensee.

5778 ~~(5) SUBMISSION OF FUNDS. The division may require slot~~
 5779 ~~machine licensees to remit taxes, fees, fines, and assessments~~
 5780 ~~by electronic funds transfer.~~

5781 Section 84. Effective October 1, 2014, section 551.108,
 5782 Florida Statutes, is amended to read:

5783 551.108 Prohibited relationships.—

5784 ~~(1) A person employed by or performing any function on~~
 5785 ~~behalf of the division may not:~~

5786 ~~(a) Be an officer, director, owner, or employee of any~~
 5787 ~~person or entity licensed by the division.~~

5788 ~~(b) Have or hold any interest, direct or indirect, in, or~~
 5789 ~~engage in any commerce or business relationship with any person~~
 5790 ~~licensed by the division.~~

5791 (1)(2) A manufacturer or distributor of slot machines may
 5792 not enter into a any contract with a slot machine licensee which
 5793 ~~that~~ provides for any revenue sharing of any kind or nature that
 5794 is directly or indirectly calculated on the basis of a
 5795 percentage of slot machine revenues. A Any maneuver, shift, or
 5796 device that violates this subsection ~~whereby this subsection is~~
 5797 ~~violated is a violation of this chapter and renders any such~~
 5798 agreement void.

5799 (2)~~(3)~~ A manufacturer or distributor of slot machines or
 5800 ~~any~~ equipment necessary for the operation of slot machines or an
 5801 officer, a director, or an employee of any such manufacturer or
 5802 distributor may not have an ~~any~~ ownership or financial interest
 5803 in a slot machine license or in a ~~any~~ business owned by the slot
 5804 machine licensee.

5805 (3)~~(4)~~ An employee of the commission or department
 5806 ~~division~~ or relative living in the same household as such
 5807 employee of the commission or department ~~division~~ may not wager
 5808 at any time on a slot machine located at a facility licensed by
 5809 the commission ~~division~~.

5810 (4)~~(5)~~ An occupational licensee or a relative of such
 5811 licensee who lives ~~living~~ in the same household ~~as such~~
 5812 ~~occupational licensee~~ may not wager at any time on a slot
 5813 machine located at a facility where the licensee ~~that person~~ is
 5814 employed.

5815 Section 85. Effective October 1, 2014, section 551.109,
 5816 Florida Statutes, is amended to read:

5817 551.109 Prohibited acts; penalties.—

5818 (1) Except as otherwise provided by law, and in addition
 5819 to any other penalty, a ~~any~~ person who knowingly makes or causes
 5820 to be made, or who aids, assists, or procures another to make, a
 5821 false statement in a ~~any~~ report, a disclosure, an application,
 5822 or any other document required under this part ~~chapter~~ or
 5823 applicable any rule adopted under this chapter is subject to an
 5824 administrative fine or civil penalty of up to \$10,000.

5825 (2) Except as otherwise provided by law, and in addition
 5826 to any other penalty, a ~~any~~ person who possesses a slot machine
 5827 without the license required under ~~by~~ this part ~~chapter~~ or who
 5828 possesses a slot machine at a ~~any~~ location other than at the
 5829 slot machine licensee's facility is subject to an administrative
 5830 fine or civil penalty of up to \$10,000 per machine. The
 5831 prohibition in this subsection does not apply to:

5832 (a) Slot machine manufacturers or slot machine
 5833 distributors that hold appropriate licenses issued by the
 5834 department and that division ~~who~~ are authorized to maintain a
 5835 slot machine storage and maintenance facility at a ~~any~~ location
 5836 in a county in which slot machine gaming is authorized by this
 5837 part ~~chapter~~. The department ~~division~~ may adopt rules regarding
 5838 security and access to the storage facility and inspections by
 5839 the department ~~division~~.

5840 (b) Certified educational facilities that are authorized
 5841 to maintain slot machines for the sole purpose of education and
 5842 licensure, if any, of slot machine technicians, inspectors, or
 5843 investigators. The department ~~division~~ and the Department of Law
 5844 Enforcement may possess slot machines for training and testing
 5845 purposes. The department ~~division~~ may adopt rules regarding the
 5846 regulation of any such slot machines used for educational,
 5847 training, or testing purposes.

5848 (3) A ~~Any~~ person who knowingly excludes, or attempts ~~takes~~
 5849 ~~any action in an attempt~~ to exclude, anything of value from the
 5850 deposit, counting, collection, or computation of revenues from

5851 slot machine activity, or a ~~any~~ person who by trick, sleight-of-
 5852 hand performance, ~~a~~ fraud or fraudulent scheme, or device wins
 5853 or attempts to win, for himself or herself or ~~for~~ another, money
 5854 or property or a combination thereof or reduces or attempts to
 5855 reduce a losing wager in connection with slot machine gaming
 5856 commits a felony of the third degree, punishable as provided in
 5857 s. 775.082, s. 775.083, or s. 775.084.

5858 (4) A ~~Any~~ person who manipulates or attempts to manipulate
 5859 the outcome, payoff, or operation of a slot machine by physical
 5860 tampering or by use of an ~~any~~ object, an instrument, or a
 5861 device, whether mechanical, electrical, magnetic, or involving
 5862 other means, commits a felony of the third degree, punishable as
 5863 provided in s. 775.082, s. 775.083, or s. 775.084.

5864 (5) Theft of ~~any~~ slot machine proceeds or ~~of~~ property
 5865 belonging to a ~~the~~ slot machine operator or a licensed facility
 5866 by an employee of the operator or facility or by an employee of
 5867 a person, firm, or entity that has contracted to provide
 5868 services to the operator or facility is ~~constitutes~~ a felony of
 5869 the third degree, punishable as provided in s. 775.082 or s.
 5870 775.083.

5871 (6) (a) A ~~Any~~ law enforcement officer or slot machine
 5872 operator who has probable cause to believe that a violation of
 5873 subsection (3), subsection (4), or subsection (5) has been
 5874 committed ~~by a person~~ and that he or she ~~the officer or operator~~
 5875 can recover the lost proceeds from such activity by taking the
 5876 person who committed the violation into custody ~~may~~, for the

5877 | purpose of attempting to effect such recovery or for
 5878 | prosecution, may take the person into custody on the premises
 5879 | and detain the person in a reasonable manner and for a
 5880 | reasonable period of time. If the operator takes the person into
 5881 | custody, a law enforcement officer shall be called to the scene
 5882 | immediately. The act of taking into custody and detention by a
 5883 | law enforcement officer or slot machine operator, if done in
 5884 | compliance with this subsection, does not render such law
 5885 | enforcement officer, ~~or~~ the officer's agency, or the slot
 5886 | machine operator criminally or civilly liable for false arrest,
 5887 | false imprisonment, or unlawful detention.

5888 | (b) A ~~Any~~ law enforcement officer may arrest, either on or
 5889 | off the premises and without warrant, a ~~any~~ person if there is
 5890 | probable cause to believe that person has violated subsection
 5891 | (3), subsection (4), or subsection (5).

5892 | (c) A ~~Any~~ person who resists the reasonable effort of a
 5893 | law enforcement officer or slot machine operator to recover the
 5894 | lost slot machine proceeds that the law enforcement officer or
 5895 | slot machine operator had probable cause to believe had been
 5896 | stolen from the licensed facility and who is subsequently found
 5897 | to be guilty of violating subsection (3), subsection (4), or
 5898 | subsection (5) commits a misdemeanor of the first degree,
 5899 | punishable as provided in s. 775.082 or s. 775.083, unless such
 5900 | person did not know or did not have reason to know that the
 5901 | person seeking to recover the lost proceeds was a law
 5902 | enforcement officer or slot machine operator.

5903 (7) All penalties imposed and collected under this section
 5904 must be deposited into the General Revenue Fund ~~Pari-mutuel~~
 5905 ~~Wagering Trust Fund of the Department of Business and~~
 5906 ~~Professional Regulation.~~

5907 Section 86. Effective October 1, 2014, section 551.111,
 5908 Florida Statutes, is amended to read:

5909 551.111 Legal devices.—Notwithstanding a ~~any provision of~~
 5910 law to the contrary, a slot machine manufactured, sold,
 5911 distributed, possessed, or operated according to ~~the provisions~~
 5912 ~~of this part chapter~~ is lawful ~~not unlawful~~.

5913 Section 87. Effective October 1, 2014, section 551.112,
 5914 Florida Statutes, is amended to read:

5915 551.112 Exclusions of certain persons.—In addition to the
 5916 power to exclude certain persons from a ~~any~~ facility of a slot
 5917 machine licensee ~~in this state~~, the department ~~division~~ may
 5918 exclude a ~~any~~ person from a ~~any~~ facility of a slot machine
 5919 licensee in this state for conduct that would constitute, if the
 5920 person were a licensee, a violation of this part chapter or the
 5921 rules adopted thereto ~~of the division~~. The department ~~division~~
 5922 may exclude from a ~~any~~ facility of a slot machine licensee a ~~any~~
 5923 person who has been ejected from a facility of a slot machine
 5924 licensee in this state or who has been excluded from a ~~any~~
 5925 facility of a slot machine licensee or gaming facility in
 5926 another state by the governmental department, agency,
 5927 commission, or authority exercising regulatory jurisdiction over
 5928 ~~the gaming in~~ that ~~such other~~ state. This section does not

5929 abrogate the common law right of a slot machine licensee to
 5930 exclude a patron absolutely in this state.

5931 Section 88. Effective October 1, 2014, section 551.113,
 5932 Florida Statutes, is amended to read:

5933 551.113 Persons prohibited from playing slot machines.—

5934 (1) A person who has not attained 21 years of age may not
 5935 play or operate a slot machine or have access to the designated
 5936 slot machine gaming area of a facility of a slot machine
 5937 licensee.

5938 (2) A slot machine licensee or an agent or employee of a
 5939 slot machine licensee may not knowingly allow a person who has
 5940 not attained 21 years of age:

5941 (a) To play or operate a a ~~any~~ slot machine.

5942 (b) To be employed in a a ~~any~~ position allowing or requiring
 5943 access to the designated slot machine gaming area of a facility
 5944 of a slot machine licensee.

5945 (c) To have access to the designated slot machine gaming
 5946 area of a facility of a slot machine licensee.

5947 (3) The licensed facility shall post clear and conspicuous
 5948 signage within the designated slot machine gaming areas that
 5949 states the following:

5950
 5951 THE PLAYING OF SLOT MACHINES BY PERSONS UNDER THE AGE OF 21
 5952 IS AGAINST FLORIDA LAW (SECTION 551.113, FLORIDA STATUTES).
 5953 PROOF OF AGE MAY BE REQUIRED AT ANY TIME.

5954 Section 89. Effective October 1, 2014, section 551.114,

5955 Florida Statutes, is amended to read:

5956 551.114 Slot machine gaming areas.—

5957 (1) A slot machine licensee may make available for play up
 5958 to 2,000 slot machines within the property of the facilities of
 5959 the slot machine licensee.

5960 (2) The slot machine licensee shall display pari-mutuel
 5961 races or games within the designated slot machine gaming areas
 5962 and offer patrons within the designated slot machine gaming
 5963 areas the ability to engage in pari-mutuel wagering on live,
 5964 intertrack, and simulcast races conducted or offered to patrons
 5965 of the licensed facility.

5966 (3) The department ~~division~~ shall require the posting of
 5967 signs warning of the risks and dangers of gambling, showing the
 5968 odds of winning, and informing patrons of the toll-free
 5969 telephone number available to provide information and referral
 5970 services regarding compulsive or problem gambling.

5971 (4) Designated slot machine gaming areas may be located
 5972 within the current live gaming facility or in an existing
 5973 building that must be contiguous and connected to the live
 5974 gaming facility. If a designated slot machine gaming area is to
 5975 be located in a building that is to be constructed, the ~~that~~ new
 5976 building must be contiguous and connected to the live gaming
 5977 facility.

5978 (5) The permitholder shall provide adequate office space
 5979 at no cost to the department ~~division~~ and the Department of Law
 5980 Enforcement for the oversight of slot machine operations. The

5981 department ~~division~~ shall adopt rules establishing ~~the~~ criteria
 5982 for adequate space, configuration, and location and needed
 5983 electronic and technological requirements for office space
 5984 required under ~~by~~ this subsection.

5985 Section 90. Effective October 1, 2014, section 551.116,
 5986 Florida Statutes, reads:

5987 551.116 Days and hours of operation.—Slot machine gaming
 5988 areas may be open daily throughout the year. The slot machine
 5989 gaming areas may be open a cumulative amount of 18 hours per day
 5990 on Monday through Friday and 24 hours per day on Saturday and
 5991 Sunday and on those holidays specified in s. 110.117(1).

5992 Section 91. Effective October 1, 2014, section 551.117,
 5993 Florida Statutes, is amended to read:

5994 551.117 Penalties.—The commission ~~division~~ may revoke or
 5995 suspend a any slot machine license issued under this part
 5996 ~~chapter~~ upon the willful violation by the slot machine licensee
 5997 of any provision of this part ~~chapter~~ or a ~~of any~~ rule adopted
 5998 thereto ~~under this chapter~~. In lieu of suspending or revoking a
 5999 slot machine license, the commission ~~division~~ may impose a civil
 6000 penalty against the slot machine licensee for a violation of
 6001 this part ~~chapter~~ or a ~~any~~ rule adopted thereto ~~by the division~~.
 6002 Except as otherwise provided in this part ~~chapter~~, the penalty
 6003 ~~se~~ imposed may not exceed \$100,000 for each count or separate
 6004 offense. ~~All~~ Penalties imposed and collected must be deposited
 6005 into the General Revenue Fund ~~Pari-mutuel Wagering Trust Fund of~~
 6006 ~~the Department of Business and Professional Regulation.~~

6007 Section 92. Effective October 1, 2014, section 551.118,
6008 Florida Statutes, is amended to read:

6009 551.118 Compulsive or addictive gambling prevention
6010 program.—

6011 (1) The slot machine licensee shall offer training to
6012 employees on responsible gaming and shall work with a compulsive
6013 or addictive gambling prevention program to recognize problem
6014 gaming situations and to implement responsible gaming programs
6015 and practices.

6016 (2) The department ~~division~~ shall, subject to competitive
6017 bidding, contract for provision of services related to the
6018 prevention of compulsive and addictive gambling. The contract
6019 shall provide for an advertising program to encourage
6020 responsible gaming practices and to publicize a ~~gambling~~
6021 telephone help line for compulsive and addictive gambling. Such
6022 advertisements must be made both publicly and inside the
6023 designated slot machine gaming areas of the licensee's
6024 facilities. The terms of a any contract for ~~the provision of~~
6025 such services must ~~shall~~ include accountability standards that
6026 must be met by a any private provider. The failure of a any
6027 private provider to meet a any material term ~~terms~~ of the
6028 contract, including the accountability standards, is ~~shall~~
6029 ~~constitute~~ a breach of contract or grounds for nonrenewal. The
6030 department ~~division~~ may consult with the Department of the
6031 Lottery in the development of the program and the development
6032 and analysis of the any procurement for contractual services for

6033 the compulsive or addictive gambling prevention program.

6034 (3) The compulsive or addictive gambling prevention
6035 program shall be funded from an annual nonrefundable regulatory
6036 fee of \$250,000 paid by the licensee to the department ~~division~~.

6037 Section 93. Effective October 1, 2014, section 551.119,
6038 Florida Statutes, is amended to read:

6039 551.119 Caterer's license.—A slot machine licensee is
6040 entitled to a caterer's license pursuant to s. 565.02 on days on
6041 which the pari-mutuel facility is open to the public for slot
6042 machine game play as authorized by this part ~~chapter~~.

6043 Section 94. Effective October 1, 2014, section 551.121,
6044 Florida Statutes, is amended to read:

6045 551.121 Prohibited activities and devices; exceptions.—

6046 (1) A complimentary or reduced-cost alcoholic beverage
6047 ~~beverages~~ may not be served to a person ~~persons~~ playing a slot
6048 machine. Alcoholic beverages served to a person ~~persons~~ playing
6049 a slot machine must ~~shall~~ cost at least the same amount as
6050 alcoholic beverages served to the general public at a bar within
6051 the facility.

6052 (2) A slot machine licensee may not make a ~~any~~ loan,
6053 provide credit, or advance cash in order to enable a person to
6054 play a slot machine. This subsection does ~~shall~~ not prohibit
6055 automated ticket redemption machines that dispense cash
6056 resulting from the redemption of tickets from being located in
6057 the designated slot machine gaming area of the slot machine
6058 licensee.

6059 (3) A slot machine licensee may not allow an ~~any~~ automated
 6060 teller machine or similar device designed to provide credit or
 6061 dispense cash to be located within the designated slot machine
 6062 gaming areas of a facility of a slot machine licensee.

6063 (4) (a) A slot machine licensee may not accept or cash a
 6064 ~~any~~ check from a ~~any~~ person within the designated slot machine
 6065 gaming areas of a facility of a slot machine licensee.

6066 (b) Except as provided in paragraph (c) for employees of
 6067 the facility, a slot machine licensee or operator may ~~shall~~ not
 6068 accept or cash for a ~~any~~ person within the property of the
 6069 facility a ~~any~~ government-issued check, third-party check, or
 6070 payroll check made payable to an individual.

6071 (c) Outside the designated slot machine gaming areas, a
 6072 slot machine licensee or operator may accept or cash a check for
 6073 an employee of the facility who is prohibited from wagering on a
 6074 slot machine under s. 551.108(4) ~~s. 551.108(5)~~, a check made
 6075 directly payable to a person licensed by the commission
 6076 ~~division~~, or a check made directly payable to the slot machine
 6077 licensee or operator from:

- 6078 1. A pari-mutuel patron; or
- 6079 2. A pari-mutuel facility in this state or in another
 6080 state.

6081 (d) Unless accepting or cashing a check is prohibited
 6082 under ~~by~~ this subsection, ~~nothing shall prohibit~~ a slot machine
 6083 licensee or operator may accept and deposit ~~from accepting and~~
 6084 ~~depositing~~ in its accounts checks received in the normal course

6085 of business.

6086 (5) A slot machine, or the computer operating system
 6087 linking the slot machine, may be linked by any means to another
 6088 ~~any other~~ slot machine or computer operating system within the
 6089 facility of a slot machine licensee. A progressive system may be
 6090 used in conjunction with slot machines between licensed
 6091 facilities in this state ~~Florida~~ or in other jurisdictions.

6092 (6) A slot machine located within a licensed facility may
 6093 ~~shall~~ accept only tickets, ~~or~~ paper currency, or ~~an~~ electronic
 6094 payment ~~system~~ for wagering and must return or deliver payouts
 6095 to the player in the form of electronic credit or tickets that
 6096 may be exchanged for cash, merchandise, or other items of value.
 6097 The use of coins, credit or debit cards, tokens, or similar
 6098 objects is specifically prohibited. ~~However, an electronic~~
 6099 ~~credit system may be used for receiving wagers and making~~
 6100 ~~payouts.~~

6101 Section 95. Effective October 1, 2014, section 551.122,
 6102 Florida Statutes, is amended to read:

6103 551.122 Rulemaking.—The department ~~division~~ may adopt
 6104 rules pursuant to ss. 120.536(1) and 120.54 to administer ~~the~~
 6105 ~~provisions of this~~ part ~~chapter~~.

6106 Section 96. Effective October 1, 2014, section 551.123,
 6107 Florida Statutes, is amended to read:

6108 551.123 Legislative authority; administration of part
 6109 ~~chapter~~.—The Legislature finds and declares that it has
 6110 exclusive authority over the conduct of all wagering occurring

6111 at a slot machine facility in this state. As provided by law,
 6112 only the commission and department ~~Division of Pari-mutuel~~
 6113 ~~Wagering~~ and other authorized state agencies may ~~shall~~
 6114 administer this part ~~chapter~~ and regulate the slot machine
 6115 gaming industry, including operation of slot machine facilities,
 6116 games, slot machines, and facilities-based computer systems
 6117 authorized in this part ~~chapter~~ and the rules adopted by the
 6118 department ~~division~~.

6119 Section 97. Effective October 1, 2014, part IV of chapter
 6120 551, Florida Statutes, consisting of section 551.20, is created
 6121 and entitled "CARDROOMS."

6122 Section 98. Effective October 1, 2014, section 849.086,
 6123 Florida Statutes, is transferred, renumbered as section 551.20,
 6124 Florida Statutes, and amended to read:

6125 551.20 ~~849.086~~ Cardrooms authorized.-

6126 (1) LEGISLATIVE INTENT.-It is the intent of the
 6127 Legislature to provide additional entertainment choices for the
 6128 residents of and visitors to this ~~the~~ state, promote tourism ~~in~~
 6129 ~~the state~~, and provide additional state revenues by authorizing
 6130 ~~through the authorization of~~ the playing of certain games ~~in the~~
 6131 ~~state~~ at facilities known as cardrooms, which are to be located
 6132 at licensed pari-mutuel facilities in this state. This act is
 6133 intended to ensure the public confidence in the integrity of
 6134 authorized cardroom operations by, ~~this act is designed to~~
 6135 strictly regulating ~~regulate the~~ facilities, persons, and
 6136 procedures related to cardroom operations. Further ~~Furthermore~~,

6137 the Legislature intends ~~finds~~ that, as defined in this section,
 6138 authorized games be deemed ~~as herein defined are considered to~~
 6139 ~~be~~ pari-mutuel style games rather than ~~and not~~ casino gaming,
 6140 since ~~because~~ the participants play against each other instead
 6141 of against the house.

6142 (2) DEFINITIONS.—As used in this section:

6143 (a) "Authorized game" means a game or series of games of
 6144 poker or dominoes which are played in a nonbanking manner.

6145 (b) "Banking game" means a game in which the house is a
 6146 participant in the game, taking on players, paying winners, and
 6147 collecting from losers, or in which the cardroom establishes a
 6148 bank against which participants play.

6149 (c) "Cardroom" means a facility where authorized games are
 6150 played for money or anything of value and to which the public is
 6151 invited to participate in such games and charged a fee for
 6152 participation by the operator of such facility. Authorized games
 6153 and cardrooms are ~~do not constitute~~ casino gaming operations.

6154 (d) "Cardroom management company" means a person that is
 6155 ~~any individual~~ not an employee of the cardroom operator but that
 6156 is a ~~any~~ proprietorship, partnership, corporation, or other
 6157 entity that enters into an agreement with a cardroom operator to
 6158 manage, operate, or otherwise control the daily operation of a
 6159 cardroom.

6160 (e) "Cardroom distributor" means a ~~any~~ business that
 6161 distributes cardroom equipment ~~paraphernalia~~ such as card
 6162 tables, betting chips, chip holders, dominoes, domino ~~dominoes~~

6163 tables, drop boxes, banking supplies, playing cards, card
 6164 shufflers, and other related ~~associated~~ equipment to authorized
 6165 cardrooms.

6166 (f) "Cardroom operator" means a licensed pari-mutuel
 6167 permitholder that ~~which~~ holds a valid permit and license issued
 6168 by the commission ~~division~~ pursuant to part II ~~chapter 550~~ and
 6169 ~~which also holds~~ a valid cardroom license issued by the
 6170 commission ~~division~~ pursuant to this section which authorizes
 6171 the permitholder ~~such person~~ to operate a cardroom and ~~to~~
 6172 conduct authorized games in such cardroom.

6173 ~~(g) "Division" means the Division of Pari-mutuel Wagering~~
 6174 ~~of the Department of Business and Professional Regulation.~~

6175 (g) ~~(h)~~ "Dominoes" means a game ~~of dominoes~~ typically
 6176 played with a set of 28 flat rectangular blocks, called "bones,"
 6177 which are marked on one side and divided into two equal parts
 6178 that are blank or that each have up, ~~with zero~~ to six dots,
 6179 called "pips." ~~"pips," in each part.~~ The term also means the set
 6180 of blocks used to play the game and includes larger sets of
 6181 blocks that contain a correspondingly higher number of pips. ~~The~~
 6182 ~~term also means the set of blocks used to play the game.~~

6183 (h) ~~(i)~~ "Gross receipts" means the total amount of money
 6184 received by a cardroom from persons participating ~~any person for~~
 6185 ~~participation~~ in authorized games. For purposes of tournament
 6186 play only, "gross receipts" means the total amount received by
 6187 the cardroom operator for all entry fees, player re-buys, and
 6188 fees for participating in the tournament, less the total amount

6189 paid out in prizes.

6190 (i)~~(j)~~ "House" means the cardroom operator and all
 6191 employees of the cardroom operator.

6192 (j)~~(k)~~ "Net proceeds" means the total amount of gross
 6193 receipts received by a cardroom operator from cardroom
 6194 operations less direct operating expenses related to cardroom
 6195 operations.~~including~~

6196 1. Direct operating expenses include:

6197 a. Labor costs;~~;~~

6198 b. Admission taxes ~~only~~ if a separate admission fee is
 6199 charged for entry to the cardroom facility;~~;~~

6200 c. Gross receipts taxes imposed on cardroom operators by
 6201 this section;~~;~~~~the~~

6202 d. Annual cardroom license fees imposed by this section on
 6203 each table operated at a cardroom;~~;~~ and

6204 e. Reasonable promotional costs. ~~excluding~~

6205 2. Direct operating expenses do not include:

6206 a. Officer and director compensation;~~;~~

6207 b. Interest on capital debt;~~;~~

6208 c. Legal fees;~~;~~

6209 d. Real estate taxes;~~;~~

6210 e. Bad debts;~~;~~

6211 f. Contributions or donations;~~;~~ or

6212 g. Overhead and depreciation expenses not directly related
 6213 to the operation of the cardrooms.

6214 (k)~~(l)~~ "Rake" means a set fee or percentage of the pot

6215 assessed by a cardroom operator for providing the services of a
 6216 dealer, table, or location for playing the authorized game.

6217 ~~(1)~~ ~~(m)~~ "Tournament" means a series of games that have more
 6218 than one betting round involving one or more tables for which
 6219 ~~and where~~ the winners or others receive a prize or cash award.

6220 (3) CARDROOM AUTHORIZED.—Notwithstanding any other
 6221 ~~provision of law, it is not a crime for~~ a person may ~~to~~
 6222 participate in a ~~an~~ authorized game at a ~~licensed~~ cardroom or ~~to~~
 6223 operate a cardroom as defined ~~described~~ in this section if such
 6224 game and cardroom operation are conducted strictly in accordance
 6225 with ~~the provisions of~~ this section.

6226 ~~(4) AUTHORITY OF DIVISION.—The Division of Pari-mutuel~~
 6227 ~~Wagering of the Department of Business and Professional~~
 6228 ~~Regulation shall administer this section and regulate the~~
 6229 ~~operation of cardrooms under this section and the rules adopted~~
 6230 ~~pursuant thereto, and is hereby authorized to:~~

6231 ~~(a) Adopt rules, including, but not limited to: the~~
 6232 ~~issuance of cardroom and employee licenses for cardroom~~
 6233 ~~operations; the operation of a cardroom; recordkeeping and~~
 6234 ~~reporting requirements; and the collection of all fees and taxes~~
 6235 ~~imposed by this section.~~

6236 ~~(b) Conduct investigations and monitor the operation of~~
 6237 ~~cardrooms and the playing of authorized games therein.~~

6238 ~~(c) Review the books, accounts, and records of any current~~
 6239 ~~or former cardroom operator.~~

6240 ~~(d) Suspend or revoke any license or permit, after~~

6241 ~~hearing, for any violation of the provisions of this section or~~
 6242 ~~the administrative rules adopted pursuant thereto.~~

6243 ~~(e) Take testimony, issue summons and subpoenas for any~~
 6244 ~~witness, and issue subpoenas duces tecum in connection with any~~
 6245 ~~matter within its jurisdiction.~~

6246 ~~(f) Monitor and ensure the proper collection of taxes and~~
 6247 ~~fees imposed by this section. Permitholder internal controls are~~
 6248 ~~mandated to ensure no compromise of state funds. To that end, a~~
 6249 ~~roaming division auditor will monitor and verify the cash flow~~
 6250 ~~and accounting of cardroom revenue for any given operating day.~~

6251 ~~(4)(5) LICENSE REQUIREMENTS REQUIRED; APPLICATION; FEES;~~
 6252 ~~BOND.~~ ~~A~~ ~~No~~ person may not operate a cardroom in this state
 6253 unless such person holds a valid cardroom license issued by the
 6254 commission pursuant to this section.

6255 ~~(a) Only those persons holding a valid cardroom license~~
 6256 ~~issued by the division may operate a cardroom. A cardroom~~
 6257 ~~license may only be issued to a licensed pari-mutuel~~
 6258 ~~permitholder. Such permitholder may not operate a cardroom at a~~
 6259 ~~facility other than the facility it and an authorized cardroom~~
 6260 ~~may only be operated at the same facility at which the~~
 6261 ~~permitholder is authorized to operate under its valid pari-~~
 6262 ~~mutuel wagering permit ~~to conduct pari-mutuel wagering~~~~
 6263 ~~activities. An initial cardroom license may not ~~shall~~ be issued~~
 6264 ~~until the ~~to a pari-mutuel permitholder~~ completes construction~~
 6265 ~~of only after its facilities are in place and after it conducts~~
 6266 ~~its first day of live events racing or games.~~

6267 (b) After ~~an the~~ initial cardroom license is granted, the
6268 application for the annual cardroom license renewal shall be
6269 made in conjunction with the applicant's annual application for
6270 its pari-mutuel license.

6271 1. For a cardroom license to be renewed, the applicant
6272 must have requested, as part of its annual pari-mutuel license
6273 application, to conduct at least 90 percent of the total number
6274 of live performances conducted by the permitholder during the
6275 state fiscal year in which its initial cardroom license was
6276 issued or the state fiscal year immediately preceding the state
6277 fiscal year in which its initial cardroom license was issued if
6278 the permitholder conducted at least a full schedule of live
6279 events in that preceding year.

6280 2. If the application is for a harness racing permitholder
6281 cardroom, the applicant must have requested authorization to
6282 conduct a minimum of 140 live performances during the
6283 immediately preceding state fiscal year.

6284 3. If a permitholder has operated a cardroom during any of
6285 the previous 3 ~~previous~~ fiscal years and fails to include a
6286 renewal request for the operation of the cardroom in its annual
6287 application for license renewal, the permitholder may amend its
6288 annual license renewal application to include operation of the
6289 cardroom. ~~In order for a cardroom license to be renewed the~~
6290 ~~applicant must have requested, as part of its pari-mutuel annual~~
6291 ~~license application, to conduct at least 90 percent of the total~~
6292 ~~number of live performances conducted by such permitholder~~

6293 ~~during either the state fiscal year in which its initial~~
6294 ~~cardroom license was issued or the state fiscal year immediately~~
6295 ~~prior thereto if the permitholder ran at least a full schedule~~
6296 ~~of live racing or games in the prior year. If the application is~~
6297 ~~for a harness permitholder cardroom, the applicant must have~~
6298 ~~requested authorization to conduct a minimum of 140 live~~
6299 ~~performances during the state fiscal year immediately prior~~
6300 ~~thereto.~~

6301 4. If more than one pari-mutuel permitholder is operating
6302 at a facility, each permitholder must have applied for a license
6303 to conduct a full schedule of live racing.

6304 (c) An application for an initial or renewal license to
6305 operate a cardroom must be made ~~Persons seeking a license or a~~
6306 ~~renewal thereof to operate a cardroom shall make application on~~
6307 ~~forms prescribed by the department and must~~ division.
6308 ~~Applications for cardroom licenses shall contain all of the~~
6309 ~~information~~ required by department ~~the division, by rule, may~~
6310 ~~determine is required to ensure eligibility.~~

6311 (d) The annual cardroom license fee for each facility is
6312 ~~shall be~~ \$1,000 for each table to be operated at the cardroom.
6313 The license fee shall be paid to the department and deposited ~~by~~
6314 ~~the division~~ with the Chief Financial Officer to the credit of
6315 the Gaming Control Trust Fund ~~Pari-mutuel Wagering Trust Fund~~.

6316 (e) The holder of a cardroom license is responsible for
6317 the operation of the cardroom and for the conduct of any
6318 manager, dealer, or other employee involved in the operation of

6319 the cardroom. Before the issuance of a cardroom license, the
6320 applicant for such license must provide evidence that it has
6321 purchased a \$50,000 surety bond, payable to the state, from a
6322 corporate surety authorized to do business in this state or
6323 evidence that the bond required under s. 551.0321 has been
6324 expanded to include the applicant's cardroom operation. The bond
6325 must guarantee that the cardroom operator will redeem, for cash,
6326 all tokens or chips used in games. Such bond shall be kept in
6327 full force and effect by the operator during the term of the
6328 license.

6329 (5)(16) LOCAL GOVERNMENT APPROVAL.—The department may
6330 ~~Division of Pari-mutuel Wagering shall~~ not issue any initial
6331 license under this section unless the applicant shows except
6332 ~~upon~~ proof in such form as the department ~~division~~ may prescribe
6333 that the local government where it the applicant for such
6334 license desires to conduct cardroom gaming has voted to approve
6335 such activity by a majority vote of the governing body of the
6336 municipality or, if the facility is not located in a
6337 municipality, the governing body of the county ~~if the facility~~
6338 ~~is not located in a municipality.~~

6339 (6)(13) TAXES AND OTHER PAYMENTS.—

6340 (a) Each cardroom operator shall pay a tax to the state of
6341 10 percent of the cardroom operation's monthly gross receipts.

