

By the Committee on Regulated Industries

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1 A bill to be entitled
2 An act relating to gaming; amending s. 24.103, F.S.;
3 defining the term "point-of-sale terminal"; amending
4 s. 24.105, F.S.; authorizing the Department of the
5 Lottery to create a program that authorizes certain
6 persons to purchase a ticket or game at a point-of-
7 sale terminal; authorizing the department to adopt
8 rules; providing requirements for the rules; amending
9 s. 24.112, F.S.; authorizing the department, a
10 retailer operating from one or more locations, or a
11 vendor approved by the department to use a point-of-
12 sale terminal to sell a lottery ticket or game;
13 requiring a point-of-sale terminal to perform certain
14 functions; specifying that the point-of-sale terminal
15 may not reveal winning numbers; prohibiting a point-
16 of-sale terminal from including or making use of video
17 reels or mechanical reels or other video depictions of
18 slot machine or casino game themes or titles for game
19 play; prohibiting a point-of-sale terminal from being
20 used to redeem a winning ticket; amending s. 550.002,
21 F.S.; redefining the term "full schedule of live
22 racing or games"; amending s. 550.01215, F.S.;
23 revising provisions for applications for pari-mutuel
24 operating licenses; authorizing a greyhound racing
25 permitholder to specify certain intentions on its
26 application; authorizing a greyhound racing
27 permitholder to receive an operating license to
28 conduct pari-mutuel wagering activities at another
29 permitholder's greyhound racing facility; limiting the
30 number of pari-mutuel wagering operating licenses that
31 may be issued each year; authorizing the Division of
32 Pari-mutuel Wagering of the Department of Business and

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33 Professional Regulation to approve changes in racing
34 dates for permitholders under certain circumstances;
35 providing requirements for licensure of certain jai
36 alai permitholders; deleting a provision for
37 conversion of certain converted permits to jai alai
38 permits; amending s. 550.0251, F.S.; requiring the
39 division to annually report to the Governor and the
40 Legislature; specifying requirements for the content
41 of the report; amending s. 550.054, F.S.; requiring
42 the division to revoke a pari-mutuel wagering
43 operating permit under certain circumstances;
44 prohibiting issuance or approval of new pari-mutuel
45 permits after a specified date; authorizing a
46 permitholder to apply to the division to place a
47 permit in inactive status; revising provisions that
48 prohibit transfer or assignment of a pari-mutuel
49 permit; prohibiting transfer or assignment of a pari-
50 mutuel permit or license under certain conditions;
51 prohibiting relocation of a pari-mutuel facility,
52 cardroom, or slot machine facility or conversion of
53 pari-mutuel permits to a different class; providing
54 for approval of the relocation of such permits;
55 deleting provisions for certain converted permits;
56 repealing s. 550.0555, F.S., relating to the
57 relocation of greyhound racing permits; repealing s.
58 550.0745, F.S., relating to the conversion of pari-
59 mutuel permits to summer jai alai permits; amending s.
60 550.0951, F.S.; deleting provisions for certain
61 credits for a greyhound racing permitholder; revising

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62 the tax on handle for live greyhound racing and
63 intertrack wagering if the host track is a greyhound
64 racing track; requiring a tax on handle and fees for
65 video race licensees; specifying how fees may be used
66 by the department and the Department of Law
67 Enforcement; amending s. 550.09511, F.S.; conforming a
68 cross-reference; amending s. 550.09512, F.S.;
69 providing for the revocation of certain harness horse
70 racing permits; specifying that a revoked permit may
71 not be reissued; amending s. 550.09514, F.S.; deleting
72 certain provisions that prohibit tax on handle until a
73 specified amount of tax savings have resulted;
74 revising purse requirements of a greyhound racing
75 permitholder that conducts live racing; amending s.
76 550.09515, F.S.; providing for the revocation of
77 certain thoroughbred racing permits; specifying that a
78 revoked permit may not be reissued; amending s.
79 550.1625, F.S.; deleting the requirement that a
80 greyhound racing permitholder pay the breaks tax;
81 repealing s. 550.1647, F.S., relating to unclaimed
82 tickets and breaks held by greyhound racing
83 permitholders; amending s. 550.1648, F.S.; revising
84 requirements for a greyhound racing permitholder to
85 provide a greyhound adoption booth at its facility;
86 requiring sterilization of greyhounds before adoption;
87 authorizing the fee for such sterilization to be
88 included in the cost of adoption; defining the term
89 "bona fide organization that promotes or encourages
90 the adoption of greyhounds"; creating s. 550.1752,

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91 F.S.; creating the permit reduction program within the
92 division; providing a purpose for the program;
93 providing for funding for the program up to a
94 specified maximum amount; requiring the division to
95 purchase pari-mutuel permits from permitholders under
96 certain circumstances; requiring that permitholders
97 who wish to make an offer to sell meet certain
98 requirements; requiring the division to adopt a
99 certain form by rule; requiring that the division
100 establish the value of a pari-mutuel permit based on
101 the valuation of one or more independent appraisers;
102 authorizing the division to establish a value that is
103 lower than the valuation of the independent appraiser;
104 requiring the division to accept the offers that best
105 utilize available funding; requiring the division to
106 cancel permits that it purchases through the program;
107 providing for expiration of the program; renaming the
108 permit reduction program as the thoroughbred purse
109 supplement program; revising the purpose of the
110 program; deleting provisions requiring the division to
111 purchase pari-mutuel permits; revising the form the
112 division shall adopt by rule; requiring the division
113 to apportion purse supplement funds in a certain
114 manner; requiring a thoroughbred permitholder to
115 return any unused portion of a purse supplement fund
116 under certain circumstances; and authorizing
117 rulemaking, as of a specified date; creating s.
118 550.2416, F.S.; requiring injuries to racing
119 greyhounds to be reported within a certain timeframe

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120 on a form adopted by the division; requiring such form
121 to be completed and signed under oath or affirmation
122 by certain individuals; providing penalties;
123 specifying information that must be included on the
124 form; requiring the division to maintain the forms as
125 public records for a specified time; specifying
126 disciplinary action that may be taken against a
127 licensee of the Department of Business and
128 Professional Regulation who makes false statements on
129 an injury form or who fails to report an injury;
130 exempting injuries to certain animals from reporting
131 requirements; requiring the division to adopt rules;
132 amending s. 550.26165, F.S.; conforming a cross-
133 reference; amending s. 550.3345, F.S.; deleting
134 obsolete provisions; revising requirements for a
135 permit previously converted from a quarter horse
136 racing permit to a limited thoroughbred racing permit;
137 amending s. 550.3551, F.S.; deleting a provision that
138 limits the number of out-of-state races on which
139 wagers are accepted by a greyhound racing
140 permitholder; deleting a provision prohibiting a
141 permitholder from conducting fewer than eight live
142 races or games under certain circumstances; deleting a
143 provision requiring certain permitholders to conduct a
144 full schedule of live racing to receive certain full-
145 card broadcasts and accept certain wagers; amending s.
146 550.375, F.S.; conforming a cross-reference; amending
147 s. 550.475, F.S.; prohibiting a permitholder from
148 leasing from certain pari-mutuel permitholders;

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149 amending s. 550.5251, F.S., deleting a provision
150 relating to requirements for thoroughbred
151 permitholders; amending s. 550.615, F.S.; revising
152 eligibility requirements for certain pari-mutuel
153 facilities to qualify to receive certain broadcasts;
154 providing that certain greyhound racing permitholders
155 are not required to obtain certain written consent;
156 deleting requirements to conduct intertrack wagering
157 between certain permitholders; deleting a provision
158 prohibiting certain intertrack wagering in certain
159 counties; specifying conditions under which greyhound
160 racing permitholders may accept wagers; amending s.
161 550.6308, F.S.; revising the number of days of
162 thoroughbred horse sales required for an applicant to
163 obtain a limited intertrack wagering license; revising
164 eligibility requirements for such licenses; revising
165 requirements for such wagering; deleting provisions
166 requiring a licensee to make certain payments to the
167 daily pari-mutuel pool; amending s. 551.101, F.S.;
168 revising the facilities that may possess slot machines
169 and conduct slot machine gaming; deleting certain
170 provisions requiring a countywide referendum to
171 approve slot machines at certain facilities; amending
172 s. 551.102, F.S.; revising definitions; amending s.
173 551.104, F.S.; prohibiting the division from issuing a
174 slot machine license to certain pari-mutuel
175 permitholders; revising conditions of licensure and to
176 maintain authority to conduct slot machine gaming;
177 exempting a summer thoroughbred racing permitholder

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178 from certain purse requirements; providing
179 applicability; deleting a provision prohibiting the
180 division from issuing or renewing a license for an
181 applicant holding a permit under ch. 550, F.S., under
182 certain circumstances; deleting a provision requiring
183 certain slot machine licensees to remit a certain
184 amount for the payment of purses on live races, as of
185 a certain date; conforming provisions to changes made
186 by the act; creating s. 551.1042, F.S.; prohibiting
187 the transfer of a slot machine license or relocation
188 of a slot machine facility; creating s. 551.1043,
189 F.S.; providing legislative findings; authorizing an
190 additional slot machine license to be awarded and
191 renewed annually to a pari-mutuel permitholder located
192 in a certain county; authorizing certain pari-mutuel
193 permitholders to apply for such a license; providing
194 an application fee; requiring the deposit of the fee
195 in the Pari-mutuel Wagering Trust Fund; requiring the
196 division to award the license to the applicant that
197 bests meets the selection criteria; providing
198 selection criteria; requiring the division to complete
199 a certain evaluation by a specified date; specifying
200 grounds for denial of an application; providing that
201 certain protests be forwarded to the Division of
202 Administrative Hearings; providing requirements for
203 appeals; authorizing the division to adopt certain
204 emergency rules; creating s. 551.1044, F.S.;
205 authorizing blackjack table games at certain pari-
206 mutuel facilities; specifying limits on wagers;

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207 amending s. 551.106, F.S.; deleting obsolete
208 provisions; revising the tax rate on slot machine
209 revenues under certain conditions; amending s.
210 551.108, F.S.; providing applicability; amending s.
211 551.114, F.S.; revising the areas where a designated
212 slot machine gaming area may be located; amending s.
213 551.116, F.S.; deleting a restriction on the number of
214 hours per day that slot machine gaming areas may be
215 open; amending s. 551.121, F.S.; authorizing the
216 serving of complimentary or reduced-cost alcoholic
217 beverages to a person playing a slot machine;
218 authorizing the location of an automated teller
219 machine or similar device within designated slot
220 machine gaming areas; amending s. 849.086, F.S.;
221 amending legislative intent; revising definitions;
222 deleting certain license renewal requirements;
223 deleting provisions relating to restrictions of hours
224 of operation; authorizing certain cardroom operators
225 to offer certain designated player games; requiring
226 the designated player to be licensed; prohibiting
227 cardroom operators from serving as the designated
228 player in a game and from having a financial interest
229 in a designated player; authorizing a cardroom
230 operator to collect a rake, subject to certain
231 requirements; requiring the dealer button to be
232 rotated under certain circumstances; prohibiting a
233 cardroom operator from allowing a designated player to
234 pay an opposing player under certain circumstances;
235 providing elements of a designated player game;

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236 revising requirements for a cardroom license to be
237 issued or renewed; requiring a certain written
238 agreement with a thoroughbred permitholder; providing
239 contract requirements for the agreement; conforming
240 provisions to changes made by the act; directing the
241 division to revoke certain pari-mutuel permits;
242 specifying that the revoked permits may not be
243 reissued; providing for severability; providing a
244 contingent effective date.

245

246 Be It Enacted by the Legislature of the State of Florida:

247

248 Section 1. Effective upon becoming a law, section 24.103,
249 Florida Statutes, is reordered and amended to read:

250 24.103 Definitions.—As used in this act, the term:

251 (1) "Department" means the Department of the Lottery.

252 ~~(6)(2)~~ "Secretary" means the secretary of the department.

253 (3) "Person" means any individual, firm, association, joint
254 adventure, partnership, estate, trust, syndicate, fiduciary,
255 corporation, or other group or combination and includes an ~~shall~~
256 ~~include any~~ agency or political subdivision of the state.

257 (4) "Point-of-sale terminal" means an electronic device
258 used to process credit card, debit card, or other similar charge
259 card payments at retail locations which is supported by networks
260 that enable verification, payment, transfer of funds, and
261 logging of transactions.

262 ~~(2)(4)~~ "Major procurement" means a procurement for a
263 contract for the printing of tickets for use in any lottery
264 game, consultation services for the startup of the lottery, any

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265 goods or services involving the official recording for lottery
266 game play purposes of a player's selections in any lottery game
267 involving player selections, any goods or services involving the
268 receiving of a player's selection directly from a player in any
269 lottery game involving player selections, any goods or services
270 involving the drawing, determination, or generation of winners
271 in any lottery game, the security report services provided for
272 in this act, or any goods and services relating to marketing and
273 promotion which exceed a value of \$25,000.

274 (5) "Retailer" means a person who sells lottery tickets on
275 behalf of the department pursuant to a contract.

276 ~~(7)-(6)~~ "Vendor" means a person who provides or proposes to
277 provide goods or services to the department, but does not
278 include an employee of the department, a retailer, or a state
279 agency.

280 Section 2. Effective upon becoming a law, present
281 subsections (19) and (20) of section 24.105, Florida Statutes,
282 are redesignated as subsections (20) and (21), respectively, and
283 a new subsection (19) is added to that section, to read:

284 24.105 Powers and duties of department.—The department
285 shall:

286 (19) Have the authority to create a program that allows a
287 person who is at least 18 years of age to purchase a lottery
288 ticket or game at a point-of-sale terminal. The department may
289 adopt rules to administer the program. Such rules shall include,
290 but are not limited to, the following:

291 (a) Limiting the dollar amount of lottery tickets or games
292 that a person may purchase at point-of-sale terminals;

293 (b) Creating a process to enable a customer to restrict or

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294 prevent his or her own access to lottery tickets or games; and

295 (c) Ensuring that the program is administered in a manner
296 that does not breach the exclusivity provisions of any Indian
297 gaming compact to which this state is a party.

298 Section 3. Effective upon becoming a law, section 24.112,
299 Florida Statutes, is amended to read:

300 24.112 Retailers of lottery tickets; ~~authorization of~~
301 vending machines; point-of-sale terminals to dispense lottery
302 tickets.-

303 (1) The department shall adopt ~~promulgate~~ rules specifying
304 the terms and conditions for contracting with retailers who will
305 best serve the public interest and promote the sale of lottery
306 tickets.

307 (2) In the selection of retailers, the department shall
308 consider factors such as financial responsibility, integrity,
309 reputation, accessibility of the place of business or activity
310 to the public, security of the premises, the sufficiency of
311 existing retailers to serve the public convenience, and the
312 projected volume of the sales for the lottery game involved. In
313 the consideration of these factors, the department may require
314 the information it deems necessary of any person applying for
315 authority to act as a retailer. However, the department may not
316 establish a limitation upon the number of retailers and shall
317 make every effort to allow small business participation as
318 retailers. It is the intent of the Legislature that retailer
319 selections be based on business considerations and the public
320 convenience and that retailers be selected without regard to
321 political affiliation.

322 (3) The department may ~~shall~~ not contract with any person

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323 as a retailer who:

324 (a) Is less than 18 years of age.

325 (b) Is engaged exclusively in the business of selling
326 lottery tickets; however, this paragraph may ~~shall~~ not preclude
327 the department from selling lottery tickets.

328 (c) Has been convicted of, or entered a plea of guilty or
329 nolo contendere to, a felony committed in the preceding 10
330 years, regardless of adjudication, unless the department
331 determines that:

332 1. The person has been pardoned or the person's civil
333 rights have been restored;

334 2. Subsequent to such conviction or entry of plea the
335 person has engaged in the kind of law-abiding commerce and good
336 citizenship that would reflect well upon the integrity of the
337 lottery; or

338 3. If the person is a firm, association, partnership,
339 trust, corporation, or other entity, the person has terminated
340 its relationship with the individual whose actions directly
341 contributed to the person's conviction or entry of plea.

342 (4) The department shall issue a certificate of authority
343 to each person with whom it contracts as a retailer for purposes
344 of display pursuant to subsection (6). The issuance of the
345 certificate may ~~shall~~ not confer upon the retailer any right
346 apart from that specifically granted in the contract. The
347 authority to act as a retailer may ~~shall~~ not be assignable or
348 transferable.

349 (5) A ~~Any~~ contract executed by the department pursuant to
350 this section shall specify the reasons for any suspension or
351 termination of the contract by the department, including, but

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352 not limited to:

353 (a) Commission of a violation of this act or rule adopted
354 pursuant thereto.

355 (b) Failure to accurately account for lottery tickets,
356 revenues, or prizes as required by the department.

357 (c) Commission of any fraud, deceit, or misrepresentation.

358 (d) Insufficient sale of tickets.

359 (e) Conduct prejudicial to public confidence in the
360 lottery.

361 (f) Any material change in any matter considered by the
362 department in executing the contract with the retailer.

363 (6) Each ~~Every~~ retailer shall post and keep conspicuously
364 displayed in a location on the premises accessible to the public
365 its certificate of authority and, with respect to each game, a
366 statement supplied by the department of the estimated odds of
367 winning a ~~some~~ prize for the game.

368 (7) A ~~No~~ contract with a retailer may not ~~shall~~ authorize
369 the sale of lottery tickets at more than one location, and a
370 retailer may sell lottery tickets only at the location stated on
371 the certificate of authority.

372 (8) With respect to any retailer whose rental payments for
373 premises are contractually computed, in whole or in part, on the
374 basis of a percentage of retail sales, and where such
375 computation of retail sales is not explicitly defined to include
376 sales of tickets in a state-operated lottery, the compensation
377 received by the retailer from the department shall be deemed to
378 be the amount of the retail sale for the purposes of such
379 contractual compensation.

