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LEGISLATIVE ACTION

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

108
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.