6342 (b) An admission tax equal to 15 percent of the admission
6343 charge for entrance to the licensee's cardroom facility, or 10
6344 cents, whichever is greater, is imposed on each person entering

6345 the cardroom. This admission tax applies ~~shall apply~~ only if a
6346 separate admission fee is charged for entry to the cardroom
6347 facility. If a single admission fee is charged which authorizes
6348 entry to ~~both or either~~ the pari-mutuel facility and the
6349 cardroom facility, the admission tax is ~~shall be~~ payable only
6350 once and is ~~shall be~~ payable pursuant to part II ~~chapter 550~~.
6351 The cardroom licensee shall collect ~~be responsible for~~
6352 ~~collecting~~ the admission tax, which. ~~An admission tax~~ is imposed
6353 on ~~any~~ free passes or complimentary cards issued to guests by a
6354 licensee ~~licensees~~ in an amount equal to the tax imposed on the
6355 regular and usual admission charge for entrance to the
6356 licensee's cardroom facility. A cardroom licensee may issue tax-
6357 free passes to its officers, officials, and employees or other
6358 persons ~~actually engaged in~~ working at the cardroom, including
6359 accredited media press representatives ~~such as reporters and~~
6360 ~~editors~~, and may also issue tax-free passes to other cardroom
6361 licensees for the use of their officers and officials. The
6362 licensee shall file with the department ~~division~~ a list of all
6363 persons to whom tax-free passes are issued.

6364 (c) ~~The Payment of the~~ admission tax and gross receipts
6365 tax imposed by this section shall be paid to the department
6366 ~~division~~. The department ~~division~~ shall deposit these sums with
6367 the Chief Financial Officer, one-half being credited to the
6368 Gaming Control ~~Pari-mutuel Wagering~~ Trust Fund and one-half
6369 being credited to the General Revenue Fund. The cardroom
6370 licensee shall remit to the department ~~division~~ payment for the

6371 admission tax, the gross receipts tax, and the licensee fees.
 6372 ~~Such payments shall be remitted to the division on the 5th fifth~~
 6373 day of each calendar month for taxes and fees imposed for the
 6374 preceding month's cardroom activities. Licensees shall file a
 6375 report under oath by the 5th fifth day of each calendar month
 6376 for all taxes remitted during the preceding calendar month. Such
 6377 report shall, under oath, indicate the total of all admissions,
 6378 the cardroom activities for the preceding calendar month, and
 6379 such other information as may be required ~~prescribed~~ by the
 6380 commission ~~division~~.

6381 (d)1. Each greyhound racing and jai alai permitholder that
 6382 operates a cardroom facility shall use at least 4 percent of
 6383 such permitholder's cardroom monthly gross receipts to
 6384 supplement greyhound purses or jai alai prize money,
 6385 respectively, during the permitholder's next ~~ensuing~~ pari-mutuel
 6386 meet.

6387 2. Each thoroughbred and harness horse racing permitholder
 6388 that operates a cardroom facility shall, during the
 6389 permitholder's next racing meet, use at least 50 percent of such
 6390 permitholder's cardroom monthly net proceeds as follows: ~~47~~
 6391 ~~percent to supplement purses and 3 percent to supplement~~
 6392 ~~breeders' awards during the permitholder's next ensuing racing~~
 6393 ~~meet.~~

6394 a. Forty-seven percent to supplement purses; and

6395 b. Three percent to supplement breeders' awards.

6396 3. A ~~No~~ cardroom license, or renewal thereof, may not

6397 shall be issued to an applicant holding a ~~permit under chapter~~
6398 ~~550 to conduct pari-mutuel wagering meets of~~ quarter horse
6399 racing permit under this chapter unless the applicant has on
6400 file with the commission ~~division~~ a binding written agreement,
6401 between the applicant and the Florida Quarter Horse Racing
6402 Association or the association representing a majority of the
6403 horse owners and trainers at the applicant's eligible facility,
6404 governing the payment of purses on live quarter horse races
6405 conducted at the licensee's pari-mutuel facility. The agreement
6406 governing purses may direct the payment of such purses from
6407 revenues generated by any wagering or gaming the applicant is
6408 authorized to conduct ~~under Florida law~~. All purses are ~~shall be~~
6409 subject to the terms of part II ~~chapter 550~~.

6410 (e) A ~~The failure of any licensee that fails~~ to make
6411 payments as prescribed in paragraph (c) violates ~~is a violation~~
6412 ~~of this section,~~ and ~~the licensee may be~~ required ~~subjected~~ by
6413 the commission ~~division~~ to pay a civil penalty of up to \$1,000
6414 for each day the tax payment is not remitted. All penalties
6415 ~~imposed and~~ collected shall be deposited in the General Revenue
6416 Fund. If a licensee fails to pay penalties imposed by order of
6417 the commission ~~division~~ under this subsection, the commission
6418 ~~division~~ may suspend or revoke the license of the cardroom
6419 operator or deny issuance of any additional ~~further~~ license to
6420 the cardroom operator.

6421 (f) The cardroom is ~~shall be deemed~~ an accessory use to a
6422 licensed pari-mutuel operation and, except as provided in part

6423 II ~~chapter 550~~, a municipality, county, or political subdivision
 6424 may not assess or collect any additional license tax, sales tax,
 6425 or excise tax on such cardroom operation.

6426 (g) All ~~of the~~ moneys deposited in the Gaming Control
 6427 ~~Pari-mutuel Wagering~~ Trust Fund, except as set forth in
 6428 paragraph (h), shall be ~~utilized and distributed~~ and used in the
 6429 manner specified in s. 551.035(1) ~~s. 550.135(1) and (2)~~.

6430 However, cardroom tax revenues shall be kept separate from pari-
 6431 mutuel tax revenues ~~and shall not be used for making the~~
 6432 ~~disbursement to counties provided in former s. 550.135(1)~~.

6433 (h) By October 1 of each year, 25 percent ~~One-quarter~~ of
 6434 the moneys deposited into the Gaming Control ~~Pari-mutuel~~
 6435 ~~Wagering~~ Trust Fund pursuant to paragraph (g) shall, ~~by October~~
 6436 ~~1 of each year~~, be distributed to the local government that
 6437 approved the cardroom under subsection (5). ~~(16)~~; However, if
 6438 two or more pari-mutuel racetracks are located within the same
 6439 incorporated municipality, the ~~cardroom~~ funds shall be
 6440 distributed to the municipality. If a pari-mutuel facility is
 6441 situated in such a manner that it is located in more than one
 6442 county, the site of the cardroom facility shall determine the
 6443 location for purposes of disbursement of tax revenues under this
 6444 paragraph. ~~The division shall~~, By September 1 of each year, the
 6445 commission shall determine:

6446 1. The amount of taxes deposited into the Gaming Control
 6447 ~~Pari-mutuel Wagering~~ Trust Fund pursuant to this section from
 6448 each cardroom licensee;

6449 2. ~~The location by county~~ in which ~~of~~ each cardroom is
6450 located;

6451 3. Whether the cardroom is located in the unincorporated
6452 area of the county or within an incorporated municipality; and

6453 4. The total amount to be distributed to each eligible
6454 county and municipality.

6455 (7) CONDITIONS FOR OPERATING A CARDROOM.—

6456 (a) A cardroom may be operated only at the location
6457 specified on the cardroom license issued by the commission
6458 division, which must ~~and such location may only~~ be the location
6459 at which the pari-mutuel permitholder is authorized to conduct
6460 pari-mutuel wagering activities pursuant to its ~~such~~
6461 ~~permitholder's~~ valid pari-mutuel permit or as otherwise
6462 authorized by law. ~~Cardroom operations may not be allowed beyond~~
6463 ~~the hours provided in paragraph (b) regardless of the number of~~
6464 ~~cardroom licenses issued for permitholders operating at the~~
6465 ~~pari-mutuel facility.~~

6466 (b) A licensed ~~Any~~ cardroom operator may operate a
6467 cardroom at the pari-mutuel facility daily throughout the year,
6468 ~~if the permitholder meets the requirements under paragraph~~
6469 ~~(5)(b).~~ The cardroom may be operated ~~open a cumulative amount of~~
6470 18 cumulative hours per day on Monday through Friday and 24
6471 hours per day on Saturday, and Sunday, and ~~on~~ the holidays
6472 specified in s. 110.117(1). This limitation applies regardless
6473 of the number of cardroom licenses issued for permitholders
6474 operating at the pari-mutuel facility.

6475 (c) A cardroom operator must at all times employ and
6476 provide a nonplaying dealer for each table on which authorized
6477 card games that ~~which~~ traditionally use a dealer are conducted
6478 at the cardroom. A dealer ~~Such dealers~~ may not have a
6479 participatory interest in any game other than the dealing of
6480 cards and may not have an interest in the outcome of the game.
6481 ~~The~~ Providing ~~of~~ such dealers by a licensee does not constitute
6482 the conducting of a banking game by the cardroom operator.

6483 (d) A cardroom operator may award giveaways, jackpots, and
6484 prizes to a player who holds certain combinations of cards
6485 specified by the cardroom operator.

6486 (e) 1. Each cardroom operator shall conspicuously post upon
6487 the premises of the cardroom a notice that ~~which~~ contains:

6488 a. A copy of the cardroom license. ~~†~~

6489 b. A list of authorized games offered by the cardroom. ~~†~~

6490 c. The wagering limits imposed by the house, if any. ~~†~~

6491 d. Any additional house rules regarding operation of the
6492 cardroom or the playing of any game. ~~†~~ and

6493 e. All costs to players to participate, including any rake
6494 by the house.

6495 2. ~~In addition,~~ Each cardroom operator shall post at each
6496 table a notice of the minimum and maximum bets authorized at
6497 such table and the fee for participation in the game conducted.

6498 (f) The cardroom facility may be inspected ~~is subject to~~
6499 ~~inspection~~ by the department ~~division~~ or any law enforcement
6500 agency during the licensee's regular business hours. The

6501 inspection must ~~specifically~~ include a review of the pari-mutuel
 6502 permitholder internal control procedures approved by the
 6503 commission division.

6504 (g) A cardroom operator may refuse entry to a person or
 6505 refuse to allow a any person to play, if the person ~~who~~ is
 6506 objectionable, undesirable, or disruptive to play, but such
 6507 refusal may not be based on the ~~basis of~~ race, creed, color,
 6508 religion, gender, national origin, marital status, physical
 6509 handicap, or age of that person, ~~except as provided in this~~
 6510 ~~section.~~

6511 ~~(8)(10)~~ FEE FOR PARTICIPATION.—The cardroom operator may
 6512 charge a fee ~~for the right~~ to participate in games conducted at
 6513 the cardroom. Such fee may be ~~either~~ a flat fee or hourly rate
 6514 for the use of a seat at a table or a rake subject to the posted
 6515 maximum amount. Such fee ~~but~~ may not be based on the amount won
 6516 by players. Any rake ~~The rake-off, if any,~~ must be made in an
 6517 obvious manner and placed in a designated rake area that ~~which~~
 6518 is clearly visible to all players. Notice of the amount of the
 6519 participation fee charged shall be posted in a conspicuous place
 6520 in the cardroom and at each table at all times.

6521 ~~(9)(8)~~ METHOD OF WAGERS; LIMITATION.—

6522 (a) ~~No~~ Wagering may not be conducted using money or other
 6523 negotiable currency. Games may only be played using ~~utilizing~~ a
 6524 wagering system whereby all players' money is first converted by
 6525 the house to tokens or chips that are ~~which shall be~~ used for
 6526 wagering only at that ~~specific~~ cardroom.

6527 (b) The cardroom operator may limit the amount wagered in
6528 any game or series of games.

6529 (c) A tournament shall consist of a series of games. The
6530 entry fee for a tournament may be set by the cardroom operator.
6531 Tournaments may be played only with tournament chips that are
6532 provided to ~~all~~ participants upon payment of ~~in exchange for~~ an
6533 entry fee and any subsequent rebuys ~~re-buys~~. Each player ~~All~~
6534 ~~players~~ must receive an equal number of tournament chips for his
6535 or her ~~their~~ entry fee. Tournament chips do not have ~~no~~ cash
6536 value, but instead ~~and~~ represent tournament points ~~only~~. The
6537 cardroom operator shall determine any ~~There is no~~ limitation on
6538 the number of tournament chips that may be used for a bet ~~except~~
6539 ~~as otherwise determined by the cardroom operator~~. Tournament
6540 chips may not ~~never~~ be redeemed for cash or for any other thing
6541 of value. The distribution of prizes and cash awards must be
6542 determined by the cardroom operator before entry fees are
6543 accepted. ~~For purposes of tournament play only, the term "gross~~
6544 ~~receipts" means the total amount received by the cardroom~~
6545 ~~operator for all entry fees, player re-buys, and fees for~~
6546 ~~participating in the tournament less the total amount paid to~~
6547 ~~the winners or others as prizes.~~

6548 ~~(9) BOND REQUIRED. The holder of a cardroom license shall~~
6549 ~~be financially and otherwise responsible for the operation of~~
6550 ~~the cardroom and for the conduct of any manager, dealer, or~~
6551 ~~other employee involved in the operation of the cardroom. Prior~~
6552 ~~to the issuance of a cardroom license, each applicant for such~~

6553 ~~license shall provide evidence of a surety bond in the amount of~~
6554 ~~\$50,000, payable to the state, furnished by a corporate surety~~
6555 ~~authorized to do business in the state or evidence that the~~
6556 ~~licensee's pari-mutuel bond required by s. 550.125 has been~~
6557 ~~expanded to include the applicant's cardroom operation. The bond~~
6558 ~~shall guarantee that the cardroom operator will redeem, for~~
6559 ~~cash, all tokens or chips used in games. Such bond shall be kept~~
6560 ~~in full force and effect by the operator during the term of the~~
6561 ~~license.~~

6562 ~~(10)-(11)~~ RECORDS AND REPORTS.—

6563 (a) Each licensee operating a cardroom shall ~~keep and~~
6564 maintain permanent daily records of its cardroom operation and
6565 shall maintain such records for at least ~~a period of not less~~
6566 ~~than~~ 3 years. Such ~~These~~ records must ~~shall~~ include all
6567 financial transactions and contain sufficient detail to
6568 determine compliance with ~~the requirements of~~ this section. All
6569 records shall be available for audit and inspection by the
6570 department ~~division~~ or other law enforcement agencies during the
6571 licensee's regular business hours. The information required in
6572 such records shall be determined by department ~~division~~ rule.

6573 (b) Each month, each licensee operating a cardroom shall
6574 file with the department ~~division~~ a report containing the
6575 required records of such cardroom operation. ~~Such report shall~~
6576 ~~be filed monthly by licensees.~~ The report ~~required reports~~
6577 shall:

6578 1. Be due at the same time as the monthly pari-mutuel

6579 reports are due to the commission.

6580 2. Be submitted on forms prescribed by the department.
 6581 ~~division and shall be due at the same time as the monthly pari-~~
 6582 ~~mutuel reports are due to the division, and such reports shall~~

6583 3. Contain any additional information required ~~deemed~~
 6584 necessary by the department. ~~division, and the reports shall be~~
 6585 ~~deemed~~

6586 4. Be a public record ~~records~~ once filed.

6587 (11)-(12) PROHIBITED ACTIVITIES.—

6588 (a) A ~~No~~ person licensed to operate a cardroom may not
 6589 conduct any banking game or any other game not specifically
 6590 authorized by this section.

6591 (b) A ~~No~~ person under 18 years of age may not be permitted
 6592 to hold a cardroom or employee license~~,~~ or engage in any game
 6593 conducted in a cardroom ~~therein~~.

6594 (c) ~~No~~ Electronic or mechanical devices, except mechanical
 6595 card shufflers, may not be used to conduct any authorized game
 6596 in a cardroom.

6597 (d) ~~No~~ Cards, game components, or game implements may not
 6598 be used in playing an authorized game unless the cards, game
 6599 components, or game implements have ~~such has~~ been furnished or
 6600 provided to the players by the cardroom operator.

6601 (12)-(14) SUSPENSION, REVOCATION, OR DENIAL OF LICENSE;
 6602 FINE.—

6603 (a)1. The commission ~~division~~ may deny a license or the
 6604 renewal thereof, or may suspend or revoke a ~~any~~ license, when

6605 the applicant has:

6606 a. Violated or failed to comply with ~~the provisions of~~
 6607 this section or any rules adopted pursuant to this section
 6608 ~~thereto~~;

6609 b. Knowingly caused, aided, abetted, or conspired with
 6610 another to cause any person to violate this section or any rules
 6611 adopted pursuant to this section ~~thereto~~; or

6612 c. Obtained a license or permit by fraud,
 6613 misrepresentation, or concealment. ~~;~~ ~~or~~

6614 2. The commission may deny the renewal of a license or may
 6615 suspend or revoke a license if the holder of such license ~~or~~
 6616 ~~permit~~ is no longer eligible under this section.

6617 (b) If a pari-mutuel permitholder's pari-mutuel permit or
 6618 license is suspended or revoked by the commission ~~division~~
 6619 pursuant to part II chapter 550, the commission shall ~~division~~
 6620 ~~may, but is not required to,~~ suspend or revoke such
 6621 permitholder's cardroom license. If a cardroom operator's
 6622 license is suspended or revoked pursuant to this section, the
 6623 commission ~~division~~ may, but is not required to, suspend or
 6624 revoke such licensee's pari-mutuel permit or license.

6625 (c) Notwithstanding any other provision of this section,
 6626 the commission ~~division~~ may impose an administrative fine of up
 6627 to ~~not to exceed~~ \$1,000 for each violation against any person
 6628 who has violated or failed to comply with ~~the provisions of~~ this
 6629 section or any rules adopted pursuant to this section ~~thereto~~.

6630 (13)-(15) CRIMINAL PENALTY; INJUNCTION.—

6631 (a)1. A ~~Any~~ person who operates a cardroom without a valid
 6632 license issued under ~~as provided in~~ this section commits a
 6633 felony of the third degree, punishable as provided in s.
 6634 775.082, s. 775.083, or s. 775.084.

6635 2. A ~~Any~~ licensee or pari-mutuel permitholder who violates
 6636 ~~any provision of~~ this section commits a misdemeanor of the first
 6637 degree, punishable as provided in s. 775.082 or s. 775.083. A
 6638 ~~Any~~ licensee or pari-mutuel permitholder who commits a second or
 6639 subsequent violation of the same paragraph or subsection within
 6640 a period of 3 years after ~~from~~ the date of a prior conviction
 6641 for the same offense ~~a violation of such paragraph or subsection~~
 6642 commits a felony of the third degree, punishable as provided in
 6643 s. 775.082, s. 775.083, or s. 775.084.

6644 (b) The department division, a ~~any~~ state attorney, the
 6645 statewide prosecutor, or the Attorney General may apply for a
 6646 temporary or permanent injunction restraining further violation
 6647 of this section, and such injunction shall issue without bond.

6648 ~~(17) CHANGE OF LOCATION; REFERENDUM.~~

6649 ~~(a) Notwithstanding any provisions of this section, no~~
 6650 ~~cardroom gaming license issued under this section shall be~~
 6651 ~~transferred, or reissued when such reissuance is in the nature~~
 6652 ~~of a transfer, so as to permit or authorize a licensee to change~~
 6653 ~~the location of the cardroom except upon proof in such form as~~
 6654 ~~the division may prescribe that a referendum election has been~~
 6655 ~~held:~~

6656 ~~1. If the proposed new location is within the same county~~

6657 ~~as the already licensed location, in the county where the~~
6658 ~~licensee desires to conduct cardroom gaming and that a majority~~
6659 ~~of the electors voting on the question in such election voted in~~
6660 ~~favor of the transfer of such license. However, the division~~
6661 ~~shall transfer, without requirement of a referendum election,~~
6662 ~~the cardroom license of any permit holder that relocated its~~
6663 ~~permit pursuant to s. 550.0555.~~

6664 ~~2. If the proposed new location is not within the same~~
6665 ~~county as the already licensed location, in the county where the~~
6666 ~~licensee desires to conduct cardroom gaming and that a majority~~
6667 ~~of the electors voting on that question in each such election~~
6668 ~~voted in favor of the transfer of such license.~~

6669 ~~(b) The expense of each referendum held under the~~
6670 ~~provisions of this subsection shall be borne by the licensee~~
6671 ~~requesting the transfer.~~

6672 Section 99. Effective October 1, 2014, part V of chapter
6673 551, Florida Statutes, consisting of sections 551.301-551.322,
6674 is created and entitled "OCCUPATIONAL EMPLOYEES AND ASSOCIATES."

6675 Section 100. Effective October 1, 2014, section 550.105,
6676 Florida Statutes, is transferred, renumbered as section 551.301,
6677 Florida Statutes, and amended to read:

6678 551.301 ~~550.105~~ Racetrack and jai alai occupational
6679 licenses of racetrack employees; fees; denial, suspension, and
6680 revocation of license; penalties and fines.-

6681 (1) Each person connected with a racetrack or jai alai
6682 fronton, as specified in paragraph (2)(a), shall purchase from

6683 the department ~~division~~ an occupational license. License fee
 6684 collections ~~All moneys collected pursuant to this section each~~
 6685 ~~fiscal year~~ shall be deposited into the Gaming Control Trust
 6686 Fund ~~Pari-mutuel Wagering Trust Fund~~. The department may adopt
 6687 rules that allow ~~Pursuant to the rules adopted by the division,~~
 6688 an occupational license to ~~may~~ be valid for a ~~period of~~ up to 3
 6689 years. The fee for a multi-year license may ~~for a fee that does~~
 6690 not exceed the full occupational license fee for each of the
 6691 years for which the license is purchased. The occupational
 6692 license shall be valid during its specified term at any pari-
 6693 mutuel facility.

6694 (2) (a) The following licenses shall be issued to persons
 6695 or entities with access to the backside, racing animals, jai
 6696 alai players' room, jockeys' room, drivers' room, totalisator
 6697 room, ~~the~~ mutuels, or money room; ~~or~~ to persons who, by virtue
 6698 of the positions ~~position~~ they hold, might be granted access to
 6699 such ~~these~~ areas; or to any other person or entity in one of the
 6700 following categories ~~and~~ with fees not to exceed the following
 6701 amounts for any 12-month period:

6702 1. Business licenses for ~~+~~ any business such as a vendor,
 6703 contractual concessionaire, contract kennel, business owning
 6704 racing animals, trust or estate, totalisator company, stable
 6705 name, or other fictitious name: \$50.

6706 2. Professional occupational licenses for ~~+~~ professional
 6707 persons with access to the backside of a racetrack or players'
 6708 quarters in jai alai such as trainers, officials, veterinarians,

6709 doctors, nurses, emergency medical technicians ~~EMT's~~, jockeys
 6710 and apprentices, drivers, jai alai players, owners, trustees, or
 6711 any management or officer or director or shareholder or any
 6712 other professional-level person who might have access to the
 6713 jockeys' room, the drivers' room, the backside, racing animals,
 6714 kennel compound, or managers or supervisors requiring access to
 6715 mutuels machines, the money room, or totalisator equipment: \$40.

6716 3. General occupational licenses for general employees
 6717 with access to the jockeys' room, the drivers' room, racing
 6718 animals, the backside of a racetrack, or players' quarters in
 6719 jai alai, such as grooms, kennel helpers, leadouts, pelota
 6720 makers, cesta makers, or ball boys, or a practitioner of any
 6721 other occupation who would have access to the animals, the
 6722 backside, or the kennel compound, or who would provide the
 6723 security or maintenance of these areas, or mutuel employees,
 6724 totalisator employees, money-room employees, or any employee
 6725 with access to mutuels machines, the money room, or totalisator
 6726 equipment or who would provide the security or maintenance of
 6727 these areas: \$10.

6728 (b) The individuals and entities that are licensed under
 6729 this subsection ~~paragraph~~ require heightened state scrutiny,
 6730 including the submission by the individual licensees or persons
 6731 associated with the entities described in this chapter of
 6732 fingerprints for a Federal Bureau of Investigation criminal
 6733 records check.

6734 (c) ~~(b)~~ The department ~~division~~ shall adopt rules

6735 pertaining to pari-mutuel occupational licenses, licensing
 6736 periods, and renewal cycles.

6737 (3) Certified public accountants and attorneys licensed to
 6738 practice in this state are ~~shall~~ not ~~be~~ required to hold an
 6739 occupational license under this section while providing
 6740 accounting or legal services to a permitholder if the certified
 6741 public accountant's or attorney's primary place of employment is
 6742 not on the permitholder's ~~permitholder~~ premises.

6743 (4) A person may not ~~It is unlawful to~~ take part in or
 6744 officiate in any way at any pari-mutuel facility without first
 6745 having secured a license and paid the occupational license fee.

6746 (5) (a) If the state racing commission or racing authority
 6747 in another state or jurisdiction extends to the commission
 6748 reciprocal courtesy to maintain the disciplinary control, the
 6749 department ~~division~~ may:

6750 1. Deny a license to or revoke, suspend, or place
 6751 conditions ~~upon~~ or restrictions on a license of any person who
 6752 has been refused a license by any other state racing commission
 6753 or racing authority; or

6754 2. Deny, suspend, or place conditions on a license of any
 6755 person who is under suspension or has unpaid fines in another
 6756 jurisdiction. ~~†~~

6757
 6758 ~~if the state racing commission or racing authority of such other~~
 6759 ~~state or jurisdiction extends to the division reciprocal~~
 6760 ~~courtesy to maintain the disciplinary control.~~

6761 (b) The department ~~division~~ may deny, suspend, revoke, or
 6762 declare ineligible any occupational license if the applicant ~~for~~
 6763 or holder: thereof

6764 1. Has violated the provisions of this chapter or the
 6765 rules of the department ~~division~~ governing the conduct of
 6766 persons connected with racetracks and frontons; ~~In addition,~~
 6767 ~~the division may deny, suspend, revoke, or declare ineligible~~
 6768 ~~any occupational license if the applicant for such license~~

6769 2. Has been convicted in this state, in any other state,
 6770 or under the laws of the United States of:

6771 a. A capital felony, a felony, or an offense in any other
 6772 state which would be a felony under the laws of this state
 6773 involving arson;

6774 b. Trafficking in, conspiracy to traffic in, smuggling,
 6775 importing, conspiracy to smuggle or import, or delivery, sale,
 6776 or distribution of a controlled substance; or

6777 c. A crime involving a lack of good moral character; ~~r~~ or

6778 3. Has had a pari-mutuel license revoked by this state or
 6779 any other jurisdiction for an offense related to pari-mutuel
 6780 wagering.

6781 (c) The department ~~division~~ may deny, declare ineligible,
 6782 or revoke any occupational license if the licensee or applicant
 6783 for such license has been convicted of a felony or misdemeanor
 6784 in this state, in any other state, or under the laws of the
 6785 United States, ~~r~~ if such felony or misdemeanor is related to
 6786 gambling or bookmaking, as contemplated in s. 849.25, or

6787 involves cruelty to animals. If the applicant establishes that
6788 she or he is of good moral character, that she or he has been
6789 rehabilitated, and that the crime she or he was convicted of is
6790 not related to pari-mutuel wagering and is not a capital
6791 offense, the restrictions excluding offenders may be waived by
6792 ~~the director of the~~ department division.

6793 (d) For purposes of this subsection, the term "convicted"
6794 means having been found guilty, with or without adjudication of
6795 guilt, as a result of a jury verdict, nonjury trial, or entry of
6796 a plea of guilty or nolo contendere. However, this paragraph may
6797 ~~the term "conviction" shall not be applied to a crime committed~~
6798 before July 1, 2010, prior to the effective date of this
6799 ~~subsection~~ in a manner that would invalidate any occupational
6800 license issued before July 1, 2010, prior to the effective date
6801 ~~of this subsection~~ or subsequent renewal for any person holding
6802 such a license.

6803 (e) If an occupational license will expire by department
6804 ~~division~~ rule during the period of a suspension the department
6805 ~~division~~ intends to impose, or if a license would have expired
6806 but for pending administrative charges and the occupational
6807 licensee is found to be in violation of any of the charges, the
6808 license may be revoked and a time period of license
6809 ineligibility may be declared. The department division may bring
6810 administrative charges against any person not holding a current
6811 license for violations of statutes or rules which occurred while
6812 such person held an occupational license, and the commission

6813 ~~division~~ may declare such person ineligible to hold a license
 6814 for a period of time. The department ~~division~~ may impose a civil
 6815 fine of up to \$1,000 for each violation of the rules of the
 6816 department ~~division~~ in addition to or in lieu of any other
 6817 penalty provided for in this section. In addition to any other
 6818 penalty provided by law, the department ~~division~~ may exclude
 6819 from all pari-mutuel facilities in this state, for a period not
 6820 to exceed the period of suspension, revocation, or
 6821 ineligibility, any person whose occupational license application
 6822 has been denied by the department ~~division~~, who has been
 6823 declared ineligible to hold an occupational license, or whose
 6824 occupational license has been suspended or revoked by the
 6825 department ~~division~~.

6826 (f) The department ~~division~~ may cancel any occupational
 6827 license that has been voluntarily relinquished by the licensee.

6828 (6) In order to promote the orderly presentation of pari-
 6829 mutuel meets authorized in this chapter, the department ~~division~~
 6830 may issue a temporary occupational license. The department
 6831 ~~division~~ shall adopt rules to implement this subsection. A
 6832 ~~However, No~~ temporary occupational license may not ~~shall~~ be
 6833 valid for more than 90 days, and only ~~no more than~~ one temporary
 6834 license may be issued for any person in any year.

6835 (7) The department ~~division~~ may deny, revoke, or suspend
 6836 any occupational license if the applicant ~~therefor~~ or ~~holder~~
 6837 thereof accumulates unpaid obligations or defaults in
 6838 obligations, or issues drafts or checks that are dishonored or

6839 for which payment is refused without reasonable cause, if such
 6840 unpaid obligations, defaults, or dishonored or refused drafts or
 6841 checks directly relate to the sport of jai alai or racing being
 6842 conducted at a pari-mutuel facility within this state.

6843 (8) The department ~~division~~ may fine a licensee, or
 6844 suspend, ~~or~~ revoke, or place conditions on ~~upon~~, the license of
 6845 a any licensee, who under oath knowingly provides false
 6846 information regarding an investigation by the department
 6847 ~~division~~.

6848 ~~(9) The tax imposed by this section is in lieu of all~~
 6849 ~~license, excise, or occupational taxes to the state or any~~
 6850 ~~county, municipality, or other political subdivision, except~~
 6851 ~~that, if a race meeting or game is held or conducted in a~~
 6852 ~~municipality, the municipality may assess and collect an~~
 6853 ~~additional tax against any person conducting live racing or~~
 6854 ~~games within its corporate limits, which tax may not exceed \$150~~
 6855 ~~per day for horseracing or \$50 per day for dogracing or jai~~
 6856 ~~alai. Except as provided in this chapter, a municipality may not~~
 6857 ~~assess or collect any additional excise or revenue tax against~~
 6858 ~~any person conducting race meetings within the corporate limits~~
 6859 ~~of the municipality or against any patron of any such person.~~

6860 ~~(9)(10)~~(a) Upon application for an occupational license:
 6861 1. The department ~~division~~ may require:
 6862 a. The applicant's full legal name and ~~any~~ nickname,
 6863 alias, or maiden name for the applicant;
 6864 b. The name of the applicant's spouse;

6865 c. The applicant's date of birth, residence address,
6866 mailing address, residence ~~address~~ and business telephone ~~phone~~
6867 number, and social security number;

6868 d. Disclosure of any felony or any conviction involving
6869 bookmaking, illegal gambling, or cruelty to animals;

6870 e. Disclosure of any past or present enforcement or
6871 actions by any racing or gaming agency against the applicant;
6872 and

6873 f. Any information the department ~~division~~ determines ~~is~~
6874 necessary to establish the identity of the applicant or to
6875 establish that the applicant is of good moral character.

6876 2. Fingerprints shall be taken in a manner approved by the
6877 department ~~division~~ and ~~then shall be~~ submitted to the Federal
6878 Bureau of Investigation, or to the association of state
6879 officials regulating pari-mutuel wagering pursuant to the
6880 Federal Pari-mutuel Licensing Simplification Act of 1988.

6881 (b)1. The cost of processing fingerprints shall be borne by
6882 the applicant and paid to the association of state officials
6883 regulating pari-mutuel wagering from the trust fund to which the
6884 processing fees are deposited. ~~The division, by rule, may~~
6885 ~~require additional information from licensees which is~~
6886 ~~reasonably necessary to regulate the industry. The division may,~~
6887 ~~by rule, exempt certain occupations or groups of persons from~~
6888 ~~the fingerprinting requirements.~~

6889 2.(b) All fingerprints required under ~~by~~ this section
6890 which ~~that~~ are submitted to the Department of Law Enforcement

6891 shall be retained by the Department of Law Enforcement and
6892 entered into the statewide automated biometric identification
6893 system as authorized under ~~by~~ s. 943.05(2)(b) and shall be
6894 available for all purposes and uses authorized for arrest
6895 fingerprints entered into the statewide automated biometric
6896 identification system pursuant to s. 943.051.

6897 3.(e) The Department of Law Enforcement shall search all
6898 arrest fingerprints received pursuant to s. 943.051 against the
6899 fingerprints retained in the statewide automated biometric
6900 identification system under subparagraph 2 ~~paragraph (b)~~. Any
6901 arrest record that is identified with the retained fingerprints
6902 of a person subject to the criminal history screening
6903 requirements of this section shall be reported to the department
6904 ~~division~~. Each licensee shall pay a fee to the department
6905 ~~division~~ for the cost of retention of the fingerprints and the
6906 ongoing searches under this subparagraph ~~paragraph~~. The
6907 department ~~division~~ shall forward the payment to the Department
6908 of Law Enforcement. The amount of the fee to be imposed for
6909 performing these searches and the procedures for the retention
6910 of licensee fingerprints shall be as established by rule of the
6911 Department of Law Enforcement. The department ~~division~~ shall
6912 inform the Department of Law Enforcement of any change in the
6913 license status of licensees whose fingerprints are retained
6914 under subparagraph 2 ~~paragraph (b)~~.