380 (9) (a) The department may require each ~~every~~ retailer to

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381 post an appropriate bond as determined by the department, using
382 an insurance company acceptable to the department, in an amount
383 not to exceed twice the average lottery ticket sales of the
384 retailer for the period within which the retailer is required to
385 remit lottery funds to the department. For the first 90 days of
386 sales of a new retailer, the amount of the bond may not exceed
387 twice the average estimated lottery ticket sales for the period
388 within which the retailer is required to remit lottery funds to
389 the department. This paragraph does ~~shall~~ not apply to lottery
390 tickets that ~~which~~ are prepaid by the retailer.

391 (b) In lieu of such bond, the department may purchase
392 blanket bonds covering all or selected retailers or may allow a
393 retailer to deposit and maintain with the Chief Financial
394 Officer securities that are interest bearing or accruing and
395 that, with the exception of those specified in subparagraphs 1.
396 and 2., are rated in one of the four highest classifications by
397 an established nationally recognized investment rating service.
398 Securities eligible under this paragraph shall be limited to:

399 1. Certificates of deposit issued by solvent banks or
400 savings associations organized and existing under the laws of
401 this state or under the laws of the United States and having
402 their principal place of business in this state.

403 2. United States bonds, notes, and bills for which the full
404 faith and credit of the government of the United States is
405 pledged for the payment of principal and interest.

406 3. General obligation bonds and notes of any political
407 subdivision of the state.

408 4. Corporate bonds of any corporation that is not an
409 affiliate or subsidiary of the depositor.

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411 Such securities shall be held in trust and shall have at all
412 times a market value at least equal to an amount required by the
413 department.

414 (10) Each ~~Every~~ contract entered into by the department
415 pursuant to this section shall contain a provision for payment
416 of liquidated damages to the department for any breach of
417 contract by the retailer.

418 (11) The department shall establish procedures by which
419 each retailer shall account for all tickets sold by the retailer
420 and account for all funds received by the retailer from such
421 sales. The contract with each retailer shall include provisions
422 relating to the sale of tickets, payment of moneys to the
423 department, reports, service charges, and interest and
424 penalties, if necessary, as the department shall deem
425 appropriate.

426 (12) ~~No~~ Payment by a retailer to the department for tickets
427 may not shall be in cash. All such payments shall be in the form
428 of a check, bank draft, electronic fund transfer, or other
429 financial instrument authorized by the secretary.

430 (13) Each retailer shall provide accessibility for disabled
431 persons on habitable grade levels. This subsection does not
432 apply to a retail location that ~~which~~ has an entrance door
433 threshold more than 12 inches above ground level. As used in
434 ~~herein and for purposes of~~ this subsection ~~only~~, the term
435 "accessibility for disabled persons on habitable grade levels"
436 means that retailers shall provide ramps, platforms, aisles and
437 pathway widths, turnaround areas, and parking spaces to the
438 extent these are required for the retailer's premises by the

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439 particular jurisdiction where the retailer is located.
440 Accessibility shall be required to only one point of sale of
441 lottery tickets for each lottery retailer location. The
442 requirements of this subsection shall be deemed to have been met
443 if, in lieu of the foregoing, disabled persons can purchase
444 tickets from the retail location by means of a drive-up window,
445 provided the hours of access at the drive-up window are not less
446 than those provided at any other entrance at that lottery
447 retailer location. Inspections for compliance with this
448 subsection shall be performed by those enforcement authorities
449 responsible for enforcement pursuant to s. 553.80 in accordance
450 with procedures established by those authorities. Those
451 enforcement authorities shall provide to the Department of the
452 Lottery a certification of noncompliance for any lottery
453 retailer not meeting such requirements.

454 (14) The secretary may, after filing with the Department of
455 State his or her manual signature certified by the secretary
456 under oath, execute or cause to be executed contracts between
457 the department and retailers by means of engraving, imprinting,
458 stamping, or other facsimile signature.

459 (15) A vending machine may be used to dispense online
460 lottery tickets, instant lottery tickets, or both online and
461 instant lottery tickets.

462 (a) The vending machine must:

463 1. Dispense a lottery ticket after a purchaser inserts a
464 coin or currency in the machine.

465 2. Be capable of being electronically deactivated for a
466 period of 5 minutes or more.

467 3. Be designed to prevent its use for any purpose other

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468 than dispensing a lottery ticket.

469 (b) In order to be authorized to use a vending machine to
470 dispense lottery tickets, a retailer must:

471 1. Locate the vending machine in the retailer's direct line
472 of sight to ensure that purchases are only made by persons at
473 least 18 years of age.

474 2. Ensure that at least one employee is on duty when the
475 vending machine is available for use. However, if the retailer
476 has previously violated s. 24.1055, at least two employees must
477 be on duty when the vending machine is available for use.

478 (c) A vending machine that dispenses a lottery ticket may
479 dispense change to a purchaser but may not be used to redeem any
480 type of winning lottery ticket.

481 (d) The vending machine, or any machine or device linked to
482 the vending machine, may not include or make use of video reels
483 or mechanical reels or other video depictions of slot machine or
484 casino game themes or titles for game play. This does not
485 preclude the use of casino game themes or titles on such tickets
486 or signage or advertising displays on the machines.

487 (16) The department, a retailer operating from one or more
488 locations, or a vendor approved by the department may use a
489 point-of-sale terminal to facilitate the sale of a lottery
490 ticket or game.

491 (a) A point-of-sale terminal must:

492 1. Dispense a paper lottery ticket with numbers selected by
493 the purchaser or selected randomly by the machine after the
494 purchaser uses a credit card, debit card, or other similar
495 charge card issued by a bank, savings association, credit union,
496 or charge card company or issued by a retailer pursuant to part

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497 II of chapter 520 for payment;

498 2. Recognize a valid driver license or use another age
499 verification process approved by the department to ensure that
500 only persons at least 18 years of age may purchase a lottery
501 ticket or game;

502 3. Process a lottery transaction through a platform that is
503 certified or otherwise approved by the department; and

504 4. Be in compliance with all applicable department
505 requirements related to the lottery ticket or game offered for
506 sale.

507 (b) A point-of-sale terminal does not reveal winning
508 numbers, which are selected at a subsequent time and different
509 location through a drawing by the state lottery.

510 (c) A point-of-sale terminal, or any machine or device
511 linked to the point-of-sale terminal, may not include or make
512 use of video reels or mechanical reels or other video depictions
513 of slot machine or casino game themes or titles for game play.
514 This does not preclude the use of casino game themes or titles
515 on a lottery ticket or game or on the signage or advertising
516 displays on the terminal.

517 (d) A point-of-sale terminal may not be used to redeem a
518 winning ticket.

519 Section 4. Subsection (11) of section 550.002, Florida
520 Statutes, is amended to read:

521 550.002 Definitions.—As used in this chapter, the term:

522 (11) (a) "Full schedule of live racing or games" means:

523 1. For a greyhound racing permitholder or jai alai
524 permitholder, the conduct of a combination of at least 100 live
525 evening or matinee performances during the preceding year.~~;~~ ~~for~~

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526 ~~a permitholder who has a converted permit or filed an~~
527 ~~application on or before June 1, 1990, for a converted permit,~~
528 ~~the conduct of a combination of at least 100 live evening and~~
529 ~~matinee wagering performances during either of the 2 preceding~~
530 ~~years;~~

531 2. For a jai alai permitholder ~~that~~ who does not possess a
532 operate slot machine license machines in its pari-mutuel
533 facility, ~~who~~ has conducted at least 100 live performances per
534 year for at least 10 years after December 31, 1992, and has had
535 whose handle on live jai alai games conducted at its pari-mutuel
536 facility which was ~~has been~~ less than \$4 million per state
537 fiscal year for at least 2 consecutive years after June 30,
538 1992, the conduct of ~~a combination of~~ at least 40 live evening
539 ~~or matinee~~ performances during the preceding year.†

540 3. For a jai alai permitholder that possess a ~~who operates~~
541 slot machine license machines in its pari-mutuel facility, the
542 conduct of ~~a combination of~~ at least 150 performances during the
543 preceding year.†

544 4. For a summer jai alai permitholder that does not possess
545 a slot machine license, the conduct of at least 58 live
546 performances during the preceding year, unless the permitholder
547 meets the requirements of subparagraph 2.

548 5. For a harness horse racing permitholder, the conduct of
549 at least 100 live regular wagering performances during the
550 preceding year.†

551 6. For a quarter horse racing permitholder at its facility,
552 unless an alternative schedule of at least 20 live regular
553 wagering performances each year is agreed upon by the
554 permitholder and either the Florida Quarter Horse Racing

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555 Association or the horsemen ~~horsemen's~~ association representing
556 the majority of the quarter horse owners and trainers at the
557 facility and filed ~~with the division along~~ with its annual
558 operating license ~~date~~ application: 7

559 a. In the 2010-2011 fiscal year, the conduct of at least 20
560 regular wagering performances. 7

561 b. In the 2011-2012 and 2012-2013 fiscal years, the conduct
562 of at least 30 live regular wagering performances. 7 ~~and~~

563 c. For every fiscal year after the 2012-2013 fiscal year,
564 the conduct of at least 40 live regular wagering performances. 7

565 7. For a quarter horse racing permitholder leasing another
566 licensed racetrack, the conduct of 160 events at the leased
567 facility during the preceding year. ~~;~~ ~~and~~

568 8. For a thoroughbred racing permitholder, the conduct of
569 at least 40 live regular wagering performances during the
570 preceding year.

571 (b) ~~For a permitholder which is restricted by statute to~~
572 ~~certain operating periods within the year when other members of~~
573 ~~its same class of permit are authorized to operate throughout~~
574 ~~the year, the specified number of live performances which~~
575 ~~constitute a full schedule of live racing or games shall be~~
576 ~~adjusted pro rata in accordance with the relationship between~~
577 ~~its authorized operating period and the full calendar year and~~
578 ~~the resulting specified number of live performances shall~~
579 ~~constitute the full schedule of live games for such permitholder~~
580 ~~and all other permitholders of the same class within 100 air~~
581 ~~miles of such permitholder. A live performance must consist of~~
582 no fewer than eight races or games conducted live for each of a
583 minimum of three performances each week at the permitholder's

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584 licensed facility under a single admission charge.

585 Section 5. Subsections (1), (3), and (6) of section
586 550.01215, Florida Statutes, are amended to read:

587 550.01215 License application; periods of operation; bond,
588 conversion of permit.—

589 (1) Each permitholder shall annually, during the period
590 between December 15 and January 4, file in writing with the
591 division its application for an operating a license to conduct
592 pari-mutuel wagering during the next fiscal year, including
593 intertrack and simulcast race wagering for greyhound racing
594 permitholders, jai alai permitholders, harness horse racing
595 permitholders, and quarter horse racing permitholders that do
596 not to conduct live performances during the next state fiscal
597 year. Each application for live performances must ~~shall~~ specify
598 the number, dates, and starting times of all live performances
599 that ~~which~~ the permitholder intends to conduct. It must ~~shall~~
600 also specify which performances will be conducted as charity or
601 scholarship performances.

602 (a) ~~In addition,~~ Each application for an operating a
603 license also must ~~shall~~ include:⁷

604 1. For each permitholder, whether the permitholder intends
605 to accept wagers on broadcast events.

606 2. For each permitholder that elects ~~which elects~~ to
607 operate a cardroom, the dates and periods of operation the
608 permitholder intends to operate the cardroom. ~~or,~~

609 3. For each thoroughbred racing permitholder that ~~which~~
610 elects to receive or rebroadcast out-of-state races after 7
611 p.m., the dates for all performances which the permitholder
612 intends to conduct.

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613 (b) A greyhound racing permitholder that conducted a full
614 schedule of live racing for a period of at least 10 consecutive
615 state fiscal years after the 1996-1997 state fiscal year, or
616 that converted its permit to a permit to conduct greyhound
617 racing after the 1996-1997 state fiscal year, may specify in its
618 application for an operating license that it does not intend to
619 conduct live racing, or that it intends to conduct less than a
620 full schedule of live racing, in the next state fiscal year. A
621 greyhound racing permitholder may receive an operating license
622 to conduct pari-mutuel wagering activities at another
623 permitholder's greyhound racing facility pursuant to s. 550.475.

624 (c) Permitholders may ~~shall be entitled to~~ amend their
625 applications through February 28.

626 (3) The division shall issue each license no later than
627 March 15. Each permitholder shall operate all performances at
628 the date and time specified on its license. The division shall
629 have the authority to approve minor changes in racing dates
630 after a license has been issued. The division may approve
631 changes in racing dates after a license has been issued when
632 there is no objection from any operating permitholder located
633 within 50 miles of the permitholder requesting the changes in
634 operating dates. In the event of an objection, the division
635 shall approve or disapprove the change in operating dates based
636 upon the impact on operating permitholders located within 50
637 miles of the permitholder requesting the change in operating
638 dates. In making the determination to change racing dates, the
639 division shall take into consideration the impact of such
640 changes on state revenues. Notwithstanding any other provision
641 of law, and for the 2016-2017 fiscal year only, the division may

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642 approve changes in racing dates for permitholders if the request
643 for such changes is received before August 31, 2016.

644 (6) A summer jai alai permitholder may apply for an
645 operating license to operate a jai alai fronton only during the
646 summer season beginning May 1 and ending November 30 of each
647 year on such dates as may be selected by the permitholder. Such
648 permitholder is subject to the same taxes, rules, and provisions
649 of this chapter which apply to the operation of winter jai alai
650 frontons. A summer jai alai permitholder is not eligible for
651 licensure to conduct a cardroom or operate a slot machine
652 facility. A summer jai alai permitholder and a winter jai alai
653 permitholder may not operate on the same days or in competition
654 with each other. This subsection does not prevent a summer jai
655 alai licensee from leasing the facilities of a winter jai alai
656 licensee for the operation of a summer meet ~~Any permit which was~~
657 ~~converted from a jai alai permit to a greyhound permit may be~~
658 ~~converted to a jai alai permit at any time if the permitholder~~
659 ~~never conducted greyhound racing or if the permitholder has not~~
660 ~~conducted greyhound racing for a period of 12 consecutive~~
661 ~~months.~~

662 Section 6. Subsection (1) of section 550.0251, Florida
663 Statutes, is amended to read:

664 550.0251 The powers and duties of the Division of Pari-
665 mutuel Wagering of the Department of Business and Professional
666 Regulation.—The division shall administer this chapter and
667 regulate the pari-mutuel industry under this chapter and the
668 rules adopted pursuant thereto, and:

669 (1) The division shall make an annual report for the prior
670 fiscal year to the Governor, the President of the Senate, and

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671 the Speaker of the House of Representatives. The report shall
672 include, at a minimum:

673 (a) Recent events in the gaming industry, including pending
674 litigation involving permitholders; pending permitholder,
675 facility, cardroom, slot, or operating license applications; and
676 new and pending rules.

677 (b) Actions of the department relating to the
678 implementation and administration of this chapter, and chapters
679 551 and 849.

680 (c) The state revenues and expenses associated with each
681 form of authorized gaming. Revenues and expenses associated with
682 pari-mutuel wagering must be further delineated by the class of
683 license.

684 (d) The performance of each pari-mutuel wagering licensee,
685 cardroom licensee, and slot machine licensee.

686 (e) A summary of disciplinary actions taken by the
687 department.

688 (f) Any suggestions to more effectively achieve ~~showing its~~
689 ~~own actions, receipts derived under the provisions of this~~
690 ~~chapter, the practical effects of the application of this~~
691 ~~chapter, and any suggestions it may approve for the more~~
692 ~~effectual accomplishments of the purposes of this chapter.~~

693 Section 7. Paragraph (b) of subsection (9) of section
694 550.054, Florida Statutes, is amended, paragraphs (c) through
695 (g) are added to that subsection, and paragraph (a) of
696 subsection (11) and subsections (13) and (14) of that section
697 are amended, to read:

698 550.054 Application for permit to conduct pari-mutuel
699 wagering.—

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700 (9)

701 (b) The division may revoke or suspend any permit or
702 license issued under this chapter upon a the willful violation
703 by the permitholder or licensee of any provision of this
704 chapter, chapter 551, chapter 849, or rules of any rule adopted
705 pursuant thereto under this chapter. With the exception of the
706 revocation of permits required in paragraphs (c), (d), (f), and
707 (g), In lieu of suspending or revoking a permit or license, the
708 division may, in lieu of suspending or revoking a permit or
709 license, impose a civil penalty against the permitholder or
710 licensee for a violation of this chapter, chapter 551, chapter
711 849, or rules adopted pursuant thereto any rule adopted by the
712 division. The penalty so imposed may not exceed \$1,000 for each
713 count or separate offense. All penalties imposed and collected
714 must be deposited with the Chief Financial Officer to the credit
715 of the General Revenue Fund.

716 (c) Unless a failure to obtain an operating license and to
717 operate was the direct result of fire, strike, war, or other
718 disaster or event beyond the permitholder's control, the
719 division shall revoke the permit of any permitholder that has
720 not obtained an operating license in accordance with s.
721 550.01215 for a period of more than 24 consecutive months after
722 June 30, 2012. The division shall revoke the permit upon
723 adequate notice to the permitholder. Financial hardship to the
724 permitholder does not, in and of itself, constitute just cause
725 for failure to operate.

726 (d) The division shall revoke the permit of any
727 permitholder that fails to make payments that are due pursuant
728 to s. 550.0951 for more than 24 consecutive months unless such

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729 failure to pay the tax due on handle was the direct result of
730 fire, strike, war, or other disaster or event beyond the
731 permitholder's control. Financial hardship to the permitholder
732 does not, in and of itself, constitute just cause for failure to
733 pay tax on handle.

734 (e) Notwithstanding any other provision of law, a new
735 permit to conduct pari-mutuel wagering may not be approved or
736 issued after July 1, 2016.

737 (f) A permit revoked under this subsection is void and may
738 not be reissued.

739 (g) A permitholder may apply to the division to place the
740 permit into inactive status for a period of 12 months pursuant
741 to the rules adopted under this chapter. The division, upon good
742 cause shown by the permitholder, may renew inactive status for a
743 period of up to 12 months, but a permit may not be in inactive
744 status for a period of more than 24 consecutive months. Holders
745 of permits in inactive status are not eligible for licensure for
746 pari-mutuel wagering, slot machines, or cardrooms.

