

FOR CONSIDERATION By the Committee on Regulated Industries

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1 A bill to be entitled
2 An act relating to gaming; amending s. 550.002, F.S.;
3 redefining the term "full schedule of live racing or
4 games"; defining the term "video race system";
5 amending s. 550.01215, F.S.; revising provisions for
6 applications for pari-mutuel operating licenses;
7 authorizing a greyhound racing permitholder to specify
8 certain intentions on its application; authorizing a
9 greyhound racing permitholder to receive an operating
10 license to conduct pari-mutuel wagering activities at
11 another permitholder's greyhound racing facility;
12 limiting the number of pari-mutuel wagering operating
13 licenses that may be issued each year; authorizing the
14 Division of Pari-mutuel Wagering of the Department of
15 Business and Professional Regulation to approve
16 changes in racing dates for greyhound racing
17 permitholders under certain circumstances; providing
18 requirements for licensure of certain jai alai
19 permitholders; deleting a provision for conversion of
20 certain converted permits to jai alai permits;
21 amending s. 550.0251, F.S.; requiring the division to
22 annually report to the Governor and the Legislature;
23 specifying requirements for the content of the report;
24 amending s. 550.054, F.S.; requiring the division to
25 revoke a pari-mutuel wagering operating permit under
26 certain circumstances; prohibiting issuance or
27 approval of new pari-mutuel permits after a specified
28 date; authorizing a permitholder to apply to the
29 division to place a permit in inactive status;
30 revising provisions that prohibit transfer or
31 assignment of a pari-mutuel permit; prohibiting
32 transfer or assignment of a pari-mutuel permit or

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33 license under certain conditions; prohibiting
34 relocation of a pari-mutuel facility, cardroom, or
35 slot machine facility or conversion of pari-mutuel
36 permits to a different class; providing for approval
37 of the relocation of such permits; deleting provisions
38 for certain converted permits; repealing s. 550.0555,
39 F.S., relating to the relocation of greyhound racing
40 permits; repealing s. 550.0745, F.S., relating to the
41 conversion of pari-mutuel permits to summer jai alai
42 permits; amending s. 550.0951, F.S.; deleting
43 provisions for certain credits for a greyhound racing
44 permitholder; revising the tax on handle for live
45 greyhound racing and intertrack wagering if the host
46 track is a greyhound racing track; requiring a tax on
47 handle and fees for video race licensees; specifying
48 how fees may be used by the department and the
49 Department of Law Enforcement; amending s. 550.09511,
50 F.S.; conforming a cross-reference; amending s.
51 550.09512, F.S.; providing for the revocation of
52 certain harness horse racing permits; specifying that
53 a revoked permit may not be reissued; amending s.
54 550.09514, F.S.; deleting certain provisions that
55 prohibit tax on handle until a specified amount of tax
56 savings have resulted; revising purse requirements of
57 a greyhound racing permitholder that conducts live
58 racing; amending s. 550.09515, F.S.; providing for the
59 revocation of certain thoroughbred racing permits;
60 specifying that a revoked permit may not be reissued;
61 amending s. 550.1625, F.S.; deleting the requirement

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62 that a greyhound racing permitholder pay the breaks
63 tax; repealing s. 550.1647, F.S., relating to
64 unclaimed tickets and breaks held by greyhound racing
65 permitholders; amending s. 550.1648, F.S.; revising
66 requirements for a greyhound racing permitholder to
67 provide a greyhound adoption booth at its facility;
68 requiring sterilization of greyhounds before adoption;
69 authorizing the fee for such sterilization to be
70 included in the cost of adoption; defining the term
71 "bona fide organization that promotes or encourages
72 the adoption of greyhounds"; creating s. 550.1751,
73 F.S.; defining terms; authorizing certain pari-mutuel
74 permitholders to enter into agreements to sell and
75 transfer permits to certain bidders; requiring that
76 such permits be surrendered to the division and
77 voided; creating s. 550.1752, F.S.; creating the
78 permit reduction program within the division;
79 providing a purpose for the program; providing for
80 funding for the program up to a specified maximum
81 amount; requiring the division to purchase pari-mutuel
82 permits from permitholders under certain
83 circumstances; requiring that permitholders who wish
84 to make an offer to sell meet certain requirements;
85 requiring the division to adopt a certain form by
86 rule; requiring that the division establish the value
87 of a pari-mutuel permit based on the valuation of one
88 or more independent appraisers; authorizing the
89 division to establish a value that is lower than the
90 valuation of the independent appraiser; requiring the

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91 division to accept the offers that best utilize
92 available funding; requiring the division to cancel
93 permits that it purchases through the program;
94 providing for expiration of the program; creating s.
95 550.2416, F.S.; requiring injuries to racing
96 greyhounds to be reported within a certain timeframe
97 on a form adopted by the division; requiring such form
98 to be completed and signed under oath or affirmation
99 by certain individuals; providing penalties;
100 specifying information that must be included in the
101 form; requiring the division to maintain the forms as
102 public records for a specified time; specifying
103 disciplinary action that may be taken against a
104 licensee of the Department of Business and
105 Professional Regulation who fails to report an injury
106 or who makes false statements on an injury form;
107 exempting injuries to certain animals from reporting
108 requirements; requiring the division to adopt rules;
109 amending s. 550.26165, F.S.; conforming a cross-
110 reference; amending s. 550.3345, F.S.; revising
111 provisions for a permit previously converted from a
112 quarter horse racing permit to a limited thoroughbred
113 racing permit; amending s. 550.3551, F.S.; deleting a
114 provision that limits the number of out-of-state races
115 on which wagers are accepted by a greyhound racing
116 permitholder; deleting a provision prohibiting a
117 permitholder from conducting fewer than eight live
118 races or games under certain circumstances; deleting a
119 provision requiring certain permitholders to conduct a

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120 full schedule of live racing to receive certain full-
121 card broadcasts and accept certain wagers; amending s.
122 550.375, F.S.; conforming a cross-reference; amending
123 s. 550.615, F.S.; revising provisions relating to
124 intertrack wagering; amending s. 550.6305, F.S.;
125 revising provisions requiring that certain simulcast
126 signals be made available to certain permitholders;
127 authorizing certain permitholders of a converted
128 permit to accept wagers on certain rebroadcasts;
129 amending s. 550.6308, F.S.; revising the number of
130 days of thoroughbred horse sales required to obtain a
131 limited intertrack wagering license; revising
132 provisions for such wagering; amending s. 551.101,
133 F.S.; revising provisions that authorize slot machine
134 gaming at certain facilities; amending s. 551.102,
135 F.S.; revising definitions of the terms "eligible
136 facility" and "slot machine licensee" for purposes of
137 provisions relating to slot machines; amending s.
138 551.104, F.S.; providing that an application to
139 conduct slot machine gaming may be authorized only if
140 it would not trigger a reduction in revenue-sharing
141 under the Gaming Compact between the Seminole Tribe of
142 Florida and the State of Florida; specifying the
143 facilities that may be authorized by the division to
144 conduct slot machine gaming; exempting certain
145 greyhound racing and thoroughbred racing permitholders
146 from a requirement that they conduct a full schedule
147 of live racing as a condition of maintaining authority
148 to conduct slot machine gaming; requiring licensees to