6915 4.(d) The department ~~division~~ shall request the Department
6916 of Law Enforcement to forward the fingerprints to the Federal

6917 Bureau of Investigation for a national criminal history records
6918 check at least once every 5 years after ~~following~~ issuance of a
6919 license. If the fingerprints of a person who is licensed have
6920 not been retained by the Department of Law Enforcement, the
6921 person must file a complete set of fingerprints as provided in
6922 paragraph (a). The department ~~division~~ shall collect the fees
6923 for the cost of the national criminal history records check
6924 under this subparagraph ~~paragraph~~ and forward the payment to the
6925 Department of Law Enforcement. The cost of processing
6926 fingerprints and conducting a criminal history records check
6927 under this subparagraph ~~paragraph~~ for a general occupational
6928 license shall be borne by the applicant. The cost of processing
6929 fingerprints and conducting a criminal history records check
6930 under this subparagraph ~~paragraph~~ for a business or professional
6931 occupational license shall be borne by the person being checked.
6932 The Department of Law Enforcement may invoice the department
6933 ~~division~~ for the fingerprints submitted each month. Under
6934 penalty of perjury, each person who is licensed or who is
6935 fingerprinted as required by this section must agree to inform
6936 the department ~~division~~ within 48 hours if he or she is
6937 convicted of or has entered a plea of guilty or nolo contendere
6938 to any disqualifying offense, regardless of adjudication.

6939 (c)1. The department may adopt rules that require
6940 additional information from licensees which is reasonably
6941 necessary to regulate the industry.

6942 2. The department may adopt rules that exempt certain

6943 occupations or groups of persons from the fingerprinting
6944 requirements.

6945 Section 101. Effective October 1, 2014, section 551.107,
6946 Florida Statutes, is transferred, renumbered as section 551.302,
6947 Florida Statutes, and amended to read:

6948 551.302 ~~551.107~~ Slot machine occupational license;
6949 findings; application; fee.—

6950 (1) The Legislature finds that individuals and entities
6951 that are licensed under this section require heightened state
6952 scrutiny, including the submission by the individual licensees
6953 or persons associated with the entities described in this
6954 chapter of fingerprints for a criminal history record check.

6955 (2) (a) The following slot machine occupational licenses
6956 shall be issued to persons or entities that, by virtue of the
6957 positions they hold, might be granted access to slot machine
6958 gaming areas or to any other person or entity in one of the
6959 following categories:

6960 1. General occupational licenses for general employees,
6961 including food service, maintenance, and other similar service
6962 and support employees having access to the slot machine gaming
6963 area.

6964 2. Professional occupational licenses for a ~~any~~ person,
6965 proprietorship, partnership, corporation, or other entity that
6966 is authorized by a slot machine licensee to manage, oversee, or
6967 otherwise control daily operations as a slot machine manager, a
6968 floor supervisor, security personnel, or any other similar

6969 position of oversight of gaming operations, or a ~~any~~ person who
6970 is not an employee of the slot machine licensee and who provides
6971 maintenance, repair, or upgrades to, or otherwise services, a
6972 slot machine or other slot machine equipment.

6973 3. Business occupational licenses for a ~~any~~ slot machine
6974 management company or company associated with slot machine
6975 gaming; a, ~~any~~ person who manufactures, distributes, or sells
6976 slot machines, slot machine paraphernalia, or other associated
6977 equipment to slot machine licensees; or a ~~any~~ company that
6978 sells or provides goods or services associated with slot machine
6979 gaming to slot machine licensees.

6980 (b) The department ~~division~~ may issue one license to
6981 combine licenses under this section with pari-mutuel
6982 occupational licenses and cardroom licenses pursuant to s.
6983 551.301(2)(c) ~~550.105(2)(b)~~. The department ~~division~~ shall adopt
6984 rules pertaining to occupational licenses under this subsection.
6985 Such rules may specify, but need not be limited to, requirements
6986 and restrictions for licensed occupations and categories,
6987 procedures to apply for a ~~any~~ license or combination of
6988 licenses, disqualifying criminal offenses for a licensed
6989 occupation or categories of occupations, and which types of
6990 occupational licenses may be combined into a single license
6991 under this section. The fingerprinting requirements of
6992 subsection (6) ~~(7)~~ apply to a ~~any~~ combination license that
6993 includes slot machine license privileges under this section. The
6994 department ~~division~~ may not adopt a rule allowing the issuance

6995 of an occupational license to a ~~any~~ person who does not meet the
 6996 minimum background qualifications under this section.

6997 (c) Slot machine occupational licenses are not
 6998 transferable.

6999 (3) A slot machine licensee may not employ or otherwise
 7000 allow a person to work at a licensed facility unless such person
 7001 holds the appropriate valid occupational license. A slot machine
 7002 licensee may not contract or otherwise do business with a
 7003 business required to hold a slot machine occupational license
 7004 unless the business holds such a license. A slot machine
 7005 licensee may not employ or otherwise allow a person to work in a
 7006 supervisory or management professional level at a licensed
 7007 facility unless such person holds a valid slot machine
 7008 occupational license. All slot machine occupational licensees,
 7009 while present in slot machine gaming areas, shall display on
 7010 their persons their occupational license identification cards.

7011 (4) (a) A person seeking a slot machine occupational
 7012 license or renewal thereof shall make application on forms
 7013 prescribed by the department ~~division~~ and pay ~~include payment of~~
 7014 the appropriate application fee. Initial and renewal
 7015 applications for slot machine occupational licenses must contain
 7016 all information that the department ~~division~~, by rule,
 7017 determines is required to ensure eligibility.

7018 (b) A slot machine license or combination license is valid
 7019 for the same term as a pari-mutuel occupational license issued
 7020 pursuant to s. 551.301(1) ~~550.105(1)~~.

7021 (c) Pursuant to rules adopted by the department ~~division~~,
7022 a ~~any~~ person may apply for and, if qualified, be issued a slot
7023 machine occupational license valid for a period of 3 years upon
7024 payment of the full occupational license fee for each of the 3
7025 years for which the license is issued. The slot machine
7026 occupational license is valid during its specified term at a any
7027 licensed facility where slot machine gaming is authorized to be
7028 conducted.

7029 (d) The slot machine occupational license fee for initial
7030 application and annual renewal shall be determined by rule of
7031 the department ~~division~~ but may not exceed \$50 for a general or
7032 professional occupational license for an employee of the slot
7033 machine licensee or \$1,000 for a business occupational license
7034 for nonemployees of the licensee providing goods or services to
7035 the slot machine licensee. License fees for general occupational
7036 licensees shall be paid by the slot machine licensee. Failure to
7037 pay the required fee constitutes grounds for disciplinary action
7038 by the department ~~division~~ against the slot machine licensee,
7039 but ~~it~~ is not a violation of this chapter or ~~rules of the~~
7040 department rule ~~division~~ by the general occupational licensee
7041 and does not prohibit the initial issuance or the renewal of the
7042 general occupational license.

7043 (5) (a) The department ~~division~~ may deny an application
7044 for, or revoke, suspend, or place conditions or restrictions on,
7045 a license of a person or entity that:

7046 1.(a) ~~Deny an application for, or revoke, suspend, or~~

7047 ~~place conditions or restrictions on, a license of a person or~~
 7048 ~~entity that~~ Has been refused a license by any other state gaming
 7049 commission, governmental department, agency, or other authority
 7050 exercising regulatory jurisdiction over the gaming of another
 7051 state or jurisdiction; or

7052 2. ~~(b) Deny an application for, or suspend or place~~
 7053 ~~conditions on, a license of any person or entity that~~ Is under
 7054 suspension or has unpaid fines in another state or jurisdiction.

7055 (b)(6)(a) The department ~~division~~ may deny an application
 7056 for, or suspend, revoke, or refuse to renew, a ~~any~~ slot machine
 7057 occupational license if the applicant for such license or the
 7058 licensee:

7059 1. Has violated ~~the provisions of~~ this chapter or the
 7060 rules of the department ~~division~~ governing the conduct of
 7061 persons connected with slot machine gaming; ~~In addition, the~~
 7062 ~~division may deny, suspend, revoke, or refuse to renew any slot~~
 7063 ~~machine occupational license if the applicant for such license~~
 7064 ~~or the licensee~~

7065 2. Has been convicted in this state, in any other state,
 7066 or under the laws of the United States of a capital felony, a
 7067 felony, or an offense in any other state that would be a felony
 7068 under the laws of this state involving arson; trafficking in,
 7069 conspiracy to traffic in, smuggling, importing, conspiracy to
 7070 smuggle or import, or delivery, sale, or distribution of a
 7071 controlled substance; racketeering; or a crime involving a lack
 7072 of good moral character; ~~or~~

7073 3. Has had a gaming license revoked by this state or any
 7074 other jurisdiction for a ~~any~~ gaming-related offense;~~:-~~

7075 ~~4.(b) The division may deny, revoke, or refuse to renew~~
 7076 ~~any slot machine occupational license if the applicant for such~~
 7077 ~~license or the licensee~~ Has been convicted of a felony or
 7078 misdemeanor in this state, in any other state, or under the laws
 7079 of the United States if such felony or misdemeanor is related to
 7080 gambling or bookmaking as described in s. 849.25; or

7081 5. Accumulates unpaid obligations, defaults in
 7082 obligations, or issues drafts or checks that are dishonored or
 7083 for which payment is refused without reasonable cause.

7084 ~~(c) For purposes of this subsection, the term "convicted"~~
 7085 ~~means having been found guilty, with or without adjudication of~~
 7086 ~~guilt, as a result of a jury verdict, nonjury trial, or entry of~~
 7087 ~~a plea of guilty or nolo contendere.~~

7088 (6)(7) Fingerprints for all slot machine occupational
 7089 license applications shall be taken in a manner approved by the
 7090 department ~~division~~ and shall be submitted electronically to the
 7091 Department of Law Enforcement for state processing and the
 7092 Federal Bureau of Investigation for national processing for a
 7093 criminal history record check. All persons ~~as~~ specified in s.
 7094 551.029(1)(a) who are ~~550.1815(1)(a)~~ employed by or working
 7095 within a licensed premises shall submit fingerprints for a
 7096 criminal history record check and may not have been convicted of
 7097 a ~~any~~ disqualifying criminal offense ~~offenses~~ specified in
 7098 subsection (5) ~~(6)~~. Department ~~Division~~ employees and law

7099 enforcement officers assigned by their employing agencies to
 7100 work within the premises as part of their official duties are
 7101 excluded from the criminal history record check requirements
 7102 under this subsection. The cost of processing fingerprints and
 7103 conducting a criminal history record check for a general
 7104 occupational license shall be borne by the slot machine
 7105 licensee. The cost of processing fingerprints and conducting a
 7106 criminal history record check for a business or professional
 7107 occupational license shall be borne by the person being checked.
 7108 The Department of Law Enforcement may invoice the department for
 7109 the fingerprints submitted each month. ~~For purposes of this~~
 7110 ~~subsection, the term "convicted" means having been found guilty,~~
 7111 ~~with or without adjudication of guilt, as a result of a jury~~
 7112 ~~verdict, nonjury trial, or entry of a plea of guilty or nolo~~
 7113 ~~contendere.~~

7114 (a) Fingerprints shall be taken in a manner approved by
 7115 the department ~~division~~ upon initial application, or as required
 7116 thereafter by rule of the department ~~division~~, and shall be
 7117 submitted electronically to the Department of Law Enforcement
 7118 for state processing. The Department of Law Enforcement shall
 7119 forward the fingerprints to the Federal Bureau of Investigation
 7120 for national processing. The results of the criminal history
 7121 record check shall be returned to the department ~~division~~ for
 7122 purposes of screening. Licensees shall provide necessary
 7123 equipment approved by the Department of Law Enforcement to
 7124 facilitate such electronic submission. The department ~~division~~

7125 requirements under this subsection shall be instituted in
 7126 consultation with the Department of Law Enforcement.

7127 (b) The cost of processing fingerprints and conducting a
 7128 criminal history record check for a general occupational license
 7129 shall be borne by the slot machine licensee. The cost of
 7130 processing fingerprints and conducting a criminal history record
 7131 check for a business or professional occupational license shall
 7132 be borne by the person being checked. The Department of Law
 7133 Enforcement may invoice the department ~~division~~ for the
 7134 fingerprints submitted each month.

7135 (c) All fingerprints required by this section which are
 7136 submitted to the Department of Law Enforcement ~~and required by~~
 7137 ~~this section~~ shall be retained by the Department of Law
 7138 Enforcement and entered into the statewide automated biometric
 7139 identification system as authorized under ~~by~~ s. 943.05(2)(b) and
 7140 shall be available for all purposes and uses authorized for
 7141 arrest fingerprints entered into the statewide automated
 7142 biometric identification system pursuant to s. 943.051.

7143 (d) The Department of Law Enforcement shall search all
 7144 arrest fingerprints received pursuant to s. 943.051 against the
 7145 fingerprints retained in the statewide automated biometric
 7146 identification system under paragraph (c). An ~~Any~~ arrest record
 7147 that is identified with the retained fingerprints of a person
 7148 subject to the criminal history screening requirements of this
 7149 section shall be reported to the department ~~division~~. Each
 7150 licensed facility shall pay a fee to the commission ~~division~~ for

7151 the cost of retention of the fingerprints and the ongoing
 7152 searches under this paragraph. The department ~~division~~ shall
 7153 forward the payment to the Department of Law Enforcement. The
 7154 amount of the fee to be imposed for performing such ~~these~~
 7155 searches and the procedures for the retention of licensee
 7156 fingerprints shall be as established by rule of the Department
 7157 of Law Enforcement. The department ~~division~~ shall inform the
 7158 Department of Law Enforcement of a ~~any~~ change in the license
 7159 status of licensees whose fingerprints are retained under
 7160 paragraph (c).

7161 (e) The department ~~division~~ shall request the Department
 7162 of Law Enforcement to forward the fingerprints to the Federal
 7163 Bureau of Investigation for a national criminal history records
 7164 check every 3 years after ~~following~~ issuance of a license. If
 7165 the fingerprints of a person who is licensed have not been
 7166 retained by the Department of Law Enforcement, the person must
 7167 file a complete set of fingerprints as provided ~~for~~ in paragraph
 7168 (a). The department ~~division~~ shall collect the fees for the cost
 7169 of the national criminal history record check under this
 7170 paragraph and shall forward the payment to the Department of Law
 7171 Enforcement. ~~The cost of processing fingerprints and conducting~~
 7172 ~~a criminal history record check under this paragraph for a~~
 7173 ~~general occupational license shall be borne by the slot machine~~
 7174 ~~licensee. The cost of processing fingerprints and conducting a~~
 7175 ~~eriminal history record check under this paragraph for a~~
 7176 ~~business or professional occupational license shall be borne by~~

7177 ~~the person being checked.~~ The Department of Law Enforcement may
 7178 invoice the department ~~division~~ for the fingerprints submitted
 7179 each month. Under penalty of perjury, each person who is
 7180 licensed or who is fingerprinted as required by this section
 7181 must agree to inform the department ~~division~~ within 48 hours if
 7182 he or she is convicted of or has entered a plea of guilty or
 7183 nolo contendere to a any ~~any~~ disqualifying offense, regardless of
 7184 adjudication.

7185 ~~(7)-(8)~~ All moneys collected pursuant to this section shall
 7186 be deposited into the Gaming Control Trust Fund ~~Pari-mutuel~~
 7187 ~~Wagering Trust Fund.~~

7188 ~~(9)~~ ~~The division may deny, revoke, or suspend any~~
 7189 ~~occupational license if the applicant or holder of the license~~
 7190 ~~accumulates unpaid obligations, defaults in obligations, or~~
 7191 ~~issues drafts or checks that are dishonored or for which payment~~
 7192 ~~is refused without reasonable cause.~~

7193 ~~(8)-(10)~~ The department ~~division~~ may fine a licensee or
 7194 suspend, revoke, or place conditions upon his or her ~~the~~
 7195 license, if the ~~of any~~ licensee ~~who~~ provides false information
 7196 under oath regarding an application for a license or an
 7197 investigation by the department ~~division~~.

7198 ~~(9)-(11)~~ The department ~~division~~ may impose a civil fine of
 7199 up to \$5,000 for each violation of this chapter or department
 7200 rule ~~the rules of the division~~ in addition to or in lieu of any
 7201 other penalty provided for in this section. The department
 7202 ~~division~~ may adopt a penalty schedule for violations of this

7203 chapter or applicable ~~any rule adopted pursuant to this chapter~~
 7204 for which it would impose a fine in lieu of a suspension and may
 7205 adopt rules allowing for the issuance of citations, including
 7206 procedures to address such citations, to persons who violate
 7207 such rules. In addition to any other penalty provided by law,
 7208 the department ~~division~~ may exclude from all licensed slot
 7209 machine facilities in this state, for a period not to exceed the
 7210 period of suspension, revocation, or ineligibility, a ~~any~~ person
 7211 declared ineligible to hold an occupational license whose
 7212 occupational license application has been denied ~~declared~~
 7213 ~~ineligible to hold an occupational license~~ or whose occupational
 7214 license has been suspended or revoked by the department
 7215 ~~division~~.

7216 (10) (a) Notwithstanding s. 120.60, the department may
 7217 issue a temporary occupational license upon receipt of a
 7218 complete application from the applicant and a determination that
 7219 the applicant has not been convicted of or had adjudication
 7220 withheld on a disqualifying criminal offense. The temporary
 7221 occupational license remains valid until such time as the
 7222 department grants an occupational license or notifies the
 7223 applicant of its intended decision to deny the applicant a
 7224 license pursuant to s. 120.60. The department shall adopt rules
 7225 to administer this subsection. However, not more than one
 7226 temporary license may be issued for a person in a year.

7227 (b) A temporary license issued under this section is
 7228 nontransferable.

7229 (11) For purposes of this section, the term "convicted"
 7230 means having been found guilty, with or without adjudication of
 7231 guilt, as a result of a jury verdict, nonjury trial, or entry of
 7232 a plea of guilty or nolo contendere.

7233 Section 102. Effective October 1, 2014, section 551.1045,
 7234 Florida Statutes, is repealed.

7235 Section 103. Effective October 1, 2014, subsection (6) of
 7236 section 849.086, Florida Statutes, is transferred, renumbered as
 7237 section 551.303, Florida Statutes, and amended to read:

7238 551.303 ~~(6)~~ Cardroom business and employee occupational
 7239 license ~~required; application; fees.-~~

7240 (1)(a) A person employed or otherwise working in a
 7241 cardroom as a cardroom manager, floor supervisor, pit boss,
 7242 dealer, or any other position ~~activity~~ related to cardroom
 7243 operations while the facility is conducting authorized card
 7244 ~~playing or games of dominoes~~ must hold a valid cardroom employee
 7245 occupational license issued by the department ~~division~~. Food
 7246 service, maintenance, and security employees who hold ~~with~~ a
 7247 current pari-mutuel occupational license and who passed the
 7248 required ~~a current~~ background check are ~~will~~ not ~~be~~ required to
 7249 have a cardroom employee occupational license.

7250 (2)(b) ~~A~~ Any cardroom management company or cardroom
 7251 distributor associated with cardroom operations must hold a
 7252 valid cardroom business occupational license issued by the
 7253 department ~~division~~.

7254 (3)(e) ~~A~~ No licensed cardroom operator may not employ or

7255 allow to work in a cardroom a any person who does not hold
 7256 ~~unless such person holds~~ a valid occupational license. A No
 7257 licensed cardroom operator may not contract with, or otherwise
 7258 do business with, a business that does not ~~required to~~ hold a
 7259 required valid cardroom business occupational license, ~~unless~~
 7260 ~~the business holds such a valid license.~~

7261 (4)(d) The department ~~division~~ shall establish, by rule, a
 7262 schedule for the renewal of cardroom occupational licenses.
 7263 Cardroom occupational licenses are not transferable.

7264 (5)(e) An application for an initial or renewal ~~Persons~~
 7265 ~~seeking~~ cardroom occupational license must be made ~~licenses, or~~
 7266 ~~renewal thereof, shall make application~~ on forms prescribed by
 7267 the department and must ~~division. Applications for cardroom~~
 7268 ~~occupational licenses shall~~ contain all of the information for
 7269 eligibility determination required by department ~~the division,~~
 7270 ~~by rule, may determine is required to ensure~~ eligibility.

7271 (6)(f) The department ~~division~~ shall adopt rules regarding
 7272 cardroom occupational licenses. The provisions specified in s.
 7273 551.301(4) ~~550.105(4)~~, (5), (6), (7), (8), and (9)(10) relating
 7274 to licensure apply ~~shall be applicable~~ to cardroom occupational
 7275 licenses.

7276 (7)(g) The department ~~division~~ may declare an applicant
 7277 for or holder of a license ineligible and ~~deny, declare~~
 7278 ~~ineligible,~~ or revoke his or her ~~any~~ cardroom occupational
 7279 license if, in this or any other state or under the laws of the
 7280 United States, he or she ~~the applicant or holder thereof~~ has

7281 been found guilty of or has had adjudication withheld for ~~in~~
 7282 ~~this state or any other state, or under the laws of the United~~
 7283 ~~States of~~ a felony or misdemeanor involving forgery, larceny,
 7284 extortion, conspiracy to defraud, or filing a false report
 7285 ~~reports~~ to a government agency or a, racing or gaming commission
 7286 or authority.

7287 (8)(h) Upon initial application, and at least every 5
 7288 years thereafter, the applicant's or licenseholder's
 7289 fingerprints for all cardroom occupational license applications
 7290 shall be taken in a manner approved by the department division
 7291 and then shall be submitted to the Florida Department of Law
 7292 Enforcement and the Federal Bureau of Investigation for a
 7293 criminal background records check upon initial application and
 7294 at least every 5 years thereafter. The department division may
 7295 by rule require an annual background record check of all
 7296 applicants renewal applications for a cardroom occupational
 7297 license renewal. The cost of processing fingerprints and
 7298 conducting a record check shall be borne by the applicant.

7299 (9)(i) The cardroom employee occupational license fee may
 7300 ~~shall~~ not exceed \$50 for any 12-month period. The cardroom
 7301 business occupational license fee may ~~shall~~ not exceed \$250 for
 7302 any 12-month period.

7303 Section 104. Effective October 1, 2014, section 550.901,
 7304 Florida Statutes, is transferred and renumbered as section
 7305 551.31, Florida Statutes.

7306 Section 105. Effective October 1, 2014, section 550.902,

7307 Florida Statutes, is transferred and renumbered as section
 7308 551.311, Florida Statutes.

7309 Section 106. Effective October 1, 2014, section 550.903,
 7310 Florida Statutes, is transferred and renumbered as section
 7311 551.312, Florida Statutes.

7312 Section 107. Effective October 1, 2014, section 550.904,
 7313 Florida Statutes, is transferred, renumbered as section 551.313,
 7314 Florida Statutes, and amended to read:

7315 551.313 ~~550.904~~ Entry into force.—This compact shall come
 7316 into force when enacted by any four states. Thereafter, this
 7317 compact shall become effective in any other state upon that
 7318 state's enactment of this compact and upon the affirmative vote
 7319 of a majority of the officials on the compact committee as
 7320 provided in s. 551.318 ~~s. 550.909~~.

7321 Section 108. Effective October 1, 2014, section 550.905,
 7322 Florida Statutes, is transferred and renumbered as section
 7323 551.314, Florida Statutes.

7324 Section 109. Effective October 1, 2014, section 550.906,
 7325 Florida Statutes, is transferred and renumbered as section
 7326 551.315, Florida Statutes.

7327 Section 110. Effective October 1, 2014, section 550.907,
 7328 Florida Statutes, is transferred and renumbered as section
 7329 551.316, Florida Statutes.

7330 Section 111. Effective October 1, 2014, section 550.908,
 7331 Florida Statutes, is transferred and renumbered as section
 7332 551.317, Florida Statutes.

7333 Section 112. Effective October 1, 2014, section 550.909,
 7334 Florida Statutes, is transferred and renumbered as section
 7335 551.318, Florida Statutes.

7336 Section 113. Effective October 1, 2014, section 550.910,
 7337 Florida Statutes, is transferred and renumbered as section
 7338 551.319, Florida Statutes.

7339 Section 114. Effective October 1, 2014, section 550.911,
 7340 Florida Statutes, is transferred and renumbered as section
 7341 551.32, Florida Statutes.

7342 Section 115. Effective October 1, 2014, section 550.912,
 7343 Florida Statutes, is transferred and renumbered as section
 7344 551.321, Florida Statutes, and paragraph (b) of subsection (1)
 7345 of that section is amended to read:

7346 551.321 ~~550.912~~ Rights and responsibilities of each party
 7347 state.-

7348 (1) By enacting this compact, each party state:

7349 (b) Agrees not to treat a notification to an applicant by
 7350 the compact committee described in s. 551.317 ~~s. 550.908~~ as the
 7351 denial of a license, or to penalize such an applicant in any
 7352 other way based solely on such a decision by the compact
 7353 committee.

7354 Section 116. Effective October 1, 2014, section 550.913,
 7355 Florida Statutes, is transferred and renumbered as section
 7356 551.322, Florida Statutes.

7357 Section 117. Effective October 1, 2014, part VI of chapter
 7358 551, Florida Statutes, consisting of sections 551.50-551.56, is

7359 created and entitled "MISCELLANEOUS GAMING."

7360 Section 118. Effective October 1, 2014, the amendments to
7361 the sections of chapter 849, Florida Statutes, that are
7362 transferred, renumbered, and amended in part VI of this act are
7363 not intended to authorize additional games but rather to clarify
7364 current limitations under which authorized games may be
7365 operated.

7366 Section 119. Effective October 1, 2014, section 849.092,
7367 Florida Statutes, is repealed.

7368 Section 120. Effective October 1, 2014, section 849.094,
7369 Florida Statutes, is transferred, renumbered as section 551.50,
7370 Florida Statutes, and amended to read:

7371 551.50 ~~849.094~~ Game promotion in connection with sale of
7372 consumer products or services.—

7373 (1) The Legislature finds that this section was enacted to
7374 allow for the limited and occasional use of game promotions to
7375 advertise and market bona fide sales of consumer products or
7376 services, which would otherwise be unlawful lotteries under
7377 chapter 849 and *Little River Theatre Corp. v. State ex rel.*
7378 *Hodge*, 185 So. 855 (Fla. 1939). This section shall be strictly
7379 construed and shall not be relied upon to sanction
7380 establishments of ongoing gambling.

7381 (2) ~~(1)~~ As used in this section, the term:

7382 (a) "Division" means the Division of Amusements within the
7383 department.

7384 (b) ~~(a)~~ "Game promotion" means a contest in which prizes

7385 are given to persons selected by lot for the purpose of
7386 advertising or promoting bona fide substantial sales of consumer
7387 goods or services and which is, but is not limited to, a
7388 contest, game of chance, sweepstakes, or gift enterprise,
7389 conducted by an operator within or throughout the state and
7390 other states in connection with and incidental to the sale of
7391 consumer products or services, and in which the elements of
7392 chance and prize are present. However, "game promotion" does may
7393 not be construed to apply to bingo games conducted pursuant to
7394 s. 551.53 s. ~~849.0931~~.

7395 (c) ~~(b)~~ "Operator" means a ~~retailer who operates a game~~
7396 ~~promotion or any~~ person, firm, corporation, organization, or
7397 association, or agent or employee thereof, who promotes,
7398 operates, or conducts a ~~nationally advertised~~ game promotion.

7399 (3) Notwithstanding any other provision of law, a person
7400 may conduct a game promotion if the following conditions are
7401 met:

7402 (a) The game promotion is conducted as a temporary
7403 advertising and promotional undertaking, in good faith, solely
7404 for the purpose of advertising the goods, wares, merchandise, or
7405 services of an ongoing business.

7406 (b) The principal business of the person is the sale of
7407 consumer goods or services which are primarily offered for sale
7408 without the use of game promotions.

7409 (c) To receive a prize, a person is not required to:

7410 1. Pay any tangible consideration in the form of money or

7411 other property or thing of value; or

7412 2. Purchase any goods, wares, merchandise, or thing of
7413 value.

7414 (d) The person selected to receive any prize offered in
7415 connection with the game promotion is notified of his or her
7416 selection. Newspapers, magazines, and television and radio
7417 stations may publish or broadcast advertising matter describing
7418 a game promotion which may contain instructions for a person
7419 desiring to become eligible for the prize to make his or her
7420 name and address known to the operator.

7421 (e) All brochures, advertisements, promotional material,
7422 and entry blanks for the promotion contain a statement that
7423 residents of this state are entitled to participate and eligible
7424 to win the prize.

7425 (4)-(2) It is unlawful for any operator to:

7426 (a) ~~to~~ Design, engage in, promote, or conduct such a game
7427 promotion ~~if, in connection with the promotion or sale of~~
7428 ~~consumer products or services, wherein~~ the winner may be
7429 predetermined or the game may be manipulated or rigged so as to:

7430 1. Allocate a winning game or any portion thereof to
7431 certain lessees, agents, or franchises; or

7432 2. Allocate a winning game or part thereof to a particular
7433 period of the game promotion or to a particular geographic area;

7434 (b) Arbitrarily ~~to~~ remove, disqualify, disallow, or reject
7435 any entry;

7436 (c) ~~to~~ Fail to award prizes offered;

7437 (d) ~~to~~ Print, publish, or circulate literature or
 7438 advertising material used in connection with such game
 7439 promotions which is false, deceptive, or misleading; ~~or~~
 7440 (e) ~~to~~ Require an entry fee, payment, or proof of purchase
 7441 as a condition of entering a game promotion; or
 7442 (f) Conduct a game promotion using a slot machine,
 7443 electronic facsimile of any game of chance, electronically
 7444 assisted pull-tab game, or any similar electronic gaming device.
 7445 (5)(3) The operator of a game promotion in which the total
 7446 announced value of the prizes offered is greater than \$5,000
 7447 shall file with the division ~~Department of Agriculture and~~
 7448 ~~Consumer Services~~ a copy of the rules and regulations of the
 7449 game promotion and a list of all prizes and prize categories
 7450 offered at least 7 days before the beginning ~~commencement~~ of the
 7451 game promotion. Thereafter, such rules and regulations may not
 7452 ~~thereafter~~ be changed, modified, or altered. The operator of a
 7453 game promotion shall conspicuously post the rules and
 7454 regulations of the ~~such~~ game promotion in each and every retail
 7455 outlet or place where such game promotion may be played or
 7456 participated in by the public and shall also publish the rules
 7457 and regulations in all advertising copy used in connection with
 7458 the promotion ~~therewith~~. However, such advertising copy need
 7459 only include the material terms of the rules and regulations if
 7460 the advertising copy includes a website address, a toll-free
 7461 telephone number, or a mailing address where the complete ~~full~~
 7462 rules and regulations may be viewed, heard, or obtained for the

7463 entire ~~full~~ duration of the game promotion. Such disclosures
7464 must be legible. Radio and television announcements may indicate
7465 that the rules and regulations are available at retail outlets
7466 or from the operator of the promotion. A nonrefundable filing
7467 fee of \$100 shall accompany each filing and shall be used to pay
7468 the costs incurred to administer and enforce ~~in administering~~
7469 ~~and enforcing the provisions of~~ this section.

7470 (6) ~~(4)~~ (a) Every operator of ~~such~~ a game promotion in which
7471 the total announced value of the prizes offered is greater than
7472 \$5,000 shall establish a trust account, in a national or state-
7473 chartered financial institution, with a balance sufficient to
7474 pay or purchase the total value of all prizes offered. On a form
7475 supplied by the division ~~Department of Agriculture and Consumer~~
7476 ~~Services~~, an official of the financial institution holding the
7477 trust account shall set forth the dollar amount of the trust
7478 account, the identity of the entity or individual establishing
7479 the trust account, and the name of the game promotion for which
7480 the trust account has been established. Such form shall be filed
7481 with the division ~~Department of Agriculture and Consumer~~
7482 ~~Services~~ at least 7 days before the beginning ~~in advance of the~~
7483 ~~commencement~~ of the game promotion. In lieu of establishing such
7484 trust account, the operator may obtain a surety bond in an
7485 amount equivalent to the total value of all prizes offered, ~~+~~ and
7486 such bond shall be filed with the department ~~of Agriculture and~~
7487 ~~Consumer Services~~ at least 7 days before the beginning ~~in~~
7488 ~~advance of the commencement~~ of the game promotion.

7489 1. The moneys held in the trust account may be withdrawn
 7490 in order to pay the prizes offered only upon certification to
 7491 the division ~~Department of Agriculture and Consumer Services~~ of
 7492 the name of the winner or winners and the amount of the prize or
 7493 prizes and the value thereof.

7494 2. If the operator ~~of a game promotion~~ has obtained a
 7495 surety bond in lieu of establishing a trust account, the amount
 7496 of the surety bond shall equal at all times the total amount of
 7497 the prizes offered.

7498 (b) The commission ~~Department of Agriculture and Consumer~~
 7499 ~~Services~~ may waive the provisions of this subsection for any
 7500 operator who has conducted game promotions in the state for at
 7501 least ~~not less than~~ 5 consecutive years and who has not had any
 7502 civil, criminal, or administrative action instituted against him
 7503 or her by the state or an agency of the state for violation of
 7504 this section within that 5-year period. Such waiver may be
 7505 revoked upon the commission of a violation of this section by
 7506 such operator, as determined by the commission ~~Department of~~
 7507 ~~Agriculture and Consumer Services~~.