747 (11) (a) A permit granted under this chapter may not be
748 transferred or assigned except upon written approval by the
749 division pursuant to s. 550.1815, ~~except that the holder of any~~
750 ~~permit that has been converted to a jai alai permit may lease or~~
751 ~~build anywhere within the county in which its permit is located.~~

752 (13) ~~(a)~~ Notwithstanding any provision ~~provisions~~ of this
753 chapter or chapter 551, a pari-mutuel ~~no thoroughbred horse~~
754 ~~racing~~ permit or license issued under this chapter or chapter
755 551 may not shall be transferred, or reissued when such
756 reissuance is in the nature of a transfer so as to permit or
757 authorize a licensee to change the location of a pari-mutuel

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758 facility, cardroom, or slot machine facility. ~~thoroughbred horse~~
759 ~~racetrack except upon proof in such form as the division may~~
760 ~~prescribe that a referendum election has been held:~~

761 1. ~~If the proposed new location is within the same county~~
762 ~~as the already licensed location, in the county where the~~
763 ~~licensee desires to conduct the race meeting and that a majority~~
764 ~~of the electors voting on that question in such election voted~~
765 ~~in favor of the transfer of such license.~~

766 2. ~~If the proposed new location is not within the same~~
767 ~~county as the already licensed location, in the county where the~~
768 ~~licensee desires to conduct the race meeting and in the county~~
769 ~~where the licensee is already licensed to conduct the race~~
770 ~~meeting and that a majority of the electors voting on that~~
771 ~~question in each such election voted in favor of the transfer of~~
772 ~~such license.~~

773 ~~(b) Each referendum held under the provisions of this~~
774 ~~subsection shall be held in accordance with the electoral~~
775 ~~procedures for ratification of permits, as provided in s.~~
776 ~~550.0651. The expense of each such referendum shall be borne by~~
777 ~~the licensee requesting the transfer.~~

778 (14) (a) Notwithstanding any other provision of law, a pari-
779 mutuel facility, cardroom, or slot machine facility may not be
780 relocated except as provided in paragraph (b), and a pari-mutuel
781 permit may not be converted to another class of permit. ~~Any~~
782 ~~holder of a permit to conduct jai alai may apply to the division~~
783 ~~to convert such permit to a permit to conduct greyhound racing~~
784 ~~in lieu of jai alai if:~~

785 1. ~~Such permit is located in a county in which the division~~
786 ~~has issued only two pari-mutuel permits pursuant to this~~

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787 ~~section;~~

788 ~~2. Such permit was not previously converted from any other~~
789 ~~class of permit; and~~

790 ~~3. The holder of the permit has not conducted jai alai~~
791 ~~games during a period of 10 years immediately preceding his or~~
792 ~~her application for conversion under this subsection.~~

793 ~~(b) Upon application from the holder of a permit to conduct~~
794 ~~greyhound racing which was converted from a permit to conduct~~
795 ~~jai alai pursuant to former s. 550.054(14), Florida Statutes~~
796 ~~2014, as created by s. 6, chapter 2009-170, Laws of Florida, the~~
797 ~~division may approve the relocation of such permit to another~~
798 ~~location within a 30-mile radius of the location fixed in the~~
799 ~~permit if the application is received by July 31, 2018, the new~~
800 ~~location is within the same county, and the new location is~~
801 ~~approved under the zoning regulations of the county or~~
802 ~~municipality in which the permit is located~~ ~~The division, upon~~
803 ~~application from the holder of a jai alai permit meeting all~~
804 ~~conditions of this section, shall convert the permit and shall~~
805 ~~issue to the permitholder a permit to conduct greyhound racing.~~
806 ~~A permitholder of a permit converted under this section shall be~~
807 ~~required to apply for and conduct a full schedule of live racing~~
808 ~~each fiscal year to be eligible for any tax credit provided by~~
809 ~~this chapter. The holder of a permit converted pursuant to this~~
810 ~~subsection or any holder of a permit to conduct greyhound racing~~
811 ~~located in a county in which it is the only permit issued~~
812 ~~pursuant to this section who operates at a leased facility~~
813 ~~pursuant to s. 550.475 may move the location for which the~~
814 ~~permit has been issued to another location within a 30-mile~~
815 ~~radius of the location fixed in the permit issued in that~~

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816 ~~county, provided the move does not cross the county boundary and~~
817 ~~such location is approved under the zoning regulations of the~~
818 ~~county or municipality in which the permit is located, and upon~~
819 ~~such relocation may use the permit for the conduct of pari-~~
820 ~~mutuel wagering and the operation of a cardroom. The provisions~~
821 ~~of s. 550.6305(9)(d) and (f) shall apply to any permit converted~~
822 ~~under this subsection and shall continue to apply to any permit~~
823 ~~which was previously included under and subject to such~~
824 ~~provisions before a conversion pursuant to this section~~
825 ~~occurred.~~

826 Section 8. Section 550.0555, Florida Statutes, is repealed.

827 Section 9. Section 550.0745, Florida Statutes, is repealed.

828 Section 10. Section 550.0951, Florida Statutes, is amended
829 to read:

830 550.0951 Payment of daily license fee and taxes;
831 penalties.—

832 (1) ~~(a)~~ DAILY LICENSE FEE.—Each person engaged in the
833 business of conducting race meetings or jai alai games under
834 this chapter, hereinafter referred to as the "permitholder,"
835 "licensee," or "permittee," shall pay ~~to the division, for the~~
836 ~~use of the division,~~ a daily license fee on each live or
837 simulcast pari-mutuel event of \$100 for each horserace, and \$80
838 for each greyhound race, ~~dog race~~ and \$40 for each jai alai game,
839 any of which is conducted at a racetrack or fronton licensed
840 under this chapter. A ~~In addition to the tax exemption specified~~
841 ~~in s. 550.09514(1) of \$360,000 or \$500,000 per greyhound~~
842 ~~permitholder per state fiscal year, each greyhound permitholder~~
843 ~~shall receive in the current state fiscal year a tax credit~~
844 ~~equal to the number of live greyhound races conducted in the~~

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845 ~~previous state fiscal year times the daily license fee specified~~
846 ~~for each dograce in this subsection applicable for the previous~~
847 ~~state fiscal year. This tax credit and the exemption in s.~~
848 ~~550.09514(1) shall be applicable to any tax imposed by this~~
849 ~~chapter or the daily license fees imposed by this chapter except~~
850 ~~during any charity or scholarship performances conducted~~
851 ~~pursuant to s. 550.0351. Each permitholder may not be required~~
852 ~~to shall pay daily license fees in excess of not to exceed \$500~~
853 ~~per day on any simulcast races or games on which such~~
854 ~~permitholder accepts wagers, regardless of the number of out-of-~~
855 ~~state events taken or the number of out-of-state locations from~~
856 ~~which such events are taken. This license fee shall be deposited~~
857 ~~with the Chief Financial Officer to the credit of the Pari-~~
858 ~~mutuel Wagering Trust Fund.~~

859 ~~(b) Each permitholder that cannot utilize the full amount~~
860 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~
861 ~~550.09514(1) or the daily license fee credit provided in this~~
862 ~~section may, after notifying the division in writing, elect once~~
863 ~~per state fiscal year on a form provided by the division to~~
864 ~~transfer such exemption or credit or any portion thereof to any~~
865 ~~greyhound permitholder which acts as a host track to such~~
866 ~~permitholder for the purpose of intertrack wagering. Once an~~
867 ~~election to transfer such exemption or credit is filed with the~~
868 ~~division, it shall not be rescinded. The division shall~~
869 ~~disapprove the transfer when the amount of the exemption or~~
870 ~~credit or portion thereof is unavailable to the transferring~~
871 ~~permitholder or when the permitholder who is entitled to~~
872 ~~transfer the exemption or credit or who is entitled to receive~~
873 ~~the exemption or credit owes taxes to the state pursuant to a~~

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874 ~~deficiency letter or administrative complaint issued by the~~
 875 ~~division. Upon approval of the transfer by the division, the~~
 876 ~~transferred tax exemption or credit shall be effective for the~~
 877 ~~first performance of the next payment period as specified in~~
 878 ~~subsection (5). The exemption or credit transferred to such host~~
 879 ~~track may be applied by such host track against any taxes~~
 880 ~~imposed by this chapter or daily license fees imposed by this~~
 881 ~~chapter. The greyhound permitholder host track to which such~~
 882 ~~exemption or credit is transferred shall reimburse such~~
 883 ~~permitholder the exact monetary value of such transferred~~
 884 ~~exemption or credit as actually applied against the taxes and~~
 885 ~~daily license fees of the host track. The division shall ensure~~
 886 ~~that all transfers of exemption or credit are made in accordance~~
 887 ~~with this subsection and shall have the authority to adopt rules~~
 888 ~~to ensure the implementation of this section.~~

889 (2) ADMISSION TAX.—

890 (a) An admission tax equal to 15 percent of the admission
 891 charge for entrance to the permitholder's facility and
 892 grandstand area, or 10 cents, whichever is greater, is imposed
 893 on each person attending a horserace, greyhound race ~~dograce~~, or
 894 jai alai game. The permitholder is ~~shall be~~ responsible for
 895 collecting the admission tax.

896 (b) The ~~No~~ admission tax imposed under this chapter and ~~or~~
 897 chapter 212 may not ~~shall~~ be imposed on any free passes or
 898 complimentary cards issued to persons for which there is no cost
 899 to the person for admission to pari-mutuel events.

900 (c) A permitholder may issue tax-free passes to its
 901 officers, officials, and employees and to ~~or~~ other persons
 902 actually engaged in working at the racetrack, including

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903 accredited media ~~press~~ representatives such as reporters and
904 editors, and may also issue tax-free passes to other
905 permitholders for the use of their officers and officials. The
906 permitholder shall file with the division a list of all persons
907 to whom tax-free passes are issued under this paragraph.

908 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on
909 contributions to pari-mutuel pools, the aggregate of which is
910 hereinafter referred to as "handle," on races or games conducted
911 by the permitholder. The tax is imposed daily and is based on
912 the total contributions to all pari-mutuel pools conducted
913 during the daily performance. If a permitholder conducts more
914 than one performance daily, the tax is imposed on each
915 performance separately.

916 (a) The tax on handle for quarter horse racing is 1.0
917 percent of the handle.

918 (b)1. The tax on handle for greyhound racing ~~dog racing~~ is
919 1.28 ~~5.5~~ percent of the handle, ~~except that for live charity~~
920 ~~performances held pursuant to s. 550.0351, and for intertrack~~
921 ~~wagering on such charity performances at a guest greyhound track~~
922 ~~within the market area of the host, the tax is 7.6 percent of~~
923 ~~the handle.~~

924 2. The tax on handle for jai alai is 7.1 percent of the
925 handle.

926 (c)1. The tax on handle for intertrack wagering is:

927 a. If the host track is a horse track, 2.0 percent of the
928 handle.

929 b. If the host track is a harness horse racetrack track,
930 3.3 percent of the handle.

931 c. If the host track is a greyhound racing harness track,

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932 1.28 ~~5.5~~ percent of the handle, to be remitted by the guest
933 track. ~~if the host track is a dog track, and~~

934 d. If the host track is a jai alai fronton, 7.1 percent of
935 the handle ~~if the host track is a jai alai fronton.~~

936 e. The tax on handle for intertrack wagering is 0.5
937 percent If the host track and the guest track are thoroughbred
938 racing permitholders or if the guest track is located outside
939 the market area of a the host track that is not a greyhound
940 racing track and within the market area of a thoroughbred racing
941 permitholder currently conducting a live race meet, 0.5 percent
942 of the handle.

943 f. The tax on handle For intertrack wagering on
944 rebroadcasts of simulcast thoroughbred horseraces, is 2.4
945 percent of the handle and 1.5 percent of the handle for
946 intertrack wagering on rebroadcasts of simulcast harness
947 horseraces, 1.5 percent of the handle.

948 2. The tax shall be deposited into the Pari-mutuel Wagering
949 Trust Fund.

950 3.2. The tax on handle for intertrack wagers accepted by
951 any greyhound racing ~~dog~~ track located in an area of the state
952 in which there are only three permitholders, all of which are
953 greyhound racing permitholders, located in three contiguous
954 counties, from any greyhound racing permitholder also located
955 within such area or any greyhound racing ~~dog~~ track or jai alai
956 fronton located as specified in s. 550.615(7) ~~s. 550.615(6) or~~
957 ~~(9)~~, on races or games received from any jai alai ~~the same class~~
958 ~~of~~ permitholder located within the same market area is 3.9
959 percent of the handle if the host facility is a greyhound racing
960 permitholder. ~~and,~~ If the host facility is a jai alai

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961 permitholder, the tax is rate shall be 6.1 percent of the handle
962 until ~~except that it shall be 2.3 percent on handle at~~ such time
963 as the total tax on intertrack handle paid to the division by
964 the permitholder during the current state fiscal year exceeds
965 the total ~~tax on intertrack handle~~ paid to the division by the
966 permitholder during the 1992-1993 state fiscal year, in which
967 case the tax is 2.3 percent of the handle.

968 (d) Notwithstanding any other provision of this chapter, in
969 order to protect the Florida jai alai industry, effective July
970 1, 2000, a jai alai permitholder may not be taxed on live handle
971 at a rate higher than 2 percent.

972 (4) BREAKS TAX.—Effective October 1, 1996, each
973 permitholder conducting jai alai performances shall pay a tax
974 equal to the breaks. As used in this subsection, the term
975 "breaks" means the money that remains in each pari-mutuel pool
976 after funds are ~~The "breaks" represents that portion of each~~
977 ~~pari-mutuel pool which is not~~ redistributed to the contributors
978 and commissions are ~~or~~ withheld by the permitholder ~~as~~
979 ~~commission.~~

980 (5) PAYMENT AND DISPOSITION OF FEES AND TAXES.—Payments
981 imposed by this section shall be paid to the division. The
982 division shall deposit such payments ~~these sums~~ with the Chief
983 Financial Officer, to the credit of the Pari-mutuel Wagering
984 Trust Fund, hereby established. The permitholder shall remit to
985 the division payment for the daily license fee, the admission
986 tax, the tax on handle, and the breaks tax. Such payments must
987 ~~shall~~ be remitted by 3 p.m. on Wednesday of each week for taxes
988 imposed and collected for the preceding week ending on Sunday.
989 Beginning on July 1, 2012, such payments must ~~shall~~ be remitted

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990 by 3 p.m. on the 5th day of each calendar month for taxes
991 imposed and collected for the preceding calendar month. If the
992 5th day of the calendar month falls on a weekend, payments must
993 ~~shall~~ be remitted by 3 p.m. the first Monday following the
994 weekend. Permitholders shall file a report under oath by the 5th
995 day of each calendar month for all taxes remitted during the
996 preceding calendar month. Such payments must ~~shall~~ be
997 accompanied by a report under oath showing the total of all
998 admissions, the pari-mutuel wagering activities for the
999 preceding calendar month, and any ~~such~~ other information ~~as may~~
1000 ~~be~~ prescribed by the division.

1001 (6) PENALTIES.—

1002 (a) The failure of any permitholder to make payments as
1003 prescribed in subsection (6) ~~(5)~~ is a violation of this section,
1004 and the ~~permitholder may be subjected by the division~~ may impose
1005 ~~to~~ a civil penalty against the permitholder of up to \$1,000 for
1006 each day the tax payment is not remitted. All penalties imposed
1007 and collected shall be deposited in the General Revenue Fund. If
1008 a permitholder fails to pay penalties imposed by order of the
1009 division under this subsection, the division may suspend or
1010 revoke the license of the permitholder, cancel the permit of the
1011 permitholder, or deny issuance of any further license or permit
1012 to the permitholder.

1013 (b) In addition to the civil penalty prescribed in
1014 paragraph (a), any willful or wanton failure by any permitholder
1015 to make payments of the daily license fee, admission tax, tax on
1016 handle, or breaks tax constitutes sufficient grounds for the
1017 division to suspend or revoke the license of the permitholder,
1018 to cancel the permit of the permitholder, or to deny issuance of

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1019 any further license or permit to the permitholder.

1020 Section 11. Paragraph (e) of subsection (2) of section
1021 550.09511, Florida Statutes, is amended to read:

1022 550.09511 Jai alai taxes; abandoned interest in a permit
1023 for nonpayment of taxes.—

1024 (2) Notwithstanding the provisions of s. 550.0951(3)(b),
1025 wagering on live jai alai performances shall be subject to the
1026 following taxes:

1027 (e) The payment of taxes pursuant to paragraphs (b), (c),
1028 and (d) shall be calculated and commence beginning the day in
1029 which the permitholder is first entitled to the reduced rate
1030 specified in this section and the report of taxes required by s.
1031 550.0951(6) ~~s. 550.0951(5)~~ is submitted to the division.

1032 Section 12. Section 550.09512, Florida Statutes, is amended
1033 to read:

1034 550.09512 Harness horse racing taxes; abandoned interest in
1035 a permit for nonpayment of taxes.—

1036 (1) Pari-mutuel wagering at harness horse racetracks in
1037 this state is an important business enterprise, and taxes
1038 derived therefrom constitute a part of the tax structure which
1039 funds operation of the state. Harness horse racing permitholders
1040 should pay their fair share of these taxes to the state. This
1041 business interest should not be taxed to such an extent as to
1042 cause any racetrack which is operated under sound business
1043 principles to be forced out of business. Due to the need to
1044 protect the public health, safety, and welfare, the gaming laws
1045 of the state provide for the harness horse racing industry to be
1046 highly regulated and taxed. The state recognizes that there
1047 exist identifiable differences between harness horse racing

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1048 permitholders based upon their ability to operate under such
1049 regulation and tax system.

1050 (2) (a) The tax on handle for live harness horse racing
1051 performances is 0.5 percent of handle per performance.

1052 (b) For purposes of this section, the term "handle" shall
1053 have the same meaning as in s. 550.0951, and shall not include
1054 handle from intertrack wagering.

