



283940

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/19/2016	.	
	.	
	.	
	.	

---

The Committee on Regulated Industries (Abruzzo) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 2324 - 2333

and insert:

Section 37. Section 551.1015, Florida Statutes, is created to read:

551.1015 Class III gaming or games authorized.-

(1) LEGISLATIVE INTENT.-It is the intent of the Legislature to provide additional entertainment choices for the residents of and visitors to the state, to promote tourism, and to provide



283940

11 additional state revenues through the authorization of certain  
12 slot machine gaming and other class III gaming or games at  
13 licensed pari-mutuel facilities. To ensure the public confidence  
14 in the integrity of authorized slot machine gaming and other  
15 class III gaming operations, this section is designed to  
16 strictly regulate the facilities, persons, and procedures  
17 related to cardroom operations. Furthermore, the Legislature  
18 finds that games authorized under this section are considered to  
19 be pari-mutuel style games and not casino gaming because the  
20 participants play against each other instead of against the  
21 house.

22 (2) DEFINITIONS.—For purposes of this section, the term  
23 “class III gaming or games” means the operation of slot  
24 machines, video race terminals, banked card games, raffles and  
25 drawings, and live table games at a licensed pari-mutuel  
26 facility pursuant to chapters 550 and 551, in conformity with  
27 rules promulgated by the Division of Pari-Mutuel Wagering.

28 (3) AUTHORIZATION.—

29 (a) A licensed pari-mutuel facility located in the state  
30 may possess slot machines and conduct slot machine gaming or  
31 other class III gaming or games at the location where the pari-  
32 mutuel permit holder is authorized to conduct pari-mutuel  
33 wagering activities pursuant to such permit holder’s valid pari-  
34 mutuel permit, if:

35 1. A majority of voters in a countywide referendum in the  
36 county in which the facility is located have approved slot  
37 machines at the facility;

38 2. A majority of voters in a countywide referendum in the  
39 county in which the facility is located have approved the



283940

40 operation of class III gaming or games within the county at the  
41 facility; and

42 3. The governing body of the municipality, or the governing  
43 body of the county if the facility is not located in a  
44 municipality, has provided its approval under s. 551.1041.

45 (b) A licensed pari-mutuel permitholder authorized to  
46 conduct slot machine gaming on or before July 1, 2016, may  
47 conduct class III gaming or games at the location where the  
48 pari-mutuel permitholder is authorized to conduct pari-mutuel  
49 wagering activities pursuant to such permitholder's valid pari-  
50 mutuel permit.

51 (c) A licensed pari-mutuel facility located in Orange  
52 County may not be authorized to possess slot machines and  
53 conduct slot machine gaming or other class III gaming or games.

54 (d) The expense of a referendum held under this subsection  
55 shall be borne by the pari-mutuel permitholder or permitholders  
56 who wish to conduct slot machine gaming or class III gaming or  
57 games within a county. If a special election is not held, the  
58 referendum shall be conducted at the next general election in  
59 that county.

60 (e)1. Thirty-five percent of the net revenues from  
61 authorized class III gaming operations at a licensed pari-mutuel  
62 facility shall be designated as the local government share and  
63 shall be distributed to the governing body of the municipality,  
64 or the governing body of the county if the facility is not  
65 located in a municipality, for reduction of property taxes in  
66 the respective county or municipality.

67 2. The calculations necessary to determine the local  
68 government share of distributions shall be made by the Division



283940

69 of Pari-mutuel Wagering. The method of payment of the local  
70 government share attributable to each pari-mutuel facility shall  
71 be as required by the governing body as a condition of local  
72 government approval under subsection (4).

73 (4) LOCAL GOVERNMENT APPROVAL.—

74 (a) The Division of Pari-mutuel Wagering may not issue an  
75 initial license under this section except upon proof, in such  
76 form as the division may prescribe, that the local government  
77 where the applicant desires to conduct slot machine gaming or  
78 class III gaming or games has voted to approve such activity by  
79 a majority vote of the governing body of the municipality, or  
80 the governing body of the county if the facility is not located  
81 in a municipality. If the local government considers approval of  
82 such activity and a majority vote of the governing body of the  
83 municipality, or the governing body of the county if the  
84 facility is not located in a municipality, does not approve slot  
85 machine gaming, other class III gaming or games, or both, the  
86 matter may not be reconsidered for a period of 5 years after the  
87 date of the vote of the governing body. The governing body of  
88 the municipality, or the governing body of the county if the  
89 facility is not located in a municipality, and the pari-mutuel  
90 permitholder shall agree on the documentation required for  
91 confirmation and transmittal of the local government share  
92 payable by the permitholder.

93 (b) The division may not issue a license for slot machine  
94 gaming or other class III gaming or games for any location in  
95 Orange County.

96 (c) Notwithstanding any other law, it is not a crime for a  
97 person to participate in:



283940

98           1. Slot machine gaming at a pari-mutuel facility licensed  
99 to possess slot machines and conduct slot machine gaming or to  
100 participate in slot machine gaming described in this section.

101           2. Class III gaming or games at a pari-mutuel facility  
102 licensed to possess class III gaming or games and to conduct  
103 class III gaming or games or to participate in class III gaming  
104 or games described in this section.

105           (5) RULEMAKING.—The division may adopt rules necessary to  
106 implement this section.

107           Section 38. This act shall take effect on July 1, 2016.

109 ===== T I T L E   A M E N D M E N T =====

110 And the title is amended as follows:

111           Delete line 204

112 and insert:

113           nonseverability; creating s. 551.1015, F.S.; providing  
114           legislative intent; defining the term "class III  
115           gaming or games"; authorizing certain licensed pari-  
116           mutuel facilities to possess slot machines and conduct  
117           slot machine gaming or other class III gaming or games  
118           at a specified location under certain circumstances;  
119           providing that the expense of a referendum shall be  
120           borne by the pari-mutuel permitholder or permitholders  
121           who wish to conduct slot machine gaming or other class  
122           III gaming or games; providing requirements for the  
123           referendum to vote on the issue of slot machine  
124           gaming; requiring that a specified percentage of  
125           revenues from authorized class III gaming be  
126           designated as the local government share; providing



283940

127 distribution requirements for the local government  
128 share; providing requirements for the division to  
129 approve an initial license; providing that it is not a  
130 crime for a person to participate in slot machine  
131 gaming or other class III gaming or games under  
132 certain circumstances; authorizing rulemaking;  
133 providing an effective date.