7508 (7)-(5) Every operator of a game promotion in which the
 7509 total announced value of the prizes offered is greater than
 7510 \$5,000 shall provide the division ~~Department of Agriculture and~~
 7511 ~~Consumer Services~~ with a certified list of the names and
 7512 addresses of all persons, whether from this state or from
 7513 another state, who have won prizes that ~~which~~ have a value of
 7514 more than \$25, the value of such prizes, and the dates when the

7515 prizes were won within 60 days after such winners have been
7516 finally determined. The operator shall provide a copy of the
7517 list of winners, without charge, to any person who requests it.
7518 In lieu of the foregoing, the operator of a game promotion may~~7~~
7519 ~~at his or her option,~~ publish the same information about the
7520 winners in a Florida newspaper of general circulation within 60
7521 days after such winners have been determined and shall provide
7522 to the department ~~of Agriculture and Consumer Services~~ a
7523 certified copy of the publication containing the information
7524 about the winners. The operator ~~of a game promotion~~ is not
7525 required to notify a winner by mail or by telephone when the
7526 winner is already in possession of a game card from which the
7527 winner can determine that he or she has won a designated prize.
7528 All winning entries shall be held by the operator for ~~a period~~
7529 ~~of~~ 90 days after the close or completion of the game.

7530 (8)~~(6)~~ The division ~~Department of Agriculture and Consumer~~
7531 ~~Services~~ shall keep the certified list of winners for ~~a period~~
7532 ~~of~~ at least 6 months after receipt of the certified list.
7533 Thereafter, the division ~~department thereafter~~ may dispose of
7534 all records and lists.

7535 (9)~~(7)~~ An ~~No~~ operator may not ~~shall~~ force, directly or
7536 indirectly, a lessee, agent, or franchise dealer to purchase or
7537 participate in any game promotion. For the purpose of this
7538 section, coercion or force shall be presumed when ~~in these~~
7539 ~~circumstances in which~~ a course of business extending over a
7540 period of 1 year or longer is materially changed coincident with

7541 a failure or refusal of a lessee, agent, or franchise dealer to
7542 participate in such game promotions. Such force or coercion
7543 shall further be presumed when an operator advertises generally
7544 that game promotions are available at its lessee dealers or
7545 agent dealers.

7546 (10)~~(8)~~ (a) The department may adopt ~~of Agriculture and~~
7547 ~~Consumer Services shall have the power to promulgate~~ such rules
7548 and regulations for ~~respecting~~ the operation of game promotions
7549 as it deems advisable.

7550 (b) Compliance with the rules of the department ~~of~~
7551 ~~Agriculture and Consumer Services~~ does not authorize and is not
7552 a defense to a charge of possession of a slot machine or device
7553 or any other device or a violation of any other law.

7554 ~~(c) Whenever the department of Agriculture and Consumer~~
7555 ~~Services or the Department of Legal Affairs has reason to~~
7556 ~~believe that a game promotion is being operated in violation of~~
7557 ~~this section, it may bring an action in the circuit court of any~~
7558 ~~judicial circuit in which the game promotion is being operated~~
7559 ~~in the name and on behalf of the people of the state against any~~
7560 ~~operator thereof to enjoin the continued operation of such game~~
7561 ~~promotion anywhere within the state.~~

7562 (11)~~(9)~~ (a) Any person, firm, ~~or~~ corporation, or
7563 association, or any agent or employee thereof, who violates this
7564 section or engages in any acts or practices stated in this
7565 section to be unlawful, or who violates any of the rules adopted
7566 and regulations made pursuant to this section commits, is guilty

7567 ~~of~~ a misdemeanor of the second degree, punishable as provided in
 7568 s. 775.082 or s. 775.083.

7569 (b) Any person, firm, corporation, or association, or any
 7570 agent, ~~or employee thereof,~~ who violates ~~any provision of this~~
 7571 section or any of the rules adopted ~~and regulations made~~
 7572 pursuant to this section is ~~shall be~~ liable for a civil penalty
 7573 of not more than \$1,000 for each such violation, ~~which shall~~
 7574 ~~accrue to the state and may be recovered in a civil action~~
 7575 ~~brought by the department of Agriculture and Consumer Services~~
 7576 ~~or the Department of Legal Affairs.~~

7577 ~~(12)-(10)~~ This section does not apply to actions or
 7578 transactions regulated by the Department of Business and
 7579 Professional Regulation, ~~or to the activities of nonprofit~~
 7580 ~~organizations,~~ ~~or to any other organization engaged in any~~
 7581 ~~enterprise other than the sale of consumer products or services.~~
 7582 Subsections (5)-(9), ~~(3), (4), (5), (6), and (7)~~ and paragraph
 7583 (10) (a), ~~(8) (a)~~ and any of the rules adopted ~~made~~ pursuant
 7584 thereto do not apply to television or radio broadcasting
 7585 companies licensed by the Federal Communications Commission.

7586 ~~(13)-(11)~~ A violation of this section, or soliciting
 7587 another to commit an act that violates this section, constitutes
 7588 a deceptive and unfair trade practice actionable under the
 7589 Florida Deceptive and Unfair Trade Practices Act.

7590 Section 121. Effective October 1, 2014, section 849.085,
 7591 Florida Statutes, is transferred, renumbered as section 551.52,
 7592 Florida Statutes, and amended to read:

7593 551.52 ~~849.085~~ Certain penny-ante games not crimes;
 7594 restrictions.-

7595 (1) Notwithstanding any other provision of law, ~~it is not~~
 7596 ~~a crime for~~ a person may ~~to~~ participate in a game described in
 7597 this section if such game is conducted strictly in accordance
 7598 with this section.

7599 (2) As used in this section:

7600 (a) "Penny-ante game" means a game or series of games of
 7601 poker, pinochle, bridge, rummy, canasta, hearts, dominoes, or
 7602 mah-jongg in which the winnings of any player in a single round,
 7603 hand, or game do not exceed \$10 in value.

7604 (b) "Dwelling" means residential premises ~~owned or rented~~
 7605 ~~by a participant in a penny-ante game and occupied by such~~
 7606 ~~participant or the common elements or common areas of a~~
 7607 ~~condominium, cooperative, residential subdivision, or mobile~~
 7608 ~~home park of which a participant in a penny-ante game is a unit~~
 7609 ~~owner, or the facilities of an organization which is tax-exempt~~
 7610 ~~under s. 501(c)(7) of the Internal Revenue Code. The term~~
 7611 ~~"dwelling" also includes a college dormitory room or the common~~
 7612 ~~recreational area of a college dormitory or a publicly owned~~
 7613 ~~community center owned by a municipality or county.~~

7614 (3) A penny-ante game is subject to the following
 7615 restrictions:

7616 (a) The game must be conducted in:

7617 1. A dwelling owned or rented by a participant in the game
 7618 and occupied by such participant;

7619 2. A college dormitory room or the common recreational
 7620 area of a college dormitory;

7621 3. A public community center owned by a municipality or
 7622 county;

7623 4. The common elements or common areas of a condominium,
 7624 cooperative, residential subdivision, or mobile home park of
 7625 which a participant in the game is a unit owner; or

7626 5. The facilities of an organization that is exempt from
 7627 taxation under s. 501(c)(7) of the Internal Revenue Code.

7628 (b) A person may not receive any consideration or
 7629 commission for allowing a penny-ante game to occur in his or her
 7630 dwelling.

7631 (c) A person may not directly or indirectly charge
 7632 admission or any other fee for participation in a penny-ante ~~the~~
 7633 game.

7634 (d) A person may not solicit participants by means of
 7635 advertising in any form, advertise the time or place of any
 7636 penny-ante game, or advertise the fact that he or she will be a
 7637 participant in any penny-ante game.

7638 (e) A penny-ante game may not be conducted in which any
 7639 participant is under 18 years of age.

7640 (4) A debt created or owed as a consequence of any penny-
 7641 ante game is not legally enforceable.

7642 (5) The conduct of any penny-ante game within an area
 7643 listed in paragraph (3) (a) does not create a ~~the common elements~~
 7644 ~~or common area of a condominium, cooperative, residential~~

7645 ~~subdivision, or mobile home park or the conduct of any penny-~~
 7646 ~~ante game within the dwelling of an eligible organization as~~
 7647 ~~defined in subsection (2) or within a publicly owned community~~
 7648 ~~center owned by a municipality or county creates no civil~~
 7649 liability for damages arising from the penny-ante game on the
 7650 part of a college, condominium association, cooperative
 7651 association, a homeowners' association as defined in s. 720.301,
 7652 mobile home owners' association, dwelling owner, or municipality
 7653 or county or on the part of a unit owner who was not a
 7654 participant in the game.

7655 Section 122. Effective October 1, 2014, section 849.0931,
 7656 Florida Statutes, is transferred, renumbered as section 551.53,
 7657 Florida Statutes, and amended to read:

7658 551.53 ~~849.0931~~ Bingo authorized; conditions for conduct;
 7659 permitted uses of proceeds; limitations.-

7660 (1) As used in this section:

7661 (a) "Bingo" or "bingo game" means ~~and refers to the~~
 7662 ~~activity, commonly known as "bingo,"~~ in which participants pay a
 7663 sum of money for the use of one or more bingo cards. When the
 7664 game commences, numbers are drawn by chance, one by one, and
 7665 announced. The players cover or mark those numbers on the bingo
 7666 cards ~~which~~ they have purchased until a player receives a given
 7667 order of numbers in sequence that has been preannounced for that
 7668 particular game. This player calls out "bingo" and is declared
 7669 the winner of a predetermined prize. More than one game may be
 7670 played upon a bingo card, and numbers called for one game may be

7671 used for a succeeding game or games.

7672 (b) "Bingo card" means ~~and refers to~~ the flat piece of
 7673 paper or thin pasteboard used ~~employed~~ by players engaged in the
 7674 game of bingo. The bingo card must ~~shall~~ have not fewer than 24
 7675 playing numbers printed on it. These playing numbers shall range
 7676 from 1 through 75, inclusive. More than one set of bingo numbers
 7677 may be printed on any single bingo card ~~piece of paper~~.

7678 (c) "Charitable, nonprofit, or veterans' organization"
 7679 means an organization that ~~which~~ has qualified for exemption
 7680 from federal income tax as an exempt organization under ~~the~~
 7681 ~~provisions of~~ s. 501(c) of the Internal Revenue Code of 1954 or
 7682 s. 528 of the Internal Revenue Code of 1986, as amended; that
 7683 ~~which~~ is engaged in charitable, civic, community, benevolent,
 7684 religious, or scholastic works or other similar activities; and
 7685 that ~~which~~ has been in existence and active for ~~a period of~~ 3
 7686 years or more.

7687 (d) "Deal" means a separate set or package of not more
 7688 than 4,000 instant bingo tickets in which the predetermined
 7689 minimum prize payout is at least 65 percent of the total
 7690 receipts from the sale of the entire deal.

7691 (e) "Flare" means the board or placard that accompanies
 7692 each deal of instant bingo tickets and that has printed on or
 7693 affixed to it the following information:

- 7694 1. The game name.
- 7695 2. The manufacturer's name or distinctive logo.
- 7696 3. The form number.

7697 4. The ticket count.

7698 5. The prize structure, including the number of symbols or
 7699 number combinations for winning instant bingo tickets by
 7700 denomination, with their respective winning symbols or number
 7701 combinations.

7702 6. The cost per play.

7703 7. The game serial number.

7704 (f) "Instant bingo" means a form of bingo that is played
 7705 at the same location as bingo, using tickets by which a player
 7706 wins a prize by opening and removing a cover from the ticket to
 7707 reveal a set of numbers, letters, objects, or patterns, some of
 7708 which have been designated in advance as prize winners.

7709 (g) "Objects" means a set of 75 balls or other precision
 7710 shapes that are imprinted with letters and numbers in such a way
 7711 that numbers 1 through 15 are marked with the letter "B,"
 7712 numbers 16 through 30 are marked with the letter "I," numbers 31
 7713 through 45 are marked with the letter "N," numbers 46 through 60
 7714 are marked with the letter "G," and numbers 61 through 75 are
 7715 marked with the letter "O."

7716 (h) "Rack" means the container in which the objects are
 7717 placed after being drawn and announced.

7718 (i) "Receptacle" means the container from which the
 7719 objects are drawn or ejected.

7720 (j) "Session" means a designated set of games played in a
 7721 day or part of a day.

7722 (2) (a) Notwithstanding any other provision of law, a None

7723 ~~of the provisions of this chapter shall be construed to prohibit~~
 7724 ~~or prevent~~ charitable, nonprofit, or veterans' organization that
 7725 is organizations engaged in charitable, civic, community,
 7726 benevolent, religious, or scholastic works or other similar
 7727 endeavors and that has, ~~which organizations have been in~~
 7728 existence and active for ~~a period of~~ 3 years or more may
 7729 conduct, ~~from conducting~~ bingo games or instant bingo; however,
 7730 ~~provided~~ the entire proceeds derived from the conduct of such
 7731 games, less actual business expenses for articles designed for
 7732 and essential to the operation, conduct, and playing of bingo or
 7733 instant bingo, must be ~~are~~ donated by such organization to such
 7734 charitable, civic, community, benevolent, religious, or
 7735 scholastic works or other similar endeavors ~~organizations to the~~
 7736 ~~endeavors mentioned above. In no case may~~ The net proceeds from
 7737 the conduct of such games may not be used for any other purpose
 7738 whatsoever. The proceeds derived from the conduct of bingo games
 7739 or instant bingo are ~~shall~~ not be considered solicitation of
 7740 public donations.

7741 (b) It is the express intent of the Legislature that a ~~no~~
 7742 charitable, nonprofit, or veterans' organization not serve as a
 7743 sponsor of a bingo game or instant bingo conducted by another,
 7744 but that such organization ~~may~~ only be directly involved in the
 7745 conduct of such a game as provided in this section ~~act~~.

7746 (3) ~~If~~ An organization ~~is~~ not engaged in charitable,
 7747 civic, community, benevolent, religious, or scholastic works or
 7748 other similar endeavors that conducts ~~efforts of the type set~~

7749 ~~out above, its right to conduct~~ bingo games under this section
 7750 must hereunder is conditioned upon the return of all the
 7751 proceeds from such games to the players in the form of prizes.
 7752 If, at the conclusion of play on any day during which a bingo
 7753 game is allowed to be played under this subsection, section
 7754 there remain proceeds that ~~which~~ have not been paid out as
 7755 prizes, the organization conducting the game shall, at the next
 7756 scheduled day of play, conduct bingo games without any charge to
 7757 the players and shall continue to do so until the proceeds
 7758 carried over from the previous days played have been exhausted.
 7759 This subsection does not extend ~~provision in no way extends~~ the
 7760 limitation on the number of prize or jackpot games allowed in 1
 7761 ~~one~~ day as provided for in subsection (5).

7762 (4) ~~The right of~~ A condominium association, a cooperative
 7763 association, a homeowners' association as defined in s. 720.301,
 7764 a mobile home owners' association, a group of residents of a
 7765 mobile home park as defined in chapter 723, or a group of
 7766 residents of a mobile home park or recreational vehicle park as
 7767 defined in chapter 513 that conducts ~~to conduct~~ bingo games must
 7768 ~~is conditioned upon the~~ return of the net proceeds from such
 7769 games to players in the form of prizes after having deducted the
 7770 actual business expenses for such games for articles designed
 7771 for and essential to the operation, conduct, and playing of
 7772 bingo. Any net proceeds remaining after paying prizes may be
 7773 used as specified in subsection (3) or may be donated by the
 7774 association to a charitable, nonprofit, or veterans'

7775 organization that ~~which~~ is exempt from federal income tax under
 7776 ~~the provisions of~~ s. 501(c) of the Internal Revenue Code to be
 7777 used in such recipient organization's charitable, civic,
 7778 community, benevolent, religious, or scholastic works or similar
 7779 activities ~~or, in the alternative, such remaining proceeds shall~~
 7780 ~~be used as specified in subsection (3).~~

7781 (5) (a) 1. ~~Except for instant bingo prizes, which are~~
 7782 ~~limited to the amounts displayed on the ticket or on the game~~
 7783 ~~flare,~~ A jackpot may ~~shall~~ not exceed ~~the value of~~ \$250 in
 7784 actual money or its equivalent, and there may not ~~shall~~ be ~~no~~
 7785 more than three jackpots in any one session of bingo.

7786 2. (6) ~~Except for instant bingo, which is not limited by~~
 7787 ~~this subsection, the number of days per week during which~~
 7788 Organizations authorized under this section may conduct bingo no
 7789 more than 2 days per week shall not exceed two.

7790 3. (7) ~~Except for instant bingo prizes, which are limited~~
 7791 ~~to the amounts displayed on the ticket or on the game flare,~~
 7792 There may not ~~shall~~ be ~~no~~ more than three jackpots on any one
 7793 day of play. All other game prizes may ~~shall~~ not exceed \$50.

7794 4. Subparagraphs 1.-3. do not apply to instant bingo
 7795 prizes.

7796 (b) An instant bingo prize is limited to the amount
 7797 displayed on the ticket or on the game flare.

7798 (6) (8) Each person involved in conducting a ~~the conduct of~~
 7799 ~~any~~ bingo game or instant bingo must be a resident of the
 7800 community where the organization is located and a bona fide

7801 member of the organization sponsoring such game and may not be
7802 compensated in any way for operation of such game. When bingo
7803 games or instant bingo is conducted by a charitable, nonprofit,
7804 or veterans' organization, the organization conducting the games
7805 must designate up to three members of that organization to be in
7806 charge of the games, one of whom shall be present during the
7807 entire session at which the games are conducted. The
7808 organization conducting the games is responsible for posting in
7809 a conspicuous place on the premises at which the session is held
7810 or instant bingo is played a notice stating, ~~which notice states~~
7811 the name of the organization and the designated member or
7812 members, ~~in a conspicuous place on the premises at which the~~
7813 ~~session is held or instant bingo is played. A caller in a bingo~~
7814 ~~game may not be a participant in that bingo game.~~

7815 (7)-(9) Every charitable, nonprofit, or veterans'
7816 organization involved in the conduct of a bingo game or instant
7817 bingo must be located in the county, or within a 15-mile radius
7818 of, where the bingo game or instant bingo is conducted ~~located~~.

7819 (8)-(10)(a) A person ~~No one~~ under 18 years of age may not
7820 ~~shall be allowed to~~ play any bingo game or instant bingo or be
7821 involved in the conduct of a bingo game or instant bingo in any
7822 way.

7823 (b) Any organization conducting bingo open to the public
7824 may refuse entry to any person who is objectionable or
7825 undesirable to the sponsoring organization, but such refusal of
7826 entry shall not be on the basis of race, creed, color, religion,

7827 sex, national origin, marital status, or physical handicap.

7828 (9)~~(11)~~ Bingo games or instant bingo may be held only on
7829 the following premises:

7830 (a) Property owned by the charitable, nonprofit, or
7831 veterans' organization.

7832 (b) Property owned by the charitable, nonprofit, or
7833 veterans' organization that will benefit from ~~by~~ the proceeds.

7834 (c) Property leased for a period of not less than 1 year
7835 by a charitable, nonprofit, or veterans' organization, providing
7836 the lease or rental agreement does not provide for the payment
7837 of a percentage of the proceeds generated at such premises to
7838 the lessor or any other party and providing the rental rate for
7839 such premises does not exceed the rental rates charged for
7840 similar premises in the same locale.

7841 (d) Property owned by a municipality or a county when the
7842 governing authority has, by appropriate ordinance or resolution,
7843 specifically authorized the use of such property for the conduct
7844 of such games.

7845 (e) With respect to bingo games conducted by a condominium
7846 association, a cooperative association, a homeowners'
7847 association as defined in s. 720.301, a mobile home owners'
7848 association, a group of residents of a mobile home park as
7849 defined in chapter 723, or a group of residents of a mobile home
7850 park or recreational vehicle park as defined in chapter 513,
7851 property owned by the association, property owned by the
7852 residents of the mobile home park or recreational vehicle park,

7853 or property that ~~which~~ is a common area located within the
7854 condominium, mobile home park, or recreational vehicle park.

7855 (10)~~(12)~~ Each bingo game shall be conducted in accordance
7856 with the following rules:

7857 (a) The objects, whether drawn or ejected, shall be
7858 essentially equal as to size, shape, weight, and balance and as
7859 to all other characteristics that may control their selection
7860 from the receptacle. The caller shall cancel any game if, during
7861 the course of a game, the mechanism used in the drawing or
7862 ejection of objects malfunctions ~~becomes jammed~~ in such a manner
7863 as to interfere with the accurate determination of the next
7864 number to be announced or if the caller determines that more
7865 than one object is labeled with the same number or that there is
7866 a number to be drawn without a corresponding object. Any player
7867 in a game canceled pursuant to this paragraph shall be permitted
7868 to play the next game free of charge.

7869 (b) Before ~~Prior to commencement of~~ any bingo session, the
7870 member in charge shall cause a verification to be made of all
7871 objects to be placed in the receptacle and shall inspect the
7872 objects in the presence of a disinterested person to ensure that
7873 all objects are present and that there are no duplications or
7874 omissions of numbers on the objects. Any player shall be
7875 entitled to call for a verification of numbers before, during,
7876 and after a session.

7877 (c) The card or sheet on which the game is played shall be
7878 part of a deck, group, or series, no two of which may be alike

7879 in any given game.

7880 (d) All numbers shall be visibly displayed after being
7881 drawn and before being placed in the rack.

7882 (e) A bona fide bingo shall consist of a predesignated
7883 arrangement of numbers on a card or sheet that correspond with
7884 the numbers on the objects drawn from the receptacle and
7885 announced. Errors in numbers announced or misplaced in the rack
7886 may not be recognized as a bingo.

7887 (f) When a caller has begun ~~started~~ to vocally announce a
7888 number, the caller shall complete the call. If any player has
7889 obtained a bingo on a previous number, such player will share
7890 the prize with the player who gained bingo on the last number
7891 called.

7892 (g) Numbers on the winning cards or sheets shall be
7893 announced and verified in the presence of another player. Any
7894 player shall be entitled at the time the winner is determined to
7895 call for a verification of numbers drawn. The verification shall
7896 be in the presence of the member designated to be in charge of
7897 the occasion or, if such person is also the caller, in the
7898 presence of an officer of the licensee.

7899 (h) Upon determining a winner, the caller shall ask, "Are
7900 there any other winners?" If no one replies, the caller shall
7901 declare the game closed. No other player is entitled to share
7902 the prize unless she or he has declared a bingo before ~~prior to~~
7903 this announcement.

7904 (i) Seats may not be held or reserved by an organization

7905 or person involved in the conduct of any bingo game for players
7906 not present, nor may any cards be set aside, held, or reserved
7907 from one session to another for any player.

7908 (j) A caller in a bingo game may not be a participant in
7909 that bingo game.

7910 (11)-(13)(a) Instant bingo tickets must be sold at the
7911 price printed on the ticket or on the game flare by the
7912 manufacturer, not to exceed \$1. Discounts may not be given for
7913 the purchase of multiple tickets, nor may tickets be given away
7914 free of charge.

7915 (b) Each deal of instant bingo tickets must be accompanied
7916 by a flare, and the flare must be posted before the sale of any
7917 tickets in that deal.

7918 (c) Each instant bingo ticket in a deal must bear the same
7919 serial number, and there may not be more than one serial number
7920 in each deal. Serial numbers printed on a deal of instant bingo
7921 tickets may not be repeated by the manufacturer on the same form
7922 for ~~a period of~~ 3 years.

7923 (d) The serial number for each deal must be clearly and
7924 legibly placed on the outside of each deal's package, box, or
7925 other container.

7926 (e) Instant bingo tickets manufactured, sold, or
7927 distributed in this state must comply with the applicable
7928 standards on pull-tabs of the North American Gaming Regulators
7929 Association, as amended.

7930 (f) Except as provided in ~~under~~ paragraph (e), an instant

7931 bingo ticket manufactured, sold, or distributed in this state
7932 must:

7933 1. Be manufactured so that it is not possible to identify
7934 whether it is a winning or losing instant bingo ticket until it
7935 has been opened by the player as intended.

7936 2. Be manufactured using at least a two-ply paper stock
7937 construction so that the instant bingo ticket is opaque.

7938 3. Have the form number, the deal's serial number, and the
7939 name or logo of the manufacturer conspicuously printed on its
7940 ~~the face or cover of the instant bingo ticket.~~

7941 4. Have a form of winner protection that allows the
7942 organization to verify, after the instant bingo ticket has been
7943 played, that the winning instant bingo ticket presented for
7944 payment is an authentic winning instant bingo ticket for the
7945 deal in play. The manufacturer shall provide a written
7946 description of the winner protection with each deal of instant
7947 bingo tickets.

7948 (g) Each manufacturer and distributor that sells or
7949 distributes instant bingo tickets in this state to charitable,
7950 nonprofit, or veterans' organizations shall prepare an invoice
7951 that contains the following information:

7952 1. Date of sale.

7953 2. Form number and serial number of each deal sold.

7954 3. Number of instant bingo tickets in each deal sold.

7955 4. Name of distributor or organization to whom each deal
7956 is sold.

7957 5. Price of each deal sold.

7958

7959 All information contained on an invoice must be maintained by
7960 the distributor or manufacturer for 3 years.

7961 (h) The invoice, or a true and accurate copy thereof, must
7962 be on the premises where any deal of instant bingo tickets is
7963 stored or in play.

7964 (12)~~(14)~~ An ~~Any~~ organization or ~~other~~ person who willfully
7965 and knowingly violates ~~any provision of~~ this section commits a
7966 misdemeanor of the first degree, punishable as provided in s.
7967 775.082 or s. 775.083. For a second or subsequent offense, the
7968 organization or other person commits a felony of the third
7969 degree, punishable as provided in s. 775.082, s. 775.083, or s.
7970 775.084.

7971 Section 123. Effective October 1, 2014, section 849.0935,
7972 Florida Statutes, is transferred, renumbered as section 551.54,
7973 Florida Statutes, and amended to read:

7974 551.54 ~~849.0935~~ Charitable, nonprofit organizations;
7975 drawings by chance; required disclosures; unlawful acts and
7976 practices; penalties.—

7977 (1) The Legislature finds that this section was enacted to
7978 allow specified charitable or nonprofit organizations the
7979 opportunity to raise funds to carry out their charitable or
7980 nonprofit purpose by conducting a raffle for prizes by
7981 eliminating the element of monetary consideration and allowing
7982 the receipt of voluntary donations or contributions. This

7983 section shall be strictly construed and shall not be relied upon
 7984 to sanction establishments of ongoing gambling.

7985 (2)~~(1)~~ As used in this section, the term:

7986 (a) "Drawing by chance," "drawing," or "raffle" means an
 7987 enterprise in which, from the entries submitted by the public to
 7988 the organization conducting the drawing, one or more entries are
 7989 selected by chance to win a prize. The term "drawing" does not
 7990 include those enterprises, commonly known as "game promotions,"
 7991 as defined by s. 551.50 ~~s. 849.094~~, "matching," "instant
 7992 winner," or "preselected sweepstakes," which involve the
 7993 distribution of winning numbers, previously designated as such,
 7994 to the public.

7995 (b) "Organization" means an organization that ~~which~~ is
 7996 exempt from federal income taxation pursuant to 26 U.S.C. s.
 7997 501(c)(3), (4), (7), (8), (10), or (19), and that ~~which~~ has a
 7998 current determination letter from the Internal Revenue Service,
 7999 and its bona fide members or officers.

8000 (3)~~(2)~~ Notwithstanding any other provision of law, Section
 8001 ~~849.09 does not prohibit~~ an organization may conduct from
 8002 ~~conducting~~ drawings by chance pursuant to ~~the authority granted~~
 8003 ~~by~~ this section, if the organization has complied with all
 8004 applicable provisions of chapter 496 and this section.

8005 (4)~~(3)~~ All brochures, advertisements, notices, tickets, or
 8006 entry blanks used in connection with a drawing by chance must
 8007 ~~shall~~ conspicuously disclose:

8008 (a) The rules governing the conduct and operation of the

8009 drawing.

8010 (b) The full name of the organization and its principal
8011 place of business.

8012 (c) The source of the funds used to award cash prizes or
8013 to purchase prizes.

8014 (d) The date, hour, and place where the winner will be
8015 chosen and the prizes will be awarded, unless the brochures,
8016 advertisements, notices, tickets, or entry blanks are not
8017 offered to the public more than 3 days before ~~prior to~~ the
8018 drawing.

8019 (e) That no purchase or contribution is necessary.

8020 (5)~~(4)~~ It is unlawful for any organization that, ~~pursuant~~
8021 ~~to the authority granted by this section,~~ promotes, operates, or
8022 conducts a drawing by chance under this section to:

8023 (a) ~~To~~ Design, engage in, promote, or conduct any drawing
8024 in which the winner is predetermined by means of matching,
8025 instant win, ~~or~~ preselected sweepstakes, or otherwise or in
8026 which the selection of the winners is in any way rigged;

8027 (b) ~~To~~ Require an entry fee, donation, substantial
8028 consideration, payment, proof of purchase, or contribution as a
8029 condition of entering the drawing or of being selected to win a
8030 prize. However, this paragraph does not prohibit an organization
8031 from suggesting a minimum donation or from including a statement
8032 of such suggested minimum donation on any printed material used
8033 in connection with the fundraising event or drawing;

8034 (c) ~~To~~ Condition the drawing on a minimum number of

8035 tickets having been disbursed to contributors or on a minimum
 8036 amount of contributions having been received;

8037 (d) ~~To~~ Arbitrarily remove, disqualify, disallow, or reject
 8038 any entry or ~~to~~ discriminate in any manner between entrants who
 8039 gave contributions to the organization and those who did not
 8040 ~~give such contributions;~~

8041 (e) ~~To~~ Fail to promptly notify, at the address set forth
 8042 on the entry blank, any person whose entry is selected to win of
 8043 the fact that he or she won;

8044 (f) ~~To~~ Fail to award all prizes offered;

8045 (g) ~~To~~ Print, publish, or circulate literature or
 8046 advertising material used in connection with the drawing that
 8047 ~~which~~ is false, deceptive, or misleading;

8048 (h) ~~To~~ Cancel a drawing; ~~or~~

8049 (i) ~~To~~ Condition the acquisition or giveaway of any prize
 8050 upon the receipt of voluntary donations or contributions; or

8051 (j) Conduct a charitable drawing using a slot machine,
 8052 electronic facsimile of any game of chance, electronically
 8053 assisted pull-tab game, or any similar electronic gaming device.

8054 (6)~~(5)~~ The organization conducting the drawing may limit
 8055 the number of tickets distributed to each drawing entrant.

8056 (7)~~(6)~~ A violation of this section is a deceptive and
 8057 unfair trade practice.

8058 (8)~~(7)~~ Any organization that engages in any act or
 8059 practice in violation of this section commits a misdemeanor of
 8060 the second degree, punishable as provided in s. 775.082 or s.

8061 775.083. ~~Any organization or other person who sells or offers~~
 8062 ~~for sale in this state a ticket or entry blank for a raffle or~~
 8063 ~~other drawing by chance, without complying with the requirements~~
 8064 ~~of paragraph (3) (d), commits a misdemeanor of the second degree,~~
 8065 ~~punishable by fine only as provided in s. 775.083.~~

8066 (9)~~(8)~~ This section does not apply to the state lottery
 8067 operated pursuant to chapter 24.

8068 Section 124. Effective October 1, 2014, section 849.141,
 8069 Florida Statutes, is transferred, renumbered as section 551.55,
 8070 Florida Statutes, and amended to read:

8071 551.55 ~~849.141~~ Bowling tournaments ~~exempted from chapter.~~

8072 (1) Notwithstanding any other provision of law, a person
 8073 may participate ~~Nothing contained in this chapter shall be~~
 8074 ~~applicable to participation in or the conduct of a bowling~~
 8075 ~~tournament conducted~~ at a bowling center which requires the
 8076 payment of entry fees, from which fees the winner receives a
 8077 purse or prize.

8078 (2) As used in this section, the term:

8079 (a) "Bowling tournament" means a contest in which
 8080 participants engage in the sport of bowling, wherein a heavy
 8081 ball is bowled along a bowling lane in an attempt to knock over
 8082 10 bowling pins, ~~10 in number,~~ set upright at the far end of the
 8083 lane, according to specified regulations and rules of the
 8084 American Bowling Congress, the Women's ~~Womens~~ International
 8085 Bowling Congress, or the Bowling Proprietors Association of
 8086 America.

8087 (b) "Bowling center" means a place of business having at
 8088 least 12 bowling lanes on the premises that ~~which~~ are operated
 8089 for the entertainment of the general public for the purpose of
 8090 engaging in the sport of bowling.

8091 Section 125. Effective October 1, 2014, section 849.161,
 8092 Florida Statutes, is transferred, renumbered as section 551.56,
 8093 Florida Statutes, and amended to read:

8094 551.56 ~~849.161~~ Amusement games or machines; ~~when chapter~~
 8095 ~~inapplicable.~~

8096 (1) The Legislature finds that this section was enacted to
 8097 regulate the operation of skill-based arcade games offered at
 8098 specified locations if they comply with the requirements of law
 8099 and was not provided as a vehicle for the conduct of casino-
 8100 style gambling.

8101 (2) ~~(1)~~ As used in this section, the term:

8102 (a) "Amusement games or machines" means games that are
 8103 operated only for bona fide entertainment of the general public;
 8104 which are activated ~~which operate~~ by means of the insertion of a
 8105 coin, token, currency, or gift certificate, as defined in s.
 8106 501.95; and which, by application of skill, ~~may entitle the~~
 8107 person playing or operating the game or machine may control the
 8108 results of play ~~to receive points or coupons, the cost value of~~
 8109 ~~which does not exceed 75 cents on any game played, which may be~~
 8110 ~~exchanged for merchandise.~~ The term does not include:

8111 1. Casino-style games in which the outcome is determined
 8112 by factors unpredictable by the player; ~~or~~

8113 2. Games in which the player does ~~may~~ not control the
 8114 outcome of the game through skill;

8115 3. Video poker games or any other game or machine that may
 8116 be construed as a gambling device under the laws of this state;
 8117 or

8118 4. Any game or device defined as a gambling device in 15
 8119 U.S.C. s. 1171, unless excluded under s. 1178.