1055 (3) ~~(a)~~ The division shall revoke the permit of a harness
1056 horse racing permitholder that ~~who~~ does not pay the tax due on
1057 handle for live harness horse racing performances for a full
1058 schedule of live races for more than 24 consecutive months
1059 ~~during any 2 consecutive state fiscal years shall be void and~~
1060 ~~shall escheat to and become the property of the state unless~~
1061 such failure to operate and pay tax on handle was the direct
1062 result of fire, strike, war, or other disaster or event beyond
1063 the ability of the permitholder to control. Financial hardship
1064 to the permitholder does ~~shall~~ not, in and of itself, constitute
1065 just cause for failure to operate and pay tax on handle. A
1066 permit revoked under this subsection is void and may not be
1067 reissued.

1068 ~~(b) In order to maximize the tax revenues to the state, the~~
1069 ~~division shall reissue an escheated harness horse permit to a~~
1070 ~~qualified applicant pursuant to the provisions of this chapter~~
1071 ~~as for the issuance of an initial permit. However, the~~
1072 ~~provisions of this chapter relating to referendum requirements~~
1073 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
1074 ~~escheated harness horse permit. As specified in the application~~
1075 ~~and upon approval by the division of an application for the~~
1076 ~~permit, the new permitholder shall be authorized to operate a~~

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1077 ~~harness horse facility anywhere in the same county in which the~~
1078 ~~escheated permit was authorized to be operated, notwithstanding~~
1079 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

1080 (4) In the event that a court of competent jurisdiction
1081 determines any of the provisions of this section to be
1082 unconstitutional, it is the intent of the Legislature that the
1083 provisions contained in this section shall be null and void and
1084 that the provisions of s. 550.0951 shall apply to all harness
1085 horse racing permitholders beginning on the date of such
1086 judicial determination. To this end, the Legislature declares
1087 that it would not have enacted any of the provisions of this
1088 section individually and, to that end, expressly finds them not
1089 to be severable.

1090 Section 13. Section 550.09514, Florida Statutes, is amended
1091 to read:

1092 550.09514 Greyhound racing ~~degracing~~ taxes; purse
1093 requirements.-

1094 ~~(1) Wagering on greyhound racing is subject to a tax on~~
1095 ~~handle for live greyhound racing as specified in s. 550.0951(3).~~
1096 ~~However, each permitholder shall pay no tax on handle until such~~
1097 ~~time as this subsection has resulted in a tax savings per state~~
1098 ~~fiscal year of \$360,000. Thereafter, each permitholder shall pay~~
1099 ~~the tax as specified in s. 550.0951(3) on all handle for the~~
1100 ~~remainder of the permitholder's current race meet. For the three~~
1101 ~~permitholders that conducted a full schedule of live racing in~~
1102 ~~1995, and are closest to another state that authorizes greyhound~~
1103 ~~pari-mutuel wagering, the maximum tax savings per state fiscal~~
1104 ~~year shall be \$500,000. The provisions of this subsection~~
1105 ~~relating to tax exemptions shall not apply to any charity or~~

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1106 ~~scholarship performances conducted pursuant to s. 550.0351.~~

1107 (1)~~(2)~~(a) The division shall determine for each greyhound
1108 racing permitholder the annual purse percentage rate of live
1109 handle for the state fiscal year 1993-1994 by dividing total
1110 purses paid on live handle by the permitholder, exclusive of
1111 payments made from outside sources, during the 1993-1994 state
1112 fiscal year by the permitholder's live handle for the 1993-1994
1113 state fiscal year. A greyhound racing ~~Each~~ permitholder
1114 conducting live racing during a fiscal year shall pay as purses
1115 for such live races conducted during its current race meet a
1116 percentage of its live handle not less than the percentage
1117 determined under this paragraph, exclusive of payments made by
1118 outside sources, for its 1993-1994 state fiscal year.

1119 (b) Except as otherwise set forth herein, in addition to
1120 the minimum purse percentage required by paragraph (a), each
1121 greyhound racing permitholder conducting live racing during a
1122 fiscal year shall pay as purses an annual amount of \$60 for each
1123 live race conducted ~~equal to 75 percent of the daily license~~
1124 ~~fees paid by the greyhound racing~~ each permitholder in ~~for~~ the
1125 preceding ~~1994-1995~~ fiscal year. These ~~This~~ ~~purse supplement~~
1126 ~~shall be disbursed weekly during the permitholder's race meet in~~
1127 ~~an amount determined by dividing the annual purse supplement by~~
1128 ~~the number of performances approved for the permitholder~~
1129 ~~pursuant to its annual license and multiplying that amount by~~
1130 ~~the number of performances conducted each week. For the~~
1131 ~~greyhound permitholders in the county where there are two~~
1132 ~~greyhound permitholders located as specified in s. 550.615(6),~~
1133 ~~such permitholders shall pay in the aggregate an amount equal to~~
1134 ~~75 percent of the daily license fees paid by such permitholders~~

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1135 ~~for the 1994-1995 fiscal year. These permitholders shall be~~
1136 ~~jointly and severally liable for such purse payments. The~~
1137 ~~additional purses provided by this paragraph~~ must be used
1138 exclusively for purses other than stakes and must be disbursed
1139 weekly during the permitholder's race meet. The division shall
1140 conduct audits necessary to ensure compliance with this section.

1141 (c)1. Each greyhound racing permitholder, when conducting
1142 at least three live performances during any week, shall pay
1143 purses in that week on wagers it accepts as a guest track on
1144 intertrack and simulcast greyhound races at the same rate as it
1145 pays on live races. Each greyhound racing permitholder, when
1146 conducting at least three live performances during any week,
1147 shall pay purses in that week, at the same rate as it pays on
1148 live races, on wagers accepted on greyhound races at a guest
1149 track that ~~which~~ is not conducting live racing and is located
1150 within the same market area as the greyhound racing permitholder
1151 conducting at least three live performances during any week.

1152 2. Each host greyhound racing permitholder shall pay purses
1153 on its simulcast and intertrack broadcasts of greyhound races to
1154 guest facilities that are located outside its market area in an
1155 amount equal to one quarter of an amount determined by
1156 subtracting the transmission costs of sending the simulcast or
1157 intertrack broadcasts from an amount determined by adding the
1158 fees received for greyhound simulcast races plus 3 percent of
1159 the greyhound intertrack handle at guest facilities that are
1160 located outside the market area of the host and that paid
1161 contractual fees to the host for such broadcasts of greyhound
1162 races.

1163 (d) The division shall require sufficient documentation

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1164 from each greyhound racing permitholder regarding purses paid on
1165 live racing to assure that the annual purse percentage rates
1166 paid by each greyhound racing permitholder conducting ~~on the~~
1167 live races are not reduced below those paid during the 1993-1994
1168 state fiscal year. The division shall require sufficient
1169 documentation from each greyhound racing permitholder to assure
1170 that the purses paid by each permitholder on the greyhound
1171 intertrack and simulcast broadcasts are in compliance with the
1172 requirements of paragraph (c).

1173 (e) In addition to the purse requirements of paragraphs
1174 (a)-(c), each greyhound racing permitholder conducting live
1175 races shall pay as purses an amount equal to one-third of the
1176 amount of the tax reduction on live and simulcast handle
1177 applicable to such permitholder as a result of the reductions in
1178 tax rates provided by s. 6, chapter 2000-354, Laws of Florida
1179 ~~this act through the amendments to s. 550.0951(3)~~. With respect
1180 to intertrack wagering when the host and guest tracks are
1181 greyhound racing permitholders not within the same market area,
1182 an amount equal to the tax reduction applicable to the guest
1183 track handle as a result of the reduction in tax rate provided
1184 by s. 6, chapter 2000-354, Laws of Florida, ~~this act through the~~
1185 ~~amendment to s. 550.0951(3)~~ shall be distributed to the guest
1186 track, one-third of which amount shall be paid as purses at the
1187 guest track. However, if the guest track is a greyhound racing
1188 permitholder within the market area of the host or if the guest
1189 track is not a greyhound racing permitholder, an amount equal to
1190 such tax reduction applicable to the guest track handle shall be
1191 retained by the host track, one-third of which amount shall be
1192 paid as purses at the host track. These purse funds shall be

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1193 disbursed in the week received if the permitholder conducts at
1194 least one live performance during that week. If the permitholder
1195 does not conduct at least one live performance during the week
1196 in which the purse funds are received, the purse funds shall be
1197 disbursed weekly during the permitholder's next race meet in an
1198 amount determined by dividing the purse amount by the number of
1199 performances approved for the permitholder pursuant to its
1200 annual license, and multiplying that amount by the number of
1201 performances conducted each week. The division shall conduct
1202 audits necessary to ensure compliance with this paragraph.

1203 (f) Each greyhound racing permitholder conducting live
1204 racing shall, during the permitholder's race meet, supply kennel
1205 operators and the Division of Pari-Mutuel Wagering with a weekly
1206 report showing purses paid on live greyhound races and all
1207 greyhound intertrack and simulcast broadcasts, including both as
1208 a guest and a host together with the handle or commission
1209 calculations on which such purses were paid and the transmission
1210 costs of sending the simulcast or intertrack broadcasts, so that
1211 the kennel operators may determine statutory and contractual
1212 compliance.

1213 (g) Each greyhound racing permitholder conducting live
1214 racing shall make direct payment of purses to the greyhound
1215 owners who have filed with such permitholder appropriate federal
1216 taxpayer identification information based on the percentage
1217 amount agreed upon between the kennel operator and the greyhound
1218 owner.

1219 (h) At the request of a majority of kennel operators under
1220 contract with a greyhound racing permitholder conducting live
1221 racing, the permitholder shall make deductions from purses paid

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1222 to each kennel operator electing such deduction and shall make a
1223 direct payment of such deductions to the local association of
1224 greyhound kennel operators formed by a majority of kennel
1225 operators under contract with the permitholder. The amount of
1226 the deduction shall be at least 1 percent of purses, as
1227 determined by the local association of greyhound kennel
1228 operators. ~~No~~ Deductions may not be taken pursuant to this
1229 paragraph without a kennel operator's specific approval before
1230 or after the effective date of this act.

1231 ~~(2)-(3)~~ For the purpose of this section, the term "live
1232 handle" means the handle from wagers placed at the
1233 permitholder's establishment on the live greyhound races
1234 conducted at the permitholder's establishment.

1235 Section 14. Section 550.09515, Florida Statutes, is amended
1236 to read:

1237 550.09515 Thoroughbred racing ~~horse~~ taxes; abandoned
1238 interest in a permit for nonpayment of taxes.-

1239 (1) Pari-mutuel wagering at thoroughbred horse racetracks
1240 in this state is an important business enterprise, and taxes
1241 derived therefrom constitute a part of the tax structure which
1242 funds operation of the state. Thoroughbred horse permitholders
1243 should pay their fair share of these taxes to the state. This
1244 business interest should not be taxed to such an extent as to
1245 cause any racetrack which is operated under sound business
1246 principles to be forced out of business. Due to the need to
1247 protect the public health, safety, and welfare, the gaming laws
1248 of the state provide for the thoroughbred horse industry to be
1249 highly regulated and taxed. The state recognizes that there
1250 exist identifiable differences between thoroughbred horse

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1251 permitholders based upon their ability to operate under such
1252 regulation and tax system and at different periods during the
1253 year.

1254 (2) (a) The tax on handle for live thoroughbred horserace
1255 performances shall be 0.5 percent.

1256 (b) For purposes of this section, the term "handle" shall
1257 have the same meaning as in s. 550.0951, and shall not include
1258 handle from intertrack wagering.

1259 (3) ~~(a)~~ The division shall revoke the permit of a
1260 thoroughbred racing horse permitholder that who does not pay the
1261 tax due on handle for live thoroughbred horse performances for a
1262 full schedule of live races for more than 24 consecutive months
1263 ~~during any 2 consecutive state fiscal years shall be void and~~
1264 ~~shall escheat to and become the property of the state unless~~
1265 ~~such failure to operate and pay tax on handle was the direct~~
1266 ~~result of fire, strike, war, or other disaster or event beyond~~
1267 ~~the ability of the permitholder to control. Financial hardship~~
1268 ~~to the permitholder does shall not, in and of itself, constitute~~
1269 ~~just cause for failure to operate and pay tax on handle. A~~
1270 ~~permit revoked under this subsection is void and may not be~~
1271 ~~reissued.~~

1272 ~~(b) In order to maximize the tax revenues to the state, the~~
1273 ~~division shall reissue an escheated thoroughbred horse permit to~~
1274 ~~a qualified applicant pursuant to the provisions of this chapter~~
1275 ~~as for the issuance of an initial permit. However, the~~
1276 ~~provisions of this chapter relating to referendum requirements~~
1277 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
1278 ~~escheated thoroughbred horse permit. As specified in the~~
1279 ~~application and upon approval by the division of an application~~

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1280 ~~for the permit, the new permitholder shall be authorized to~~
1281 ~~operate a thoroughbred horse facility anywhere in the same~~
1282 ~~county in which the escheated permit was authorized to be~~
1283 ~~operated, notwithstanding the provisions of s. 550.054(2)~~
1284 ~~relating to mileage limitations.~~

1285 (4) In the event that a court of competent jurisdiction
1286 determines any of the provisions of this section to be
1287 unconstitutional, it is the intent of the Legislature that the
1288 provisions contained in this section shall be null and void and
1289 that the provisions of s. 550.0951 shall apply to all
1290 thoroughbred racing ~~horse~~ permitholders beginning on the date of
1291 such judicial determination. To this end, the Legislature
1292 declares that it would not have enacted any of the provisions of
1293 this section individually and, to that end, expressly finds them
1294 not to be severable.

1295 (5) Notwithstanding the provisions of s. 550.0951(3)(c),
1296 the tax on handle for intertrack wagering on rebroadcasts of
1297 simulcast horseraces is 2.4 percent of the handle; provided
1298 however, that if the guest track is a thoroughbred track located
1299 more than 35 miles from the host track, the host track shall pay
1300 a tax of .5 percent of the handle, and additionally the host
1301 track shall pay to the guest track 1.9 percent of the handle to
1302 be used by the guest track solely for purses. The tax shall be
1303 deposited into the Pari-mutuel Wagering Trust Fund.

1304 (6) A credit equal to the amount of contributions made by a
1305 thoroughbred racing permitholder during the taxable year
1306 directly to the Jockeys' Guild or its health and welfare fund to
1307 be used to provide health and welfare benefits for active,
1308 disabled, and retired Florida jockeys and their dependents

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1309 pursuant to reasonable rules of eligibility established by the
 1310 Jockeys' Guild is allowed against taxes on live handle due for a
 1311 taxable year under this section. A thoroughbred racing
 1312 permitholder may not receive a credit greater than an amount
 1313 equal to 1 percent of its paid taxes for the previous taxable
 1314 year.

1315 (7) If a thoroughbred racing permitholder fails to operate
 1316 all performances on its 2001-2002 license, failure to pay tax on
 1317 handle for a full schedule of live races for those performances
 1318 in the 2001-2002 fiscal year does not constitute failure to pay
 1319 taxes on handle for a full schedule of live races in a fiscal
 1320 year for the purposes of subsection (3). This subsection may not
 1321 be construed as forgiving a thoroughbred racing permitholder
 1322 from paying taxes on performances conducted at its facility
 1323 pursuant to its 2001-2002 license other than for failure to
 1324 operate all performances on its 2001-2002 license. This
 1325 subsection expires July 1, 2003.

1326 Section 15. Section 550.1625, Florida Statutes, is amended
 1327 to read:

1328 550.1625 Greyhound racing ~~dogracing~~; taxes.-

1329 (1) The operation of a greyhound racing ~~dog~~ track and
 1330 legalized pari-mutuel betting at greyhound racing ~~dog~~ tracks in
 1331 this state is a privilege and is an operation that requires
 1332 strict supervision and regulation in the best interests of the
 1333 state. Pari-mutuel wagering at greyhound racing ~~dog~~ tracks in
 1334 this state is a substantial business, and taxes derived
 1335 therefrom constitute part of the tax structures of the state and
 1336 the counties. The operators of greyhound racing ~~dog~~ tracks
 1337 should pay their fair share of taxes to the state; at the same

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1338 time, this substantial business interest should not be taxed to
 1339 such an extent as to cause a track that is operated under sound
 1340 business principles to be forced out of business.

1341 (2) A permitholder that conducts a greyhound race ~~dograce~~
 1342 meet under this chapter must pay the daily license fee, the
 1343 admission tax, ~~the breaks tax,~~ and the tax on pari-mutuel handle
 1344 as provided in s. 550.0951 and is subject to all penalties and
 1345 sanctions provided in s. 550.0951(7) ~~s. 550.0951(6)~~.

1346 Section 16. Section 550.1647, Florida Statutes, is
 1347 repealed.

1348 Section 17. Section 550.1648, Florida Statutes, is amended
 1349 to read:

1350 550.1648 Greyhound adoptions.—

1351 ~~(1) A greyhound racing~~ Each dogracing permitholder that
 1352 conducts live racing at ~~operating~~ a greyhound racing dogracing
 1353 facility in this state shall provide for a greyhound adoption
 1354 booth to be located at the facility.

1355 (1) (a) The greyhound adoption booth must be operated on
 1356 weekends by personnel or volunteers from a bona fide
 1357 organization that promotes or encourages the adoption of
 1358 greyhounds ~~pursuant to s. 550.1647.~~ Such bona fide organization,
 1359 as a condition of adoption, must provide sterilization of
 1360 greyhounds by a licensed veterinarian before relinquishing
 1361 custody of the greyhound to the adopter. The fee for
 1362 sterilization may be included in the cost of adoption. As used
 1363 in this section, the term "weekend" includes the hours during
 1364 which live greyhound racing is conducted on Friday, Saturday, or
 1365 Sunday, and the term "bona fide organization that promotes or
 1366 encourages the adoption of greyhounds" means an organization

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1367 that provides evidence of compliance with chapter 496 and
1368 possesses a valid exemption from federal taxation issued by the
1369 Internal Revenue Service. Information pamphlets and application
1370 forms shall be provided to the public upon request.