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149 withhold a specified percentage of net revenue from
150 specified sources; creating s. 551.1041, F.S.;

151 authorizing an additional slot machine license to be
152 issued to a pari-mutuel permitholder for a facility in
153 Miami-Dade County and in Palm Beach County, subject to
154 approval by a majority of voters in a referendum in
155 each county; providing for the conduct of the
156 referendum; establishing the process for the issuance
157 of new licenses; requiring that applications be made
158 by sealed bids to the division, subject to specified
159 prequalification procedures and requirements;

160 specifying a minimum bid amount; authorizing a
161 specified number of slot machines and video race
162 terminals for play; providing requirements for slot
163 machines and video race terminals; defining the term
164 "video race terminal"; providing requirements for the
165 use of net revenue withheld from certain slot machine
166 licensees; creating s. 551.1042, F.S.; prohibiting the
167 transfer of a slot machine license or relocation of a
168 slot machine facility; amending s. 551.106, F.S.;

169 deleting obsolete provisions; revising the tax rate on
170 slot machine revenues under certain conditions;

171 amending s. 551.114, F.S.; decreasing the number of
172 slot machines available for play at certain
173 facilities; requiring that specified permitholders'
174 designated slot machine gaming areas be located within
175 the eligible facility for which the initial license
176 was issued; amending s. 551.116, F.S.; deleting a
177 restriction on the number of hours that slot machine

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178 gaming areas may be open; amending s. 551.121, F.S.;

179 authorizing the serving of complimentary or reduced-

180 cost alcoholic beverages to a person playing a slot

181 machine; authorizing the location of an automated

182 teller machine or similar device within designated

183 slot machine gaming areas; amending s. 849.086, F.S.;

184 amending legislative intent; revising definitions;

185 authorizing certain thoroughbred racing permitholders

186 to operate a cardroom at a specified slot facility

187 under certain circumstances; deleting certain license

188 renewal requirements; authorizing certain cardroom

189 operators to offer certain designated player games;

190 providing limits on wagers for such games; providing

191 playing requirements for designated players; requiring

192 each seated player to be afforded the temporary

193 opportunity to be the designated player; prohibiting

194 certain persons from being designated players;

195 providing requirements for designated player games;

196 providing that the division may only approve cardroom

197 operators to conduct certain designated player games;

198 requiring certain harness horse racing permitholders

199 to use at least 50 percent of monthly net proceeds in

200 specified ways; conforming provisions to changes made

201 by the act; directing the division to revoke certain

202 pari-mutuel permits; specifying that the revoked

203 permits may not be reissued; providing for

204 nonseverability; providing an effective date.

205

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

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207

208 Section 1. Subsection (11) of section 550.002, Florida
209 Statutes, is amended, present subsections (15) through (39) of
210 that section are redesignated as subsections (16) through (40),
211 respectively, and a new subsection (15) is added to that
212 section, to read:

213 550.002 Definitions.—As used in this chapter, the term:

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

215 1. For a greyhound racing permitholder or jai alai
216 permitholder, the conduct of a combination of at least 100 live
217 evening or matinee performances during the preceding year.† ~~for~~
218 ~~a permitholder who has a converted permit or filed an~~
219 ~~application on or before June 1, 1990, for a converted permit,~~
220 ~~the conduct of a combination of at least 100 live evening and~~
221 ~~matinee wagering performances during either of the 2 preceding~~
222 ~~years;†~~

223 2. For a jai alai permitholder that ~~who~~ does not operate
224 slot machines in its pari-mutuel facility, ~~who~~ has conducted at
225 least 100 live performances per year for at least 10 years after
226 December 31, 1992, and has had ~~whose~~ handle on live jai alai
227 games conducted at its pari-mutuel facility which was ~~has been~~
228 less than \$4 million per state fiscal year for at least 2
229 consecutive years after June 30, 1992, the conduct of ~~a~~
230 ~~combination of~~ at least 40 live ~~evening or matinee~~ performances
231 during the preceding year.†

232 3. For a jai alai permitholder that ~~who~~ operates slot
233 machines in its pari-mutuel facility, the conduct of ~~a~~
234 ~~combination of~~ at least 150 performances during the preceding
235 year.†

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236 4. For a summer jai alai permitholder, the conduct of at
237 least 58 live performances during the preceding year, unless the
238 permitholder meets the requirements of subparagraph 2.

239 5. For a harness horse racing permitholder, the conduct of
240 at least 100 live regular wagering performances during the
241 preceding year.

242 6. For a quarter horse racing permitholder at its facility,
243 unless an alternative schedule of at least 20 live regular
244 wagering performances each year is agreed upon by the
245 permitholder and either the Florida Quarter Horse Racing
246 Association or the horsemen horsemen's association representing
247 the majority of the quarter horse owners and trainers at the
248 facility and filed with the division along with its annual
249 operating license date application.

250 a. In the 2010-2011 fiscal year, the conduct of at least 20
251 regular wagering performances.

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

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

256 7. For a quarter horse racing permitholder leasing another
257 licensed racetrack, the conduct of 160 events at the leased
258 facility during the preceding year. ~~and~~

259 8. For a thoroughbred racing permitholder, the conduct of
260 at least 40 live regular wagering performances during the
261 preceding year.

262 ~~(b) For a permitholder which is restricted by statute to~~
263 ~~certain operating periods within the year when other members of~~
264 ~~its same class of permit are authorized to operate throughout~~

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265 ~~the year, the specified number of live performances which~~
266 ~~constitute a full schedule of live racing or games shall be~~
267 ~~adjusted pro rata in accordance with the relationship between~~
268 ~~its authorized operating period and the full calendar year and~~
269 ~~the resulting specified number of live performances shall~~
270 ~~constitute the full schedule of live games for such permit holder~~
271 ~~and all other permit holders of the same class within 100 air~~
272 ~~miles of such permit holder. A live performance must consist of~~
273 ~~no fewer than eight races or games conducted live for each of a~~
274 ~~minimum of three performances each week at the permit holder's~~
275 ~~licensed facility under a single admission charge.~~

276 (15) "Video race system" or "video race" means a form of
277 pari-mutuel wagering based on video signals of previously
278 conducted in-state or out-of-state thoroughbred races which are
279 sent from an in-state server that is operated by a licensed
280 totalizator company and displayed at individual wagering
281 terminals.