8120 (b) "Arcade amusement center" means a place of business
 8121 having at least 50 ~~coin-operated~~ amusement games or machines on
 8122 premises which are operated for the entertainment of the general
 8123 public ~~and tourists~~ as a bona fide amusement facility.

8124 (c) "Division" means the Division of Amusements within the
 8125 department.

8126 (d)-(e) "Game played" means the event occurring from the
 8127 ~~initial~~ activation of the amusement game or machine until the
 8128 results of play are determined without payment of additional
 8129 consideration. Free replays do not count as separate games
 8130 played constitute additional consideration.

8131 (e)-(d) "Merchandise" means noncash prizes, including toys
 8132 and novelties maintained onsite. The term does not include:

8133 1. Cash or any equivalent thereof, including gift cards or
 8134 certificates;

8135 2. ~~or~~ Alcoholic beverages;

8136 3. Cards, coupons, points, slugs, tokens or similar
 8137 devices that can be used to activate an amusement game or
 8138 machine; or

8139 4. Points or coupons that have redemption value greater
 8140 than the cap calculated pursuant to subsection (8).

8141 (f) "Redemption value" means the imputed value of coupons
 8142 or points, based on the wholesale cost of merchandise for which
 8143 those coupons or points may be redeemed.

8144 (g)(e) "Truck stop" means a a any dealer registered pursuant
 8145 to chapter 212, excluding marinas, which:

8146 1. Declared its primary fuel business to be the sale of
 8147 diesel fuel; and

8148 2. Operates a minimum of six functional diesel fuel pumps;
 8149 and

8150 ~~3. Has coin-operated amusement games or machines on~~
 8151 ~~premises which are operated for the entertainment of the general~~
 8152 ~~public and tourists as bona fide amusement games or machines.~~

8153 ~~(3)(2) Notwithstanding chapter 849, Nothing contained in~~
 8154 ~~This chapter shall be taken or construed to prohibit an arcade~~
 8155 ~~amusement center or truck stop from operating amusement games or~~
 8156 ~~machines may be operated in conformance with this section.~~

8157 (4) A person may not award merchandise under this section
 8158 unless the person is registered with the division.

8159 (a) A person awarding merchandise must register annually
 8160 with the division on forms prescribed by the department and pay
 8161 the annual registration fee. The registration forms must include
 8162 the registrant's name and address, the location of each center
 8163 operated by the registrant, the number of machines operated at
 8164 each location, the type and title of each game at each location,

8165 and the types and values of merchandise available.

8166 (b) The department shall, by rule, set an annual
 8167 registration fee of up to \$100 to be collected for each location
 8168 operated by the registrant.

8169 (c) The registration issued by the division must be
 8170 displayed so as to be easily viewed by patrons at each arcade
 8171 center location.

8172 (5)(3) This section applies only to amusement games or ~~and~~
 8173 machines which are operated for the entertainment of the general
 8174 public ~~and tourists~~ as bona fide amusement games or machines.

8175 (6)(4) This section does ~~shall not be construed to~~
 8176 authorize:

8177 (a) Casino-style games in which the outcome is determined
 8178 by factors unpredictable by the player;

8179 (b) Games in which the player does not control the outcome
 8180 of the game through skill;

8181 (c) Video poker games or any other game or machine that
 8182 may be construed as a gambling device under the laws of this
 8183 state; or

8184 (d) Any game or device defined as a gambling device in 15
 8185 U.S.C. s. 1171, ~~which requires identification of each device by~~
 8186 ~~permanently affixing seriatim numbering and name, trade name,~~
 8187 ~~and date of manufacture under s. 1173, and registration with the~~
 8188 ~~United States Attorney General, unless excluded from~~
 8189 ~~applicability of the chapter under s. 1178, or video poker games~~
 8190 ~~or any other game or machine that may be construed as a gambling~~

8191 ~~device under Florida law.~~

8192 (7) (5) An amusement game or machine may entitle or enable
 8193 a person, by application of skill, ~~This section does not apply~~
 8194 ~~to a coin-operated game or device designed and manufactured only~~
 8195 ~~for bona fide amusement purposes which game or device may by~~
 8196 ~~application of skill entitle the player to replay the game or~~
 8197 ~~device at no additional cost, if the game or device:~~

8198 (a) The amusement game or machine can accumulate and react
 8199 to no more than 15 free replays;

8200 (b) The amusement game or machine can be discharged of
 8201 accumulated free replays only by reactivating the game or device
 8202 for one additional play for such accumulated free replay; and

8203 (c) The amusement game or machine cannot ~~Can make a~~ no
 8204 permanent record, directly or indirectly, of free replays; ~~and~~
 8205 ~~is not classified by the United States as a gambling device in~~
 8206 ~~15 U.S.C. s. 1171, which requires identification of each device~~
 8207 ~~by permanently affixing seriatim numbering and name, trade name,~~
 8208 ~~and date of manufacture under s. 1173, and registration with the~~
 8209 ~~United States Attorney General, unless excluded from~~
 8210 ~~applicability of the chapter under s. 1178. This subsection~~
 8211 ~~shall not be construed to authorize video poker games, or any~~
 8212 ~~other game or machine that may be construed as a gambling device~~
 8213 ~~under Florida law.~~

8214 (8) An amusement game or machine may entitle or enable a
 8215 person, by application of skill, to receive points or coupons
 8216 that can be redeemed for merchandise, if:

8217 (a) The amusement game or machine is located at an arcade
 8218 amusement center, truck stop, bowling center defined in s.
 8219 551.55, or public lodging establishment or public food service
 8220 facility licensed pursuant to chapter 509;

8221 (b) Points or coupons have no value other than for
 8222 redemption onsite for merchandise; and

8223 (c) The redemption value of points or coupons a person
 8224 receives does not exceed:

- 8225 1. For a single game played, 75 cents.
- 8226 2. For playing multiple games simultaneously, 75 cents.
- 8227 3. For competing against others in a multiplayer game, 75
 8228 cents.

8229 (9) An amusement game or machine may entitle or enable a
 8230 person, by application of skill, to receive merchandise
 8231 directly, if:

8232 (a) The amusement game or machine is located at an arcade
 8233 amusement center, a truck stop, a bowling center defined in s.
 8234 551.55, or a public lodging establishment or public food service
 8235 facility licensed pursuant to chapter 509 or located on the
 8236 premises of a retailer as defined in s. 212.02; and

8237 (b) The wholesale cost of the merchandise does not exceed
 8238 \$50.

8239 (10) The commission shall review the per-game redemption
 8240 value of points or coupons allowed under subsection (8) and
 8241 provide a report to the President of the Senate and the Speaker
 8242 of the House of Representatives regarding the sufficiency of

8243 those amounts and recommending any changes the department finds
 8244 necessary.

8245 (11) The commission and the department may enter and
 8246 inspect a registrant's facilities, machines, or system of
 8247 machines and may adopt rules and take all appropriate action to
 8248 administer and enforce this section.

8249 Section 126. Effective October 1, 2014, section 849.01,
 8250 Florida Statutes, is amended to read:

8251 849.01 ~~Keeping~~ Gambling operations prohibited houses,
 8252 etc.-

8253 (1) A person, individually or through or with any other
 8254 person or entity, may not:

8255 (a) Have, maintain, or operate ~~Whoever by herself or~~
 8256 ~~himself, her or his servant, clerk or agent, or in any other~~
 8257 ~~manner has, keeps, exercises or maintains a gaming table or~~
 8258 ~~room; or gaming implements or apparatus; or a physical~~
 8259 structure or location of any kind ~~house, booth, tent, shelter or~~
 8260 ~~other place for the purpose of gaming or gambling. or~~

8261 (b) Procure or allow a in any place of which she or he may
 8262 ~~directly or indirectly have charge, control or management,~~
 8263 ~~either exclusively or with others, procures, suffers or permits~~
 8264 ~~any person to play a game for money or any other valuable thing~~
 8265 of value in a place that he or she may directly or indirectly
 8266 manage or control.

8267 (c) Knowingly rent to another a physical structure or
 8268 location for the purpose of gaming or gambling.

8269 (2) A person may not act as a servant, clerk, agent, or
 8270 employee of a person violating subsection (1).

8271 (3) The proprietor, owner, or holder of an even-odd,
 8272 roulette, keno, pool, or billiard table; a wheel of fortune; or
 8273 any other game of chance kept for the purpose of betting may not
 8274 aid, abet, or otherwise encourage or willfully and knowingly
 8275 allow a minor or a person who is mentally incompetent or under
 8276 guardianship to play or bet on such game. For the purpose of
 8277 this subsection, the term "person who is mentally incompetent"
 8278 means a person who, because of mental illness, intellectual
 8279 disability, senility, excessive use of drugs or alcohol, or
 8280 other mental incapacity, is incapable of managing his or her
 8281 property or caring for herself or himself.

8282 (4) The presence of implements, devices, or apparatus
 8283 commonly used in games of chance in a gambling house or by a
 8284 gambler in any physical structure or location is prima facie
 8285 evidence that such structure or location is used for the purpose
 8286 of gambling.

8287 (5) A person who violates this section commits at any game
 8288 whatever, whether heretofore prohibited or not, shall be guilty
 8289 of a felony of the third degree, punishable as provided in s.
 8290 775.082, s. 775.083, or s. 775.084.

8291 Section 127. Effective October 1, 2014, sections 849.02,
 8292 849.03, 849.04, and 849.05, Florida Statutes, are repealed.

8293 Section 128. Effective October 1, 2014, section 849.07,
 8294 Florida Statutes, is amended to read:

8295 849.07 Permitting gambling on billiard or pool table by
 8296 holder of license.-

8297 (1) The operator of ~~If any holder of a license to operate~~
 8298 a billiard or pool table may not allow a ~~shall permit any person~~
 8299 to play billiards, ~~or~~ pool, or any other game upon such table
 8300 for money, ~~or any other thing of value.~~ upon such

8301 (2) Except as otherwise provided by law, a person may not
 8302 play or engage in a game of cards, keno, roulette, faro, or
 8303 other game of chance at any location, by any device, for money
 8304 or any other thing of value.

8305 (3) A person who violates this section commits ~~tables, she~~
 8306 ~~or he shall be deemed guilty of~~ a misdemeanor of the second
 8307 degree, punishable as provided in s. 775.082 or s. 775.083.

8308 Section 129. Effective October 1, 2014, section 849.08,
 8309 Florida Statutes, is repealed.

8310 Section 130. Effective October 1, 2014, section 849.09,
 8311 Florida Statutes, is amended to read:

8312 849.09 Lottery prohibited; exceptions.-

8313 (1)(a) A person may not ~~It is unlawful for any person in~~
 8314 ~~this state to:~~

8315 1.(a) Set up, promote, or conduct any lottery for money or
 8316 for anything of value;

8317 2.(b) Dispose of any money or other property of any kind
 8318 whatsoever by means of any lottery;

8319 3.(c) Conduct any lottery drawing for the distribution of
 8320 a prize or prizes by lot or chance, or advertise any such

8321 lottery scheme or device in any newspaper or by circulars,
 8322 posters, pamphlets, radio, telegraph, telephone, or otherwise;
 8323 or

8324 4.(d) Aid or assist in the setting up, promoting, or
 8325 conducting of any lottery or lottery drawing, whether by
 8326 writing, printing, or in any other manner whatsoever, or be
 8327 interested in or connected in any way with any lottery or
 8328 lottery drawing.†

8329 (b) A person who violates this subsection commits a felony
 8330 of the third degree, punishable as provided in s. 775.082, s.
 8331 775.083, or s. 775.084.

8332 (2) (a) A person may not:

8333 1.(e) Attempt to operate, conduct, or advertise any
 8334 lottery scheme or device;

8335 2.(f) Have in her or his possession any lottery wheel,
 8336 implement, or device ~~whatsoever~~ for conducting any lottery or
 8337 scheme for the disposal by lot or chance of anything of value;

8338 3.(g) Sell, offer for sale, or transmit, in person or by
 8339 mail or in any other manner ~~whatsoever~~, any lottery ticket,
 8340 coupon, or share, or any share in or fractional part of any
 8341 lottery ticket, coupon, or share, whether such ticket, coupon,
 8342 or share represents an interest in a live lottery not yet played
 8343 or ~~whether it~~ represents, or has represented, an interest in a
 8344 lottery that has already been played;

8345 4.(h) Have in her or his possession any lottery ticket, or
 8346 any evidence of any share or right in any lottery ticket, or in

8347 any lottery scheme or device, whether such ticket or evidence of
 8348 share or right represents an interest in a live lottery not yet
 8349 played or ~~whether it~~ represents, or has represented, an interest
 8350 in a lottery that has already been played;

8351 5.-(i) Aid or assist in the sale, disposal, or procurement
 8352 of any lottery ticket, coupon, or share, or any right to any
 8353 drawing in a lottery;

8354 6.-(j) Have in her or his possession any lottery
 8355 advertisement, circular, poster, or pamphlet, or any list or
 8356 schedule of any lottery prizes, gifts, or drawings; or

8357 7.-(k) Have in her or his possession any so-called "run
 8358 down sheets," tally sheets, or other papers, records,
 8359 instruments, or paraphernalia designed for use, ~~either~~ directly
 8360 or indirectly, ~~in, or in connection with,~~ the violation of the
 8361 laws of this state prohibiting lotteries and gambling.

8362 (b) A person who violates this subsection commits a
 8363 misdemeanor of the first degree, punishable as provided in s.
 8364 775.082 or s. 775.083. A person who commits a second or
 8365 subsequent violation of this subsection commits a felony of the
 8366 third degree, punishable as provided in s. 775.082, s. 775.083,
 8367 or s. 775.084.

8368 (3) (a) Except as otherwise provided by law, it is
 8369 unlawful:

8370 1. For any person in any dwelling, office, shop, or
 8371 building in this state to write, typewrite, print, or publish
 8372 any lottery ticket or advertisement, circular, bill, poster,

8373 pamphlet, list or schedule, announcement, or notice of lottery
8374 prizes or drawings or any other matter or thing in any way
8375 connected with any lottery drawing, scheme, or device, or set up
8376 any type or plate for any such printing or writing, to be used
8377 or distributed in this state or to be sent out of this state.

8378 2. For the owner or lessee of any such dwelling, shop, or
8379 building knowingly to permit the printing, typewriting, writing,
8380 or publishing therein of any lottery ticket or advertisement,
8381 circular, bill, poster, pamphlet, list, schedule, announcement,
8382 or notice of lottery prizes or drawings, or any other matter or
8383 thing in any way connected with any lottery drawing, scheme, or
8384 device, or knowingly to permit therein the setting up of any
8385 type or plate for any such purpose to be used or distributed in
8386 this state or to be sent out of the state.

8387 (b) A person who violates this subsection commits a felony
8388 of the third degree, punishable as provided in s. 775.082, s.
8389 775.083, or s. 775.084.

8390 (4) (a) This chapter does not prohibit the printing or
8391 production of any advertisement or any lottery ticket for a
8392 lottery conducted in any other state or nation where such
8393 lottery is not prohibited by the laws of such state or nation,
8394 or the sale of such materials by the manufacturer thereof to any
8395 person or entity conducting or participating in the conduct of
8396 such a lottery in any other state or nation. This section does
8397 not authorize any advertisement within this state relating to
8398 lotteries of any other state or nation, or the sale or resale

8399 within Florida of such lottery tickets, chances, or shares to
 8400 individuals or any other acts otherwise in violation of any laws
 8401 of the state.

8402 (b) This section does not prohibit participation in a
 8403 nationally advertised contest, drawing, game, or puzzle of skill
 8404 or chance for a prize or prizes unless it can be construed as a
 8405 lottery under this section. This paragraph does not apply to any
 8406 such contest based upon the outcome or results of any horserace,
 8407 harness race, dog race, or jai alai game.

8408 (c) This section does not apply to bingo as provided for
 8409 in s. 551.53.

8410

8411 ~~Provided, that nothing in this section shall prohibit~~
 8412 ~~participation in any nationally advertised contest, drawing,~~
 8413 ~~game or puzzle of skill or chance for a prize or prizes unless~~
 8414 ~~it can be construed as a lottery under this section; and,~~
 8415 ~~provided further, that This exemption for national contests~~
 8416 ~~shall not apply to any such contest based upon the outcome or~~
 8417 ~~results of any horserace, harness race, dograce, or jai alai~~
 8418 ~~game.~~

8419 ~~(2) Any person who is convicted of violating any of the~~
 8420 ~~provisions of paragraph (a), paragraph (b), paragraph (c), or~~
 8421 ~~paragraph (d) of subsection (1) is guilty of a felony of the~~
 8422 ~~third degree, punishable as provided in s. 775.082, s. 775.083,~~
 8423 ~~or s. 775.084.~~

8424 ~~(3) Any person who is convicted of violating any of the~~

8425 ~~provisions of paragraph (c), paragraph (f), paragraph (g),~~
8426 ~~paragraph (i), or paragraph (k) of subsection (1) is guilty of a~~
8427 ~~misdemeanor of the first degree, punishable as provided in s.~~
8428 ~~775.082 or s. 775.083. Any person who, having been convicted of~~
8429 ~~violating any provision thereof, thereafter violates any~~
8430 ~~provision thereof is guilty of a felony of the third degree,~~
8431 ~~punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~
8432 ~~The provisions of this section do not apply to bingo as provided~~
8433 ~~for in s. 849.0931.~~

8434 ~~(4) Any person who is convicted of violating any of the~~
8435 ~~provisions of paragraph (h) or paragraph (j) of subsection (1)~~
8436 ~~is guilty of a misdemeanor of the first degree, punishable as~~
8437 ~~provided in s. 775.082 or s. 775.083. Any person who, having~~
8438 ~~been convicted of violating any provision thereof, thereafter~~
8439 ~~violates any provision thereof is guilty of a felony of the~~
8440 ~~third degree, punishable as provided in s. 775.082, s. 775.083,~~
8441 ~~or s. 775.084.~~

8442 Section 131. Effective October 1, 2014, section 849.091,
8443 Florida Statutes, is amended to read:

8444 849.091 Chain letters, pyramid clubs, etc., declared a
8445 lottery; prohibited; penalties.—

8446 (1) The organization of any chain letter club, pyramid
8447 club, or other group organized or brought together under any
8448 plan or device whereby fees or dues or anything of material
8449 value to be paid or given by members thereof are to be paid or
8450 given to any other member thereof, which plan or device includes

8451 any provision for the increase in such membership through a
8452 chain process of new members securing other new members and
8453 thereby advancing themselves in the group to a position where
8454 such members in turn receive fees, dues, or things of material
8455 value from other members, is ~~hereby~~ declared to be a lottery. A
8456 person who participates, ~~and whoever shall participate~~ in any
8457 such lottery by becoming a member of, or affiliating with, any
8458 such group or organization or who solicits ~~shall solicit~~ any
8459 person for membership or affiliation in any such group or
8460 organization commits a misdemeanor of the first degree,
8461 punishable as provided in s. 775.082 or s. 775.083.

8462 (2) A ~~"pyramid sales scheme,"~~ which is Any sales or
8463 marketing plan or operation whereby a person pays a
8464 consideration of any kind, or makes an investment of any kind,
8465 in excess of \$100 and acquires the opportunity to receive a
8466 benefit or thing of value that ~~which~~ is not primarily contingent
8467 on the volume or quantity of goods, services, or other property
8468 sold in bona fide sales to consumers, and that ~~which~~ is related
8469 to the inducement of additional persons, by himself or herself
8470 or others, regardless of number, to participate in the same
8471 sales or marketing plan or operation, ~~is hereby~~ declared to be a
8472 pyramid sales scheme and a lottery. A person who participates,
8473 ~~and whoever shall participate~~ in any such lottery by becoming a
8474 member of or affiliating with, ~~any such group or organization or~~
8475 who solicits ~~shall solicit~~ any person for membership or
8476 affiliation in any such group or organization commits a

8477 | misdemeanor of the first degree, punishable as provided in s.
 8478 | 775.082 or s. 775.083. For purposes of this subsection, the term
 8479 | "consideration" and the term "investment" do not include the
 8480 | purchase of goods or services furnished at cost for use in
 8481 | making sales, but not for resale, or time and effort spent in
 8482 | the pursuit of sales or recruiting activities.

8483 | Section 132. Effective October 1, 2014, section 849.0915,
 8484 | Florida Statutes, is amended to read:

8485 | 849.0915 Referral selling.—

8486 | (1) Giving or offering ~~Referral selling, whereby the~~
 8487 | ~~seller gives or offers~~ a rebate or discount to a ~~the~~ buyer as an
 8488 | inducement for a sale in consideration of the buyer's providing
 8489 | the seller with the names of prospective purchasers, ~~is declared~~
 8490 | to be referral selling and a lottery if earning the rebate or
 8491 | discount is contingent upon the occurrence of an event
 8492 | subsequent to the time the buyer agrees to buy.

8493 | (2) A ~~Any~~ person who conducts ~~conducting~~ a lottery by
 8494 | referral selling commits ~~is guilty of~~ a misdemeanor of the first
 8495 | degree, punishable as provided in s. 775.082 or s. 775.083.

8496 | (3) In addition to the penalty provided in this section
 8497 | ~~herein~~, the Attorney General and her or his assistants, the
 8498 | state attorneys and their assistants, and the Division of
 8499 | Consumer Services of the Department of Agriculture and Consumer
 8500 | Services may ~~are authorized to~~ apply to the circuit court within
 8501 | their respective jurisdictions, and such court shall have
 8502 | jurisdiction, upon hearing and for cause shown, to grant a

8503 temporary or permanent injunction restraining any person from
 8504 violating ~~the provisions of~~ this section, regardless of whether
 8505 ~~or not there exists~~ an adequate remedy at law exists, and such
 8506 injunction shall issue without bond.

8507 Section 133. Effective October 1, 2014, section 849.10,
 8508 Florida Statutes, is repealed.

8509 Section 134. Effective October 1, 2014, section 849.11,
 8510 Florida Statutes, is amended, and section 849.12, Florida
 8511 Statutes, is transferred and renumbered as subsection (2) of
 8512 section 849.11, Florida Statutes, to read:

8513 849.11 Plays at games of chance by lot.—

8514 (1) A person who ~~whoever~~ sets up, promotes, or plays at
 8515 any game of chance by lot or with dice, cards, numbers, hazards,
 8516 or any other gambling device ~~whatever for, or~~ for the disposal
 8517 of money or other thing of value or under the pretext of a sale,
 8518 gift, or delivery thereof, or for any right, share, or interest
 8519 therein ~~commits, shall be guilty of~~ a misdemeanor of the second
 8520 degree, punishable as provided in s. 775.082 or s. 775.083. A
 8521 person who commits a second violation of this section commits a
 8522 misdemeanor of the first degree, punishable as provided in s.
 8523 775.082 or s. 775.083.

8524 ~~849.12 Money and prizes to be forfeited.—~~

8525 (2) All sums of money and every other valuable thing drawn
 8526 and won as a prize, ~~or~~ as a share of a prize, or as a share,
 8527 percentage, or profit of the principal promoter or operator, in
 8528 any lottery, and all money, currency, or property of any kind to

8529 be disposed of, or offered to be disposed of, by chance or
 8530 device in any scheme or under any pretext by any person, and all
 8531 sums of money or other thing of value received by any person by
 8532 reason of her or his being the owner or holder of any ticket or
 8533 share of a ticket in a lottery, or pretended lottery, or of a
 8534 share or right in any such schemes of chance or device and all
 8535 sums of money and other thing of value used in the setting up,
 8536 conducting, or operation of a lottery, and all money or other
 8537 thing of value at stake, or used or displayed in or in
 8538 connection with any illegal gambling or any illegal gambling
 8539 device contrary to the laws of this state, shall be forfeited,
 8540 and may be recovered by civil proceedings, filed, or by action
 8541 for money had and received, to be brought by the Department of
 8542 Legal Affairs or any state attorney, or other prosecuting
 8543 officer, in the circuit courts in the name and on behalf of the
 8544 state; the same to be applied when collected as all other penal
 8545 forfeitures are disposed of.

8546 Section 135. Effective October 1, 2014, section 849.13,
 8547 Florida Statutes, is repealed.

8548 Section 136. Effective October 1, 2014, section 849.14,
 8549 Florida Statutes, is amended to read:

8550 849.14 ~~Unlawful to~~ Bet on result of trial or contest of
 8551 skill, ~~etc.~~ A person who ~~Whoever~~ stakes, bets, or wagers any
 8552 money or other thing of value upon the result of any trial or
 8553 contest of skill, speed, or power or endurance of human or
 8554 beast; ~~or who~~ who ~~whoever~~ receives in any manner whatsoever any

8555 money or other thing of value staked, bet, or wagered, or
 8556 offered for the purpose of being staked, bet, or wagered, by or
 8557 for any other person upon any such result; ~~or~~ who ~~whoever~~
 8558 knowingly becomes the custodian or depository of any money or
 8559 other thing of value so staked, bet, or wagered upon any such
 8560 result; ~~or~~ who ~~whoever~~ aids, ~~or~~ assists, or abets in any manner
 8561 in any of such acts commits ~~all of which are hereby forbidden,~~
 8562 ~~shall be guilty of a misdemeanor of the second degree,~~
 8563 punishable as provided in s. 775.082 or s. 775.083.

8564 Section 137. Effective October 1, 2014, section 849.15,
 8565 Florida Statutes, is amended, and sections 849.16, 849.17,
 8566 849.18, 849.19, 849.20, 849.21, 849.22, 849.23, and 849.235,
 8567 Florida Statutes, are transferred and renumbered as subsections
 8568 (3) through (11), respectively, of section 849.15, Florida
 8569 Statutes, and amended, to read:

8570 849.15 Slot machine or device ~~Manufacture, sale,~~
 8571 ~~possession, etc., of coin-operated devices prohibited.-~~

8572 (1) It is unlawful:

8573 (a) To manufacture, own, store, keep, possess, sell, rent,
 8574 lease, let on shares, lend or give away, transport, or expose
 8575 for sale or lease, or to offer to sell, rent, lease, let on
 8576 shares, lend or give away, or permit the operation of any slot
 8577 machine or device or any part thereof; ~~or~~

8578 (b) For a any person to permit any slot machine or device
 8579 or any part thereof to be placed, maintained, ~~or~~ used, or kept
 8580 in any room, space, or building owned, leased, or occupied by

8581 the person or under the person's management or control, ~~any slot~~
8582 ~~machine or device or any part thereof; or~~

8583 (c) ~~(b)~~ To make or to permit to be made with any person any
8584 agreement with reference to any slot machine or device, pursuant
8585 to which the user thereof, as a result of any element of chance
8586 or other outcome unpredictable to him or her, may become
8587 entitled to receive any money, credit, allowance, or thing of
8588 value or additional chance or right to use such machine or
8589 device, or to receive any check, slug, token, or memorandum
8590 entitling the holder to receive any money, credit, allowance, or
8591 thing of value.

8592 (2) Pursuant to ~~section 2 of that chapter of the Congress~~
8593 ~~of the United States entitled "An act to prohibit transportation~~
8594 ~~of gaming devices in interstate and foreign commerce," approved~~
8595 ~~January 2, 1951, being ch. 1194, 64 Stat. 1134, and also~~
8596 ~~designated as 15 U.S.C. s. 1172 ss. 1171-1177, the State of~~
8597 ~~Florida, acting by and through the duly elected and qualified~~
8598 ~~members of its Legislature, does hereby in this section, and in~~
8599 ~~accordance with and in compliance with the provisions of section~~
8600 ~~2 of such chapter of Congress, declare and proclaim that any~~
8601 ~~county of the State of Florida within which slot machine gaming~~
8602 is authorized pursuant to chapter 551 is exempt from ~~the~~
8603 ~~provisions of section 2 of that chapter of the Congress of the~~
8604 ~~United States entitled "An act to prohibit transportation of~~
8605 ~~gaming devices in interstate and foreign commerce," designated~~
8606 ~~as 15 U.S.C. ss. 1171-1177, approved January 2, 1951. All~~

8607 shipments of gaming devices, including slot machines, into any
8608 county of this state within which slot machine gaming is
8609 authorized pursuant to chapter 551 and the registering,
8610 recording, and labeling of which have been duly performed by the
8611 manufacturer or distributor thereof in accordance with ~~sections~~
8612 ~~3 and 4 of that chapter of the Congress of the United States~~
8613 ~~entitled "An act to prohibit transportation of gaming devices in~~
8614 ~~interstate and foreign commerce," approved January 2, 1951,~~
8615 ~~being ch. 1194, 64 Stat. 1134, and also designated as 15 U.S.C.~~
8616 ~~ss. 1173 and 1174 are 1171-1177, shall be deemed~~ legal shipments
8617 thereof into this state if ~~provided~~ the destination of such
8618 shipments is an eligible facility as defined in s. 551.102 or
8619 the facility of a slot machine manufacturer or slot machine
8620 distributor as provided in s. 551.109(2) (a).

8621 ~~849.16 Machines or devices which come within provisions of~~
8622 ~~law defined.—~~

8623 (3) (a) (1) ~~(1)~~ As used in this section ~~chapter~~, the term "slot
8624 machine or device" means any machine or device or system or
8625 network of devices that is adapted for use in such a way that,
8626 upon activation, which may be achieved by, but is not limited
8627 to, the insertion of any piece of money, coin, account number,
8628 code, or other object or information, such device or system is
8629 directly or indirectly caused to operate or may be operated and
8630 ~~if~~ the user, whether by application of skill or by reason of any
8631 element of chance or any other outcome unpredictable by the
8632 user, may:

8633 1.(a) Receive or become entitled to receive any piece of
8634 money, credit, allowance, or thing of value, or any check, slug,
8635 token, or memorandum, whether of value or otherwise, that ~~which~~
8636 may be exchanged for any money, credit, allowance, or thing of
8637 value or that ~~which~~ may be given in trade; or

8638 2.(b) Secure additional chances or rights to use such
8639 machine, apparatus, or device,

8640
8641 even though the device or system may be available for free play
8642 or, in addition to any element of chance or unpredictable
8643 outcome of such operation, may also sell, deliver, or present
8644 some merchandise, indication of weight, entertainment, or other
8645 thing of value. The term "slot machine or device" includes, but
8646 is not limited to, devices regulated as slot machines pursuant
8647 to chapter 551.

8648 (b)(2) This section does not apply ~~chapter may not be~~
8649 ~~construed, interpreted, or applied~~ to the possession of a
8650 reverse vending machine. As used in this section, the term
8651 "reverse vending machine" means a machine into which empty
8652 beverage containers are deposited for recycling and that ~~which~~
8653 provides a payment of money, merchandise, vouchers, or other
8654 incentives. At a frequency less than upon the deposit of each
8655 beverage container, a reverse vending machine may pay out a
8656 random incentive bonus greater than that guaranteed payment in
8657 the form of money, merchandise, vouchers, or other incentives.
8658 The deposit of an ~~any~~ empty beverage container into a reverse

8659 vending machine is ~~does~~ not a ~~constitute~~ consideration, and a
 8660 reverse vending machine is ~~may~~ not ~~be deemed~~ a slot machine as
 8661 defined in this section.

8662 ~~(c)(3)~~ There is a rebuttable presumption that a device,
 8663 system, or network is a prohibited slot machine or device if it
 8664 is used to display images of games of chance and is part of a
 8665 scheme involving any payment or donation of money or its
 8666 equivalent and awarding anything of value.

8667 ~~849.17 Confiscation of machines by arresting officer.—~~

8668 (4) Upon the arrest of any person charged with a ~~the~~
 8669 violation of this section, ~~any of the provisions of ss. 849.15—~~
 8670 ~~849.23~~ the arresting officer shall take into his or her custody
 8671 any such machine, apparatus, or device, and its contents, and
 8672 the arresting agency, at the place of seizure, shall make a
 8673 complete and correct list and inventory of all such things ~~so~~
 8674 taken into ~~his or her~~ custody, ~~and~~ deliver to the person from
 8675 whom such article or articles ~~may~~ have been seized, ~~a~~ true copy
 8676 of the list of all such articles. The arresting agency shall
 8677 retain all evidence seized and ~~shall~~ have such evidence provided
 8678 for the same ~~forthcoming at~~ any investigation, prosecution, or
 8679 other proceedings relating to the, ~~incident to charges of~~
 8680 violation ~~of any of the provisions of ss. 849.15—849.23.~~

8681 ~~849.18 Disposition of machines upon conviction.—~~

8682 (5) Upon conviction of a ~~the~~ person arrested for a ~~the~~
 8683 violation of this section ~~any of the provisions of ss. 849.15—~~
 8684 ~~849.23~~, the judge of the court trying the case, after such

8685 notice to the person convicted, and to any other person whom the
 8686 judge determines ~~may be of the opinion~~ is entitled to such
 8687 notice, ~~and~~ as the judge deems ~~may deem~~ reasonable, shall issue
 8688 to the sheriff of the county a written order ~~adjudging and~~
 8689 declaring any such seized machine, apparatus, or device
 8690 forfeited, ~~and directing the such~~ sheriff to destroy the same,
 8691 with the exception of any the money seized. The order of the
 8692 court shall state the time, and place, ~~and the~~ manner in which
 8693 the such property shall be destroyed, and the sheriff shall
 8694 destroy the seized property same in the presence of the clerk of
 8695 the circuit court of such county.