1371 (b) In addition, The kennel operator or owner shall notify
1372 the permitholder that a greyhound is available for adoption and
1373 the permitholder shall provide information concerning the
1374 adoption of a greyhound in each race program and shall post
1375 adoption information at conspicuous locations throughout the
1376 greyhound racing ~~degrading~~ facility. Any greyhound that is
1377 participating in a race and that will be available for future
1378 adoption must be noted in the race program. The permitholder
1379 shall allow greyhounds to be walked through the track facility
1380 to publicize the greyhound adoption program.

1381 (2) In addition to the charity days authorized under s.
1382 550.0351, a greyhound racing permitholder may fund the greyhound
1383 adoption program by holding a charity racing day designated as
1384 "Greyhound Adopt-A-Pet Day." All profits derived from the
1385 operation of the charity day must be placed into a fund used to
1386 support activities at the racing facility which promote the
1387 adoption of greyhounds. The division may adopt rules for
1388 administering the fund. ~~Proceeds from the charity day authorized~~
1389 ~~in this subsection may not be used as a source of funds for the~~
1390 ~~purposes set forth in s. 550.1647.~~

1391 (3) (a) Upon a violation of this section by a permitholder
1392 or licensee, the division may impose a penalty as provided in s.
1393 550.0251(10) and require the permitholder to take corrective
1394 action.

1395 (b) A penalty imposed under s. 550.0251(10) does not

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1396 exclude a prosecution for cruelty to animals or for any other
1397 criminal act.

1398 Section 18. Section 550.1752, Florida Statutes, is created
1399 to read:

1400 550.1752 Permit reduction program.—

1401 (1) The permit reduction program is created in the Division
1402 of Pari-mutuel Wagering for the purpose of purchasing and
1403 cancelling active pari-mutuel permits. The program shall be
1404 funded from revenue share payments made by the Seminole Tribe of
1405 Florida under the compact ratified by s. 285.710(3) and received
1406 by the state after October 31, 2015. Compact payments payable
1407 for the program shall be calculated on a monthly basis until
1408 such time as the division determines that sufficient funds are
1409 available to fund the program. The total funding allocated to
1410 the program may not exceed \$20 million.

1411 (2) The division shall purchase pari-mutuel permits from
1412 pari-mutuel permitholders when sufficient moneys are available
1413 for such purchases. A pari-mutuel permitholder may not submit an
1414 offer to sell a permit unless it is actively conducting pari-
1415 mutuel racing or jai alai as required by law and satisfies all
1416 applicable requirements for the permit. The division shall adopt
1417 by rule the form to be used by a pari-mutuel permitholder for an
1418 offer to sell a permit and shall establish a schedule for the
1419 consideration of offers.

1420 (3) The division shall establish the value of a pari-mutuel
1421 permit based upon the valuation of one or more independent
1422 appraisers selected by the division. The valuation of a permit
1423 must be based on the permit's fair market value and may not
1424 include the value of the real estate or personal property. The

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1425 division may establish a value for the permit that is lower than
1426 the amount determined by an independent appraiser but may not
1427 establish a higher value.

1428 (4) The division must accept the offer or offers that best
1429 utilize available funding; however, the division may also accept
1430 the offers that it determines are most likely to reduce the
1431 incidence of gaming in this state.

1432 (5) The division shall cancel any permit purchased under
1433 this section.

1434 (6) This section shall expire on July 1, 2018, unless
1435 reenacted by the Legislature.

1436 Section 19. Effective July 1, 2018, section 550.1752,
1437 Florida Statutes, as amended by this act, is amended to read:

1438 550.1752 Thoroughbred purse supplement ~~Permit reduction~~
1439 program.—

1440 (1) The thoroughbred purse supplement ~~permit reduction~~
1441 program is created in the Division of Pari-mutuel Wagering for
1442 the purpose of maintaining an active and viable live
1443 thoroughbred racing, owning, and breeding industry in the state
1444 ~~purchasing and cancelling active pari-mutuel permits~~. The
1445 program shall be funded from revenue share payments made by the
1446 Seminole Tribe of Florida under the compact ratified by s.
1447 285.710(3) and received by the state after July 1, 2018 ~~October~~
1448 ~~31, 2015~~. Compact payments payable for the program shall be
1449 calculated on a monthly basis until such time as the division
1450 determines that sufficient funds are available to fund the
1451 program. The total annual funding allocated to the program is
1452 ~~may not exceed~~ \$20 million.

1453 (2) ~~The division shall purchase pari-mutuel permits from~~

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1454 ~~pari-mutuel permitholders when sufficient moneys are available~~
1455 ~~for such purchases. A pari-mutuel permitholder may not submit an~~
1456 ~~offer to sell a permit unless it is actively conducting pari-~~
1457 ~~mutuel racing or jai alai as required by law and satisfies all~~
1458 ~~applicable requirements for the permit. The division shall adopt~~
1459 ~~by rule the form to be used by a pari-mutuel permitholder for~~
1460 applying to receive purse assistance from the program to be used
1461 to supplement purses for its live racing meet ~~an offer to sell a~~
1462 ~~permit and shall establish a schedule for the consideration of~~
1463 ~~offers.~~

1464 (3) The division shall distribute the purse supplement
1465 funds on a pro rata basis based upon the number of live race
1466 days to be conducted by each thoroughbred permitholder pursuant
1467 to its annual racing license ~~establish the value of a pari-~~
1468 ~~mutuel permit based upon the valuation of one or more~~
1469 ~~independent appraisers selected by the division. The valuation~~
1470 ~~of a permit must be based on the permit's fair market value and~~
1471 ~~may not include the value of the real estate or personal~~
1472 ~~property. The division may establish a value for the permit that~~
1473 ~~is lower than the amount determined by an independent appraiser~~
1474 ~~but may not establish a higher value.~~

1475 (4) If a thoroughbred permitholder fails to conduct a live
1476 race day, the thoroughbred permitholder must return the unused
1477 purse supplement fund allocated for that day, and the division
1478 shall reapportion the allocation of purse supplement funds to
1479 the remaining race days to be conducted during the state fiscal
1480 year by that thoroughbred permitholder ~~The division must accept~~
1481 ~~the offer or offers that best utilize available funding;~~
1482 ~~however, the division may also accept the offers that it~~

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1483 ~~determines are most likely to reduce the incidence of gaming in~~
1484 ~~this state.~~

1485 (5) The division may adopt rules necessary to implement
1486 this section shall cancel any permit purchased under this
1487 section.

1488 ~~(6) This section shall expire on July 1, 2018, unless~~
1489 ~~re-enacted by the Legislature.~~

1490 Section 20. Section 550.2416, Florida Statutes, is created
1491 to read:

1492 550.2416 Reporting of racing greyhound injuries.-

1493 (1) An injury to a racing greyhound which occurs while the
1494 greyhound is located in this state must be reported on a form
1495 adopted by the division within 7 days after the date on which
1496 the injury occurred or is believed to have occurred. The
1497 division may adopt rules defining the term "injury."

1498 (2) The form shall be completed and signed under oath or
1499 affirmation by the:

1500 (a) Racetrack veterinarian or director of racing, if the
1501 injury occurred at the racetrack facility; or

1502 (b) Owner, trainer, or kennel operator who had knowledge of
1503 the injury, if the injury occurred at a location other than the
1504 racetrack facility, including during transportation.

1505 (3) The division may fine, suspend, or revoke the license
1506 of any individual who knowingly violates this section.

1507 (4) The form must include the following:

1508 (a) The greyhound's registered name, right-ear and left-ear
1509 tattoo numbers, and, if any, the microchip manufacturer and
1510 number.

1511 (b) The name, business address, and telephone number of the

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1512 greyhound owner, the trainer, and the kennel operator.

1513 (c) The color, weight, and sex of the greyhound.

1514 (d) The specific type and bodily location of the injury,
1515 the cause of the injury, and the estimated recovery time from
1516 the injury.

1517 (e) If the injury occurred when the greyhound was racing:

1518 1. The racetrack where the injury occurred;

1519 2. The distance, grade, race, and post position of the
1520 greyhound when the injury occurred; and

1521 3. The weather conditions, time, and track conditions when
1522 the injury occurred.

1523 (f) If the injury occurred when the greyhound was not
1524 racing:

1525 1. The location where the injury occurred, including, but
1526 not limited to, a kennel, a training facility, or a
1527 transportation vehicle; and

1528 2. The circumstances surrounding the injury.

1529 (g) Other information that the division determines is
1530 necessary to identify injuries to racing greyhounds in this
1531 state.

1532 (5) An injury form created pursuant to this section must be
1533 maintained as a public record by the division for at least 7
1534 years after the date it was received.

1535 (6) A licensee of the department who knowingly makes a
1536 false statement concerning an injury or fails to report an
1537 injury is subject to disciplinary action under this chapter or
1538 chapters 455 and 474.

1539 (7) This section does not apply to injuries to a service
1540 animal, personal pet, or greyhound that has been adopted as a

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1541 pet.1542 (8) The division shall adopt rules to implement this
1543 section.1544 Section 21. Subsection (1) of section 550.26165, Florida
1545 Statutes, is amended to read:

1546 550.26165 Breeders' awards.—

1547 (1) The purpose of this section is to encourage the
1548 agricultural activity of breeding and training racehorses in
1549 this state. Moneys dedicated in this chapter for use as
1550 breeders' awards and stallion awards are to be used for awards
1551 to breeders of registered Florida-bred horses winning horseraces
1552 and for similar awards to the owners of stallions who sired
1553 Florida-bred horses winning stakes races, if the stallions are
1554 registered as Florida stallions standing in this state. Such
1555 awards shall be given at a uniform rate to all winners of the
1556 awards, may ~~shall~~ not be greater than 20 percent of the
1557 announced gross purse, and may ~~shall~~ not be less than 15 percent
1558 of the announced gross purse if funds are available. In
1559 addition, at least ~~no less than~~ 17 percent, but not ~~not~~ more
1560 than 40 percent, as determined by the Florida Thoroughbred
1561 Breeders' Association, of the moneys dedicated in this chapter
1562 for use as breeders' awards and stallion awards for
1563 thoroughbreds shall be returned pro rata to the permitholders
1564 that generated the moneys for special racing awards to be
1565 distributed by the permitholders to owners of thoroughbred
1566 horses participating in prescribed thoroughbred stakes races,
1567 nonstakes races, or both, all in accordance with a written
1568 agreement establishing the rate, procedure, and eligibility
1569 requirements for such awards entered into by the permitholder,

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1570 the Florida Thoroughbred Breeders' Association, and the Florida
1571 Horsemen's Benevolent and Protective Association, Inc., except
1572 that the plan for the distribution by any permitholder located
1573 in the area described in s. 550.615(7) ~~s. 550.615(9)~~ shall be
1574 agreed upon by that permitholder, the Florida Thoroughbred
1575 Breeders' Association, and the association representing a
1576 majority of the thoroughbred racehorse owners and trainers at
1577 that location. Awards for thoroughbred races are to be paid
1578 through the Florida Thoroughbred Breeders' Association, and
1579 awards for standardbred races are to be paid through the Florida
1580 Standardbred Breeders and Owners Association. Among other
1581 sources specified in this chapter, moneys for thoroughbred
1582 breeders' awards will come from the 0.955 percent of handle for
1583 thoroughbred races conducted, received, broadcast, or simulcast
1584 under this chapter as provided in s. 550.2625(3). The moneys for
1585 quarter horse and harness breeders' awards will come from the
1586 breaks and uncashed tickets on live quarter horse and harness
1587 horse racing performances and 1 percent of handle on intertrack
1588 wagering. The funds for these breeders' awards shall be paid to
1589 the respective breeders' associations by the permitholders
1590 conducting the races.

1591 Section 22. Section 550.3345, Florida Statutes, is amended
1592 to read:

1593 550.3345 ~~Conversion of quarter horse permit to a~~ Limited
1594 thoroughbred racing permit.-

1595 (1) In recognition of the important and long-standing
1596 economic contribution of the thoroughbred horse breeding
1597 industry to this state and the state's vested interest in
1598 promoting the continued viability of this agricultural activity,

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1599 the state intends to provide a limited opportunity for the
1600 conduct of live thoroughbred horse racing with the net revenues
1601 from such racing dedicated to the enhancement of thoroughbred
1602 purses and breeders', stallion, and special racing awards under
1603 this chapter; the general promotion of the thoroughbred horse
1604 breeding industry; and the care in this state of thoroughbred
1605 horses retired from racing.

1606 (2) A limited thoroughbred racing permit previously
1607 converted from ~~Notwithstanding any other provision of law, the~~
1608 ~~holder of a quarter horse racing permit pursuant to chapter~~
1609 2010-29, Laws of Florida, issued under s. 550.334 may only be
1610 held by, within 1 year after the effective date of this section,
1611 ~~apply to the division for a transfer of the quarter horse racing~~
1612 ~~permit to a not-for-profit corporation formed under state law to~~
1613 ~~serve the purposes of the state as provided in subsection (1).~~
1614 The board of directors of the not-for-profit corporation must be
1615 composed ~~comprised~~ of 11 members, 4 of whom shall be designated
1616 by the applicant, 4 of whom shall be designated by the Florida
1617 Thoroughbred Breeders' Association, and 3 of whom shall be
1618 designated by the other 8 directors, with at least 1 of these 3
1619 members being an authorized representative of another
1620 thoroughbred racing permitholder in this state. A limited
1621 thoroughbred racing ~~The not-for-profit corporation shall submit~~
1622 ~~an application to the division for review and approval of the~~
1623 ~~transfer in accordance with s. 550.054. Upon approval of the~~
1624 ~~transfer by the division, and notwithstanding any other~~
1625 ~~provision of law to the contrary, the not-for-profit corporation~~
1626 ~~may, within 1 year after its receipt of the permit, request that~~
1627 ~~the division convert the quarter horse racing permit to a permit~~

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1628 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~
1629 ~~thoroughbred racing. Neither the transfer of the quarter horse~~
1630 ~~racing permit nor its conversion to a limited thoroughbred~~
1631 ~~permit shall be subject to the mileage limitation or the~~
1632 ~~ratification election as set forth under s. 550.054(2) or s.~~
1633 ~~550.0651. Upon receipt of the request for such conversion, the~~
1634 ~~division shall timely issue a converted permit. The converted~~
1635 ~~permit and the not-for-profit corporation are shall be subject~~
1636 ~~to the following requirements:~~

1637 (a) All net revenues derived by the not-for-profit
1638 corporation under the thoroughbred ~~horse~~ racing permit, after
1639 the funding of operating expenses and capital improvements,
1640 shall be dedicated to the enhancement of thoroughbred purses and
1641 breeders', stallion, and special racing awards under this
1642 chapter; the general promotion of the thoroughbred horse
1643 breeding industry; and the care in this state of thoroughbred
1644 horses retired from racing.

1645 (b) From December 1 through April 30, ~~no~~ live thoroughbred
1646 racing may not be conducted under the permit on any day during
1647 which another thoroughbred racing permitholder is conducting
1648 live thoroughbred racing within 125 air miles of the not-for-
1649 profit corporation's pari-mutuel facility unless the other
1650 thoroughbred racing permitholder gives its written consent.

1651 (c) After ~~the conversion of the quarter horse racing permit~~
1652 ~~and~~ the issuance of its initial license to conduct pari-mutuel
1653 wagering meets of thoroughbred racing, the not-for-profit
1654 corporation shall annually apply to the division for a license
1655 pursuant to s. 550.5251.

1656 (d) Racing under the permit may take place only at the

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1657 location for which the original quarter horse racing permit was
 1658 issued, which may be leased by the not-for-profit corporation
 1659 for that purpose; however, the not-for-profit corporation may,
 1660 without the conduct of any ratification election pursuant to s.
 1661 550.054(13) or s. 550.0651, move the location of the permit to
 1662 another location in the same county or counties, if a permit is
 1663 situated in such a manner that it is located in more than one
 1664 county, provided that such relocation is approved under the
 1665 zoning and land use regulations of the applicable county or
 1666 municipality.

1667 (e) A limited thoroughbred racing ~~no~~ permit may not be
 1668 transferred ~~converted under this section is eligible for~~
 1669 ~~transfer~~ to another person or entity.

1670 (3) Unless otherwise provided in this section, ~~after~~
 1671 ~~conversion,~~ the permit and the not-for-profit corporation shall
 1672 be treated under the laws of this state as a thoroughbred racing
 1673 permit and as a thoroughbred racing permitholder, respectively,
 1674 with the exception of ss. 550.054(9)(c) and (d) and s.
 1675 550.09515(3).

1676 Section 23. Subsection (6) of section 550.3551, Florida
 1677 Statutes, is amended to read:

1678 550.3551 Transmission of racing and jai alai information;
 1679 commingling of pari-mutuel pools.—

1680 (6) (a) ~~A maximum of 20 percent of the total number of races~~
 1681 ~~on which wagers are accepted by a greyhound permitholder not~~
 1682 ~~located as specified in s. 550.615(6) may be received from~~
 1683 ~~locations outside this state. A permitholder may not conduct~~
 1684 ~~fewer than eight live races or games on any authorized race day~~
 1685 ~~except as provided in this subsection.~~ A thoroughbred racing

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1686 permitholder may not conduct fewer than eight live races on any
1687 race day without the written approval of the Florida
1688 Thoroughbred Breeders' Association and the Florida Horsemen's
1689 Benevolent and Protective Association, Inc., unless it is
1690 determined by the department that another entity represents a
1691 majority of the thoroughbred racehorse owners and trainers in
1692 the state. A harness horse racing permitholder may conduct fewer
1693 than eight live races on any authorized race day, except that
1694 such permitholder must conduct a full schedule of live racing
1695 during its race meet consisting of at least eight live races per
1696 authorized race day for at least 100 days. ~~Any harness horse~~
1697 ~~permitholder that during the preceding racing season conducted a~~
1698 ~~full schedule of live racing may, at any time during its current~~
1699 ~~race meet, receive full-card broadcasts of harness horse races~~
1700 ~~conducted at harness racetracks outside this state at the~~
1701 ~~harness track of the permitholder and accept wagers on such~~
1702 ~~harness races.~~ With specific authorization from the division for
1703 special racing events, a permitholder may conduct fewer than
1704 eight live races or games when the permitholder also broadcasts
1705 out-of-state races or games. The division may not grant more
1706 than two such exceptions a year for a permitholder in any 12-
1707 month period, and those two exceptions may not be consecutive.