282 Section 2. Subsections (1), (3), and (6) of section
283 550.01215, Florida Statutes, are amended to read:

284 550.01215 License application; periods of operation; bond,
285 conversion of permit.-

286 (1) Each permit holder shall annually, during the period
287 between December 15 and January 4, file in writing with the
288 division its application for an operating a license to conduct
289 pari-mutuel wagering during the next fiscal year, including
290 intertrack and simulcast race wagering for greyhound
291 permit holders, jai alai permit holders, harness horse racing
292 permit holders, and quarter horse racing permit holders that do
293 not to conduct live performances during the next state fiscal

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294 ~~year~~. Each application for live performances must ~~shall~~ specify
295 the number, dates, and starting times of all live performances
296 that ~~which~~ the permitholder intends to conduct. It must ~~shall~~
297 also specify which performances will be conducted as charity or
298 scholarship performances.

299 (a) ~~In addition,~~ Each application for an operating a
300 license also must ~~shall~~ include:
301

301 1. For each permitholder that ~~which~~ elects to accept wagers
302 on broadcast events, the dates for all such events.

303 2. For each permitholder that elects to operate a cardroom,
304 the dates and periods of operation the permitholder intends to
305 operate the cardroom. ~~or,~~

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

310 (b) A greyhound racing permitholder that conducted a full
311 schedule of live racing for a period of at least 10 consecutive
312 state fiscal years after the 1996-1997 state fiscal year, or
313 that converted its permit to a permit to conduct greyhound
314 racing after that fiscal year, may specify in its application
315 for an operating license that it does not intend to conduct live
316 racing, or that it intends to conduct less than a full schedule
317 of live racing, in the next state fiscal year. A greyhound
318 racing permitholder may receive an operating license to conduct
319 pari-mutuel wagering activities at another permitholder's
320 greyhound racing facility pursuant to s. 550.475.

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

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323 (3) The division shall issue each license no later than
324 March 15. Each permitholder shall operate all performances at
325 the date and time specified on its license. The division shall
326 have the authority to approve minor changes in racing dates
327 after a license has been issued. The division may approve
328 changes in racing dates after a license has been issued when
329 there is no objection from any operating permitholder located
330 within 50 miles of the permitholder requesting the changes in
331 operating dates. In the event of an objection, the division
332 shall approve or disapprove the change in operating dates based
333 upon the impact on operating permitholders located within 50
334 miles of the permitholder requesting the change in operating
335 dates. In making the determination to change racing dates, the
336 division shall take into consideration the impact of such
337 changes on state revenues. Notwithstanding any other provision
338 of law, and for the 2016-2017 fiscal year only, the division may
339 approve changes in racing dates for greyhound racing
340 permitholders if the request for such changes is received before
341 August 31, 2016.

342 (6) A summer jai alai permitholder may apply for an
343 operating license to operate a jai alai fronton only during the
344 summer season beginning May 1 and ending November 30 of each
345 year on such dates as may be selected by the permitholder. Such
346 permitholder is subject to the same taxes, rules, and provisions
347 of this chapter which apply to the operation of winter jai alai
348 frontons. A summer jai alai permitholder is not eligible for
349 licensure to conduct a cardroom or a slot machine facility. A
350 summer jai alai permitholder and a winter jai alai permitholder
351 may not operate on the same days or in competition with each

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352 other. This subsection does not prevent a summer jai alai
353 licensee from leasing the facilities of a winter jai alai
354 licensee for the operation of a summer meet ~~Any permit which was~~
355 ~~converted from a jai alai permit to a greyhound permit may be~~
356 ~~converted to a jai alai permit at any time if the permitholder~~
357 ~~never conducted greyhound racing or if the permitholder has not~~
358 ~~conducted greyhound racing for a period of 12 consecutive~~
359 ~~months.~~

360 Section 3. Subsection (1) of section 550.0251, Florida
361 Statutes, is amended to read:

362 550.0251 The powers and duties of the Division of Pari-
363 mutuel Wagering of the Department of Business and Professional
364 Regulation.—The division shall administer this chapter and
365 regulate the pari-mutuel industry under this chapter and the
366 rules adopted pursuant thereto, and:

367 (1) The division shall make an annual report to the
368 Governor, the President of the Senate, and the Speaker of the
369 House of Representatives. The report shall include, at a
370 minimum:

371 (a) Recent events in the gaming industry, including pending
372 litigation; pending permitholder, facility, cardroom, slot, or
373 operating license applications; and new and pending rules.

374 (b) Actions of the department relating to the
375 implementation and administration of this chapter.

376 (c) The state revenues and expenses associated with each
377 form of authorized gaming. Revenues and expenses associated with
378 pari-mutuel wagering must be further delineated by the class of
379 license.

380 (d) The performance of each pari-mutuel wagering licensee,

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381 cardroom licensee, and slot machine licensee.

382 (e) A summary of disciplinary actions taken by the
383 department.

384 (f) Any suggestions to more effectively achieve ~~showing its~~
385 ~~own actions, receipts derived under the provisions of this~~
386 ~~chapter, the practical effects of the application of this~~
387 ~~chapter, and any suggestions it may approve for the more~~
388 ~~effectual accomplishments of the purposes of this chapter.~~

389 Section 4. Paragraph (b) of subsection (9) of section
390 550.054, Florida Statutes, is amended, paragraphs (c) through
391 (g) are added to that subsection, and paragraph (a) of
392 subsection (11) and subsections (13) and (14) of that section
393 are amended, to read:

394 550.054 Application for permit to conduct pari-mutuel
395 wagering.—

396 (9)

397 (b) The division may revoke or suspend any permit or
398 license issued under this chapter upon a ~~the~~ willful violation
399 by the permitholder or licensee ~~of any provision~~ of this chapter
400 or rules ~~of any rule~~ adopted pursuant thereto ~~under this~~
401 ~~chapter. With the exception of the revocation of permits~~
402 required in paragraphs (c), (d), (f), and (g), ~~In lieu of~~
403 ~~suspending or revoking a permit or license,~~ the division may, in
404 lieu of suspending or revoking a permit or license, impose a
405 civil penalty against the permitholder or licensee for a
406 violation of this chapter or rules adopted pursuant thereto ~~any~~
407 ~~rule adopted by the division.~~ The penalty so imposed may not
408 exceed \$1,000 for each count or separate offense. All penalties
409 imposed and collected must be deposited with the Chief Financial

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410 Officer to the credit of the General Revenue Fund.

411 (c) Unless a failure to obtain an operating license and to
412 operate was the direct result of fire, strike, war, or other
413 disaster or event beyond the permitholder's control, the
414 division shall revoke the permit of any permitholder that has
415 not obtained an operating license in accordance with s.
416 550.01215 for a period of more than 24 consecutive months after
417 June 30, 2012. The division shall revoke the permit upon
418 adequate notice to the permitholder. Financial hardship to the
419 permitholder does not, in and of itself, constitute just cause
420 for failure to operate.