8696 ~~849.19 Property rights in confiscated machine.—~~

8697 (6) The right of property in and to any machine,
 8698 apparatus, or device as defined in subsection (4) s. 849.16 and
 8699 to all money and other things of value therein, ~~is declared not~~
 8700 to exist in any person, and such machine, apparatus, or device
 8701 ~~the same shall be forfeited~~ and such money or other things of
 8702 value shall be forfeited to the county in which the seizure was
 8703 made and shall be delivered forthwith to the clerk of the
 8704 circuit court. The clerk and shall place such money or other
 8705 things of value by her or him be placed in the fine and
 8706 forfeiture fund of the said county.

8707 ~~849.20 Machines and devices declared nuisance; place of~~
 8708 ~~operation subject to lien for fine.—~~

8709 (7) Any room, house, building, boat, vehicle, structure,
 8710 or place in which ~~wherein~~ any machine or device, or any part

8711 thereof, the possession, operation, or use of which is
8712 prohibited by this section is ~~ss. 849.15-849.23~~, shall be
8713 maintained or operated, and each of such machines or devices, is
8714 declared to be a common nuisance. If a person has knowledge, ~~or~~
8715 reason to believe, ~~that~~ his or her room, house, building, boat,
8716 vehicle, structure, or place is occupied or used in violation of
8717 this section ~~the provisions of ss. 849.15-849.23~~ and by
8718 acquiescence or consent allows ~~suffers~~ the same to be used, such
8719 room, house, building, boat, vehicle, structure, or place shall
8720 be subject to a lien for and may be sold to pay all fines or
8721 costs assessed against the person guilty of such nuisance, ~~for~~
8722 such violation, and the several state attorneys shall enforce
8723 such lien in the courts of this state having jurisdiction.

8724 ~~849.21 Injunction to restrain violation.~~

8725 (8) An action to enjoin any nuisance as ~~herein~~ defined in
8726 this section may be brought by any person in the courts of
8727 equity in this state. If it is made to appear by affidavit or
8728 otherwise, ~~to~~ the satisfaction of the court, ~~or~~ judge in
8729 vacation, ~~that~~ such nuisance exists, a temporary writ of
8730 injunction shall forthwith issue restraining the defendant from
8731 conducting or permitting the continuance of such nuisance until
8732 the conclusion of the action. Upon application of the
8733 complainant in such a proceeding, the court or judge may also
8734 enter an order restraining the defendant and all other persons
8735 from removing, ~~or~~ in any way interfering with the machines or
8736 devices or other things used in connection with the violation of

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8737 this section ~~ss. 849.15-849.23~~ constituting such a nuisance. A
 8738 ~~No bond is not shall be~~ required in instituting such
 8739 proceedings.

8740 ~~849.22 Fees of clerk of circuit court and sheriff.~~

8741 (9) The clerks of the court ~~courts~~ and the sheriffs
 8742 performing duties under this section ~~the provisions of ss.~~
 8743 ~~849.15-849.23~~ shall receive the same fees as prescribed by
 8744 general law for the performance of similar duties, and such fees
 8745 shall be paid out of the fine and forfeiture fund of the county
 8746 as costs are paid upon conviction of an insolvent person.

8747 ~~849.23 Penalty for violations of ss. 849.15-849.22.~~

8748 (10) A person who violates this section ~~commits~~ ~~Whoever~~
 8749 ~~shall violate any of the provisions of ss. 849.15-849.22 shall,~~
 8750 ~~upon conviction thereof, be guilty of~~ a misdemeanor of the
 8751 second degree, punishable as provided in s. 775.082 or s.
 8752 775.083. A person who commits a second violation of this section
 8753 commits ~~Any person convicted of violating any provision of ss.~~
 8754 ~~849.15-849.22, a second time shall, upon conviction thereof, be~~
 8755 ~~guilty of~~ a misdemeanor of the first degree, punishable as
 8756 provided in s. 775.082 or s. 775.083. A person who commits a
 8757 third violation of this section is ~~Any person violating any~~
 8758 ~~provision of ss. 849.15-849.22 after having been twice convicted~~
 8759 ~~already shall be deemed a "common offender," and~~ commits ~~shall~~
 8760 ~~be guilty of~~ a felony of the third degree, punishable as
 8761 provided in s. 775.082, s. 775.083, or s. 775.084.

8762 ~~849.235 Possession of certain gambling devices; defense.~~

8763 (11) (a) (1) It is a defense to any action or prosecution
 8764 under this section and s. 849.231 ~~ss. 849.15-849.233~~ for the
 8765 possession of any gambling device specified in this section and
 8766 s. 849.231 ~~therein~~ that the device is an antique slot machine
 8767 and that it is not being used for gambling. For the purpose of
 8768 this section, an antique slot machine is one that ~~which~~ was
 8769 manufactured at least 20 years before ~~prior to~~ such action or
 8770 prosecution.

8771 (b) (2) Notwithstanding any other provision of law ~~this~~
 8772 ~~chapter~~ to the contrary, upon a successful defense to a
 8773 prosecution for the possession of a gambling device pursuant to
 8774 ~~the provisions of~~ this section, the antique slot machine shall
 8775 be returned to the person from whom it was seized.

8776 Section 138. Effective October 1, 2014, section 849.231,
 8777 Florida Statutes, is amended, and sections 849.232 and 849.233,
 8778 Florida Statutes, are transferred and renumbered as subsections
 8779 (2) and (3), respectively, of section 849.231, Florida Statutes,
 8780 and amended, to read:

8781 849.231 Gambling devices; manufacture, sale, purchase or
 8782 possession unlawful; penalties.-

8783 (1) (a) ~~Except in instances when the following described~~
 8784 ~~implements or apparatus are being held or transported by~~
 8785 ~~authorized persons for the purpose of destruction, as~~
 8786 ~~hereinafter provided, and except in instances when the following~~
 8787 ~~described instruments or apparatus are being held, sold,~~
 8788 ~~transported, or manufactured by persons who have registered with~~

8789 ~~the United States Government pursuant to the provisions of Title~~
8790 ~~15 of the United States Code, ss. 1171 et seq., as amended, so~~
8791 ~~long as the described implements or apparatus are not displayed~~
8792 ~~to the general public, sold for use in Florida, or held or~~
8793 ~~manufactured in contravention of the requirements of 15 U.S.C.~~
8794 ~~ss. 1171 et seq.,~~ It is shall be unlawful for any person to
8795 manufacture, sell, transport, offer for sale, purchase, own, or
8796 have in his or her possession any roulette wheel or table, faro
8797 layout, crap table or layout, chemin de fer table or layout,
8798 chuck-a-luck wheel, bird cage such as used for gambling, bolita
8799 balls, chips with house markings, or any other device,
8800 implement, apparatus, or paraphernalia ordinarily or commonly
8801 used or designed to be used in the operation of gambling houses
8802 or establishments, excepting ordinary dice and playing cards.

8803 (b)(2) In addition to any other penalties provided for a
8804 ~~the~~ violation of this section, any occupational license held by
8805 a person found guilty of violating this section shall be
8806 suspended for a period not to exceed 5 years.

8807 (c)1. This section does not apply to implements or
8808 apparatus being held or transported by authorized persons for
8809 the purpose of destruction, as provided in this section, or when
8810 the implements or apparatus are being held, sold, transported,
8811 or manufactured by persons who have registered with the Federal
8812 Government pursuant to 15 U.S.C. ss. 1171 et seq., as amended,
8813 so long as the described implements or apparatus are not
8814 displayed to the general public, sold for use in this state, or

8815 held or manufactured in contravention of the requirements of 15
 8816 U.S.C. ss. 1171 et seq.

8817 2.~~(3)~~ This section and s. 849.01(4) ~~849.05~~ do not apply to
 8818 a vessel of foreign registry or a vessel operated under the
 8819 authority of a country except the United States, while docked in
 8820 this state or transiting in the territorial waters of this
 8821 state.

8822 ~~849.232 Property right in gambling devices; confiscation.—~~

8823 (2) There is ~~shall be~~ no right of property in any of the
 8824 implements or devices enumerated or included in subsection (1).
 8825 ~~s. 849.231~~ and Upon the seizure of any such implement, device,
 8826 apparatus, or paraphernalia by an authorized enforcement
 8827 officer, the same shall be delivered to and held by the clerk of
 8828 the court having jurisdiction of such offenses and may ~~shall~~ not
 8829 be released by the ~~such~~ clerk until he or she is ~~shall be~~
 8830 advised by the prosecuting officer of the ~~such~~ court that the
 8831 ~~said~~ implement is no longer required as evidence. and thereupon
 8832 The ~~said~~ clerk shall then deliver the ~~said~~ implement to the
 8833 sheriff of the county, who shall immediately cause the
 8834 destruction of such implement in the presence of the ~~said~~ clerk
 8835 or his or her authorized deputy.

8836 ~~849.233 Penalty for violation of s. 849.231.—~~

8837 (3) Any person, including any enforcement officer, clerk,
 8838 or prosecuting official, who violates this section commits ~~shall~~
 8839 ~~violate the provisions of s. 849.231~~ shall be guilty of a
 8840 misdemeanor of the first degree, punishable as provided in s.

8841 775.082 or s. 775.083.

8842 Section 139. Effective October 1, 2014, section 849.25,
8843 Florida Statutes, is amended to read:

8844 849.25 "Bookmaking" defined; penalties; exceptions.—

8845 (1) (a) The term "bookmaking" means the act of taking or
8846 receiving, while engaged in the business or profession of
8847 gambling, any bet or wager upon the result of any trial or
8848 contest of skill, speed, power, or endurance of human, beast,
8849 fowl, motor vehicle, or mechanical apparatus or upon the result
8850 of any chance, casualty, unknown, or contingent event
8851 whatsoever.

8852 (b) The following factors shall be considered in
8853 determining whether ~~making a determination that~~ a person has
8854 engaged in the offense of bookmaking:

8855 1. Taking advantage of betting odds created to produce a
8856 profit for the bookmaker or charging a percentage on accepted
8857 wagers.

8858 2. Placing all or part of accepted wagers with other
8859 bookmakers to reduce the chance of financial loss.

8860 3. Taking or receiving more than five wagers in any single
8861 day.

8862 4. Taking or receiving wagers totaling more than \$500 in
8863 any single day~~7~~ or more than \$1,500 in any single week.

8864 5. Engaging in a common scheme with two or more persons to
8865 take or receive wagers.

8866 6. Taking or receiving wagers on both sides on a contest

8867 at the identical point spread.

8868 7. Any other factor relevant to establishing that the
8869 operating procedures of such person are commercial in nature.

8870 (c) The existence of any two factors listed in paragraph
8871 (b) may constitute prima facie evidence of a commercial
8872 bookmaking operation.

8873 (2) A ~~Any~~ person who engages in bookmaking commits ~~shall~~
8874 ~~be guilty of~~ a felony of the third degree, punishable as
8875 provided in s. 775.082, s. 775.083, or s. 775.084.

8876 Notwithstanding ~~the provisions of~~ s. 948.01, a ~~any~~ person
8877 convicted under ~~the provisions of~~ this subsection may ~~shall~~ not
8878 have adjudication of guilt suspended, deferred, or withheld.

8879 (3) A ~~Any~~ person who commits a second violation ~~has been~~
8880 ~~convicted of bookmaking and thereafter violates the provisions~~
8881 of this section commits ~~shall be guilty of~~ a felony of the
8882 second degree, punishable as provided in s. 775.082, s. 775.083,
8883 or s. 775.084. Notwithstanding ~~the provisions of~~ s. 948.01, a
8884 ~~any~~ person convicted under ~~the provisions of~~ this subsection may
8885 ~~shall~~ not have adjudication of guilt suspended, deferred, or
8886 withheld.

8887 (4) Notwithstanding the provisions of s. 777.04, a ~~any~~
8888 person who commits ~~is guilty of~~ conspiracy to commit bookmaking
8889 is ~~shall be~~ subject to the penalties imposed by subsections (2)
8890 and (3).

8891 (5) This section does ~~shall~~ not apply to pari-mutuel
8892 wagering ~~in Florida~~ as authorized under chapter 550.

8893 ~~(6) This section shall not apply to any prosecutions filed~~
 8894 ~~and pending at the time of the passage hereof, but all such~~
 8895 ~~cases shall be disposed of under existing laws at the time of~~
 8896 ~~the institution of such prosecutions.~~

8897 Section 140. Effective October 1, 2014, section 849.26,
 8898 Florida Statutes, is amended, and sections 849.29, 849.30,
 8899 849.31, 849.32, 849.33, and 849.34, Florida Statutes, are
 8900 transferred and renumbered as subsections (2) through (7),
 8901 respectively, of section 849.26, Florida Statutes, and amended,
 8902 to read

8903 849.26 Gambling contracts ~~declared void; exception.—~~

8904 (1) All promises, agreements, notes, bills, bonds or other
 8905 contracts, or mortgages or other securities, when the whole or
 8906 part of the consideration is ~~if~~ for money or other valuable
 8907 thing won or lost, laid, staked, betted, or wagered in any
 8908 gambling transaction ~~whatsoever~~, regardless of its name or
 8909 nature, whether ~~heretofore~~ prohibited or not prohibited, or for
 8910 the repayment of money lent or advanced at the time of a
 8911 gambling transaction for the purpose of being laid, betted,
 8912 staked, or wagered, are void and of no effect. ~~;~~ ~~provided, that~~
 8913 This section does ~~act shall~~ not apply to wagering on pari-
 8914 mutuels or any gambling transaction expressly authorized by law.

8915 ~~849.29 Persons against whom suits may be brought to~~
 8916 ~~recover on gambling contracts.—~~

8917 (2) The following persons shall be jointly and severally
 8918 liable for the items that ~~which~~ are authorized by this section

8919 ~~act~~ to be sued for and recovered, and any suit brought under the
 8920 authorization of this section ~~act~~ may be brought against all or
 8921 any of such persons, ~~to wit:~~

8922 (a) The winner of the money or property lost in the
 8923 gambling transaction;

8924 (b) Every person who, having direct or indirect charge,
 8925 control, or management, either exclusively or with others, of
 8926 the place where the gambling transaction occurs, procures,
 8927 allows, ~~suffers~~ or permits such place to be used for gambling
 8928 purposes;

8929 (c) Whoever promotes, sets up, or conducts the gambling
 8930 transaction in which the loss occurs or has an interest in it as
 8931 backer, vendor, owner, or otherwise; ~~and,~~

8932 (d) As to anything of value other than money, the
 8933 transferees and assignees, with notice, of the persons
 8934 ~~hereinabove~~ specified in paragraphs (a)-(c) ~~this section;~~ and

8935 (e) The personal representatives of the persons specified
 8936 in paragraphs (a)-(c) ~~this section.~~

8937 ~~849.30 Plaintiff entitled to writs of attachment,
 8938 garnishment and replevin.~~

8939 (3) In any suit under this section ~~ss. 849.26-849.34,~~ the
 8940 plaintiff shall be entitled to writs of attachment and
 8941 garnishment for the sums of money, exclusive of attorney
 8942 ~~attorney's~~ fees, sued for the use and benefit of persons other
 8943 than the state, in the same manner and to the same extent as in
 8944 an action on contract. ~~and,~~ In any suit under this section

8945 ~~chapter~~ for the recovery of a thing of value other than money,
 8946 the plaintiff shall be entitled to a writ of replevin for the
 8947 recovery of such thing of value, in the manner and to the extent
 8948 provided by the replevin statutes of the state.

8949 ~~849.31 Loser's testimony not to be used against her or~~
 8950 ~~him.~~

8951 (4) ~~If a~~ ~~In the event that~~ suit is brought under this
 8952 section ~~the authorization of ss. 849.26-849.34~~ by someone other
 8953 than the loser of the money or thing of value involved in the
 8954 suit, such loser shall not be excused from being required to
 8955 attend and testify or produce any book, paper, or other document
 8956 or evidence in such suit, ~~upon the ground or for the reason that~~
 8957 the testimony or evidence required of the loser may tend to
 8958 convict her or him of a crime or to subject her or him to a
 8959 penalty or forfeiture, but the loser shall not be prosecuted or
 8960 subjected to any penalty or forfeiture for or on account of any
 8961 transaction, matter, or thing concerning which she or he may so
 8962 be required to testify or produce evidence, and no testimony so
 8963 given or produced shall be received against the loser upon any
 8964 criminal investigation or prosecution. If the loser of money or
 8965 thing of value involved in a suit brought under this section
 8966 ~~authorization of ss. 849.26-849.34~~, whether by her or him or by
 8967 someone else, voluntarily attends or produces evidence in such
 8968 suit, the loser shall not be prosecuted or subjected to any
 8969 penalty for or on account of any transaction, matter, or thing
 8970 concerning which she or he may so testify or produce evidence,

8971 and no testimony so given or produced shall be received against
 8972 her or him upon any criminal investigation or prosecution. Also,
 8973 neither the fact of the bringing of suit under this section ~~act~~
 8974 by a loser nor any statement or admission in her or his
 8975 pleadings which is material and relevant to the subject matter
 8976 of the suit shall be received against the loser upon any
 8977 criminal investigation or proceeding.

8978 ~~849.32 Notice to state attorney; prosecution of suit.—~~

8979 (5) The summons in any such suit, ~~and~~ copies of all
 8980 pleadings and notices of all hearings in the suit, and notice of
 8981 the trial and of application for the entry of final judgment,
 8982 shall be served on the state attorney, who ~~whose duty it~~ shall
 8983 ~~be to~~ protect the interests of the state and, if the plaintiff
 8984 fails to diligently prosecute the suit, ~~to~~ bring such failure to
 8985 the attention of the court. If the plaintiff fails to
 8986 effectively prosecute any such suit without collusion or deceit
 8987 and without unnecessary delay, the court shall direct the state
 8988 attorney to proceed with the action. ~~No~~ Such suit may not ~~shall~~
 8989 be dismissed except upon a sworn statement filed by the
 8990 plaintiff or the state attorney which satisfies the court that
 8991 the suit should be dismissed.

8992 ~~849.33 Judgment and collection of money; execution.—~~

8993 (6) Any judgment recovered in such a suit shall adjudge
 8994 separately the amounts recovered for the use of the state, ~~and~~
 8995 the plaintiff shall not have execution therefor, and such
 8996 amounts may ~~shall~~ not be paid to the plaintiff, but shall be

8997 payable to the state attorney, who shall promptly transmit the
 8998 sums collected by him or her to the Chief Financial Officer. The
 8999 state attorney shall diligently seek the collection of such
 9000 amounts and may cause a separate execution to issue for the
 9001 collection thereof.

9002 ~~849.34 Loser's judgment; recovery of property; writ of~~
 9003 ~~assistance.~~

9004 (7) If the plaintiff in any such suit seeks ~~seek~~ to
 9005 recover property lost, and prevails ~~if the plaintiff shall~~
 9006 ~~prevail~~ as to any such property, he or she shall take judgment
 9007 for the property itself and for the value thereof, the judgment
 9008 as to such property to be satisfied by the recovery of the
 9009 property or of the value thereof. The plaintiff may, at his or
 9010 her option, sue out a separate writ of possession for the
 9011 property and a separate execution for any other moneys and costs
 9012 adjudged in his or her favor, or ~~the plaintiff~~ may sue out an
 9013 execution for the value of the property and any other moneys and
 9014 costs adjudged in his or her favor. If the plaintiff elects
 9015 ~~elect~~ to sue out a writ of possession for the property, and ~~if~~
 9016 ~~the officer shall return that he or she~~ is unable to find the
 9017 ~~property, or any of it,~~ the plaintiff may ~~thereupon~~ sue out
 9018 execution for the value of the property not found. In any
 9019 proceeding to ascertain the value of the property, the value of
 9020 each article shall be found so that judgment for such value may
 9021 be entered.

9022 Section 141. Effective October 1, 2014, section 849.35,

9023 Florida Statutes, is amended, and sections 849.36, 849.37,
 9024 849.38, 849.39, 849.40, 849.41, 849.42, 849.43, 849.44, 849.45,
 9025 and 849.46, Florida Statutes, are transferred and renumbered as
 9026 subsections (2) through (12), respectively, of section 849.35,
 9027 Florida Statutes, and amended, to read:

9028 849.35 Seizure and forfeiture of property used in the
 9029 violation of lottery and gambling statutes.—

9030 (1) DEFINITIONS.—As used in this section, the term ~~In~~
 9031 construing ~~ss. 849.36-849.46~~ and each and every word, phrase, or
 9032 part thereof, where the context permits:

9033 ~~(1) The singular includes the plural and vice versa.~~

9034 ~~(2) Gender-specific language includes the other gender and~~
 9035 ~~neuter.~~

9036 (a) (3)—The term "Vessel" includes every description of
 9037 watercraft, vessel, or contrivance used, or capable of being
 9038 used, as a means of transportation in or on water, or in or on
 9039 the water and in the air.

9040 (b) (4)—The term "Vehicle" includes every description of
 9041 vehicle, carriage, animal, or contrivance used, or capable of
 9042 being used, as a means of transportation on land, in the air, or
 9043 on land and in the air.

9044 (c) (5)—The term "Gambling paraphernalia" includes every
 9045 description of apparatus, implement, machine, device, or
 9046 contrivance used in, or in connection with, any violation of the
 9047 lottery, gaming, and gambling statutes and laws of this state,
 9048 except facilities and equipment furnished by a public utility in

9049 the regular course of business ~~that, and which~~ remain the
 9050 property of such utility while so furnished.

9051 ~~(d) (6) The term "Lottery ticket" includes shall include~~
 9052 every ticket, token, emblem, card, paper, or other evidence of a
 9053 chance, interest, prize, or share in, ~~or~~ or in connection with any
 9054 lottery, game of chance, or hazard or other things in violation
 9055 of the lottery and gambling statutes and laws of this state
 9056 (including bolita, cuba, bond, New York bond, butter and eggs,
 9057 night house, and other ~~like and~~ similar operations, but not
 9058 excluding others). The ~~said~~ term ~~shall~~ also includes ~~include~~ so-
 9059 called "rundown sheets," tally sheets, and all other papers,
 9060 records, instruments, and things designed for use, either
 9061 directly or indirectly, ~~in, or in connection with,~~ the violation
 9062 of the statutes and laws of this state prohibiting lotteries and
 9063 gambling in this state.

9064 (2) ~~849.36~~ SEIZURE AND FORFEITURE OF PROPERTY ~~used in the~~
 9065 ~~violation of lottery and gambling statutes.-~~

9066 ~~(a) (1)~~ Every vessel or vehicle used for, or in connection
 9067 with, the removal, transportation, storage, deposit, or
 9068 concealment of any lottery tickets, or used in connection with
 9069 any lottery or game in violation of the statutes and laws of
 9070 this state is, ~~shall be~~ subject to seizure and forfeiture, as
 9071 provided by the Florida Contraband Forfeiture Act.

9072 ~~(b) (2)~~ All gambling paraphernalia and lottery tickets ~~as~~
 9073 ~~herein defined~~ used in connection with a lottery, gambling,
 9074 unlawful game of chance, or hazard, in violation of the statutes

9075 and laws of this state, found by an officer in searching a
 9076 vessel or vehicle used in the violation of the gambling laws
 9077 shall be safely kept so long as it is necessary for the purpose
 9078 of being used as evidence in any case, and, as soon as may be
 9079 practicable afterwards, shall be destroyed by order of the court
 9080 before whom the case is brought or certified to any other court
 9081 having jurisdiction, either state or federal.

9082 (c)(3) The presence of any lottery ticket in any vessel or
 9083 vehicle owned or being operated by any person charged with a
 9084 violation of the gambling laws of the state, shall be prima
 9085 facie evidence that such vessel or vehicle was or is being used
 9086 in connection with a violation of the lottery and gambling
 9087 statutes and laws of this state and as a means of removing,
 9088 transporting, depositing, or concealing lottery tickets and
 9089 shall be sufficient evidence for the seizure of such vessel or
 9090 vehicle.

9091 (d)(4) The presence of lottery tickets in any room or
 9092 place, including vessels and vehicles, shall be prima facie
 9093 evidence that such room, place, vessel, or vehicle, and all
 9094 gambling paraphernalia ~~apparatus, implements, machines,~~
 9095 ~~contrivances, or devices therein are, (herein referred to as~~
 9096 ~~"gambling paraphernalia")~~ capable of being used in connection
 9097 with a violation of the lottery and gambling statutes and laws
 9098 of this state and shall be sufficient evidence for the seizure
 9099 of such gambling paraphernalia.

9100 (e)(5) A ~~It shall be the duty of every peace officer in~~

9101 this state who finds ~~finding~~ any vessel, vehicle, or gambling
 9102 paraphernalia being used in violation of the statutes and laws
 9103 of this state shall ~~as aforesaid to~~ seize and take possession of
 9104 such property for disposition as ~~hereinafter~~ provided in this
 9105 section. ~~It shall also be the duty of every peace officer~~
 9106 ~~finding any such property being so used, in connection with any~~
 9107 ~~lawful search made by her or him, to seize and take possession~~
 9108 ~~of the same for disposition as hereinafter provided.~~

9109 (3) ~~849.37~~ DISPOSITION AND APPRAISAL OF PROPERTY ~~seized~~
 9110 ~~under this chapter.~~

9111 (a) ~~(1)~~ A Every peace officer, other than the sheriff, who
 9112 seizes ~~seizing~~ property pursuant to this section ~~the provisions~~
 9113 ~~of ss. 849.36-849.46~~ shall forthwith make return of the seizure
 9114 thereof and deliver the ~~said~~ property to the sheriff of the
 9115 county in which ~~wherein~~ the property ~~same~~ was seized. The ~~said~~
 9116 return to the sheriff shall describe the property seized, and
 9117 give in detail the facts and circumstances under which the
 9118 property ~~same~~ was seized, and state in full the reason ~~why~~ the
 9119 seizing officer knew, or was led to believe, that the ~~said~~
 9120 property was ~~being~~ used for or in connection with a violation of
 9121 the statutes and laws of this state prohibiting lotteries and
 9122 gambling in this state. The ~~said~~ return shall contain the names
 9123 of all persons, firms, and corporations known to the seizing
 9124 officer to be interested in the seized property.

9125 (b) ~~(2)~~ When property is seized by the sheriff pursuant to
 9126 this chapter, or when property seized by another is delivered to

9127 | the sheriff as provided in paragraph (a) ~~aforsaid~~, the sheriff
 9128 | shall forthwith fix the approximate value thereof and make
 9129 | return thereof to the clerk of the circuit court as ~~hereinafter~~
 9130 | provided in this section.

9131 | (c) ~~(3)~~ The return of the sheriff provided in paragraph (b)
 9132 | ~~aforsaid~~ shall describe ~~contain a schedule of~~ the property
 9133 | seized, ~~describing the same in reasonable detail and~~ give in
 9134 | detail the facts and circumstances under which the property ~~it~~
 9135 | was seized, and state in full the reason ~~why~~ the seizing officer
 9136 | knew or was led to believe that the property was being used for
 9137 | or in connection with a violation of the statutes and laws of
 9138 | this state prohibiting lotteries or gambling in this state. The
 9139 | return shall contain; ~~and a statement of~~ the names of all
 9140 | persons, firms, and corporations known to the sheriff to be
 9141 | interested in the seized property. ~~;~~ and In cases in which ~~where~~
 9142 | the ~~said~~ property was seized by another, the sheriff shall
 9143 | attach to his or her ~~said~~ return, as an exhibit thereto, the
 9144 | return of the seizing officer to the sheriff ~~him or her.~~

9145 | (d) ~~(4)~~ The sheriff shall hold the ~~said~~ property seized
 9146 | pending its disposal by the court as ~~hereinafter~~ provided in
 9147 | this section.

9148 | (4) ~~849.38~~ PROCEEDINGS FOR FORFEITURE; NOTICE OF SEIZURE
 9149 | AND ORDER TO SHOW CAUSE.—

9150 | (a) ~~(1)~~ The return of the sheriff ~~aforsaid~~ to the clerk of
 9151 | the circuit court shall be taken and considered as the state's
 9152 | petition or libel in rem for the forfeiture of the property

9153 therein described, of which the circuit court of the county
 9154 shall have jurisdiction without regard to value. The ~~said~~ return
 9155 shall be sufficient as the state's ~~said~~ petition or libel
 9156 notwithstanding the fact that it may contain no formal prayer or
 9157 demand for forfeiture, it being the intention of the Legislature
 9158 that forfeiture may be decreed without a formal prayer or demand
 9159 therefor. The ~~said~~ return shall be subject to amendment at any
 9160 time before final hearing, provided that copies thereof shall be
 9161 served upon all persons, firms, or corporations that ~~who~~ may
 9162 have filed a claim before ~~prior to~~ such amendment.

9163 (b)(2) Upon the filing of the ~~said~~ return, the clerk of
 9164 the circuit court shall issue a citation, directed to all
 9165 persons, firms, and corporations owning, having, or claiming an
 9166 interest in or a lien upon the seized property, giving notice of
 9167 the seizure and directing ~~that~~ all persons, firms, or
 9168 corporations owning, having, or claiming an interest therein or
 9169 lien thereon, to file their claim to, on, or in the ~~said~~
 9170 property within the time fixed in the ~~said~~ citation, as to
 9171 persons, firms, and corporations not personally served, and
 9172 within 20 days from personal service of the ~~said~~ citation, when
 9173 personal service is had. Personal service shall be made on all
 9174 parties, in Florida, having liens noted upon a certificate of
 9175 title as shown by the records in the office of the Department of
 9176 Highway Safety and Motor Vehicles.

9177 (c)(3) The ~~said~~ citation must ~~may~~ be ~~in,~~ ~~or~~ substantially
 9178 in, the following form:

9179 | IN THE CIRCUIT COURT OF THE JUDICIAL CIRCUIT, IN AND FOR
9180 | COUNTY, FLORIDA.

9181 | IN RE FORFEITURE OF THE FOLLOWING DESCRIBED PROPERTY:

9182 | (Here describe property)

9183 | THE STATE OF FLORIDA TO:

9184 | ALL PERSONS, FIRMS~~,~~ AND CORPORATIONS OWNING, HAVING~~,~~ OR
9185 | CLAIMING AN INTEREST IN OR LIEN ON THE ABOVE DESCRIBED PROPERTY.

9186 | YOU ~~AND EACH OF YOU~~ ARE hereby notified that the above
9187 | described property has been seized~~,~~ under and by virtue of
9188 | chapter, Laws of Florida, and is now in the possession of
9189 | the sheriff of this county, and you~~, and each of you,~~ are hereby
9190 | further notified that a petition~~,~~ under said chapter~~,~~ has been
9191 | filed in the Circuit Court of the Judicial Circuit, in and
9192 | for County, Florida, seeking the forfeiture of the ~~said~~
9193 | property, and you are hereby directed and required to file your
9194 | claim, if any ~~you have,~~ and show cause, on or before,
9195 | ...(year)..., if not personally served with process herein, and
9196 | within 20 days from personal service if personally served with
9197 | process herein, why the ~~said~~ property should not be forfeited
9198 | pursuant to ~~said~~ chapter, Laws of Florida, 1955. Should you
9199 | fail to file claim as herein directed~~,~~ judgment will be entered
9200 | herein against you in due course. Persons not personally served
9201 | with process may obtain a copy of the petition for forfeiture
9202 | filed herein from the undersigned clerk of court.

9203 | WITNESS my hand and the seal of the above mentioned court,
9204 | at Florida, this, ...(year)....

9205 (COURT SEAL)

9206 ... (Clerk of the above-mentioned Court.)...

9207 By ... (Deputy Clerk)...

9208 (d)(4) Such citation shall be returnable, as to persons

9209 served constructively, as therein directed, not less than 21 or

9210 ~~nor~~ more than 30 days, from the posting or publication thereof,

9211 and as to personally served with process, within 20 days from

9212 service thereof. A copy of the petition shall be served with the

9213 process when personally served. Personal service of process may

9214 be made in the same manner as a summons in chancery.

9215 (e)(5) If the value of the property seized is shown by the

9216 sheriff's return to have an appraised value of \$1,000 or less,

9217 the above citation shall be served by posting at three public

9218 places in the county, one of which shall be the front door of

9219 the courthouse. If the value of the property is shown by the

9220 sheriff's return to have an approximate value of more than

9221 \$1,000, the citation shall be published at least once each week

9222 for 2 consecutive weeks in a ~~some~~ newspaper of general

9223 circulation ~~publication~~ published in the county, if any exists,

9224 ~~there be such a newspaper published in the county~~ and if not,

9225 ~~then said~~ notice of such publication shall be made by

9226 certificate of the clerk if publication is made by posting, and

9227 by affidavit as provided in chapter 50, if made by publication

9228 in a newspaper, which affidavit or certificate shall be filed

9229 and become a part of the record in the cause. Failure of the

9230 record to show proof of such publication does ~~shall~~ not affect

9231 any judgment made in the cause unless it ~~shall~~ affirmatively
 9232 appears ~~appear~~ that no such publication was made.

9233 (5) ~~849.39~~ DELIVERY OF PROPERTY TO CLAIMANT.—Any person,
 9234 firm, or corporation filing a claim in the cause, which claim
 9235 shall state fully her or his right, title, claim, or interest,
 9236 in and to the seized property, may, at any time after the ~~said~~
 9237 claim is filed with the clerk of the court, obtain possession of
 9238 the seized property by filing a petition therefor with the
 9239 sheriff and posting with her or him, to be approved by her or
 9240 him, a surety bond, payable to the Governor ~~of the state~~ in
 9241 twice the amount of the value of the ~~said~~ property as fixed in
 9242 the sheriff's return to the clerk of the circuit court, with a
 9243 corporate surety duly authorized to transact business in this
 9244 state as surety, conditioned upon her or his paying to the
 9245 sheriff the value of the property together with costs of the
 9246 proceeding, if judgment of forfeiture is ~~be~~ entered by the
 9247 court. Upon the posting of such bond with the sheriff and the
 9248 release of the property to the applicant, the cause shall
 9249 proceed to final judgment ~~in the same manner as if it would have~~
 9250 ~~had~~ no such bond been filed, except that any execution to be
 9251 issued in the cause pursuant to judgment may run against and be
 9252 enforced against the person posting the ~~said~~ bond and the
 9253 person's surety.