1708 (b) Notwithstanding any other provision of this chapter,
1709 any harness horse racing permitholder accepting broadcasts of
1710 out-of-state harness horse races when such permitholder is not
1711 conducting live races must make the out-of-state signal
1712 available to all permitholders eligible to conduct intertrack
1713 wagering and shall pay to guest tracks located as specified in
1714 s. ss. 550.615(6) and 550.6305(9) (d) 50 percent of the net

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1715 proceeds after taxes and fees to the out-of-state host track on
 1716 harness horse race wagers which they accept. A harness horse
 1717 racing permitholder shall be required to pay into its purse
 1718 account 50 percent of the net income retained by the
 1719 permitholder on account of wagering on the out-of-state
 1720 broadcasts received pursuant to this subsection. Nine-tenths of
 1721 a percent of all harness horse race wagering proceeds on the
 1722 broadcasts received pursuant to this subsection shall be paid to
 1723 the Florida Standardbred Breeders and Owners Association under
 1724 the provisions of s. 550.2625(4) for the purposes provided
 1725 therein.

1726 Section 24. Subsection (4) of section 550.375, Florida
 1727 Statutes, is amended to read:

1728 550.375 Operation of certain harness tracks.—

1729 (4) The permitholder conducting a harness horse race meet
 1730 must pay the daily license fee, the admission tax, the tax on
 1731 breaks, and the tax on pari-mutuel handle provided in s.
 1732 550.0951 and is subject to all penalties and sanctions provided
 1733 in s. 550.0951(7) ~~s. 550.0951(6)~~.

1734 Section 25. Section 550.475, Florida Statutes, is amended
 1735 to read:

1736 550.475 Lease of pari-mutuel facilities by pari-mutuel
 1737 permitholders.—Holders of valid pari-mutuel permits for the
 1738 conduct of any jai alai games, dogracing, or thoroughbred and
 1739 standardbred horse racing in this state are entitled to lease
 1740 any and all of their facilities to any other holder of a same
 1741 class, valid pari-mutuel permit for jai alai games, dogracing,
 1742 or thoroughbred or standardbred horse racing, when they are
 1743 located within a 35-mile radius of each other, ~~†~~ and such lessee

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1744 is entitled to a permit and license to operate its race meet or
1745 jai alai games at the leased premises. A permitholder may not
1746 lease facilities from a pari-mutuel permitholder that is not
1747 conducting a full schedule of live racing.

1748 Section 26. Subsection (1) of section 550.5251, Florida
1749 Statutes, is amended, and present subsections (2) and (3) of
1750 that section are redesignated as subsections (1) and (2),
1751 respectively, to read:

1752 550.5251 Florida thoroughbred racing; certain permits;
1753 operating days.—

1754 ~~(1) Each thoroughbred permitholder shall annually, during~~
1755 ~~the period commencing December 15 of each year and ending~~
1756 ~~January 4 of the following year, file in writing with the~~
1757 ~~division its application to conduct one or more thoroughbred~~
1758 ~~racing meetings during the thoroughbred racing season commencing~~
1759 ~~on the following July 1. Each application shall specify the~~
1760 ~~number and dates of all performances that the permitholder~~
1761 ~~intends to conduct during that thoroughbred racing season. On or~~
1762 ~~before March 15 of each year, the division shall issue a license~~
1763 ~~authorizing each permitholder to conduct performances on the~~
1764 ~~dates specified in its application. Up to February 28 of each~~
1765 ~~year, each permitholder may request and shall be granted changes~~
1766 ~~in its authorized performances; but thereafter, as a condition~~
1767 ~~precedent to the validity of its license and its right to retain~~
1768 ~~its permit, each permitholder must operate the full number of~~
1769 ~~days authorized on each of the dates set forth in its license.~~

1770 Section 27. Subsections (2), (4), (6), and (7) of section
1771 550.615, Florida Statutes, are amended, present subsections (8),
1772 (9), and (10) of that section are redesignated as subsections

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1773 (6), (7), and (8), respectively, present subsection (9) of that
1774 section is amended, and a new subsection (9) is added to that
1775 section, to read:

1776 550.615 Intertrack wagering.—

1777 (2) A ~~Any~~ track or fronton licensed under this chapter
1778 which has conducted a full schedule of live racing for at least
1779 5 consecutive calendar years since 2010 in the preceding year
1780 ~~conducted a full schedule of live racing~~ is qualified to, at any
1781 time, receive broadcasts of any class of pari-mutuel race or
1782 game and accept wagers on such races or games conducted by any
1783 class of permitholders licensed under this chapter.

1784 (4) An ~~In no event shall any~~ intertrack wager may not be
1785 accepted on the same class of live races or games of any
1786 permitholder without the written consent of such operating
1787 permitholders conducting the same class of live races or games
1788 if the guest track is within the market area of such operating
1789 permitholder. A greyhound racing permitholder licensed under
1790 this chapter which accepts intertrack wagers on live greyhound
1791 signals is not required to obtain the written consent required
1792 by this subsection from any operating greyhound racing
1793 permitholder within its market area.

1794 ~~(6) Notwithstanding the provisions of subsection (3), in~~
1795 ~~any area of the state where there are three or more horserace~~
1796 ~~permitholders within 25 miles of each other, intertrack wagering~~
1797 ~~between permitholders in said area of the state shall only be~~
1798 ~~authorized under the following conditions: Any permitholder,~~
1799 ~~other than a thoroughbred permitholder, may accept intertrack~~
1800 ~~wagers on races or games conducted live by a permitholder of the~~
1801 ~~same class or any harness permitholder located within such area~~

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1802 and any harness permitholder may accept wagers on games
 1803 conducted live by any jai alai permitholder located within its
 1804 market area and from a jai alai permitholder located within the
 1805 area specified in this subsection when no jai alai permitholder
 1806 located within its market area is conducting live jai alai
 1807 performances; any greyhound or jai alai permitholder may receive
 1808 broadcasts of and accept wagers on any permitholder of the other
 1809 class provided that a permitholder, other than the host track,
 1810 of such other class is not operating a contemporaneous live
 1811 performance within the market area.

1812 ~~(7) In any county of the state where there are only two~~
 1813 ~~permits, one for dogracing and one for jai alai, no intertrack~~
 1814 ~~wager may be taken during the period of time when a permitholder~~
 1815 ~~is not licensed to conduct live races or games without the~~
 1816 ~~written consent of the other permitholder that is conducting~~
 1817 ~~live races or games. However, if neither permitholder is~~
 1818 ~~conducting live races or games, either permitholder may accept~~
 1819 ~~intertrack wagers on horseraces or on the same class of races or~~
 1820 ~~games, or on both horseraces and the same class of races or~~
 1821 ~~games as is authorized by its permit.~~

1822 (7)(9) In any two contiguous counties of the state in which
 1823 there are located only four active permits, one for thoroughbred
 1824 horse racing, two for greyhound racing ~~dogracing~~, and one for
 1825 jai alai games, an ~~no~~ intertrack wager may not be accepted on
 1826 the same class of live races or games of any permitholder
 1827 without the written consent of such operating permitholders
 1828 conducting the same class of live races or games if the guest
 1829 track is within the market area of such operating permitholder.

1830 (9) A greyhound racing permitholder that is eligible to

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1831 receive broadcasts pursuant to subsection (2) and is operating
 1832 pursuant to a current year operating license that specifies that
 1833 no live performances will be conducted may accept wagers on live
 1834 races conducted at out-of-state greyhound tracks only on the
 1835 days when the permitholder receives all live races that any
 1836 greyhound host track in this state makes available.

1837 Section 28. Subsections (1), (4), and (5) of section
 1838 550.6308, Florida Statutes, are amended to read:

1839 550.6308 Limited intertrack wagering license.—In
 1840 recognition of the economic importance of the thoroughbred
 1841 breeding industry to this state, its positive impact on tourism,
 1842 and of the importance of a permanent thoroughbred sales facility
 1843 as a key focal point for the activities of the industry, a
 1844 limited license to conduct intertrack wagering is established to
 1845 ensure the continued viability and public interest in
 1846 thoroughbred breeding in Florida.

1847 (1) Upon application to the division on or before January
 1848 31 of each year, any person that is licensed to conduct public
 1849 sales of thoroughbred horses pursuant to s. 535.01 and, that has
 1850 conducted at least 8 ~~15~~ days of thoroughbred horse sales at a
 1851 permanent sales facility in this state for at least 3
 1852 consecutive years, ~~and that has conducted at least 1 day of~~
 1853 ~~nonwagering thoroughbred racing in this state, with a purse~~
 1854 ~~structure of at least \$250,000 per year for 2 consecutive years~~
 1855 before such application, shall be issued a license, subject to
 1856 the conditions set forth in this section, to conduct intertrack
 1857 wagering at such a permanent sales facility ~~during the following~~
 1858 ~~periods:~~

1859 ~~(a) Up to 21 days in connection with thoroughbred sales;~~

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1860 ~~(b) Between November 1 and May 8,~~
1861 ~~(c) Between May 9 and October 31 at such times and on such~~
1862 ~~days as any thoroughbred, jai alai, or a greyhound permitholder~~
1863 ~~in the same county is not conducting live performances; provided~~
1864 ~~that any such permitholder may waive this requirement, in whole~~
1865 ~~or in part, and allow the licensee under this section to conduct~~
1866 ~~intertrack wagering during one or more of the permitholder's~~
1867 ~~live performances; and~~
1868 ~~(d) During the weekend of the Kentucky Derby, the~~
1869 ~~Preakness, the Belmont, and a Breeders' Cup Meet that is~~
1870 ~~conducted before November 1 and after May 8.~~

1871
1872 Only ~~No more than~~ one such license may be issued, and no such
1873 license may be issued for a facility located within 50 miles of
1874 any for-profit thoroughbred permitholder's track.

1875 ~~(4) Intertrack wagering under this section may be conducted~~
1876 ~~only on thoroughbred horse racing, except that intertrack~~
1877 ~~wagering may be conducted on any class of pari-mutuel race or~~
1878 ~~game conducted by any class of permitholders licensed under this~~
1879 ~~chapter if all thoroughbred, jai alai, and greyhound~~
1880 ~~permitholders in the same county as the licensee under this~~
1881 ~~section give their consent.~~

1882 ~~(4)~~(5) The licensee shall be considered a guest track under
1883 this chapter. The licensee shall pay 2.5 percent of the total
1884 contributions to the daily pari-mutuel pool on wagers accepted
1885 at the licensee's facility on greyhound races or jai alai games
1886 to the thoroughbred permitholder that is conducting live races
1887 for purses to be paid during its current racing meet. If more
1888 than one thoroughbred permitholder is conducting live races on a

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1889 ~~day during which the licensee is conducting intertrack wagering~~
1890 ~~on greyhound races or jai alai games, the licensee shall~~
1891 ~~allocate these funds between the operating thoroughbred~~
1892 ~~permitholders on a pro rata basis based on the total live handle~~
1893 ~~at the operating permitholders' facilities.~~

1894 Section 29. Section 551.101, Florida Statutes, is amended
1895 to read:

1896 551.101 Slot machine gaming authorized.—A ~~Any~~ licensed
1897 eligible pari-mutuel facility located in ~~Miami Dade County or~~
1898 ~~Broward County existing at the time of adoption of s. 23, Art. X~~
1899 ~~of the State Constitution that has conducted live racing or~~
1900 ~~games during calendar years 2002 and 2003~~ may possess slot
1901 machines and conduct slot machine gaming at the location where
1902 the pari-mutuel permitholder is authorized to conduct pari-
1903 mutuel wagering activities pursuant to such permitholder's valid
1904 pari-mutuel permit or as otherwise authorized by law ~~provided~~
1905 ~~that a majority of voters in a countywide referendum have~~
1906 ~~approved slot machines at such facility in the respective~~
1907 ~~county.~~ Notwithstanding any other ~~provision of~~ law, it is not a
1908 crime for a person to participate in slot machine gaming at a
1909 pari-mutuel facility licensed to possess slot machines and
1910 conduct slot machine gaming or to participate in slot machine
1911 gaming described in this chapter.

1912 Section 30. Subsections (4), (10), and (11) of section
1913 551.102, Florida Statutes, are amended to read:

1914 551.102 Definitions.—As used in this chapter, the term:

1915 (4) "Eligible facility" means a any licensed pari-mutuel
1916 facility located in Miami-Dade County or Broward County existing
1917 at the time of adoption of s. 23, Art. X of the State

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1918 Constitution which ~~that has~~ conducted live racing or games
 1919 during calendar years 2002 and 2003 and has been approved by a
 1920 majority of voters in a countywide referendum to have slot
 1921 machines at such facility in the respective county; ~~any licensed~~
 1922 ~~pari-mutuel facility located within a county as defined in s.~~
 1923 ~~125.011, provided such facility has conducted live racing for 2~~
 1924 ~~consecutive calendar years immediately preceding its application~~
 1925 ~~for a slot machine license, pays the required license fee, and~~
 1926 ~~meets the other requirements of this chapter; or any licensed~~
 1927 ~~pari-mutuel facility in any other county in which a majority of~~
 1928 ~~voters have approved slot machines at such facilities in a~~
 1929 ~~countywide referendum, if such facility held pursuant to a~~
 1930 ~~statutory or constitutional authorization after the effective~~
 1931 ~~date of this section in the respective county, provided such~~
 1932 ~~facility has conducted a full schedule of live racing for 2~~
 1933 ~~consecutive calendar years immediately preceding its application~~
 1934 ~~for a slot machine license, pays the required license ~~licensed~~~~
 1935 ~~fee, and meets the other requirements of this chapter.~~

1936 (10) "Slot machine license" means a license issued by the
 1937 division authorizing a pari-mutuel permitholder to place and
 1938 operate slot machines as provided in ~~by s. 23, Art. X of the~~
 1939 ~~State Constitution, the provisions of this chapter, and by~~
 1940 ~~division rule ~~rules~~.~~

1941 (11) "Slot machine licensee" means a pari-mutuel
 1942 permitholder that ~~who~~ holds a license issued by the division
 1943 pursuant to this chapter which ~~that~~ authorizes such person to
 1944 possess a slot machine ~~within facilities specified in s. 23,~~
 1945 ~~Art. X of the State Constitution~~ and allows slot machine gaming.

1946 Section 31. Subsections (1) and (2), paragraph (c) of

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1947 subsection (4), and paragraphs (a) and (c) of subsection (10) of
 1948 section 551.104, Florida Statutes, are amended to read:

1949 551.104 License to conduct slot machine gaming.-

1950 (1) Upon application, and a finding by the division, after
 1951 investigation, that the application is complete and that the
 1952 applicant is qualified, and payment of the initial license fee,
 1953 the division may issue a license to conduct slot machine gaming
 1954 in the designated slot machine gaming area of the eligible
 1955 facility. Once licensed, slot machine gaming may be conducted
 1956 subject to ~~the requirements of~~ this chapter and rules adopted
 1957 pursuant thereto. The division may not issue a slot machine
 1958 license to any pari-mutuel permitholder that includes, or
 1959 previously included within its ownership group, an ultimate
 1960 equitable owner that was also an ultimate equitable owner of a
 1961 pari-mutuel permitholder whose permit was voluntarily or
 1962 involuntarily surrendered, suspended, or revoked by the division
 1963 within 10 years before the date of permitholder's filing of an
 1964 application for a slot machine license.

1965 (2) An application may be approved by the division only
 1966 after the voters of the county where the applicant's eligible
 1967 facility is located have authorized by referendum slot machines
 1968 within pari-mutuel facilities in that county ~~as specified in s.~~
 1969 ~~23, Art. X of the State Constitution.~~

1970 (4) As a condition of licensure and to maintain continued
 1971 authority for the conduct of slot machine gaming, the slot
 1972 machine licensee shall:

1973 (c) 1. If conducting live racing or games, conduct no fewer
 1974 than a full schedule of live racing or games as defined in s.
 1975 550.002(11). A permitholder's responsibility to conduct a full

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1976 schedule ~~such number~~ of live races or games shall be reduced by
1977 the number of races or games that could not be conducted due to
1978 the direct result of fire, war, hurricane, or other disaster or
1979 event beyond the control of the permitholder. The races or games
1980 may be conducted at the facility of the slot machine licensee or
1981 at another pari-mutuel facility leased pursuant to s. 550.3345;
1982 or

1983 2. If not licensed to conduct a full schedule of live
1984 racing or games, remit for the payment of purses on live races
1985 an amount equal to the lesser of \$2 million or 3 percent of its
1986 slot machine revenues from the previous state fiscal year to a
1987 slot machine licensee licensed to conduct not fewer than 160
1988 days of thoroughbred racing. If no slot machine licensee is
1989 licensed for at least 160 days of live thoroughbred racing, no
1990 payments for purses are required. A slot machine licensee that
1991 meets the requirements of subsection (10) shall receive a
1992 dollar-for-dollar credit to be applied toward the payments
1993 required under this subparagraph which are made pursuant to the
1994 binding agreement after the effective date of this act.

1995 (10) (a) ~~1. A~~ A ~~no~~ slot machine license or renewal thereof may
1996 not ~~shall~~ be issued to an applicant holding a permit under
1997 chapter 550 to conduct pari-mutuel wagering meets of
1998 thoroughbred racing unless the applicant has on file with the
1999 division a binding written agreement between the applicant and
2000 the Florida Horsemen's Benevolent and Protective Association,
2001 Inc., governing the payment of purses on live thoroughbred races
2002 conducted at the licensee's pari-mutuel facility. In addition, a
2003 ~~no~~ slot machine license or renewal thereof may not ~~shall~~ be
2004 issued to such an applicant unless the applicant has on file

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2005 with the division a binding written agreement between the
2006 applicant and the Florida Thoroughbred Breeders' Association,
2007 Inc., governing the payment of breeders', stallion, and special
2008 racing awards on live thoroughbred races conducted at the
2009 licensee's pari-mutuel facility. The agreement governing purses
2010 and the agreement governing awards may direct the payment of
2011 such purses and awards from revenues generated by any wagering
2012 or gaming the applicant is authorized to conduct under Florida
2013 law. All purses and awards are ~~shall be~~ subject to the terms of
2014 chapter 550. All sums for breeders', stallion, and special
2015 racing awards shall be remitted monthly to the Florida
2016 Thoroughbred Breeders' Association, Inc., for the payment of
2017 awards subject to the administrative fee authorized in s.
2018 550.2625(3). This paragraph does not apply to a summer
2019 thoroughbred racing permitholder.