421 (d) The division shall revoke the permit of any
422 permitholder that fails to make payments pursuant to s.
423 550.0951(5) for more than 24 consecutive months unless such
424 failure to pay tax on handle was the direct result of fire,
425 strike, war, or other disaster or event beyond the
426 permitholder's control. Financial hardship to the permitholder
427 does not, in and of itself, constitute just cause for failure to
428 pay tax on handle.

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

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

434 (g) A permitholder may apply to the division to place the
435 permit into inactive status for a period of 12 months pursuant
436 to the rules adopted under this chapter. The division, upon good
437 cause shown by the permitholder, may renew inactive status for a
438 period of up to 12 months, but a permit may not be in inactive

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439 status for a period of more than 24 consecutive months. Holders
440 of permits in inactive status are not eligible for licensure for
441 pari-mutuel wagering, slot machines, or cardrooms.

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

447 (13) ~~(a)~~ Notwithstanding any provision ~~provisions~~ of this
448 chapter or chapter 551, a pari-mutuel ~~no thoroughbred horse~~
449 ~~racine~~ permit or license issued under this chapter or chapter
450 551 may not shall be transferred, or reissued when such
451 reissuance is in the nature of a transfer so as to permit or
452 authorize a licensee to change the location of a pari-mutuel
453 facility, cardroom, or slot machine facility. ~~thoroughbred horse~~
454 ~~racetrack except upon proof in such form as the division may~~
455 ~~prescribe that a referendum election has been held:~~

456 1. ~~If the proposed new location is within the same county~~
457 ~~as the already licensed location, in the county where the~~
458 ~~licensee desires to conduct the race meeting and that a majority~~
459 ~~of the electors voting on that question in such election voted~~
460 ~~in favor of the transfer of such license.~~

461 2. ~~If the proposed new location is not within the same~~
462 ~~county as the already licensed location, in the county where the~~
463 ~~licensee desires to conduct the race meeting and in the county~~
464 ~~where the licensee is already licensed to conduct the race~~
465 ~~meeting and that a majority of the electors voting on that~~
466 ~~question in each such election voted in favor of the transfer of~~
467 ~~such license.~~

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468 ~~(b) Each referendum held under the provisions of this~~
469 ~~subsection shall be held in accordance with the electoral~~
470 ~~procedures for ratification of permits, as provided in s.~~
471 ~~550.0651. The expense of each such referendum shall be borne by~~
472 ~~the licensee requesting the transfer.~~

473 (14) (a) Notwithstanding any other provision of law, a pari-
474 mutuel facility, cardroom, or slot machine facility may not be
475 relocated except as provided in paragraph (b), and a pari-mutuel
476 permit may not be converted to another class of permit. Any
477 ~~holder of a permit to conduct jai alai may apply to the division~~
478 ~~to convert such permit to a permit to conduct greyhound racing~~
479 ~~in lieu of jai alai if:~~

480 ~~1. Such permit is located in a county in which the division~~
481 ~~has issued only two pari-mutuel permits pursuant to this~~
482 ~~section;~~

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

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

488 (b) Upon application from the holder of a permit to conduct
489 greyhound racing which was converted from a permit to conduct
490 jai alai pursuant to former s. 550.054(14), Florida Statutes
491 2014, as created by s. 6, chapter 2009-170, Laws of Florida, the
492 division may approve the relocation of such permit to another
493 location within a 30-mile radius of the location fixed in the
494 permit if the application is received by July 31, 2018, the new
495 location is within the same county, and the new location is
496 approved under the zoning regulations of the county or

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497 ~~municipality in which the permit is located~~ ~~The division, upon~~
498 ~~application from the holder of a jai alai permit meeting all~~
499 ~~conditions of this section, shall convert the permit and shall~~
500 ~~issue to the permitholder a permit to conduct greyhound racing.~~
501 ~~A permitholder of a permit converted under this section shall be~~
502 ~~required to apply for and conduct a full schedule of live racing~~
503 ~~each fiscal year to be eligible for any tax credit provided by~~
504 ~~this chapter. The holder of a permit converted pursuant to this~~
505 ~~subsection or any holder of a permit to conduct greyhound racing~~
506 ~~located in a county in which it is the only permit issued~~
507 ~~pursuant to this section who operates at a leased facility~~
508 ~~pursuant to s. 550.475 may move the location for which the~~
509 ~~permit has been issued to another location within a 30-mile~~
510 ~~radius of the location fixed in the permit issued in that~~
511 ~~county, provided the move does not cross the county boundary and~~
512 ~~such location is approved under the zoning regulations of the~~
513 ~~county or municipality in which the permit is located, and upon~~
514 ~~such relocation may use the permit for the conduct of pari-~~
515 ~~mutuel wagering and the operation of a cardroom. The provisions~~
516 ~~of s. 550.6305(9)(d) and (f) shall apply to any permit converted~~
517 ~~under this subsection and shall continue to apply to any permit~~
518 ~~which was previously included under and subject to such~~
519 ~~provisions before a conversion pursuant to this section~~
520 ~~occurred.~~

521 Section 5. Section 550.0555, Florida Statutes, is repealed.

522 Section 6. Section 550.0745, Florida Statutes, is repealed.

523 Section 7. Section 550.0951, Florida Statutes, is amended
524 to read:

525 550.0951 Payment of daily license fee and taxes;

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526 penalties.-

527 (1)~~(a)~~ DAILY LICENSE FEE.—Each person engaged in the
528 business of conducting horserace meets ~~race meetings~~ or jai alai
529 games under this chapter, hereinafter referred to as the
530 “permitholder,” “licensee,” or “permittee,” shall pay ~~to the~~
531 ~~division, for the use of the division,~~ a daily license fee on
532 each live or simulcast pari-mutuel event of \$100 for each
533 horserace, and \$80 for each greyhound race, ~~dograce~~ and \$40 for
534 each jai alai game, any of which is conducted at a racetrack or
535 fronton licensed under this chapter. A ~~In addition to the tax~~
536 ~~exemption specified in s. 550.09514(1) of \$360,000 or \$500,000~~
537 ~~per greyhound permitholder per state fiscal year, each greyhound~~
538 ~~permitholder shall receive in the current state fiscal year a~~
539 ~~tax credit equal to the number of live greyhound races conducted~~
540 ~~in the previous state fiscal year times the daily license fee~~
541 ~~specified for each dograce in this subsection applicable for the~~
542 ~~previous state fiscal year. This tax credit and the exemption in~~
543 ~~s. 550.09514(1) shall be applicable to any tax imposed by this~~
544 ~~chapter or the daily license fees imposed by this chapter except~~
545 ~~during any charity or scholarship performances conducted~~
546 ~~pursuant to s. 550.0351. Each horserace permitholder may not be~~
547 required to shall pay daily license fees in excess of not to
548 ~~exceed~~ \$500 per day on any simulcast races or games on which
549 such permitholder accepts wagers, regardless of the number of
550 out-of-state events taken or the number of out-of-state
551 locations from which such events are taken. This license fee
552 shall be deposited with the Chief Financial Officer to the
553 credit of the Pari-mutuel Wagering Trust Fund.