9254 (6) ~~849.40~~ PROCEEDING WHEN NO CLAIM FILED.—When no claim
 9255 is filed in the cause within the time required, the clerk shall
 9256 enter a default against all persons, firms, and corporations

9257 | owning, claiming, or having an interest in and to the property
 9258 | seized. ~~and~~ The cause may then proceed in the same manner as a
 9259 | common-law cause after default, and final judgment shall be
 9260 | entered therein ex parte, except as may be ~~herein~~ otherwise
 9261 | provided in this section.

9262 | (7) ~~849.41~~ PROCEEDING WHEN CLAIM FILED.—When one or more
 9263 | claims are filed in the cause, the cause shall be tried upon the
 9264 | issues made thereby with the petition for forfeiture with any
 9265 | affirmative defenses being deemed denied without further
 9266 | pleading. Judgment by default shall be entered against all other
 9267 | persons, firms, and corporations owning, claiming, or having an
 9268 | interest in and to the property seized, after which the cause
 9269 | shall proceed as in other common-law cases, except that any
 9270 | claimant shall prove to the satisfaction of the court that he or
 9271 | she did not know or have any reason to believe, at the time his
 9272 | or her right, title, interest, or lien arose, that the property
 9273 | was being used for or in connection with the violation of any of
 9274 | the statutes or laws of this state prohibiting lotteries and
 9275 | gambling and, further, that at such ~~said~~ time there was no
 9276 | reasonable reason to believe that the ~~said~~ property might be
 9277 | used for such purpose. Where the owner of the property has been
 9278 | convicted of a violation of the statutes and laws of this state
 9279 | prohibiting lotteries or gambling, such conviction shall be
 9280 | prima facie evidence that each claimant had reason to believe
 9281 | that the property might be used for or in connection with a
 9282 | violation of such statutes and laws, and it shall be incumbent

9283 upon such claimant to satisfy the court that he or she was
 9284 without knowledge of such conviction. Trial of all such causes
 9285 shall be without a jury, except in such cases for which ~~as~~ a
 9286 trial by jury is ~~may be~~ guaranteed by the State Constitution,
 9287 and in such cases, trial by jury shall be deemed waived unless
 9288 demanded in the claim filed.

9289 (8) 849.42 STATE ATTORNEY TO REPRESENT STATE.—Upon the
 9290 filing of the sheriff's return with the clerk of the circuit
 9291 court, ~~the said~~ clerk shall furnish the state attorney with a
 9292 copy thereof, and the said state attorney shall represent the
 9293 state in the forfeiture proceedings. The Department of Legal
 9294 Affairs shall represent the state in all appeals from judgments
 9295 of forfeiture to the appropriate district court of appeal or
 9296 direct to the Supreme Court when authorized by s. 3, Art. V of
 9297 the State Constitution. The state may appeal any judgment
 9298 denying forfeiture in whole or in part or that may be otherwise
 9299 adverse to the state.

9300 (9) 849.43 JUDGMENT OF FORFEITURE.—On final hearing, the
 9301 return of the sheriff to the clerk of the circuit court shall be
 9302 taken as prima facie evidence that the property seized was or
 9303 had been used in ~~r~~ or in connection with ~~r~~ the violation of the
 9304 statutes and laws of this state prohibiting lotteries and
 9305 gambling in this state and shall be sufficient predicate for a
 9306 judgment of forfeiture in the absence of other proofs and
 9307 evidence. The burden shall be upon the claimants to show that
 9308 the property was not so used or, if so used, that they had no

9309 knowledge of such violation and no reason to believe that the
9310 seized property was or would be used for the violation of such
9311 statutes and laws. Where such property is encumbered by a lien
9312 or retained title agreement under circumstances wherein the
9313 lienholder had no knowledge that the property was or would be
9314 used in violating such statutes and laws, ~~and~~ and no reasonable
9315 reason to believe that it might be so used, ~~then~~ the court may
9316 declare a forfeiture of all other rights, titles, and interests,
9317 subject, however, to the lien of such innocent lienholder, or
9318 may direct the payment of such lien from the proceeds of any
9319 sale of the ~~said~~ property. The proceedings and the judgment of
9320 forfeiture shall be in rem and shall be primarily against the
9321 property itself. Upon the entry of a judgment of forfeiture, the
9322 court shall determine the disposition to be made of the
9323 property, which may include the destruction thereof, the sale
9324 thereof, the allocation thereof to some governmental function or
9325 use, or otherwise as the court may determine. Sales of such
9326 property shall be at public sale to the highest and best bidder
9327 therefor for cash after 2 weeks' public notice as the court may
9328 direct. Where the property has been delivered to a claimant upon
9329 the posting of a bond, the court shall determine the value of
9330 the property or portion thereof subject to forfeiture and shall
9331 enter judgment against the principal and surety of the bond in
9332 such amount for which execution shall issue in the usual manner.
9333 Upon the application of any claimant, the court may fix the
9334 value of the forfeitable interest or interests in the seized

9335 property and permit such claimant to redeem the ~~said~~ property
 9336 upon the payment of a sum equal to such ~~said~~ value, which sum
 9337 shall be disposed of as would the proceeds of a sale of the ~~said~~
 9338 property under a judgment of forfeiture.

9339 (10) ~~849.44~~ DISPOSITION OF PROCEEDS OF FORFEITURE.—All
 9340 sums received from a sale or other disposition of the seized
 9341 property shall be paid into the county fine and forfeiture fund,
 9342 ~~and shall become a part thereof; provided,~~ However, ~~that~~ in
 9343 instances where the seizure is by a municipal police officer
 9344 within the limits of any municipality having an ordinance
 9345 requiring such vehicles, vessels, or conveyances to be
 9346 forfeited, the city attorney shall act in behalf of the city in
 9347 lieu of the state attorney and shall proceed to forfeit the
 9348 property as ~~herein~~ provided in this section, and all sums
 9349 received therefrom shall go into the general operating fund of
 9350 the city.

9351 (11) ~~849.45~~ FEES FOR SERVICES.—Fees for services required
 9352 under this section ~~hereunder~~ shall be the same as provided for
 9353 sheriffs and clerks for ~~like and~~ similar services in other cases
 9354 and matters.

9355 (12) ~~849.46~~ EXERCISE OF POLICE POWER.—~~It is deemed by~~ The
 9356 Legislature finds that this chapter is necessary for the more
 9357 efficient and proper enforcement of the statutes and laws of
 9358 this state prohibiting lotteries and gambling, ~~and a lawful~~
 9359 exercise of the police power of the state for the protection of
 9360 the public welfare, health, safety, and morals of the people of

9361 | the state. ~~All the provisions of~~ This chapter shall be liberally
 9362 | construed for the accomplishment of these purposes.

9363 | Section 142. Effective October 1, 2014, section 849.47,
 9364 | Florida Statutes, is created to read:

9365 | 849.47 Enforcement of chapter.—

9366 | (1) The Department of Gaming Control and the Gaming
 9367 | Control Commission are authorized to take all appropriate action
 9368 | to enforce this chapter and to cooperate with all agencies
 9369 | charged with the enforcement of the laws of the United States,
 9370 | this state, and all other states relating to prohibited
 9371 | gambling.

9372 | (2) The Department of Gaming Control and the Gaming
 9373 | Control Commission, and law enforcement officers whose duty it
 9374 | is to enforce this chapter, may administer oaths in connection
 9375 | with their official duties, and any person making a material
 9376 | false statement under oath before them shall be deemed guilty of
 9377 | perjury and subject to the same punishment as prescribed for
 9378 | perjury.

9379 | Section 143. The Gaming Control Commission is directed to
 9380 | conduct a study of greyhound racing in the state, including the
 9381 | current tax and purse structures and safety. The study should
 9382 | consider practices in competing markets within and outside the
 9383 | state and recommend changes to simplify the tax and purse
 9384 | structures, ensure licensure fees are sufficient to cover the
 9385 | cost of regulation and promote safety. The commission shall
 9386 | submit the findings and recommendations of the study to the

9387 President of the Senate, the Speaker of the House of
 9388 Representatives, and the Executive Office of the Governor by
 9389 December 1, 2015.

9390 Section 144. The Gaming Control Commission is directed to
 9391 conduct a study of the usage of medication in horseracing. The
 9392 study shall include an assessment of the current drug testing
 9393 program, the types of medications used in horseracing, the types
 9394 of drug tests commonly used in the horseracing industry and the
 9395 sensitivity and costs of these tests. The study should consider
 9396 practices in competing markets within and outside the state and
 9397 recommend changes to enhance the state's drug testing program.
 9398 The commission shall submit the findings and recommendations of
 9399 the study to the President of the Senate, the Speaker of the
 9400 House of Representatives, and the Executive Office of the
 9401 Governor by December 1, 2015.

9402 Section 145. Effective October 1, 2014, paragraph (u) of
 9403 subsection (3) of section 11.45, Florida Statutes, is amended to
 9404 read:

9405 11.45 Definitions; duties; authorities; reports; rules.—

9406 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The
 9407 Auditor General may, pursuant to his or her own authority, or at
 9408 the direction of the Legislative Auditing Committee, conduct
 9409 audits or other engagements as determined appropriate by the
 9410 Auditor General of:

9411 (u) The books and records of any permitholder that
 9412 conducts race meetings or jai alai exhibitions under part II of

9413 chapter 551 ~~550~~.

9414 Section 146. Effective October 1, 2014, paragraph (a) of
 9415 subsection (1) and paragraph (b) of subsection (2) of section
 9416 72.011, Florida Statutes, are amended to read:

9417 72.011 Jurisdiction of circuit courts in specific tax
 9418 matters; administrative hearings and appeals; time for
 9419 commencing action; parties; deposits.—

9420 (1) (a) A taxpayer may contest the legality of any
 9421 assessment or denial of refund of tax, fee, surcharge, permit,
 9422 interest, or penalty provided for under s. 125.0104, s.
 9423 125.0108, chapter 198, chapter 199, chapter 201, chapter 202,
 9424 chapter 203, chapter 206, chapter 207, chapter 210, chapter 211,
 9425 chapter 212, chapter 213, chapter 220, s. 379.362(3), chapter
 9426 376, s. 403.717, s. 403.718, s. 403.7185, s. 538.09, s. 538.25,
 9427 part II of chapter 551 ~~550~~, chapter 561, chapter 562, chapter
 9428 563, chapter 564, chapter 565, chapter 624, or s. 681.117 by
 9429 filing an action in circuit court; or, alternatively, the
 9430 taxpayer may file a petition under the applicable provisions of
 9431 chapter 120. However, once an action has been initiated under s.
 9432 120.56, s. 120.565, s. 120.569, s. 120.57, or s. 120.80(14) (b),
 9433 no action relating to the same subject matter may be filed by
 9434 the taxpayer in circuit court, and judicial review shall be
 9435 exclusively limited to appellate review pursuant to s. 120.68;
 9436 and once an action has been initiated in circuit court, no
 9437 action may be brought under chapter 120.

9438 (2)

9439 (b) The date on which an assessment or a denial of refund
 9440 becomes final and procedures by which a taxpayer must be
 9441 notified of the assessment or of the denial of refund must be
 9442 established:

- 9443 1. By rule adopted by the Department of Revenue;
- 9444 2. With respect to assessments or refund denials under
 9445 chapter 207, by rule adopted by the Department of Highway Safety
 9446 and Motor Vehicles;
- 9447 3. With respect to assessments or refund denials under
 9448 chapters 210, ~~550~~, 561, 562, 563, 564, and 565, by rule adopted
 9449 by the Department of Business and Professional Regulation; ~~or~~
- 9450 4. With respect to taxes that a county collects or
 9451 enforces under s. 125.0104(10) or s. 212.0305(5), by an
 9452 ordinance that may additionally provide for informal dispute
 9453 resolution procedures in accordance with s. 213.21; or
- 9454 5. With respect to assessments or refund denials under
 9455 part II of chapter 551, by rule adopted by the Department of
 9456 Gaming Control.

9457 Section 147. Effective October 1, 2014, subsection (1) of
 9458 section 72.031, Florida Statutes, is amended to read:

9459 72.031 Actions under s. 72.011(1); parties; service of
 9460 process.—

9461 (1) In any action brought in circuit court pursuant to s.
 9462 72.011(1), the person initiating the action shall be the
 9463 plaintiff and the Department of Revenue shall be the defendant,
 9464 except that for actions contesting an assessment or denial of

9465 refund under chapter 207 the Department of Highway Safety and
 9466 Motor Vehicles shall be the defendant, for actions contesting an
 9467 assessment or denial of refund under chapters 210, ~~550~~, 561,
 9468 562, 563, 564, and 565 the Department of Business and
 9469 Professional Regulation shall be the defendant, and for actions
 9470 contesting an assessment or denial of refund of a tax imposed
 9471 under s. 125.0104 or s. 212.0305 by a county that has elected
 9472 under s. 125.0104(10) or s. 212.0305(5), respectively, to
 9473 administer the tax, the defendant shall be the county and the
 9474 Department of Revenue. It shall not be necessary for the
 9475 Governor and Cabinet, constituting the Department of Revenue, to
 9476 be named as party defendants or named separately as individual
 9477 parties; nor shall it be necessary for the executive director of
 9478 the department to be named as an individual party.

9479 Section 148. Effective October 1, 2014, subsection (1) of
 9480 section 196.183, Florida Statutes, is amended to read:

9481 196.183 Exemption for tangible personal property.—

9482 (1) Each tangible personal property tax return is eligible
 9483 for an exemption from ad valorem taxation of up to \$25,000 of
 9484 assessed value. A single return must be filed for each site in
 9485 the county where the owner of tangible personal property
 9486 transacts business. Owners of freestanding property placed at
 9487 multiple sites, other than sites where the owner transacts
 9488 business, must file a single return, including all such property
 9489 located in the county. Freestanding property placed at multiple
 9490 sites includes vending machines and amusement games or machines,

9491 LP/propane tanks, utility and cable company property,
 9492 billboards, leased equipment, and similar property that is not
 9493 customarily located in the offices, stores, or plants of the
 9494 owner, but is placed throughout the county. Railroads, private
 9495 carriers, and other companies assessed pursuant to s. 193.085
 9496 shall be allowed one \$25,000 exemption for each county to which
 9497 the value of their property is allocated. The \$25,000 exemption
 9498 for freestanding property placed at multiple locations and for
 9499 centrally assessed property shall be allocated to each taxing
 9500 authority based on the proportion of just value of such property
 9501 located in the taxing authority; however, the amount of the
 9502 exemption allocated to each taxing authority may not change
 9503 following the extension of the tax roll pursuant to s. 193.122.

9504 Section 149. Effective October 1, 2014, section 205.0537,
 9505 Florida Statutes, is amended to read:

9506 205.0537 Vending machines and amusement games or
 9507 machines.—The business premises where a coin-operated or token-
 9508 operated vending machine that dispenses products, merchandise,
 9509 or services or where an amusement ~~or~~ game or machine is operated
 9510 must assure that any required municipal or county business tax
 9511 receipt for the machine is secured. The term "vending machine"
 9512 does not include coin-operated telephone sets owned by persons
 9513 who are in the business of providing local exchange telephone
 9514 service and who pay the business tax under the category
 9515 designated for telephone companies in the municipality or county
 9516 or a pay telephone service provider certified pursuant to s.

9517 364.3375. The business tax for vending machines and amusement
 9518 games or machines must be assessed based on the highest number
 9519 of machines located on the business premises on any single day
 9520 during the previous receipted year or, in the case of new
 9521 businesses, be based on an estimate for the current year.
 9522 Replacement of one vending machine with another machine during a
 9523 receipted year does not affect the tax assessment for that year,
 9524 unless the replacement machine belongs to a business tax
 9525 classification that requires a higher tax rate. For the first
 9526 year in which a municipality or county assesses a business tax
 9527 on vending machines, each business owning machines located in
 9528 the municipality or county must notify the municipality or
 9529 county, upon request, of the location of such machines. Each
 9530 business owning machines must provide notice of the provisions
 9531 of this section to each affected business premises where the
 9532 machines are located. The business premises must secure the
 9533 receipt if it is not otherwise secured.

9534 Section 150. Effective October 1, 2014, subsection (24) of
 9535 section 212.02, Florida Statutes, is amended to read:

9536 212.02 Definitions.—The following terms and phrases when
 9537 used in this chapter have the meanings ascribed to them in this
 9538 section, except where the context clearly indicates a different
 9539 meaning:

9540 (24) "~~Coin-operated~~ Amusement game or machine" means any
 9541 machine operated by coin, currency, slug, token, coupon, card,
 9542 or similar device for the purposes of entertainment or

9543 amusement. The term includes, but is not limited to, ~~coin-~~
9544 ~~operated~~ pinball machines, music machines, juke boxes,
9545 mechanical games, video games, arcade games, billiard tables,
9546 moving picture viewers, shooting galleries, and all other
9547 similar amusement devices.

9548 Section 151. Effective October 1, 2014, paragraph (a) of
9549 subsection (1) of section 212.031, Florida Statutes, is amended
9550 to read:

9551 212.031 Tax on rental or license fee for use of real
9552 property.—

9553 (1)(a) It is declared to be the legislative intent that
9554 every person is exercising a taxable privilege who engages in
9555 the business of renting, leasing, letting, or granting a license
9556 for the use of any real property unless such property is:

- 9557 1. Assessed as agricultural property under s. 193.461.
- 9558 2. Used exclusively as dwelling units.
- 9559 3. Property subject to tax on parking, docking, or storage
9560 spaces under s. 212.03(6).

- 9561 4. Recreational property or the common elements of a
9562 condominium when subject to a lease between the developer or
9563 owner thereof and the condominium association in its own right
9564 or as agent for the owners of individual condominium units or
9565 the owners of individual condominium units. However, only the
9566 lease payments on such property shall be exempt from the tax
9567 imposed by this chapter, and any other use made by the owner or
9568 the condominium association shall be fully taxable under this

9569 chapter.

9570 5. A public or private street or right-of-way and poles,
 9571 conduits, fixtures, and similar improvements located on such
 9572 streets or rights-of-way, occupied or used by a utility or
 9573 provider of communications services, as defined by s. 202.11,
 9574 for utility or communications or television purposes. For
 9575 purposes of this subparagraph, the term "utility" means any
 9576 person providing utility services as defined in s. 203.012. This
 9577 exception also applies to property, wherever located, on which
 9578 the following are placed: towers, antennas, cables, accessory
 9579 structures, or equipment, not including switching equipment,
 9580 used in the provision of mobile communications services as
 9581 defined in s. 202.11. For purposes of this chapter, towers used
 9582 in the provision of mobile communications services, as defined
 9583 in s. 202.11, are considered to be fixtures.

9584 6. A public street or road which is used for
 9585 transportation purposes.

9586 7. Property used at an airport exclusively for the purpose
 9587 of aircraft landing or aircraft taxiing or property used by an
 9588 airline for the purpose of loading or unloading passengers or
 9589 property onto or from aircraft or for fueling aircraft.

9590 8.a. Property used at a port authority, as defined in s.
 9591 315.02(2), exclusively for the purpose of oceangoing vessels or
 9592 tugs docking, or such vessels mooring on property used by a port
 9593 authority for the purpose of loading or unloading passengers or
 9594 cargo onto or from such a vessel, or property used at a port

9595 authority for fueling such vessels, or to the extent that the
 9596 amount paid for the use of any property at the port is based on
 9597 the charge for the amount of tonnage actually imported or
 9598 exported through the port by a tenant.

9599 b. The amount charged for the use of any property at the
 9600 port in excess of the amount charged for tonnage actually
 9601 imported or exported shall remain subject to tax except as
 9602 provided in sub-subparagraph a.

9603 9. Property used as an integral part of the performance of
 9604 qualified production services. As used in this subparagraph, the
 9605 term "qualified production services" means any activity or
 9606 service performed directly in connection with the production of
 9607 a qualified motion picture, as defined in s. 212.06(1)(b), and
 9608 includes:

9609 a. Photography, sound and recording, casting, location
 9610 managing and scouting, shooting, creation of special and optical
 9611 effects, animation, adaptation (language, media, electronic, or
 9612 otherwise), technological modifications, computer graphics, set
 9613 and stage support (such as electricians, lighting designers and
 9614 operators, greensmen, prop managers and assistants, and grips),
 9615 wardrobe (design, preparation, and management), hair and makeup
 9616 (design, production, and application), performing (such as
 9617 acting, dancing, and playing), designing and executing stunts,
 9618 coaching, consulting, writing, scoring, composing,
 9619 choreographing, script supervising, directing, producing,
 9620 transmitting dailies, dubbing, mixing, editing, cutting,

9621 looping, printing, processing, duplicating, storing, and
 9622 distributing;

9623 b. The design, planning, engineering, construction,
 9624 alteration, repair, and maintenance of real or personal property
 9625 including stages, sets, props, models, paintings, and facilities
 9626 principally required for the performance of those services
 9627 listed in sub-subparagraph a.; and

9628 c. Property management services directly related to
 9629 property used in connection with the services described in sub-
 9630 subparagraphs a. and b.

9631
 9632 This exemption will inure to the taxpayer upon presentation of
 9633 the certificate of exemption issued to the taxpayer under the
 9634 provisions of s. 288.1258.

9635 10. Leased, subleased, licensed, or rented to a person
 9636 providing food and drink concessionaire services within the
 9637 premises of a convention hall, exhibition hall, auditorium,
 9638 stadium, theater, arena, civic center, performing arts center,
 9639 publicly owned recreational facility, or any business operated
 9640 under a permit issued pursuant to part II of chapter 551 ~~550~~. A
 9641 person providing retail concessionaire services involving the
 9642 sale of food and drink or other tangible personal property
 9643 within the premises of an airport shall be subject to tax on the
 9644 rental of real property used for that purpose, but shall not be
 9645 subject to the tax on any license to use the property. For
 9646 purposes of this subparagraph, the term "sale" shall not include

9647 | the leasing of tangible personal property.

9648 | 11. Property occupied pursuant to an instrument calling
9649 | for payments which the department has declared, in a Technical
9650 | Assistance Advisement issued on or before March 15, 1993, to be
9651 | nontaxable pursuant to rule 12A-1.070(19)(c), Florida
9652 | Administrative Code; provided that this subparagraph shall only
9653 | apply to property occupied by the same person before and after
9654 | the execution of the subject instrument and only to those
9655 | payments made pursuant to such instrument, exclusive of renewals
9656 | and extensions thereof occurring after March 15, 1993.

9657 | 12. Property used or occupied predominantly for space
9658 | flight business purposes. As used in this subparagraph, "space
9659 | flight business" means the manufacturing, processing, or
9660 | assembly of a space facility, space propulsion system, space
9661 | vehicle, satellite, or station of any kind possessing the
9662 | capacity for space flight, as defined by s. 212.02(23), or
9663 | components thereof, and also means the following activities
9664 | supporting space flight: vehicle launch activities, flight
9665 | operations, ground control or ground support, and all
9666 | administrative activities directly related thereto. Property
9667 | shall be deemed to be used or occupied predominantly for space
9668 | flight business purposes if more than 50 percent of the
9669 | property, or improvements thereon, is used for one or more space
9670 | flight business purposes. Possession by a landlord, lessor, or
9671 | licensor of a signed written statement from the tenant, lessee,
9672 | or licensee claiming the exemption shall relieve the landlord,

9673 | lessor, or licensor from the responsibility of collecting the
 9674 | tax, and the department shall look solely to the tenant, lessee,
 9675 | or licensee for recovery of such tax if it determines that the
 9676 | exemption was not applicable.

9677 | 13. Rented, leased, subleased, or licensed to a person
 9678 | providing telecommunications, data systems management, or
 9679 | Internet services at a publicly or privately owned convention
 9680 | hall, civic center, or meeting space at a public lodging
 9681 | establishment as defined in s. 509.013. This subparagraph
 9682 | applies only to that portion of the rental, lease, or license
 9683 | payment that is based upon a percentage of sales, revenue
 9684 | sharing, or royalty payments and not based upon a fixed price.
 9685 | This subparagraph is intended to be clarifying and remedial in
 9686 | nature and shall apply retroactively. This subparagraph does not
 9687 | provide a basis for an assessment of any tax not paid, or create
 9688 | a right to a refund of any tax paid, pursuant to this section
 9689 | before July 1, 2010.

9690 | Section 152. Effective October 1, 2014, paragraph (c) of
 9691 | subsection (2) of section 212.04, Florida Statutes, is amended
 9692 | to read:

9693 | 212.04 Admissions tax; rate, procedure, enforcement.—

9694 | (2)

9695 | (c) The taxes imposed by this section shall be collected
 9696 | in addition to the admission tax collected pursuant to part II
 9697 | of chapter 551 ~~s. 550.0951~~, but the amount collected under part
 9698 | II of chapter 551 ~~is s. 550.0951~~ shall not be subject to

9699 | taxation under this chapter.

9700 | Section 153. Effective October 1, 2014, paragraph (h) of
 9701 | subsection (1) of section 212.05, Florida Statutes, is amended
 9702 | to read:

9703 | 212.05 Sales, storage, use tax.—It is hereby declared to
 9704 | be the legislative intent that every person is exercising a
 9705 | taxable privilege who engages in the business of selling
 9706 | tangible personal property at retail in this state, including
 9707 | the business of making mail order sales, or who rents or
 9708 | furnishes any of the things or services taxable under this
 9709 | chapter, or who stores for use or consumption in this state any
 9710 | item or article of tangible personal property as defined herein
 9711 | and who leases or rents such property within the state.

9712 | (1) For the exercise of such privilege, a tax is levied on
 9713 | each taxable transaction or incident, which tax is due and
 9714 | payable as follows:

9715 | (h)1. A tax is imposed at the rate of 4 percent on the
 9716 | charges for the use of ~~coin-operated~~ amusement games or
 9717 | machines. The tax shall be calculated by dividing the gross
 9718 | receipts from such charges for the applicable reporting period
 9719 | by a divisor, determined as provided in this subparagraph, to
 9720 | compute gross taxable sales, and then subtracting gross taxable
 9721 | sales from gross receipts to arrive at the amount of tax due.
 9722 | For counties that do not impose a discretionary sales surtax,
 9723 | the divisor is equal to 1.04; for counties that impose a 0.5
 9724 | percent discretionary sales surtax, the divisor is equal to

9725 1.045; for counties that impose a 1 percent discretionary sales
 9726 surtax, the divisor is equal to 1.050; and for counties that
 9727 impose a 2 percent sales surtax, the divisor is equal to 1.060.
 9728 If a county imposes a discretionary sales surtax that is not
 9729 listed in this subparagraph, the department shall make the
 9730 applicable divisor available in an electronic format or
 9731 otherwise. Additional divisors shall bear the same mathematical
 9732 relationship to the next higher and next lower divisors as the
 9733 new surtax rate bears to the next higher and next lower surtax
 9734 rates for which divisors have been established. When a game or
 9735 machine is activated by a slug, token, coupon, or any similar
 9736 device which has been purchased, the tax is on the price paid by
 9737 the user of the device for such device.

9738 2. As used in this paragraph, the term "operator" means
 9739 any person who possesses an ~~a coin-operated~~ amusement game or
 9740 machine for the purpose of generating sales through that game or
 9741 machine and who is responsible for removing the receipts from
 9742 the game or machine.

9743 a. If the owner of the game or machine is also the
 9744 operator of it, he or she shall be liable for payment of the tax
 9745 without any deduction for rent or a license fee paid to a
 9746 location owner for the use of any real property on which the
 9747 game or machine is located.

9748 b. If the owner or lessee of the game or machine is also
 9749 its operator, he or she shall be liable for payment of the tax
 9750 on the purchase or lease of the game or machine, as well as the

9751 tax on sales generated through the game or machine.

9752 c. If the proprietor of the business where the game or
9753 machine is located does not own the game or machine, he or she
9754 shall be deemed to be the lessee and operator of the game or
9755 machine and is responsible for the payment of the tax on sales,
9756 unless such responsibility is otherwise provided for in a
9757 written agreement between him or her and the game or machine
9758 owner.

9759 3.a. An operator of an a-coin-operated amusement game or
9760 machine may not operate or cause to be operated in this state
9761 any such game or machine until the operator has registered with
9762 the department and has conspicuously displayed an identifying
9763 certificate issued by the department. The identifying
9764 certificate shall be issued by the department upon application
9765 from the operator. The identifying certificate shall include a
9766 unique number, and the certificate shall be permanently marked
9767 with the operator's name, the operator's sales tax number, and
9768 the maximum number of games or machines to be operated under the
9769 certificate. An identifying certificate shall not be transferred
9770 from one operator to another. The identifying certificate must
9771 be conspicuously displayed on the premises where the ~~coin-~~
9772 ~~operated~~ amusement games or machines are being operated.

9773 b. The operator of the game or machine must obtain an
9774 identifying certificate before the game or machine is first
9775 operated in the state and by July 1 of each year thereafter. The
9776 annual fee for each certificate shall be based on the number of

9777 games or machines identified on the application times \$30 and is
 9778 due and payable upon application for the identifying device. The
 9779 application shall contain the operator's name, sales tax number,
 9780 business address where the games or machines are being operated,
 9781 and the number of games or machines in operation at that place
 9782 of business by the operator. An ~~No~~ operator may not operate more
 9783 games or machines than are listed on the certificate. A new
 9784 certificate is required if more games or machines are being
 9785 operated at that location than are listed on the certificate.
 9786 The fee for the new certificate shall be based on the number of
 9787 additional games or machines identified on the application form
 9788 times \$30.

9789 c. A penalty of \$250 per game or machine is imposed on the
 9790 operator for failing to properly obtain and display the required
 9791 identifying certificate. A penalty of \$250 is imposed on the
 9792 lessee of any game or machine placed in a place of business
 9793 without a proper current identifying certificate. Such penalties
 9794 shall apply in addition to all other applicable taxes, interest,
 9795 and penalties.

9796 d. Operators of ~~coin-operated~~ amusement games or machines
 9797 must obtain a separate sales and use tax certificate of
 9798 registration for each county in which such games or machines are
 9799 located. One sales and use tax certificate of registration is
 9800 sufficient for all of the operator's games or machines within a
 9801 single county.

9802 4. ~~The provisions of~~ This paragraph does ~~de~~ not apply to

9803 ~~coin-operated~~ amusement games or machines owned and operated by
 9804 churches or synagogues.

9805 5. In addition to any other penalties imposed by this
 9806 chapter, a person who knowingly and willfully violates ~~any~~
 9807 ~~provision of~~ this paragraph commits a misdemeanor of the second
 9808 degree, punishable as provided in s. 775.082 or s. 775.083.

9809 6. The department may adopt rules necessary to administer
 9810 ~~the provisions of~~ this paragraph.

9811 Section 154. Effective October 1, 2014, paragraph (1) of
 9812 subsection (3) of section 212.054, Florida Statutes, is amended
 9813 to read:

9814 212.054 Discretionary sales surtax; limitations,
 9815 administration, and collection.—

9816 (3) For the purpose of this section, a transaction shall
 9817 be deemed to have occurred in a county imposing the surtax when:

9818 (1) The ~~coin-operated~~ amusement game or machine or vending
 9819 machine is located in the county.

9820 Section 155. Effective October 1, 2014, paragraph (b) of
 9821 subsection (1) of section 212.12, Florida Statutes, is amended
 9822 to read:

9823 212.12 Dealer's credit for collecting tax; penalties for
 9824 noncompliance; powers of Department of Revenue in dealing with
 9825 delinquents; brackets applicable to taxable transactions;
 9826 records required.—

9827 (1)

9828 (b) The Department of Revenue may deny the collection

9829 allowance if a taxpayer files an incomplete return or if the
 9830 required tax return or tax is delinquent at the time of payment.

9831 1. An "incomplete return" is, for purposes of this
 9832 chapter, a return which is lacking such uniformity,
 9833 completeness, and arrangement that the physical handling,
 9834 verification, review of the return, or determination of other
 9835 taxes and fees reported on the return may not be readily
 9836 accomplished.

9837 2. The department shall adopt rules requiring such
 9838 information as it may deem necessary to ensure that the tax
 9839 levied hereunder is properly collected, reviewed, compiled,
 9840 reported, and enforced, including, but not limited to: the
 9841 amount of gross sales; the amount of taxable sales; the amount
 9842 of tax collected or due; the amount of lawful refunds,
 9843 deductions, or credits claimed; the amount claimed as the
 9844 dealer's collection allowance; the amount of penalty and
 9845 interest; the amount due with the return; and such other
 9846 information as the Department of Revenue may specify. The
 9847 department shall require that transient rentals and agricultural
 9848 equipment transactions be separately shown. Sales made through
 9849 vending machines as defined in s. 212.0515 must be separately
 9850 shown on the return. Sales made through ~~coin-operated~~
 9851 games or machines as defined by s. 212.02 and the number of
 9852 machines operated must be separately shown on the return or on a
 9853 form prescribed by the department. If a separate form is
 9854 required, the same penalties for late filing, incomplete filing,

9855 or failure to file as provided for the sales tax return shall
 9856 apply to the form.