2020 ~~2. No slot machine license or renewal thereof shall be~~
2021 ~~issued to an applicant holding a permit under chapter 550 to~~
2022 ~~conduct pari-mutuel wagering meets of quarter horse racing~~
2023 ~~unless the applicant has on file with the division a binding~~
2024 ~~written agreement between the applicant and the Florida Quarter~~
2025 ~~Horse Racing Association or the association representing a~~
2026 ~~majority of the horse owners and trainers at the applicant's~~
2027 ~~eligible facility, governing the payment of purses on live~~
2028 ~~quarter horse races conducted at the licensee's pari-mutuel~~
2029 ~~facility. The agreement governing purses may direct the payment~~
2030 ~~of such purses from revenues generated by any wagering or gaming~~
2031 ~~the applicant is authorized to conduct under Florida law. All~~
2032 ~~purses shall be subject to the terms of chapter 550.~~

2033 (c)1. If an agreement required under paragraph (a) cannot

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2034 be reached prior to the initial issuance of the slot machine
2035 license, either party may request arbitration or, in the case of
2036 a renewal, if an agreement required under paragraph (a) is not
2037 in place 120 days prior to the scheduled expiration date of the
2038 slot machine license, the applicant shall immediately ask the
2039 American Arbitration Association to furnish a list of 11
2040 arbitrators, each of whom shall have at least 5 years of
2041 commercial arbitration experience and no financial interest in
2042 or prior relationship with any of the parties or their
2043 affiliated or related entities or principals. Each required
2044 party to the agreement shall select a single arbitrator from the
2045 list provided by the American Arbitration Association within 10
2046 days of receipt, and the individuals so selected shall choose
2047 one additional arbitrator from the list within the next 10 days.

2048 2. If an agreement required under paragraph (a) is not in
2049 place 60 days after the request under subparagraph 1. in the
2050 case of an initial slot machine license or, in the case of a
2051 renewal, 60 days prior to the scheduled expiration date of the
2052 slot machine license, the matter shall be immediately submitted
2053 to mandatory binding arbitration to resolve the disagreement
2054 between the parties. The three arbitrators selected pursuant to
2055 subparagraph 1. shall constitute the panel that shall arbitrate
2056 the dispute between the parties pursuant to the American
2057 Arbitration Association Commercial Arbitration Rules and chapter
2058 682.

2059 3. At the conclusion of the proceedings, which shall be no
2060 later than 90 days after the request under subparagraph 1. in
2061 the case of an initial slot machine license or, in the case of a
2062 renewal, 30 days prior to the scheduled expiration date of the

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2063 slot machine license, the arbitration panel shall present to the
2064 parties a proposed agreement that the majority of the panel
2065 believes equitably balances the rights, interests, obligations,
2066 and reasonable expectations of the parties. The parties shall
2067 immediately enter into such agreement, which shall satisfy the
2068 requirements of paragraph (a) and permit issuance of the pending
2069 annual slot machine license or renewal. The agreement produced
2070 by the arbitration panel under this subparagraph shall be
2071 effective until the last day of the license or renewal period or
2072 until the parties enter into a different agreement. Each party
2073 shall pay its respective costs of arbitration and shall pay one-
2074 half of the costs of the arbitration panel, unless the parties
2075 otherwise agree. If the agreement produced by the arbitration
2076 panel under this subparagraph remains in place 120 days prior to
2077 the scheduled issuance of the next annual license renewal, then
2078 the arbitration process established in this paragraph will begin
2079 again.

2080 4. In the event that ~~neither of the agreements required~~
2081 ~~under subparagraph (a)1. or the agreement required under~~
2082 ~~subparagraph (a)2.~~ are in place by the deadlines established in
2083 this paragraph, arbitration regarding each agreement will
2084 proceed independently, with separate lists of arbitrators,
2085 arbitration panels, arbitration proceedings, and resulting
2086 agreements.

2087 5. With respect to the agreements required under paragraph
2088 (a) governing the payment of purses, the arbitration and
2089 resulting agreement called for under this paragraph shall be
2090 limited to the payment of purses from slot machine revenues
2091 only.

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2092 Section 32. Effective July 1, 2036, paragraph (c) of
 2093 subsection (4) of section 551.104, Florida Statutes, as amended
 2094 by this act, is amended to read:

2095 551.104 License to conduct slot machine gaming.-

2096 (4) As a condition of licensure and to maintain continued
 2097 authority for the conduct of slot machine gaming, the slot
 2098 machine licensee shall:

2099 (c)~~1~~. If conducting live racing or games, conduct no fewer
 2100 than a full schedule of live racing or games as defined in s.
 2101 550.002(11). A permitholder's responsibility to conduct a full
 2102 schedule of live races or games shall be reduced by the number
 2103 of races or games that could not be conducted due to the direct
 2104 result of fire, war, hurricane, or other disaster or event
 2105 beyond the control of the permitholder. The races or games may
 2106 be conducted at the facility of the slot machine licensee or at
 2107 another pari-mutuel facility leased pursuant to s. 550.3345.; ~~or~~

2108 ~~2. If not licensed to conduct a full schedule of live~~
 2109 ~~racing or games, remit for the payment of purses on live races~~
 2110 ~~an amount equal to the lesser of \$2 million or 3 percent of its~~
 2111 ~~slot machine revenues from the previous state fiscal year to a~~
 2112 ~~slot machine licensee licensed to conduct not fewer than 160~~
 2113 ~~days of thoroughbred racing. If no slot machine licensee is~~
 2114 ~~licensed for at least 160 days of live thoroughbred racing, no~~
 2115 ~~payments for purses are required. A slot machine licensee that~~
 2116 ~~meets the requirements of subsection (10) shall receive a~~
 2117 ~~dollar-for-dollar credit to be applied toward the payments~~
 2118 ~~required under this subparagraph which are made pursuant to the~~
 2119 ~~binding agreement after the effective date of this act.~~

2120 Section 33. Section 551.1042, Florida Statutes, is created

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2121 to read:

2122 551.1042 Transfer or relocation of slot machine license
2123 prohibited.—A slot machine license issued under this chapter may
2124 not be transferred or reissued when such reissuance is in the
2125 nature of a transfer so as to permit or authorize a licensee to
2126 change the location of a slot machine facility.

2127 Section 34. Section 551.1043, Florida Statutes, is created
2128 to read:

2129 551.1043 Slot machine license to enhance live pari-mutuel
2130 activity.—In recognition of the important and long-standing
2131 economic contribution of the pari-mutuel industry to this state
2132 and the state's vested interest in the revenue generated
2133 therefrom and in the interest of promoting the continued
2134 viability of the important statewide agricultural activities
2135 that the industry supports, the Legislature finds that it is in
2136 the state's interest to provide a limited opportunity for the
2137 establishment of an additional slot machine license to be
2138 awarded and renewed annually to a pari-mutuel permitholder
2139 located within a county as defined in s. 125.011.

2140 (1) (a) Within 120 days after the effective date of this
2141 act, any pari-mutuel permitholder that is located in a county as
2142 defined in s. 125.011 and that is not a slot machine licensee
2143 may apply to the division pursuant to s. 551.104 for the slot
2144 machine license created by this section.

2145 (b) The application shall be accompanied by a license
2146 application fee of \$2 million, which is nonrefundable. The
2147 license application fee shall be deposited into the Pari-mutuel
2148 Wagering Trust Fund of the Department of Business and
2149 Professional Regulation to be used by the division and the

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2150 Department of Law Enforcement for investigations, the regulation
2151 of slot machine gaming, and the enforcement of slot machine
2152 gaming under this chapter. In the event of a successful award,
2153 the application fee shall be credited toward the license fee
2154 required by s. 551.106.

2155 (2) If there is more than one applicant for the new slot
2156 machine license, the division shall award the license to the
2157 applicant that receives the highest score based on the following
2158 criteria:

2159 (a) The amount of slot machine revenues to be dedicated to
2160 the enhancement of pari-mutuel purses; breeder's, stallion, and
2161 special racing or player awards to be awarded to pari-mutuel
2162 activities conducted pursuant to chapter 550;

2163 (b) The amount of slot machine revenues to be dedicated to
2164 the general promotion of the state's pari-mutuel industry;

2165 (c) The amount of slot machine revenues to be dedicated to
2166 care provided in this state to injured or retired animals,
2167 jockeys, or jai alai players;

2168 (d) The amount by which the proposed slot machine facility
2169 will increase tourism, generate jobs, provide revenue to the
2170 local economy, and provide revenue to the state. The applicant
2171 and its partners shall document their previous experience in
2172 constructing premier facilities with high-quality amenities
2173 which complement a local tourism industry;

2174 (e) The financial history of the applicant and its partners
2175 in making capital investments in slot machine gaming and pari-
2176 mutuel facilities and its bona fide plan for future community
2177 involvement and financial investment;

2178 (f) The history of investment by the applicant and its

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2179 partners in the communities in which its previous developments
2180 have been located;

2181 (g) The ability to purchase and maintain a surety bond in
2182 an amount established by the division to represent the projected
2183 annual revenues generated by the proposed slot machine facility;

2184 (h) The ability to demonstrate the financial wherewithal to
2185 adequately capitalize, develop, construct, maintain, and operate
2186 a proposed slot machine facility. The applicant must demonstrate
2187 the ability to commit not less than \$100 million for hard costs
2188 related to construction and development of the facility,
2189 exclusive of the purchase price and costs associated with the
2190 acquisition of real property and any impact fees. The applicant
2191 must also demonstrate the ability to meet any projected secured
2192 and unsecured debt obligations and to complete construction
2193 within 2 years after receiving the award of the slot machine
2194 license;

2195 (i) The ability to implement a program to train and employ
2196 residents of South Florida to work at the facility and contract
2197 with local business owners for goods and services; and

2198 (j) The ability to generate, with its partners, substantial
2199 gross gaming revenue following the award of gaming licenses
2200 through a competitive bidding process.

2201
2202 The division shall award additional points in the evaluation of
2203 the applications for proposed projects located within 0.5 miles
2204 of two forms of public transportation and located in a
2205 designated community redevelopment area or district.

2206 (3) (a) Notwithstanding the timeframes established in s.
2207 120.60, the division shall complete its evaluations at least 120

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2208 days after the submission of applications and shall notice its
2209 intent to award the license within that timeframe. Within 30
2210 days after the submission of an application, the division shall
2211 issue, if necessary, requests for additional information or any
2212 notices of deficiency to the applicant, who must respond within
2213 15 days. Failure to timely and sufficiently respond to such
2214 requests or to correct identified deficiencies is grounds for
2215 denial of the application.

2216 (b) Any protest of the intent to award the license shall be
2217 forwarded to the Division of Administrative Hearings, which
2218 shall conduct an administrative hearing on the matter before an
2219 administrative law judge at least 30 days after the notice of
2220 intent to award. The administrative law judge shall issue a
2221 proposed recommended order at least 30 days after the completion
2222 of the final hearing. The division shall issue a final order at
2223 least 15 days after receipt of the proposed recommended order.

2224 (c) Any appeal of a license denial shall be made to the
2225 First District Court of Appeal and must be accompanied by the
2226 posting of a supersedeas bond in an amount determined by the
2227 division to be equal to the amount of projected annual slot
2228 machine revenue to be generated by the successful licensee.

2229 (4) The division is authorized to adopt emergency rules
2230 pursuant to s. 120.54 to implement this section. The Legislature
2231 finds that such emergency rulemaking power is necessary for the
2232 preservation of the rights and welfare of the people in order to
2233 provide additional funds to benefit the public. The Legislature
2234 further finds that the unique nature of the competitive award of
2235 the slot machine license under this section requires that the
2236 department respond as quickly as is practicable to implement

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2237 this section. Therefore, in adopting such emergency rules, the
 2238 division is exempt from s. 120.54(4)(a). Emergency rules adopted
 2239 under this section are exempt from s. 120.54(4)(c) and shall
 2240 remain in effect until replaced by other emergency rules or by
 2241 rules adopted pursuant to chapter 120.

2242 Section 35. Section 551.1044, Florida Statutes, is created
 2243 to read:

2244 551.1044 House banked blackjack table games authorized.-

2245 (1) The pari-mutuel permitholder of each of the following
 2246 pari-mutuel wagering facilities may operate up to 25 house
 2247 banked blackjack table games at the permitholder's facility:

2248 (a) A licensed pari-mutuel facility where live racing or
 2249 games were conducted during calendar years 2002 and 2003,
 2250 located in Miami-Dade County or Broward County, and authorized
 2251 for slot machine licensure pursuant to s. 23, Art. X of the
 2252 State Constitution; and

2253 (b) A licensed pari-mutuel facility where a full schedule
 2254 of live horseracing has been conducted for 2 consecutive
 2255 calendar years immediately preceding its application for a slot
 2256 machine license and located within a county as defined in s.
 2257 125.011.

2258 (2) Wagers on authorized house banked blackjack table games
 2259 may not exceed \$100 for each initial two card wager. Subsequent
 2260 wagers on splits or double downs are allowed but may not exceed
 2261 the initial two card wager. Single side bets of not more than \$5
 2262 are also allowed.

2263 Section 36. Subsection (1) and paragraph (a) of subsection
 2264 (2) of section 551.106, Florida Statutes, are amended to read:

2265 551.106 License fee; tax rate; penalties.-

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2266 (1) LICENSE FEE.—

2267 ~~(a)~~ Upon submission of the initial application for a slot
2268 machine license and annually thereafter, on the anniversary date
2269 of the issuance of the initial license, the licensee must pay to
2270 the division a nonrefundable license fee of ~~\$3 million for the~~
2271 ~~succeeding 12 months of licensure. In the 2010-2011 fiscal year,~~
2272 ~~the licensee must pay the division a nonrefundable license fee~~
2273 ~~of \$2.5 million for the succeeding 12 months of licensure. In~~
2274 ~~the 2011-2012 fiscal year and for every fiscal year thereafter,~~
2275 ~~the licensee must pay the division a nonrefundable license fee~~
2276 ~~of \$2 million for the succeeding 12 months of licensure. The~~
2277 license fee shall be deposited into the Pari-mutuel Wagering
2278 Trust Fund of the Department of Business and Professional
2279 Regulation to be used by the division and the Department of Law
2280 Enforcement for investigations, regulation of slot machine
2281 gaming, and enforcement of slot machine gaming provisions under
2282 this chapter. These payments shall be accounted for separately
2283 from taxes or fees paid pursuant to the provisions of chapter
2284 550.

2285 ~~(b) Prior to January 1, 2007, the division shall evaluate~~
2286 ~~the license fee and shall make recommendations to the President~~
2287 ~~of the Senate and the Speaker of the House of Representatives~~
2288 ~~regarding the optimum level of slot machine license fees in~~
2289 ~~order to adequately support the slot machine regulatory program.~~

2290 (2) TAX ON SLOT MACHINE REVENUES.—

2291 (a) The tax rate on slot machine revenues at each facility
2292 shall be 25 ~~35~~ percent. If, during any state fiscal year, the
2293 aggregate amount of tax paid to the state by all slot machine
2294 licensees in Broward and Miami-Dade Counties is less than the

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2295 aggregate amount of tax paid to the state by all slot machine
2296 licensees in the 2008-2009 fiscal year, each slot machine
2297 licensee shall pay to the state within 45 days after the end of
2298 the state fiscal year a surcharge equal to its pro rata share of
2299 an amount equal to the difference between the aggregate amount
2300 of tax paid to the state by all slot machine licensees in the
2301 2008-2009 fiscal year and the amount of tax paid during the
2302 fiscal year. Each licensee's pro rata share shall be an amount
2303 determined by dividing the number 1 by the number of facilities
2304 licensed to operate slot machines during the applicable fiscal
2305 year, regardless of whether the facility is operating such
2306 machines.

2307 Section 37. Subsection (2) of section 551.108, Florida
2308 Statutes, is amended to read:

2309 551.108 Prohibited relationships.—

2310 (2) A manufacturer or distributor of slot machines may not
2311 enter into any contract with a slot machine licensee that
2312 provides for any revenue sharing of any kind or nature that is
2313 directly or indirectly calculated on the basis of a percentage
2314 of slot machine revenues. Any maneuver, shift, or device whereby
2315 this subsection is violated is a violation of this chapter and
2316 renders any such agreement void. This subsection does not apply
2317 to contracts related to a progressive system used in conjunction
2318 with slot machines.

2319 Section 38. Subsections (2) and (4) of section 551.114,
2320 Florida Statutes, are amended to read:

2321 551.114 Slot machine gaming areas.—

2322 (2) If such races or games are available to the slot
2323 machine licensee, the slot machine licensee shall display pari-

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2324 mutuel races or games within the designated slot machine gaming
2325 areas and offer patrons within the designated slot machine
2326 gaming areas the ability to engage in pari-mutuel wagering on
2327 any live, intertrack, and simulcast races conducted or offered
2328 to patrons of the licensed facility.