554 ~~(b) Each permitholder that cannot utilize the full amount~~

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555 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~
556 ~~550.09514(1) or the daily license fee credit provided in this~~
557 ~~section may, after notifying the division in writing, elect once~~
558 ~~per state fiscal year on a form provided by the division to~~
559 ~~transfer such exemption or credit or any portion thereof to any~~
560 ~~greyhound permitholder which acts as a host track to such~~
561 ~~permitholder for the purpose of intertrack wagering. Once an~~
562 ~~election to transfer such exemption or credit is filed with the~~
563 ~~division, it shall not be rescinded. The division shall~~
564 ~~disapprove the transfer when the amount of the exemption or~~
565 ~~credit or portion thereof is unavailable to the transferring~~
566 ~~permitholder or when the permitholder who is entitled to~~
567 ~~transfer the exemption or credit or who is entitled to receive~~
568 ~~the exemption or credit owes taxes to the state pursuant to a~~
569 ~~deficiency letter or administrative complaint issued by the~~
570 ~~division. Upon approval of the transfer by the division, the~~
571 ~~transferred tax exemption or credit shall be effective for the~~
572 ~~first performance of the next payment period as specified in~~
573 ~~subsection (5). The exemption or credit transferred to such host~~
574 ~~track may be applied by such host track against any taxes~~
575 ~~imposed by this chapter or daily license fees imposed by this~~
576 ~~chapter. The greyhound permitholder host track to which such~~
577 ~~exemption or credit is transferred shall reimburse such~~
578 ~~permitholder the exact monetary value of such transferred~~
579 ~~exemption or credit as actually applied against the taxes and~~
580 ~~daily license fees of the host track. The division shall ensure~~
581 ~~that all transfers of exemption or credit are made in accordance~~
582 ~~with this subsection and shall have the authority to adopt rules~~
583 ~~to ensure the implementation of this section.~~

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584 (2) ADMISSION TAX.—

585 (a) An admission tax equal to 15 percent of the admission
586 charge for entrance to the permitholder's facility and
587 grandstand area, or 10 cents, whichever is greater, is imposed
588 on each person attending a horserace, greyhound race ~~dog race~~, or
589 jai alai game. The permitholder is ~~shall be~~ responsible for
590 collecting the admission tax.

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

595 (c) A permitholder may issue tax-free passes to its
596 officers, officials, and employees and to ~~or~~ other persons
597 actually engaged in working at the racetrack, including
598 accredited media ~~press~~ representatives such as reporters and
599 editors, and may also issue tax-free passes to other
600 permitholders for the use of their officers and officials. The
601 permitholder shall file with the division a list of all persons
602 to whom tax-free passes are issued under this paragraph.

603 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on
604 contributions to pari-mutuel pools, the aggregate of which is
605 hereinafter referred to as "handle," on races or games conducted
606 by the permitholder. The tax is imposed daily and is based on
607 the total contributions to all pari-mutuel pools conducted
608 during the daily performance. If a permitholder conducts more
609 than one performance daily, the tax is imposed on each
610 performance separately.

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

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613 (b)1. The tax on handle for greyhound racing ~~dogracing~~ is
614 1.28 ~~5.5~~ percent of the handle, ~~except that for live charity~~
615 ~~performances held pursuant to s. 550.0351, and for intertrack~~
616 ~~wagering on such charity performances at a guest greyhound track~~
617 ~~within the market area of the host, the tax is 7.6 percent of~~
618 ~~the handle.~~

619 2. The tax on handle for jai alai is 7.1 percent of the
620 handle.

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

622 a. If the host track is a horse track, 2.0 percent of the
623 handle.

624 b. If the host track is a harness horse racetrack track,
625 3.3 percent of the handle.

626 c. If the host track is a greyhound racing harness track,
627 1.28 ~~5.5~~ percent of the handle, to be remitted by the guest
628 track. ~~if the host track is a dog track, and~~

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

631 e. ~~The tax on handle for intertrack wagering is 0.5~~
632 ~~percent~~ If the host track and the guest track are thoroughbred
633 racing permitholders or if the guest track is located outside
634 the market area of a the host track that is not a greyhound
635 racing track and within the market area of a thoroughbred racing
636 permitholder currently conducting a live race meet, 0.5 percent
637 of the handle.

638 f. ~~The tax on handle~~ For intertrack wagering on
639 rebroadcasts of simulcast thoroughbred horseraces, ~~is~~ 2.4
640 percent of the handle and ~~1.5 percent of the handle~~ for
641 intertrack wagering on rebroadcasts of simulcast harness

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642 horseraces, 1.5 percent of the handle.

643 2. The tax collected under subparagraph 1. shall be
644 deposited into the Pari-mutuel Wagering Trust Fund.

645 ~~3.2.~~ The tax on handle for intertrack wagers accepted by
646 any greyhound racing ~~dog~~ track located in an area of the state
647 in which there are only three permitholders, all of which are
648 greyhound racing permitholders, located in three contiguous
649 counties, from any greyhound racing permitholder also located
650 within such area or any greyhound racing ~~dog~~ track or jai alai
651 fronton located as specified in s. 550.615(7) ~~s. 550.615(6) or~~
652 ~~(9)~~, on races or games received from any jai alai the same class
653 of permitholder located within the same market area is 3.9
654 percent of the handle if the host facility is a greyhound racing
655 permitholder. ~~and,~~ If the host facility is a jai alai
656 permitholder, the tax is rate shall be 6.1 percent of the handle
657 until ~~except that it shall be 2.3 percent on handle at~~ such time
658 as the total tax on intertrack handle paid to the division by
659 the permitholder during the current state fiscal year exceeds
660 the total ~~tax on intertrack handle~~ paid to the division by the
661 permitholder during the 1992-1993 state fiscal year, in which
662 case the tax is 2.3 percent of the handle.

663 (d) Notwithstanding any other provision of this chapter, in
664 order to protect the Florida jai alai industry, effective July
665 1, 2000, a jai alai permitholder may not be taxed on live handle
666 at a rate higher than 2 percent.

667 (4) BREAKS TAX.—Effective October 1, 1996, each
668 permitholder conducting jai alai performances shall pay a tax
669 equal to the breaks. As used in this subsection, the term
670 "breaks" means the money that remains in each pari-mutuel pool

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671 after funds are ~~The "breaks" represents that portion of each~~
672 ~~pari-mutuel pool which is not~~ redistributed to the contributors
673 and commissions are ~~or~~ withheld by the permitholder ~~as~~
674 ~~commission.~~

675 (5) VIDEO RACE TERMINALS; TAX AND FEE.—

676 (a) Each permitholder under this chapter which conducts
677 play on video race terminals pursuant to s. 551.1041 shall pay a
678 tax equal to 2 percent of the handle from the video race
679 terminals located at its facility.