9857 Section 156. Effective October 1, 2014, paragraph (d) of
 9858 subsection (6) of section 212.20, Florida Statutes, is amended
 9859 to read:

9860 212.20 Funds collected, disposition; additional powers of
 9861 department; operational expense; refund of taxes adjudicated
 9862 unconstitutionally collected.—

9863 (6) Distribution of all proceeds under this chapter and s.
 9864 202.18(1)(b) and (2)(b) shall be as follows:

9865 (d) The proceeds of all other taxes and fees imposed
 9866 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
 9867 and (2)(b) shall be distributed as follows:

9868 1. In any fiscal year, the greater of \$500 million, minus
 9869 an amount equal to 4.6 percent of the proceeds of the taxes
 9870 collected pursuant to chapter 201, or 5.2 percent of all other
 9871 taxes and fees imposed pursuant to this chapter or remitted
 9872 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
 9873 monthly installments into the General Revenue Fund.

9874 2. After the distribution under subparagraph 1., 8.814
 9875 percent of the amount remitted by a sales tax dealer located
 9876 within a participating county pursuant to s. 218.61 shall be
 9877 transferred into the Local Government Half-cent Sales Tax
 9878 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
 9879 transferred shall be reduced by 0.1 percent, and the department
 9880 shall distribute this amount to the Public Employees Relations

9881 Commission Trust Fund less \$5,000 each month, which shall be
 9882 added to the amount calculated in subparagraph 3. and
 9883 distributed accordingly.

9884 3. After the distribution under subparagraphs 1. and 2.,
 9885 0.095 percent shall be transferred to the Local Government Half-
 9886 cent Sales Tax Clearing Trust Fund and distributed pursuant to
 9887 s. 218.65.

9888 4. After the distributions under subparagraphs 1., 2., and
 9889 3., 2.0440 percent of the available proceeds shall be
 9890 transferred monthly to the Revenue Sharing Trust Fund for
 9891 Counties pursuant to s. 218.215.

9892 5. After the distributions under subparagraphs 1., 2., and
 9893 3., 1.3409 percent of the available proceeds shall be
 9894 transferred monthly to the Revenue Sharing Trust Fund for
 9895 Municipalities pursuant to s. 218.215. If the total revenue to
 9896 be distributed pursuant to this subparagraph is at least as
 9897 great as the amount due from the Revenue Sharing Trust Fund for
 9898 Municipalities and the former Municipal Financial Assistance
 9899 Trust Fund in state fiscal year 1999-2000, no municipality shall
 9900 receive less than the amount due from the Revenue Sharing Trust
 9901 Fund for Municipalities and the former Municipal Financial
 9902 Assistance Trust Fund in state fiscal year 1999-2000. If the
 9903 total proceeds to be distributed are less than the amount
 9904 received in combination from the Revenue Sharing Trust Fund for
 9905 Municipalities and the former Municipal Financial Assistance
 9906 Trust Fund in state fiscal year 1999-2000, each municipality

9907 shall receive an amount proportionate to the amount it was due
 9908 in state fiscal year 1999-2000.

9909 6. Of the remaining proceeds:

9910 a. In each fiscal year, the sum of \$29,915,500 shall be
 9911 divided into as many equal parts as there are counties in the
 9912 state, and one part shall be distributed to each county. The
 9913 distribution among the several counties must begin each fiscal
 9914 year on or before January 5th and continue monthly for a total
 9915 of 4 months. If a local or special law required that any moneys
 9916 accruing to a county in fiscal year 1999-2000 under the then-
 9917 existing provisions of s. 551.035 ~~s. 550.135~~ be paid directly to
 9918 the district school board, special district, or a municipal
 9919 government, such payment must continue until the local or
 9920 special law is amended or repealed. The state covenants with
 9921 holders of bonds or other instruments of indebtedness issued by
 9922 local governments, special districts, or district school boards
 9923 before July 1, 2000, that it is not the intent of this
 9924 subparagraph to adversely affect the rights of those holders or
 9925 relieve local governments, special districts, or district school
 9926 boards of the duty to meet their obligations as a result of
 9927 previous pledges or assignments or trusts entered into which
 9928 obligated funds received from the distribution to county
 9929 governments under then-existing s. 551.035 ~~s. 550.135~~. This
 9930 distribution specifically is in lieu of funds distributed under
 9931 s. 551.035 ~~s. 550.135~~ before July 1, 2000.

9932 b. The department shall distribute \$166,667 monthly

9933 pursuant to s. 288.1162 to each applicant certified as a
9934 facility for a new or retained professional sports franchise
9935 pursuant to s. 288.1162. Up to \$41,667 shall be distributed
9936 monthly by the department to each certified applicant as defined
9937 in s. 288.11621 for a facility for a spring training franchise.
9938 However, not more than \$416,670 may be distributed monthly in
9939 the aggregate to all certified applicants for facilities for
9940 spring training franchises. Distributions begin 60 days after
9941 such certification and continue for not more than 30 years,
9942 except as otherwise provided in s. 288.11621. A certified
9943 applicant identified in this sub-subparagraph may not receive
9944 more in distributions than expended by the applicant for the
9945 public purposes provided for in s. 288.1162(5) or s.
9946 288.11621(3).

9947 c. Beginning 30 days after notice by the Department of
9948 Economic Opportunity to the Department of Revenue that an
9949 applicant has been certified as the professional golf hall of
9950 fame pursuant to s. 288.1168 and is open to the public, \$166,667
9951 shall be distributed monthly, for up to 300 months, to the
9952 applicant.

9953 d. Beginning 30 days after notice by the Department of
9954 Economic Opportunity to the Department of Revenue that the
9955 applicant has been certified as the International Game Fish
9956 Association World Center facility pursuant to s. 288.1169, and
9957 the facility is open to the public, \$83,333 shall be distributed
9958 monthly, for up to 168 months, to the applicant. This

9959 distribution is subject to reduction pursuant to s. 288.1169. A
 9960 lump sum payment of \$999,996 shall be made, after certification
 9961 and before July 1, 2000.

9962 e. The department shall distribute up to \$55,555 monthly
 9963 to each certified applicant as defined in s. 288.11631 for a
 9964 facility used by a single spring training franchise, or up to
 9965 \$111,110 monthly to each certified applicant as defined in s.
 9966 288.11631 for a facility used by more than one spring training
 9967 franchise. Monthly distributions begin 60 days after such
 9968 certification or July 1, 2016, whichever is later, and continue
 9969 for not more than 30 years, except as otherwise provided in s.
 9970 288.11631. A certified applicant identified in this sub-
 9971 subparagraph may not receive more in distributions than expended
 9972 by the applicant for the public purposes provided in s.
 9973 288.11631(3).

9974 7. All other proceeds must remain in the General Revenue
 9975 Fund.

9976 Section 157. Effective October 1, 2014, subsection (1) of
 9977 section 267.0617, Florida Statutes, is amended to read:

9978 267.0617 Historic Preservation Grant Program.—

9979 (1) There is hereby created within the division the
 9980 Historic Preservation Grant Program, which shall make grants of
 9981 moneys appropriated by the Legislature, moneys deposited
 9982 pursuant to s. 551.039(2) ~~s. 550.0351(2)~~, and moneys contributed
 9983 for that purpose from any other source. The program funds shall
 9984 be used by the division for the purpose of financing grants in

9985 furtherance of the purposes of this section.

9986 Section 158. Effective October 1, 2014, subsection (1) of
 9987 section 338.234, Florida Statutes, is amended to read:

9988 338.234 Granting concessions or selling along the turnpike
 9989 system; immunity from taxation.—

9990 (1) The department may enter into contracts or licenses
 9991 with any person for the sale of services or products or business
 9992 opportunities on the turnpike system, or the turnpike enterprise
 9993 may sell services, products, or business opportunities on the
 9994 turnpike system, which benefit the traveling public or provide
 9995 additional revenue to the turnpike system. Services, business
 9996 opportunities, and products authorized to be sold include, but
 9997 are not limited to, motor fuel, vehicle towing, and vehicle
 9998 maintenance services; food with attendant nonalcoholic
 9999 beverages; lodging, meeting rooms, and other business services
 10000 opportunities; advertising and other promotional opportunities,
 10001 which advertising and promotions must be consistent with the
 10002 dignity and integrity of the state; state lottery tickets sold
 10003 by authorized retailers; games and amusements that operate by
 10004 the application of skill, not including games of chance as
 10005 defined in s. 849.15 ~~849.16~~ or other illegal gambling games;
 10006 Florida citrus, goods promoting the state, or handmade goods
 10007 produced within the state; and travel information, tickets,
 10008 reservations, or other related services. However, the
 10009 department, pursuant to the grants of authority to the turnpike
 10010 enterprise under this section, shall not exercise the power of

10011 eminent domain solely for the purpose of acquiring real property
 10012 in order to provide business services or opportunities, such as
 10013 lodging and meeting-room space on the turnpike system.

10014 Section 159. Effective October 1, 2014, paragraphs (c) and
 10015 (e) of subsection (4) of section 402.82, Florida Statutes, are
 10016 amended to read:

10017 402.82 Electronic benefits transfer program.—

10018 (4) Use or acceptance of an electronic benefits transfer
 10019 card is prohibited at the following locations or for the
 10020 following activities:

10021 (c) A pari-mutuel facility as defined in s. 551.012 ~~s.~~
 10022 ~~550.002~~.

10023 (e) A commercial bingo facility that operates outside the
 10024 provisions of s. 551.53 ~~849.0931~~.

10025 Section 160. Effective October 1, 2014, subsection (6) of
 10026 section 455.116, Florida Statutes, is amended to read:

10027 455.116 Regulation trust funds.—The following trust funds
 10028 shall be placed in the department:

10029 ~~(6) Pari-mutuel Wagering Trust Fund.~~

10030 Section 161. Effective October 1, 2014, subsection (1) of
 10031 section 480.0475, Florida Statutes, is amended to read:

10032 480.0475 Massage establishments; prohibited practices.—

10033 (1) A person may not operate a massage establishment
 10034 between the hours of midnight and 5 a.m. This subsection does
 10035 not apply to a massage establishment:

10036 (a) Located on the premises of a health care facility as

10037 defined in s. 408.07; a health care clinic as defined in s.
 10038 400.9905(4); a hotel, motel, or bed and breakfast inn, as those
 10039 terms are defined in s. 509.242; a timeshare property as defined
 10040 in s. 721.05; a public airport as defined in s. 330.27; or a
 10041 pari-mutuel facility as defined in s. 551.012 ~~s. 550.002~~;

10042 (b) In which every massage performed between the hours of
 10043 midnight and 5 a.m. is performed by a massage therapist acting
 10044 under the prescription of a physician or physician assistant
 10045 licensed under chapter 458, an osteopathic physician or
 10046 physician assistant licensed under chapter 459, a chiropractic
 10047 physician licensed under chapter 460, a podiatric physician
 10048 licensed under chapter 461, an advanced registered nurse
 10049 practitioner licensed under part I of chapter 464, or a dentist
 10050 licensed under chapter 466; or

10051 (c) Operating during a special event if the county or
 10052 municipality in which the establishment operates has approved
 10053 such operation during the special event.

10054 Section 162. Effective October 1, 2014, paragraph (f) of
 10055 subsection (2) of section 509.032, Florida Statutes, is amended
 10056 to read:

10057 509.032 Duties.—

10058 (2) INSPECTION OF PREMISES.—

10059 (f) In conducting inspections of establishments licensed
 10060 under this chapter, the division shall determine if each ~~coin-~~
 10061 ~~operated~~ amusement game or machine that is operated on the
 10062 premises of a licensed establishment is properly registered with

10063 the Department of Revenue and Department of Gaming Control. Each
 10064 month the division shall report to the Department of Revenue the
 10065 sales tax registration number of the operator of any licensed
 10066 establishment that has on location an ~~a coin-operated~~ amusement
 10067 game or machine and that does not have an identifying
 10068 certificate conspicuously displayed as required by s.
 10069 212.05(1)(h). Each month the division shall report to the
 10070 Department of Gaming the name and address of the operator of any
 10071 licensed establishment that has on location an amusement game or
 10072 machine and that does not have a certificate of registration
 10073 conspicuously displayed as required by chapter 551.

10074 Section 163. Effective October 1, 2014, paragraph (a) of
 10075 subsection (1) of section 559.801, Florida Statutes, is amended
 10076 to read:

10077 559.801 Definitions.—For the purpose of ss. 559.80-
 10078 559.815, the term:

10079 (1)(a) "Business opportunity" means the sale or lease of
 10080 any products, equipment, supplies, or services which are sold or
 10081 leased to a purchaser to enable the purchaser to start a
 10082 business for which the purchaser is required to pay an initial
 10083 fee or sum of money which exceeds \$500 to the seller, and in
 10084 which the seller represents:

10085 1. That the seller or person or entity affiliated with or
 10086 referred by the seller will provide locations or assist the
 10087 purchaser in finding locations for the use or operation of
 10088 vending machines, racks, display cases, currency or card

10089 operated equipment, or other similar devices or ~~currency-~~
 10090 ~~operated~~ amusement games or machines or devices on premises
 10091 neither owned nor leased by the purchaser or seller;

10092 2. That the seller will purchase any or all products made,
 10093 produced, fabricated, grown, bred, or modified by the purchaser
 10094 using in whole or in part the supplies, services, or chattels
 10095 sold to the purchaser;

10096 3. That the seller guarantees that the purchaser will
 10097 derive income from the business opportunity which exceeds the
 10098 price paid or rent charged for the business opportunity or that
 10099 the seller will refund all or part of the price paid or rent
 10100 charged for the business opportunity, or will repurchase any of
 10101 the products, equipment, supplies, or chattels supplied by the
 10102 seller, if the purchaser is unsatisfied with the business
 10103 opportunity; or

10104 4. That the seller will provide a sales program or
 10105 marketing program that will enable the purchaser to derive
 10106 income from the business opportunity, except that this paragraph
 10107 does not apply to the sale of a sales program or marketing
 10108 program made in conjunction with the licensing of a trademark or
 10109 service mark that is registered under the laws of any state or
 10110 of the United States if the seller requires use of the trademark
 10111 or service mark in the sales agreement.

10112
 10113 For the purpose of subparagraph 1., the term "assist the
 10114 purchaser in finding locations" means, but is not limited to,

10115 supplying the purchaser with names of locator companies,
 10116 contracting with the purchaser to provide assistance or supply
 10117 names, or collecting a fee on behalf of or for a locator
 10118 company.

10119 Section 164. Effective October 1, 2014, section 561.1105,
 10120 Florida Statutes, is amended to read:

10121 561.1105 Inspection of licensed premises; ~~coin-operated~~
 10122 amusement games or machines.—In conducting inspections of
 10123 establishments licensed under the Beverage Law, the division
 10124 shall determine if each ~~coin-operated~~ amusement game or machine
 10125 that is operated on the licensed premises is properly registered
 10126 with the Department of Revenue and the Department of Gaming.

10127 Each month, the division shall report to the Department of
 10128 Revenue the sales tax registration number of the operator of any
 10129 licensed premises that has on location an a-coin-operated
 10130 amusement game or machine and that does not have an identifying
 10131 certificate conspicuously displayed as required by s.

10132 212.05(1)(h). Each month the division shall report to the
 10133 Department of Gaming the name and address of the operator of any
 10134 licensed establishment that has on location an amusement game or
 10135 machine and that does not have a certificate of registration
 10136 conspicuously displayed as required by chapter 551.

10137 Section 165. Effective October 1, 2014, section 718.114,
 10138 Florida Statutes, is amended to read:

10139 718.114 Association powers.—An association may enter into
 10140 agreements to acquire leaseholds, memberships, and other

10141 | possessory or use interests in lands or facilities such as
10142 | country clubs, golf courses, marinas, and other recreational
10143 | facilities, regardless of whether the lands or facilities are
10144 | contiguous to the lands of the condominium, if such lands and
10145 | facilities are intended to provide enjoyment, recreation, or
10146 | other use or benefit to the unit owners. All of these
10147 | leaseholds, memberships, and other possessory or use interests
10148 | existing or created at the time of recording the declaration
10149 | must be stated and fully described in the declaration.
10150 | Subsequent to the recording of the declaration, agreements
10151 | acquiring these leaseholds, memberships, or other possessory or
10152 | use interests which are not entered into within 12 months of the
10153 | date of the recording of the certificate of a surveyor and
10154 | mapper pursuant to s. 718.104(4)(e) or the recording of an
10155 | instrument that transfers title to a unit in the condominium
10156 | which is not accompanied by a recorded assignment of developer
10157 | rights in favor of the grantee of such unit, whichever occurs
10158 | first, are a material alteration or substantial addition to the
10159 | real property that is association property, and the association
10160 | may not acquire or enter into such agreements except upon a vote
10161 | of, or written consent by, a majority of the total voting
10162 | interests or as authorized by the declaration as provided in s.
10163 | 718.113. The declaration may provide that the rental, membership
10164 | fees, operations, replacements, and other expenses are common
10165 | expenses and may impose covenants and restrictions concerning
10166 | their use and may contain other provisions not inconsistent with

10167 this chapter. A condominium association may conduct bingo games
 10168 as provided in s. 551.53 ~~849.0931~~.

10169 Section 166. Effective October 1, 2014, subsection (2) of
 10170 section 721.111, Florida Statutes, is amended to read:

10171 721.111 Prize and gift promotional offers.—

10172 (2) A game promotion, such as a contest of chance, gift
 10173 enterprise, or sweepstakes, in which the elements of chance and
 10174 prize are present may not be used in connection with the
 10175 offering or sale of timeshare interests, except for drawings, as
 10176 that term is defined in s. 551.54 ~~849.0935(1)(a)~~, in which no
 10177 more than 26 prizes are promoted and in which all promoted
 10178 prizes are actually awarded. All such drawings must meet all
 10179 requirements of this chapter and of s. 551.50 ~~ss. 849.092 and~~
 10180 ~~849.094(1), (2), and (7)~~.

10181 Section 167. Effective October 1, 2014, subsection (8) of
 10182 section 723.079, Florida Statutes, is amended to read:

10183 723.079 Powers and duties of homeowners' association.—

10184 (8) Any mobile home owners' association or group of
 10185 residents of a mobile home park as defined in this chapter may
 10186 conduct bingo games as provided in s. 551.53 ~~849.0931~~.

10187 Section 168. Effective October 1, 2014, paragraph (a) of
 10188 subsection (1) and paragraph (a) of subsection (2) of section
 10189 772.102, Florida Statutes, are amended to read:

10190 772.102 Definitions.—As used in this chapter, the term:

10191 (1) "Criminal activity" means to commit, to attempt to
 10192 commit, to conspire to commit, or to solicit, coerce, or

10193 intimidate another person to commit:

10194 (a) Any crime that is chargeable by indictment or

10195 information under the following provisions:

10196 1. Section 210.18, relating to evasion of payment of

10197 cigarette taxes.

10198 2. Section 414.39, relating to public assistance fraud.

10199 3. Section 440.105 or s. 440.106, relating to workers'

10200 compensation.

10201 4. Part IV of chapter 501, relating to telemarketing.

10202 5. Chapter 517, relating to securities transactions.

10203 6. Section 551.0942 or s. 551.072 ~~550.235~~ or s. ~~550.3551~~,

10204 relating to dogracing and horseracing.

10205 7. Part II of chapter 551 ~~550~~, relating to jai alai

10206 frontons.

10207 8. Chapter 552, relating to the manufacture, distribution,

10208 and use of explosives.

10209 9. Chapter 562, relating to beverage law enforcement.

10210 10. Section 624.401, relating to transacting insurance

10211 without a certificate of authority, s. 624.437(4)(c)1., relating

10212 to operating an unauthorized multiple-employer welfare

10213 arrangement, or s. 626.902(1)(b), relating to representing or

10214 aiding an unauthorized insurer.

10215 11. Chapter 687, relating to interest and usurious

10216 practices.

10217 12. Section 721.08, s. 721.09, or s. 721.13, relating to

10218 real estate timeshare plans.

- 10219 | 13. Chapter 782, relating to homicide.
- 10220 | 14. Chapter 784, relating to assault and battery.
- 10221 | 15. Chapter 787, relating to kidnapping or human
- 10222 | trafficking.
- 10223 | 16. Chapter 790, relating to weapons and firearms.
- 10224 | 17. Section 796.03, s. 796.04, s. 796.05, or s. 796.07,
- 10225 | relating to prostitution.
- 10226 | 18. Chapter 806, relating to arson.
- 10227 | 19. Section 810.02(2)(c), relating to specified burglary
- 10228 | of a dwelling or structure.
- 10229 | 20. Chapter 812, relating to theft, robbery, and related
- 10230 | crimes.
- 10231 | 21. Chapter 815, relating to computer-related crimes.
- 10232 | 22. Chapter 817, relating to fraudulent practices, false
- 10233 | pretenses, fraud generally, and credit card crimes.
- 10234 | 23. Section 827.071, relating to commercial sexual
- 10235 | exploitation of children.
- 10236 | 24. Chapter 831, relating to forgery and counterfeiting.
- 10237 | 25. Chapter 832, relating to issuance of worthless checks
- 10238 | and drafts.
- 10239 | 26. Section 836.05, relating to extortion.
- 10240 | 27. Chapter 837, relating to perjury.
- 10241 | 28. Chapter 838, relating to bribery and misuse of public
- 10242 | office.
- 10243 | 29. Chapter 843, relating to obstruction of justice.
- 10244 | 30. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or

10245 s. 847.07, relating to obscene literature and profanity.

10246 31. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.

10247 849.25, relating to gambling.

10248 32. Chapter 893, relating to drug abuse prevention and

10249 control.

10250 33. Section 914.22 or s. 914.23, relating to witnesses,

10251 victims, or informants.

10252 34. Section 918.12 or s. 918.13, relating to tampering

10253 with jurors and evidence.

10254 (2) "Unlawful debt" means any money or other thing of

10255 value constituting principal or interest of a debt that is

10256 legally unenforceable in this state in whole or in part because

10257 the debt was incurred or contracted:

10258 (a) In violation of any one of the following provisions of

10259 law:

10260 1. Section 551.0942 or s. 551.072 ~~550.235~~ or s. ~~550.3551~~,

10261 relating to dogracing and horseracing.

10262 2. Part II of chapter 551 ~~550~~, relating to jai alai

10263 frontons.

10264 3. Section 687.071, relating to criminal usury and loan

10265 sharking.

10266 4. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.

10267 849.25, relating to gambling.

10268 Section 169. Effective October 1, 2014, subsection (1) of

10269 section 773.03, Florida Statutes, is amended to read:

10270 773.03 Limitation on liability for equine activity;

10271 exceptions.—

10272 (1) This section applies to the horseracing industry as
 10273 defined in part II of chapter 551 ~~550~~.

10274 Section 170. Effective October 1, 2014, paragraph (a) of
 10275 subsection (1) and paragraph (a) of subsection (2) of section
 10276 895.02, Florida Statutes, are amended to read:

10277 895.02 Definitions.—As used in ss. 895.01–895.08, the
 10278 term:

10279 (1) "Racketeering activity" means to commit, to attempt to
 10280 commit, to conspire to commit, or to solicit, coerce, or
 10281 intimidate another person to commit:

10282 (a) Any crime that is chargeable by petition, indictment,
 10283 or information under the following provisions of the Florida
 10284 Statutes:

10285 1. Section 210.18, relating to evasion of payment of
 10286 cigarette taxes.

10287 2. Section 316.1935, relating to fleeing or attempting to
 10288 elude a law enforcement officer and aggravated fleeing or
 10289 eluding.

10290 3. Section 403.727(3)(b), relating to environmental
 10291 control.

10292 4. Section 409.920 or s. 409.9201, relating to Medicaid
 10293 fraud.

10294 5. Section 414.39, relating to public assistance fraud.

10295 6. Section 440.105 or s. 440.106, relating to workers'
 10296 compensation.

- 10297 7. Section 443.071(4), relating to creation of a
 10298 fictitious employer scheme to commit reemployment assistance
 10299 fraud.
- 10300 8. Section 465.0161, relating to distribution of medicinal
 10301 drugs without a permit as an Internet pharmacy.
- 10302 9. Section 499.0051, relating to crimes involving
 10303 contraband and adulterated drugs.
- 10304 10. Part IV of chapter 501, relating to telemarketing.
- 10305 11. Chapter 517, relating to sale of securities and
 10306 investor protection.
- 10307 12. Section 551.0942 or s. 551.072 ~~550.235~~ or s. ~~550.3551~~,
 10308 relating to dogracing and horseracing.
- 10309 13. Part II of chapter 551 ~~550~~, relating to jai alai
 10310 frontons.
- 10311 14. Section 551.109, relating to slot machine gaming.
- 10312 15. Chapter 552, relating to the manufacture,
 10313 distribution, and use of explosives.
- 10314 16. Chapter 560, relating to money transmitters, if the
 10315 violation is punishable as a felony.
- 10316 17. Chapter 562, relating to beverage law enforcement.
- 10317 18. Section 624.401, relating to transacting insurance
 10318 without a certificate of authority, s. 624.437(4)(c)1., relating
 10319 to operating an unauthorized multiple-employer welfare
 10320 arrangement, or s. 626.902(1)(b), relating to representing or
 10321 aiding an unauthorized insurer.
- 10322 19. Section 655.50, relating to reports of currency

10323 transactions, when such violation is punishable as a felony.
 10324 20. Chapter 687, relating to interest and usurious
 10325 practices.
 10326 21. Section 721.08, s. 721.09, or s. 721.13, relating to
 10327 real estate timeshare plans.
 10328 22. Section 775.13(5)(b), relating to registration of
 10329 persons found to have committed any offense for the purpose of
 10330 benefiting, promoting, or furthering the interests of a criminal
 10331 gang.
 10332 23. Section 777.03, relating to commission of crimes by
 10333 accessories after the fact.
 10334 24. Chapter 782, relating to homicide.
 10335 25. Chapter 784, relating to assault and battery.
 10336 26. Chapter 787, relating to kidnapping or human
 10337 trafficking.
 10338 27. Chapter 790, relating to weapons and firearms.
 10339 28. Chapter 794, relating to sexual battery, but only if
 10340 such crime was committed with the intent to benefit, promote, or
 10341 further the interests of a criminal gang, or for the purpose of
 10342 increasing a criminal gang member's own standing or position
 10343 within a criminal gang.
 10344 29. Section 796.03, s. 796.035, s. 796.04, s. 796.05, or
 10345 s. 796.07, relating to prostitution and sex trafficking.
 10346 30. Chapter 806, relating to arson and criminal mischief.
 10347 31. Chapter 810, relating to burglary and trespass.
 10348 32. Chapter 812, relating to theft, robbery, and related

10349 crimes.

10350 33. Chapter 815, relating to computer-related crimes.

10351 34. Chapter 817, relating to fraudulent practices, false

10352 pretenses, fraud generally, and credit card crimes.

10353 35. Chapter 825, relating to abuse, neglect, or

10354 exploitation of an elderly person or disabled adult.

10355 36. Section 827.071, relating to commercial sexual

10356 exploitation of children.

10357 37. Section 828.122, relating to fighting or baiting

10358 animals.

10359 38. Chapter 831, relating to forgery and counterfeiting.

10360 39. Chapter 832, relating to issuance of worthless checks

10361 and drafts.

10362 40. Section 836.05, relating to extortion.

10363 41. Chapter 837, relating to perjury.

10364 42. Chapter 838, relating to bribery and misuse of public

10365 office.

10366 43. Chapter 843, relating to obstruction of justice.

10367 44. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or

10368 s. 847.07, relating to obscene literature and profanity.

10369 45. Chapter 849, relating to gambling, lottery, gambling

10370 or gaming devices, slot machines, or any of the provisions

10371 within that chapter.

10372 46. Chapter 874, relating to criminal gangs.

10373 47. Chapter 893, relating to drug abuse prevention and

10374 control.

10375 48. Chapter 896, relating to offenses related to financial
10376 transactions.

10377 49. Sections 914.22 and 914.23, relating to tampering with
10378 or harassing a witness, victim, or informant, and retaliation
10379 against a witness, victim, or informant.

10380 50. Sections 918.12 and 918.13, relating to tampering with
10381 jurors and evidence.

10382 (2) "Unlawful debt" means any money or other thing of
10383 value constituting principal or interest of a debt that is
10384 legally unenforceable in this state in whole or in part because
10385 the debt was incurred or contracted:

10386 (a) In violation of any one of the following provisions of
10387 law:

10388 1. Section 551.0942 or s. 551.072 ~~550.235~~ or s. ~~550.3551~~,
10389 relating to dogracing and horseracing.

10390 2. Part II of chapter 551 ~~550~~, relating to jai alai
10391 frontons.

10392 3. Section 551.109, relating to slot machine gaming.

10393 4. Chapter 687, relating to interest and usury.

10394 5. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.
10395 849.25, relating to gambling.

10396 Section 171. Effective October 1, 2014, paragraph (a) of
10397 subsection (3) of section 921.0022, Florida Statutes, is amended
10398 to read:

10399 921.0022 Criminal Punishment Code; offense severity
10400 ranking chart.—

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10401	(3)	OFFENSE SEVERITY RANKING CHART		
10402	(a)	LEVEL 1		
10403	Florida	Statute	Felony Degree	Description
10404	24.118 (3) (a)		3rd	Counterfeit or altered state lottery ticket.
10405	212.054 (2) (b)		3rd	Discretionary sales surtax; limitations, administration, and collection.
10406	212.15 (2) (b)		3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
10407	316.1935 (1)		3rd	Fleeing or attempting to elude law enforcement officer.
10408	319.30 (5)		3rd	Sell, exchange, give away certificate of title or identification number plate.
10409	319.35 (1) (a)		3rd	Tamper, adjust, change, etc.,

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10410			an odometer.
	320.26(1)(a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
10411			
	322.212 (1)(a)-(c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver's license; possession of simulated identification.
10412			
	322.212(4)	3rd	Supply or aid in supplying unauthorized driver's license or identification card.
10413			
	322.212(5)(a)	3rd	False application for driver's license or identification card.
10414			
	414.39(2)	3rd	Unauthorized use, possession, forgery, or alteration of food assistance program, Medicaid ID, value greater than \$200.
10415			
	414.39(3)(a)	3rd	Fraudulent misappropriation of

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			public assistance funds by employee/official, value more than \$200.
10416	443.071 (1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
10417	509.151 (1)	3rd	Defraud an innkeeper, food or lodging value greater than \$300.
10418	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
10419	562.27 (1)	3rd	Possess still or still apparatus.
10420	713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
10421	812.014 (3) (c)	3rd	Petit theft (3rd conviction);

			theft of any property not specified in subsection (2).
10422	812.081 (2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
10423	815.04 (4) (a)	3rd	Offense against intellectual property (i.e., computer programs, data).
10424	817.52 (2)	3rd	Hiring with intent to defraud, motor vehicle services.
10425	817.569 (2)	3rd	Use of public record or public records information to facilitate commission of a felony.
10426	826.01	3rd	Bigamy.
10427	828.122 (3)	3rd	Fighting or baiting animals.
10428	831.04 (1)	3rd	Any erasure, alteration, etc., of any replacement deed, map,

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			plat, or other document listed in s. 92.28.
10429	831.31(1)(a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
10430	832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
10431	832.05(2)(b) & (4)(c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
10432	838.15(2)	3rd	Commercial bribe receiving.
10433	838.16	3rd	Commercial bribery.
10434	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
10435	847.011(1)(a)	3rd	Sell, distribute, etc.,

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			obscene, lewd, etc., material (2nd conviction).
10436	849.01	3rd	Keeping gambling house.
10437	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
10438	<u>849.15(10)</u> 849.23	3rd	Gambling-related machines; "common offender" as to property rights.
10439	849.25(2)	3rd	Engaging in bookmaking.
10440	860.08	3rd	Interfere with a railroad signal.
10441	860.13(1)(a)	3rd	Operate aircraft while under the influence.
10442	893.13(2)(a)2.	3rd	Purchase of cannabis.
10443			

893.13(6)(a) 3rd Possession of cannabis (more than 20 grams).

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934.03(1)(a) 3rd Intercepts, or procures any other person to intercept, any wire or oral communication.

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Section 172. (1) The Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation shall revoke any for-profit permit issued before January 1, 2012, under which pari-mutuel wagering on live events has not occurred since January 1, 2012. A permit revoked under this section may not be reissued.

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(2) Notwithstanding any other provision of law, the Division of Pari-mutuel Wagering may not approve or issue any new permit authorizing pari-mutuel wagering or new license authorizing slot machines.

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Section 173. Reorganization implementation process.-In order to best achieve the legislative purpose of this act:

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(1) The Governor shall appoint the members of the Gaming Control Commission in accordance with s. 551.0011.

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(2) Effective July 1, 2014, the Gaming Control Commission shall appoint an executive director of the Department of Gaming Control. If the commission does not appoint an executive director by August 1, 2014, the Governor shall appoint an interim executive director. The executive director shall serve

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10465 as secretary to the commission and as the commission's primary
10466 liaison with all entities involved in the reorganization of
10467 gaming. The executive director shall be responsible directly to
10468 the commission and shall serve as staff to the commission on all
10469 action items relating to the reorganization. During the
10470 reorganization implementation period, the executive director
10471 shall:

10472 (a) Be responsible for proposing actions regarding all
10473 gaming reorganization implementation issues.

10474 (b) Be responsible for integration of gaming oversight in
10475 the Department of Gaming Control.

10476 (3) The Gaming Control Commission shall establish a
10477 detailed procedure for the implementation of this act.

10478 (4) Effective July 1, 2014, the Department of Business and
10479 Professional Regulation shall work with the Gaming Control
10480 Commission and its executive director to achieve full
10481 implementation of this act.

10482 Section 174. Except as otherwise expressly provided in
10483 this act, this act shall take effect upon becoming a law.