

By Senator Margolis

35-00816-14

2014994\_\_

1                                   A bill to be entitled  
2           An act relating to advance deposit wagering; creating  
3           s. 550.6346, F.S.; authorizing the Division of Pari-  
4           mutuel Wagering to authorize advance deposit wagering  
5           conducted by certain permitholders or certain  
6           operators contracting with a permitholder; specifying  
7           requirements for a person authorized to conduct  
8           advance deposit wagering; requiring the division to  
9           adopt rules; providing an effective date.

10  
11           WHEREAS, advance deposit wagering is neither specifically  
12           permitted nor prohibited by Florida law, and yet advance deposit  
13           wagering companies are deeming advance deposit wagering to be  
14           legal in this state, and

15           WHEREAS, Florida pari-mutuel operations are missing the  
16           opportunity to collect revenue generated by advance deposit  
17           wagers placed by Florida residents, thereby harming stakeholders  
18           such as operators, horsemen, and greyhound breeders and trainers  
19           and harming the state through reduced tax revenues, and

20           WHEREAS, handle at the Oregon hub system used by many  
21           Florida residents increased 47 percent from 2007 to 2012 while  
22           pari-mutuel handle in Florida fell 41 percent during the same  
23           period, and

24           WHEREAS, other states have successfully imposed fees and  
25           taxes on advance deposit wagering operators who collect wagers  
26           from their residents, NOW, THEREFORE,

27  
28           Be It Enacted by the Legislature of the State of Florida:  
29

35-00816-14

2014994\_\_

30 Section 1. Section 550.6346, Florida Statutes, is created  
31 to read:

32 550.6346 Advance deposit wagering.-

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

34 (a) "Advance deposit wagering" means a form of pari-mutuel  
35 wagering in which an individual deposits money into an account  
36 with a person authorized by the division to conduct advance  
37 deposit wagering and such individual uses the account funds to  
38 pay for pari-mutuel wagers made in person, by telephone, or  
39 through communication by other electronic means.

40 (b) "Permitholder" means a person that is issued a permit  
41 under this chapter.

42 (2) The division may authorize advance deposit wagering  
43 conducted by:

44 (a) A permitholder; or

45 (b) An operator of an advance deposit wagering system  
46 accepting wagers pursuant to an agreement with a permitholder if  
47 the agreement is approved by the division.

48 (3) A person authorized to conduct advance deposit wagering  
49 under subsection (2) may accept advance deposit wagering for:

50 (a) Races conducted in this state under a permit issued  
51 under this chapter; or

52 (b) Races conducted in another state on a schedule approved  
53 by the permitholder.

54 (4) Residents or other individuals located within the state  
55 may not place wagers through a system of advance deposit  
56 wagering except with a person authorized to conduct advance  
57 deposit wagering under subsection (2). Only persons authorized  
58 to conduct advance deposit wagering under subsection (2) may

35-00816-14

2014994\_\_

59 accept wagers from residents or other individuals located within  
60 the state.

61 (5) A person authorized to conduct advance deposit wagering  
62 under subsection (2) may not:

63 (a) Accept an account wager in an amount in excess of the  
64 funds on deposit in the advance deposit wagering account of the  
65 individual placing the wager; or

66 (b) Allow individuals younger than 21 years of age to open,  
67 own, or have access to an advance deposit wagering account.

68 (6) A person authorized to conduct advance deposit wagering  
69 under subsection (2) must:

70 (a) Include a statement in all forms of advertising for  
71 advance deposit wagering that individuals younger than 21 years  
72 of age are not allowed to open, own, or have access to an  
73 advance deposit wagering account; and

74 (b) Verify the identification, residence, and age of the  
75 advance deposit wagering account holder using methods and  
76 technologies approved by the division.

77 (7) The division shall adopt rules to administer this  
78 section.

79 Section 2. This act shall take effect July 1, 2014.