680 (b) Upon authorization to conduct play on video race
681 terminals pursuant to s. 551.1041, and annually thereafter on
682 the anniversary date of the authorization, the licensee shall
683 pay a \$50,000 fee to the department. The fee shall be deposited
684 into the Pari-mutuel Wagering Trust Fund to be used by the
685 division and the Department of Law Enforcement for regulation of
686 video race, enforcement of video race provisions, and related
687 investigations.

688 (6) ~~(5)~~ PAYMENT AND DISPOSITION OF FEES AND TAXES.—Payments
689 imposed by this section shall be paid to the division. The
690 division shall deposit such payments ~~these sums~~ with the Chief
691 Financial Officer, to the credit of the Pari-mutuel Wagering
692 Trust Fund, hereby established. The permitholder shall remit to
693 the division payment for the daily license fee, the admission
694 tax, the tax on handle, and the breaks tax. Such payments must
695 ~~shall~~ be remitted by 3 p.m. on Wednesday of each week for taxes
696 imposed and collected for the preceding week ending on Sunday.
697 Beginning on July 1, 2012, such payments must ~~shall~~ be remitted
698 by 3 p.m. on the 5th day of each calendar month for taxes
699 imposed and collected for the preceding calendar month. If the

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700 5th day of the calendar month falls on a weekend, payments must
701 ~~shall~~ be remitted by 3 p.m. the first Monday following the
702 weekend. Permitholders shall file a report under oath by the 5th
703 day of each calendar month for all taxes remitted during the
704 preceding calendar month. Such payments must ~~shall~~ be
705 accompanied by a report under oath showing the total of all
706 admissions, the pari-mutuel wagering activities for the
707 preceding calendar month, and any ~~such~~ other information ~~as may~~
708 ~~be~~ prescribed by the division.

709 (7) ~~(6)~~ PENALTIES.—

710 (a) The failure of any permitholder to make payments as
711 prescribed in subsection (6) ~~(5)~~ is a violation of this section,
712 and the ~~permitholder may be subjected by the division~~ may impose
713 ~~to~~ a civil penalty against the permitholder of up to \$1,000 for
714 each day the tax payment is not remitted. All penalties imposed
715 and collected shall be deposited in the General Revenue Fund. If
716 a permitholder fails to pay penalties imposed by order of the
717 division under this subsection, the division may suspend or
718 revoke the license of the permitholder, cancel the permit of the
719 permitholder, or deny issuance of any further license or permit
720 to the permitholder.

721 (b) In addition to the civil penalty prescribed in
722 paragraph (a), any willful or wanton failure by any permitholder
723 to make payments of the daily license fee, admission tax, tax on
724 handle, or breaks tax constitutes sufficient grounds for the
725 division to suspend or revoke the license of the permitholder,
726 to cancel the permit of the permitholder, or to deny issuance of
727 any further license or permit to the permitholder.

728 Section 8. Paragraph (e) of subsection (2) of section

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729 550.09511, Florida Statutes, is amended to read:

730 550.09511 Jai alai taxes; abandoned interest in a permit
731 for nonpayment of taxes.—

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

735 (e) The payment of taxes pursuant to paragraphs (b), (c),
736 and (d) shall be calculated and commence beginning the day in
737 which the permitholder is first entitled to the reduced rate
738 specified in this section and the report of taxes required by s.
739 550.0951(6) ~~s. 550.0951(5)~~ is submitted to the division.

740 Section 9. Section 550.09512, Florida Statutes, is amended
741 to read:

742 550.09512 Harness horse racing taxes; abandoned interest in
743 a permit for nonpayment of taxes.—

744 (1) Pari-mutuel wagering at harness horse racetracks in
745 this state is an important business enterprise, and taxes
746 derived therefrom constitute a part of the tax structure which
747 funds operation of the state. Harness horse racing permitholders
748 should pay their fair share of these taxes to the state. This
749 business interest should not be taxed to such an extent as to
750 cause any racetrack which is operated under sound business
751 principles to be forced out of business. Due to the need to
752 protect the public health, safety, and welfare, the gaming laws
753 of the state provide for the harness horse racing industry to be
754 highly regulated and taxed. The state recognizes that there
755 exist identifiable differences between harness horse racing
756 permitholders based upon their ability to operate under such
757 regulation and tax system.

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

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

763 (3) ~~(a)~~ The division shall revoke the permit of a harness
764 horse racing permitholder that ~~who~~ does not pay tax on handle
765 for live harness horse racing performances for a full schedule
766 of live races for more than 24 consecutive months ~~during any 2~~
767 ~~consecutive state fiscal years shall be void and shall escheat~~
768 ~~to and become the property of the state unless such failure to~~
769 operate and pay tax on handle was the direct result of fire,
770 strike, war, or other disaster or event beyond the ability of
771 the permitholder to control. Financial hardship to the
772 permitholder does ~~shall~~ not, in and of itself, constitute just
773 cause for failure to operate and pay tax on handle. A permit
774 revoked under this subsection is void and may not be reissued.

775 ~~(b) In order to maximize the tax revenues to the state, the~~
776 ~~division shall reissue an escheated harness horse permit to a~~
777 ~~qualified applicant pursuant to the provisions of this chapter~~
778 ~~as for the issuance of an initial permit. However, the~~
779 ~~provisions of this chapter relating to referendum requirements~~
780 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
781 ~~escheated harness horse permit. As specified in the application~~
782 ~~and upon approval by the division of an application for the~~
783 ~~permit, the new permitholder shall be authorized to operate a~~
784 ~~harness horse facility anywhere in the same county in which the~~
785 ~~escheated permit was authorized to be operated, notwithstanding~~
786 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

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787 (4) In the event that a court of competent jurisdiction
788 determines any of the provisions of this section to be
789 unconstitutional, it is the intent of the Legislature that the
790 provisions contained in this section shall be null and void and
791 that the provisions of s. 550.0951 shall apply to all harness
792 horse racing permitholders beginning on the date of such
793 judicial determination. To this end, the Legislature declares
794 that it would not have enacted any of the provisions of this
795 section individually and, to that end, expressly finds them not
796 to be severable.