2329 (4) Designated slot machine gaming areas shall ~~may~~ be
2330 located anywhere within the property described in a slot machine
2331 licensee's pari-mutuel permit ~~within the current live gaming~~
2332 ~~facility or in an existing building that must be contiguous and~~
2333 ~~connected to the live gaming facility. If a designated slot~~
2334 ~~machine gaming area is to be located in a building that is to be~~
2335 ~~constructed, that new building must be contiguous and connected~~
2336 ~~to the live gaming facility.~~

2337 Section 39. Section 551.116, Florida Statutes, is amended
2338 to read:

2339 551.116 Days and hours of operation.—Slot machine gaming
2340 areas may be open 24 hours per day, 7 days a week ~~daily~~
2341 throughout the year. ~~The slot machine gaming areas may be open a~~
2342 ~~cumulative amount of 18 hours per day on Monday through Friday~~
2343 ~~and 24 hours per day on Saturday and Sunday and on those~~
2344 ~~holidays specified in s. 110.117(1).~~

2345 Section 40. Subsections (1) and (3) of section 551.121,
2346 Florida Statutes, are amended to read:

2347 551.121 Prohibited activities and devices; exceptions.—

2348 (1) Complimentary or reduced-cost alcoholic beverages may
2349 ~~not~~ be served to a person ~~persons~~ playing a slot machine.
2350 ~~Alcoholic beverages served to persons playing a slot machine~~
2351 ~~shall cost at least the same amount as alcoholic beverages~~
2352 ~~served to the general public at a bar within the facility.~~

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2353 (3) A slot machine licensee may ~~not~~ allow any automated
2354 teller machine or similar device designed to provide credit or
2355 dispense cash to be located within the designated slot machine
2356 gaming areas of a facility of a slot machine licensee.

2357 Section 41. Present subsections (9) through (17) of section
2358 849.086, Florida Statutes, are redesignated as subsections (10)
2359 through (18), respectively, a new subsection (9) is added to
2360 that section, and subsections (1) and (2), paragraph (b) of
2361 subsection (5), paragraphs (a), (b), and (c) of subsection (7),
2362 paragraphs (a) and (b) of subsection (8), present subsection
2363 (12), paragraphs (d) and (h) of present subsection (13), and
2364 present subsection (17) of section 849.086, Florida Statutes,
2365 are amended, to read:

2366 849.086 Cardrooms authorized.—

2367 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
2368 to provide additional entertainment choices for the residents of
2369 and visitors to the state, promote tourism in the state, provide
2370 revenues to support the continuation of live pari-mutuel
2371 activity, and provide additional state revenues through the
2372 authorization of the playing of certain games in the state at
2373 facilities known as cardrooms which are to be located at
2374 licensed pari-mutuel facilities. To ensure the public confidence
2375 in the integrity of authorized cardroom operations, this act is
2376 designed to strictly regulate the facilities, persons, and
2377 procedures related to cardroom operations. Furthermore, the
2378 Legislature finds that authorized games of cards and dominoes ~~as~~
2379 ~~herein defined~~ are considered to be pari-mutuel style games and
2380 not casino gaming because the participants play against each
2381 other instead of against the house.

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2382 (2) DEFINITIONS.—As used in this section:

2383 (a) "Authorized game" means a game or series of card and
2384 domino games that ~~of poker or dominoes which~~ are played in
2385 conformance with this section ~~a nonbanking manner~~.

2386 (b) "Banking game" means a game in which the house is a
2387 participant in the game, taking on players, paying winners, and
2388 collecting from losers ~~or in which the cardroom establishes a~~
2389 ~~bank against which participants play~~. A designated player game
2390 is not a banking game.

2391 (c) "Cardroom" means a facility where authorized games are
2392 played for money or anything of value and to which the public is
2393 invited to participate in such games and charged a fee for
2394 participation by the operator of such facility. Authorized games
2395 and cardrooms do not constitute casino gaming operations if
2396 conducted at an eligible facility.

2397 (d) "Cardroom management company" means any individual not
2398 an employee of the cardroom operator, any proprietorship,
2399 partnership, corporation, or other entity that enters into an
2400 agreement with a cardroom operator to manage, operate, or
2401 otherwise control the daily operation of a cardroom.

2402 (e) "Cardroom distributor" means any business that
2403 distributes cardroom paraphernalia such as card tables, betting
2404 chips, chip holders, dominoes, dominoes tables, drop boxes,
2405 banking supplies, playing cards, card shufflers, and other
2406 associated equipment to authorized cardrooms.

2407 (f) "Cardroom operator" means a licensed pari-mutuel
2408 permitholder that ~~which~~ holds a valid permit and license issued
2409 by the division pursuant to chapter 550 and which also holds a
2410 valid cardroom license issued by the division pursuant to this

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2411 section which authorizes such person to operate a cardroom and
2412 to conduct authorized games in such cardroom.

2413 (g) "Designated player" means the player identified as the
2414 player in the dealer position and seated at a traditional player
2415 position in a designated player game and who pays winning
2416 players and collects from losing players.

2417 (h) "Designated player game" means a game in which the
2418 players compare their cards only to the cards of the designated
2419 player or to a combination of cards held by the designated
2420 player and cards common and available for play by all players.

2421 (i)~~(g)~~ "Division" means the Division of Pari-mutuel
2422 Wagering of the Department of Business and Professional
2423 Regulation.

2424 (j)~~(h)~~ "Dominoes" means a game of dominoes typically played
2425 with a set of 28 flat rectangular blocks, called "bones," which
2426 are marked on one side and divided into two equal parts, with
2427 zero to six dots, called "pips," in each part. The term also
2428 includes larger sets of blocks that contain a correspondingly
2429 higher number of pips. The term also means the set of blocks
2430 used to play the game.

2431 (k)~~(i)~~ "Gross receipts" means the total amount of money
2432 received by a cardroom from any person for participation in
2433 authorized games.

2434 (l)~~(j)~~ "House" means the cardroom operator and all
2435 employees of the cardroom operator.

2436 (m)~~(k)~~ "Net proceeds" means the total amount of gross
2437 receipts received by a cardroom operator from cardroom
2438 operations less direct operating expenses related to cardroom
2439 operations, including labor costs, admission taxes only if a

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2440 separate admission fee is charged for entry to the cardroom
2441 facility, gross receipts taxes imposed on cardroom operators by
2442 this section, the annual cardroom license fees imposed by this
2443 section on each table operated at a cardroom, and reasonable
2444 promotional costs excluding officer and director compensation,
2445 interest on capital debt, legal fees, real estate taxes, bad
2446 debts, contributions or donations, or overhead and depreciation
2447 expenses not directly related to the operation of the cardrooms.

2448 (n)~~(l)~~ "Rake" means a set fee or percentage of the pot
2449 assessed by a cardroom operator for providing the services of a
2450 dealer, table, or location for playing the authorized game.

2451 (o)~~(m)~~ "Tournament" means a series of games that have more
2452 than one betting round involving one or more tables and where
2453 the winners or others receive a prize or cash award.

2454 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
2455 operate a cardroom in this state unless such person holds a
2456 valid cardroom license issued pursuant to this section.

2457 (b) After the initial cardroom license is granted, the
2458 application for the annual license renewal shall be made in
2459 conjunction with the applicant's annual application for its
2460 pari-mutuel license. ~~If a permitholder has operated a cardroom
2461 during any of the 3 previous fiscal years and fails to include a
2462 renewal request for the operation of the cardroom in its annual
2463 application for license renewal, the permitholder may amend its
2464 annual application to include operation of the cardroom. In
2465 order for a cardroom license to be renewed the applicant must
2466 have requested, as part of its pari-mutuel annual license
2467 application, to conduct at least 90 percent of the total number
2468 of live performances conducted by such permitholder during~~

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2469 ~~either the state fiscal year in which its initial cardroom~~
2470 ~~license was issued or the state fiscal year immediately prior~~
2471 ~~thereto if the permitholder ran at least a full schedule of live~~
2472 ~~racing or games in the prior year. If the application is for a~~
2473 ~~harness permitholder cardroom, the applicant must have requested~~
2474 ~~authorization to conduct a minimum of 140 live performances~~
2475 ~~during the state fiscal year immediately prior thereto. If more~~
2476 ~~than one permitholder is operating at a facility, each~~
2477 ~~permitholder must have applied for a license to conduct a full~~
2478 ~~schedule of live racing.~~

2479 (7) CONDITIONS FOR OPERATING A CARDROOM.—

2480 (a) A cardroom may be operated only at the location
2481 specified on the cardroom license issued by the division, and
2482 such location may only be the location at which the pari-mutuel
2483 permitholder is authorized to conduct pari-mutuel wagering
2484 activities pursuant to such permitholder's valid pari-mutuel
2485 permit or as otherwise authorized by law. ~~Cardroom operations~~
2486 ~~may not be allowed beyond the hours provided in paragraph (b)~~
2487 ~~regardless of the number of cardroom licenses issued for~~
2488 ~~permitholders operating at the pari-mutuel facility.~~

2489 (b) Any cardroom operator may operate a cardroom at the
2490 pari-mutuel facility daily throughout the year, if the
2491 permitholder meets the requirements under paragraph (5) (b). The
2492 cardroom may be open ~~a cumulative amount of 18 hours per day on~~
2493 ~~Monday through Friday and 24 hours per day on Saturday and~~
2494 ~~Sunday and on the holidays specified in s. 110.117(1).~~

2495 (c) For authorized games of poker or dominoes at a
2496 cardroom, a cardroom operator must at all times employ and
2497 provide a nonplaying live dealer at ~~for~~ each table on which the

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2498 authorized ~~card games which traditionally use a dealer~~ are
2499 conducted ~~at the cardroom~~. Such dealers may not have a
2500 participatory interest in any game other than the dealing of
2501 cards and may not have an interest in the outcome of the game.
2502 The providing of such dealers by a licensee does not constitute
2503 the conducting of a banking game by the cardroom operator.

2504 (8) METHOD OF WAGERS; LIMITATION.—

2505 (a) ~~No~~ Wagering may not be conducted using money or other
2506 negotiable currency. Games may only be played utilizing a
2507 wagering system whereby all players' money is first converted by
2508 the house to tokens or chips that may ~~which shall~~ be used for
2509 wagering only at that specific cardroom.

2510 (b) For authorized games of poker or dominoes, the cardroom
2511 operator may limit the amount wagered in any game or series of
2512 games.

2513 (9) DESIGNATED PLAYER GAMES AUTHORIZED.—

2514 (a) A cardroom operator may offer designated player games
2515 consisting of players making wagers against the designated
2516 player. The designated player must be licensed pursuant to
2517 paragraph (6)(b).

2518 (b) A cardroom operator may not serve as a designated
2519 player in any game. The cardroom operator may not have a
2520 financial interest in a designated player in any game. A
2521 cardroom operator may collect a rake in accordance with the rake
2522 structure posted at the table.

2523 (c) If there are multiple designated players at a table,
2524 the dealer button shall be rotated in a clockwise rotation after
2525 each hand.

2526 (d) A cardroom operator may not allow a designated player

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2527 to pay an opposing player who holds a lower ranked hand.

2528 (13)~~(12)~~ PROHIBITED ACTIVITIES.—

2529 (a) A ~~No~~ person licensed to operate a cardroom may not
2530 conduct any banking game or any game not specifically authorized
2531 by this section. For purposes of this section, a designated
2532 player game shall be deemed a banking game if any of the
2533 following elements apply:

2534 1. Any designated player is required by the rules of a game
2535 or by the rules of a cardroom to cover all wagers posted by
2536 opposing players;

2537 2. The dealer button remains in a fixed position without
2538 being offered for rotation;

2539 3. The cardroom, or any cardroom licensee, contracts with
2540 or receives compensation other than a posted table rake from any
2541 player to participate in any game to serve as a designated
2542 player; or

2543 4. In any designated player game in which the designated
2544 player possesses a higher ranked hand, the designated player is
2545 required to pay on an opposing player's wager who holds a lower
2546 ranked hand.

2547 (b) A ~~No~~ person who is younger than ~~under~~ 18 years of age
2548 may not be permitted to hold a cardroom or employee license, or
2549 to engage in any game conducted therein.

2550 (c) With the exception of mechanical card shufflers, ~~No~~
2551 electronic or mechanical devices, ~~except mechanical card~~
2552 shufflers, may not be used to conduct any authorized game in a
2553 cardroom.

2554 (d) ~~No~~ Cards, game components, or game implements may not
2555 be used in playing an authorized game unless they have ~~such has~~

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2556 been furnished or provided to the players by the cardroom
2557 operator.

2558 (14)~~(13)~~ TAXES AND OTHER PAYMENTS.—

2559 (d)1. Each ~~greyhound and jai alai~~ permitholder that
2560 operates a cardroom facility shall use at least 4 percent of
2561 such permitholder's cardroom monthly gross receipts to
2562 supplement ~~greyhound~~ purses or jai alai prize money,
2563 respectively, during the permitholder's next ensuing pari-mutuel
2564 meet.

2565 2. A cardroom license or renewal thereof may not be issued
2566 to a permitholder conducting less than a full schedule of live
2567 racing or games unless the applicant has on file with the
2568 division a binding written contract with a thoroughbred
2569 permitholder that is licensed to conduct live racing and that
2570 does not possess a slot machine license. This contract must
2571 provide that the permitholder will pay an amount equal to 4
2572 percent of its monthly cardroom gross receipts to the
2573 thoroughbred permitholder conducting the live racing for use as
2574 purses during the current or ensuing live racing meet of the
2575 thoroughbred permitholder. If there is not a thoroughbred
2576 permitholder that does not possess a slot machine license, no
2577 payments for purses are required, and the cardroom licensee
2578 shall retain such funds for its use. ~~Each thoroughbred and~~
2579 ~~harness horse racing permitholder that operates a cardroom~~
2580 ~~facility shall use at least 50 percent of such permitholder's~~
2581 ~~cardroom monthly net proceeds as follows: 47 percent to~~
2582 ~~supplement purses and 3 percent to supplement breeders' awards~~
2583 ~~during the permitholder's next ensuing racing meet.~~

2584 ~~3. No cardroom license or renewal thereof shall be issued~~

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2585 to an applicant holding a permit under chapter 550 to conduct
2586 pari-mutuel wagering meets of quarter horse racing unless the
2587 applicant has on file with the division a binding written
2588 agreement between the applicant and the Florida Quarter Horse
2589 Racing Association or the association representing a majority of
2590 the horse owners and trainers at the applicant's eligible
2591 facility, governing the payment of purses on live quarter horse
2592 races conducted at the licensee's pari-mutuel facility. The
2593 agreement governing purses may direct the payment of such purses
2594 from revenues generated by any wagering or gaming the applicant
2595 is authorized to conduct under Florida law. All purses shall be
2596 subject to the terms of chapter 550.

2597 (h) One-quarter of the moneys deposited into the Pari-
2598 mutuel Wagering Trust Fund pursuant to paragraph (g) shall, by
2599 October 1 of each year, be distributed to the local government
2600 that approved the cardroom under subsection (17) ~~subsection~~
2601 ~~(16)~~; however, if two or more pari-mutuel racetracks are located
2602 within the same incorporated municipality, the cardroom funds
2603 shall be distributed to the municipality. If a pari-mutuel
2604 facility is situated in such a manner that it is located in more
2605 than one county, the site of the cardroom facility shall
2606 determine the location for purposes of disbursement of tax
2607 revenues under this paragraph. The division shall, by September
2608 1 of each year, determine: the amount of taxes deposited into
2609 the Pari-mutuel Wagering Trust Fund pursuant to this section
2610 from each cardroom licensee; the location by county of each
2611 cardroom; whether the cardroom is located in the unincorporated
2612 area of the county or within an incorporated municipality; and,
2613 the total amount to be distributed to each eligible county and

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2614 municipality.

2615 (18)~~(17)~~ CHANGE OF LOCATION; REFERENDUM.—

2616 ~~(a) Notwithstanding any provisions of this section, a no~~
 2617 cardroom gaming license issued under this section may not ~~shall~~
 2618 be transferred, or reissued when such reissuance is in the
 2619 nature of a transfer, so as to permit or authorize a licensee to
 2620 change the location of the cardroom ~~except upon proof in such~~
 2621 ~~form as the division may prescribe that a referendum election~~
 2622 ~~has been held:~~

2623 ~~1. If the proposed new location is within the same county~~
 2624 ~~as the already licensed location, in the county where the~~
 2625 ~~licensee desires to conduct cardroom gaming and that a majority~~
 2626 ~~of the electors voting on the question in such election voted in~~
 2627 ~~favor of the transfer of such license. However, the division~~
 2628 ~~shall transfer, without requirement of a referendum election,~~
 2629 ~~the cardroom license of any permit holder that relocated its~~
 2630 ~~permit pursuant to s. 550.0555.~~

2631 ~~2. If the proposed new location is not within the same~~
 2632 ~~county as the already licensed location, in the county where the~~
 2633 ~~licensee desires to conduct cardroom gaming and that a majority~~
 2634 ~~of the electors voting on that question in each such election~~
 2635 ~~voted in favor of the transfer of such license.~~

2636 ~~(b) The expense of each referendum held under the~~
 2637 ~~provisions of this subsection shall be borne by the licensee~~
 2638 ~~requesting the transfer.~~

2639 Section 42. The Division of Pari-mutuel Wagering of the
 2640 Department of Business and Professional Regulation shall revoke
 2641 any permit to conduct pari-mutuel wagering if a permit holder has
 2642 not conducted live events within the 24 months preceding the

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2643 effective date of this act, unless the permit was issued under
2644 s. 550.3345, Florida Statutes. A permit revoked under this
2645 section may not be reissued.

2646 Section 43. The provisions of this act are not severable.
2647 If this act or any portion of this act is determined to be
2648 unconstitutional or the applicability thereof to any person or
2649 circumstance is held invalid:

2650 (1) Such determination shall render all other provisions or
2651 applications of this act invalid; and

2652 (2) This act is deemed never to have become law.

2653 Section 44. This act shall take effect only if Senate
2654 Proposed Bill 7074, 2016 Regular Session, or similar legislation
2655 becomes law ratifying the Gaming Compact between the Seminole
2656 Tribe of Florida and the State of Florida executed by the
2657 Governor and the Seminole Tribe of Florida on December 7, 2015,
2658 under the Indian Gaming Regulatory Act of 1988, and only if such
2659 compact is approved or deemed approved, and not voided by the
2660 United States Department of the Interior, and except as
2661 otherwise expressly provided and except for this section, which
2662 shall take effect upon this act becoming a law, this act shall
2663 take effect on the date that the approved compact is published
2664 in the Federal Register.