

By Senator Margolis

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1 A bill to be entitled

2 An act relating to advance deposit wagering; creating
3 s. 550.6346, F.S.; defining terms; providing that the
4 Division of Pari-mutuel Wagering of the Department of
5 Business and Professional Regulation may authorize
6 advance deposit wagering conducted by certain
7 permitholders or certain operators contracting with a
8 permitholder; specifying requirements for a person
9 authorized to conduct advance deposit wagering;
10 prohibiting a resident or other individual from
11 placing a wager through an advance deposit wagering
12 system under specified circumstances; requiring the
13 division to adopt rules; providing an effective date.
14

15 WHEREAS, advance deposit wagering is neither specifically
16 authorized nor prohibited by Florida law, and yet advance
17 deposit wagering companies deem advance deposit wagering to be
18 legal in this state, and

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

24 WHEREAS, handle at the Oregon hub system used by many
25 Florida residents increased 47 percent from 2007 to 2012 while
26 pari-mutuel handle in Florida decreased 41 percent during the
27 same period, and

28 WHEREAS, other states have successfully imposed fees and
29 taxes on advance deposit wagering operators who collect wagers

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30 from their residents, NOW, THEREFORE,
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32 Be It Enacted by the Legislature of the State of Florida:
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34 Section 1. Section 550.6346, Florida Statutes, is created
35 to read:

36 550.6346 Advance deposit wagering.-

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

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

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

46 (2) The division may authorize advance deposit wagering
47 conducted by:

48 (a) A permitholder; or

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

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

54 (a) Races conducted in this state under a permit issued
55 under this chapter; or

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

58 (4) A person authorized to conduct advance deposit wagering

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59 under subsection (2) may not:

60 (a) Accept an account wager in an amount in excess of the
61 funds on deposit in the advance deposit wagering account of the
62 individual placing the wager; or

63 (b) Allow an individual younger than 21 years of age to
64 open, own, or have access to an advance deposit wagering
65 account.

66 (5) A person authorized to conduct advance deposit wagering
67 under subsection (2) shall:

68 (a) Include a statement in all forms of advertising for
69 advance deposit wagering that an individual younger than 21
70 years of age may not open, own, or have access to an advance
71 deposit wagering account; and

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

75 (6) A resident or any other individual located within this
76 state may not place a wager through a system of advance deposit
77 wagering except with a person authorized to conduct advance
78 deposit wagering under subsection (2). Only persons authorized
79 to conduct advance deposit wagering under subsection (2) may
80 accept wagers from residents or other individuals located within
81 this state.

82 (7) The division shall adopt rules to administer this
83 section.

84 Section 2. This act shall take effect July 1, 2015.