797 Section 10. Section 550.09514, Florida Statutes, is amended
798 to read:

799 550.09514 Greyhound racing ~~degracing~~ taxes; purse
800 requirements.-

801 ~~(1) Wagering on greyhound racing is subject to a tax on~~
802 ~~handle for live greyhound racing as specified in s. 550.0951(3).~~
803 ~~However, each permitholder shall pay no tax on handle until such~~
804 ~~time as this subsection has resulted in a tax savings per state~~
805 ~~fiscal year of \$360,000. Thereafter, each permitholder shall pay~~
806 ~~the tax as specified in s. 550.0951(3) on all handle for the~~
807 ~~remainder of the permitholder's current race meet. For the three~~
808 ~~permitholders that conducted a full schedule of live racing in~~
809 ~~1995, and are closest to another state that authorizes greyhound~~
810 ~~pari-mutuel wagering, the maximum tax savings per state fiscal~~
811 ~~year shall be \$500,000. The provisions of this subsection~~
812 ~~relating to tax exemptions shall not apply to any charity or~~
813 ~~scholarship performances conducted pursuant to s. 550.0351.~~

814 (1)(2)(a) The division shall determine for each greyhound
815 racing permitholder the annual purse percentage rate of live

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816 handle for the state fiscal year 1993-1994 by dividing total
817 purses paid on live handle by the permitholder, exclusive of
818 payments made from outside sources, during the 1993-1994 state
819 fiscal year by the permitholder's live handle for the 1993-1994
820 state fiscal year. A greyhound racing ~~Each~~ permitholder
821 conducting live racing during a fiscal year shall pay as purses
822 for such live races conducted during its current race meet a
823 percentage of its live handle not less than the percentage
824 determined under this paragraph, exclusive of payments made by
825 outside sources, for its 1993-1994 state fiscal year.

826 (b) Except as otherwise set forth herein, in addition to
827 the minimum purse percentage required by paragraph (a), each
828 greyhound racing permitholder conducting live racing during a
829 fiscal year shall pay as purses an annual amount of \$60 for each
830 live race conducted ~~equal to 75 percent of the daily license~~
831 ~~fees paid by the greyhound racing each permitholder in for the~~
832 preceding 1994-1995 fiscal year. ~~These~~ This ~~purse supplement~~
833 ~~shall be disbursed weekly during the permitholder's race meet in~~
834 ~~an amount determined by dividing the annual purse supplement by~~
835 ~~the number of performances approved for the permitholder~~
836 ~~pursuant to its annual license and multiplying that amount by~~
837 ~~the number of performances conducted each week. For the~~
838 ~~greyhound permitholders in the county where there are two~~
839 ~~greyhound permitholders located as specified in s. 550.615(6),~~
840 ~~such permitholders shall pay in the aggregate an amount equal to~~
841 ~~75 percent of the daily license fees paid by such permitholders~~
842 ~~for the 1994-1995 fiscal year. These permitholders shall be~~
843 ~~jointly and severally liable for such purse payments. The~~
844 ~~additional purses provided by this paragraph~~ must be used

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845 exclusively for purses other than stakes and must be disbursed
846 weekly during the permitholder's race meet. The division shall
847 conduct audits necessary to ensure compliance with this section.

848 (c)1. Each greyhound racing permitholder, when conducting
849 at least three live performances during any week, shall pay
850 purses in that week on wagers it accepts as a guest track on
851 intertrack and simulcast greyhound races at the same rate as it
852 pays on live races. Each greyhound racing permitholder, when
853 conducting at least three live performances during any week,
854 shall pay purses in that week, at the same rate as it pays on
855 live races, on wagers accepted on greyhound races at a guest
856 track that ~~which~~ is not conducting live racing and is located
857 within the same market area as the greyhound racing permitholder
858 conducting at least three live performances during any week.

859 2. Each host greyhound racing permitholder shall pay purses
860 on its simulcast and intertrack broadcasts of greyhound races to
861 guest facilities that are located outside its market area in an
862 amount equal to one quarter of an amount determined by
863 subtracting the transmission costs of sending the simulcast or
864 intertrack broadcasts from an amount determined by adding the
865 fees received for greyhound simulcast races plus 3 percent of
866 the greyhound intertrack handle at guest facilities that are
867 located outside the market area of the host and that paid
868 contractual fees to the host for such broadcasts of greyhound
869 races.

870 (d) The division shall require sufficient documentation
871 from each greyhound racing permitholder regarding purses paid on
872 live racing to assure that the annual purse percentage rates
873 paid by each greyhound racing permitholder conducting ~~on the~~

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874 live races are not reduced below those paid during the 1993-1994
875 state fiscal year. The division shall require sufficient
876 documentation from each greyhound racing permitholder to assure
877 that the purses paid by each permitholder on the greyhound
878 intertrack and simulcast broadcasts are in compliance with the
879 requirements of paragraph (c).

880 (e) In addition to the purse requirements of paragraphs
881 (a)-(c), each greyhound racing permitholder conducting live
882 races shall pay as purses an amount equal to one-third of the
883 amount of the tax reduction on live and simulcast handle
884 applicable to such permitholder as a result of the reductions in
885 tax rates provided by s. 6, chapter 2000-354, Laws of Florida
886 ~~this act through the amendments to s. 550.0951(3)~~. With respect
887 to intertrack wagering when the host and guest tracks are
888 greyhound racing permitholders not within the same market area,
889 an amount equal to the tax reduction applicable to the guest
890 track handle as a result of the reduction in tax rate provided
891 by s. 6, chapter 2000-354, Laws of Florida, ~~this act through the~~
892 ~~amendment to s. 550.0951(3)~~ shall be distributed to the guest
893 track, one-third of which amount shall be paid as purses at the
894 guest track. However, if the guest track is a greyhound racing
895 permitholder within the market area of the host or if the guest
896 track is not a greyhound racing permitholder, an amount equal to
897 such tax reduction applicable to the guest track handle shall be
898 retained by the host track, one-third of which amount shall be
899 paid as purses at the host track. These purse funds shall be
900 disbursed in the week received if the permitholder conducts at
901 least one live performance during that week. If the permitholder
902 does not conduct at least one live performance during the week

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903 in which the purse funds are received, the purse funds shall be
904 disbursed weekly during the permitholder's next race meet in an
905 amount determined by dividing the purse amount by the number of
906 performances approved for the permitholder pursuant to its
907 annual license, and multiplying that amount by the number of
908 performances conducted each week. The division shall conduct
909 audits necessary to ensure compliance with this paragraph.

910 (f) Each greyhound racing permitholder conducting live
911 racing shall, during the permitholder's race meet, supply kennel
912 operators and the Division of Pari-Mutuel Wagering with a weekly
913 report showing purses paid on live greyhound races and all
914 greyhound intertrack and simulcast broadcasts, including both as
915 a guest and a host together with the handle or commission
916 calculations on which such purses were paid and the transmission
917 costs of sending the simulcast or intertrack broadcasts, so that
918 the kennel operators may determine statutory and contractual
919 compliance.

920 (g) Each greyhound racing permitholder conducting live
921 racing shall make direct payment of purses to the greyhound
922 owners who have filed with such permitholder appropriate federal
923 taxpayer identification information based on the percentage
924 amount agreed upon between the kennel operator and the greyhound
925 owner.

926 (h) At the request of a majority of kennel operators under
927 contract with a greyhound racing permitholder conducting live
928 racing, the permitholder shall make deductions from purses paid
929 to each kennel operator electing such deduction and shall make a
930 direct payment of such deductions to the local association of
931 greyhound kennel operators formed by a majority of kennel

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932 operators under contract with the permitholder. The amount of
933 the deduction shall be at least 1 percent of purses, as
934 determined by the local association of greyhound kennel
935 operators. ~~No~~ Deductions may not be taken pursuant to this
936 paragraph without a kennel operator's specific approval before
937 or after the effective date of this act.

938 (2)~~(3)~~ For the purpose of this section, the term "live
939 handle" means the handle from wagers placed at the
940 permitholder's establishment on the live greyhound races
941 conducted at the permitholder's establishment.

942 Section 11. Section 550.09515, Florida Statutes, is amended
943 to read:

944 550.09515 Thoroughbred racing ~~horse~~ taxes; abandoned
945 interest in a permit for nonpayment of taxes.—

946 (1) Pari-mutuel wagering at thoroughbred horse racetracks
947 in this state is an important business enterprise, and taxes
948 derived therefrom constitute a part of the tax structure which
949 funds operation of the state. Thoroughbred horse permitholders
950 should pay their fair share of these taxes to the state. This
951 business interest should not be taxed to such an extent as to
952 cause any racetrack which is operated under sound business
953 principles to be forced out of business. Due to the need to
954 protect the public health, safety, and welfare, the gaming laws
955 of the state provide for the thoroughbred horse industry to be
956 highly regulated and taxed. The state recognizes that there
957 exist identifiable differences between thoroughbred horse
958 permitholders based upon their ability to operate under such
959 regulation and tax system and at different periods during the
960 year.

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

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

966 (3) ~~(a)~~ The division shall revoke the permit of a
967 thoroughbred racing horse permitholder that ~~who~~ does not pay tax
968 on handle for live thoroughbred horse performances for a full
969 schedule of live races for more than 24 consecutive months
970 ~~during any 2 consecutive state fiscal years shall be void and~~
971 ~~shall escheat to and become the property of the state unless~~
972 such failure to operate and pay tax on handle was the direct
973 result of fire, strike, war, or other disaster or event beyond
974 the ability of the permitholder to control. Financial hardship
975 to the permitholder does shall not, in and of itself, constitute
976 just cause for failure to operate and pay tax on handle. A
977 permit revoked under this subsection is void and may not be
978 reissued.

979 ~~(b) In order to maximize the tax revenues to the state, the~~
980 ~~division shall reissue an escheated thoroughbred horse permit to~~
981 ~~a qualified applicant pursuant to the provisions of this chapter~~
982 ~~as for the issuance of an initial permit. However, the~~
983 ~~provisions of this chapter relating to referendum requirements~~
984 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
985 ~~escheated thoroughbred horse permit. As specified in the~~
986 ~~application and upon approval by the division of an application~~
987 ~~for the permit, the new permitholder shall be authorized to~~
988 ~~operate a thoroughbred horse facility anywhere in the same~~
989 ~~county in which the escheated permit was authorized to be~~

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990 ~~operated, notwithstanding the provisions of s. 550.054(2)~~
991 ~~relating to mileage limitations.~~

992 (4) In the event that a court of competent jurisdiction
993 determines any of the provisions of this section to be
994 unconstitutional, it is the intent of the Legislature that the
995 provisions contained in this section shall be null and void and
996 that the provisions of s. 550.0951 shall apply to all
997 thoroughbred horse permitholders beginning on the date of such
998 judicial determination. To this end, the Legislature declares
999 that it would not have enacted any of the provisions of this
1000 section individually and, to that end, expressly finds them not
1001 to be severable.

1002 (5) Notwithstanding the provisions of s. 550.0951(3)(c),
1003 the tax on handle for intertrack wagering on rebroadcasts of
1004 simulcast horseraces is 2.4 percent of the handle; provided
1005 however, that if the guest track is a thoroughbred track located
1006 more than 35 miles from the host track, the host track shall pay
1007 a tax of .5 percent of the handle, and additionally the host
1008 track shall pay to the guest track 1.9 percent of the handle to
1009 be used by the guest track solely for purses. The tax shall be
1010 deposited into the Pari-mutuel Wagering Trust Fund.

1011 (6) A credit equal to the amount of contributions made by a
1012 thoroughbred racing permitholder during the taxable year
1013 directly to the Jockeys' Guild or its health and welfare fund to
1014 be used to provide health and welfare benefits for active,
1015 disabled, and retired Florida jockeys and their dependents
1016 pursuant to reasonable rules of eligibility established by the
1017 Jockeys' Guild is allowed against taxes on live handle due for a
1018 taxable year under this section. A thoroughbred racing

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1019 permitholder may not receive a credit greater than an amount
1020 equal to 1 percent of its paid taxes for the previous taxable
1021 year.

1022 (7) If a thoroughbred racing permitholder fails to operate
1023 all performances on its 2001-2002 license, failure to pay tax on
1024 handle for a full schedule of live races for those performances
1025 in the 2001-2002 fiscal year does not constitute failure to pay
1026 taxes on handle for a full schedule of live races in a fiscal
1027 year for the purposes of subsection (3). This subsection may not
1028 be construed as forgiving a thoroughbred racing permitholder
1029 from paying taxes on performances conducted at its facility
1030 pursuant to its 2001-2002 license other than for failure to
1031 operate all performances on its 2001-2002 license. This
1032 subsection expires July 1, 2003.

1033 Section 12. Section 550.1625, Florida Statutes, is amended
1034 to read:

1035 550.1625 Greyhound racing ~~dogracing~~; taxes.—

1036 (1) The operation of a greyhound racing ~~dog~~ track and
1037 legalized pari-mutuel betting at greyhound racing ~~dog~~ tracks in
1038 this state is a privilege and is an operation that requires
1039 strict supervision and regulation in the best interests of the
1040 state. Pari-mutuel wagering at greyhound racing ~~dog~~ tracks in
1041 this state is a substantial business, and taxes derived
1042 therefrom constitute part of the tax structures of the state and
1043 the counties. The operators of greyhound racing ~~dog~~ tracks
1044 should pay their fair share of taxes to the state; at the same
1045 time, this substantial business interest should not be taxed to
1046 such an extent as to cause a track that is operated under sound
1047 business principles to be forced out of business.

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1048 (2) A permitholder that conducts a greyhound race ~~degrace~~
 1049 meet under this chapter must pay the daily license fee, the
 1050 admission tax, ~~the breaks tax,~~ and the tax on pari-mutuel handle
 1051 as provided in s. 550.0951 and is subject to all penalties and
 1052 sanctions provided in s. 550.0951(7) ~~s. 550.0951(6)~~.

1053 Section 13. Section 550.1647, Florida Statutes, is
 1054 repealed.

1055 Section 14. Section 550.1648, Florida Statutes, is amended
 1056 to read:

1057 550.1648 Greyhound adoptions.—

1058 ~~(1)~~ A greyhound racing ~~Each degreacing~~ permitholder that
 1059 conducts live racing at ~~operating~~ a greyhound racing ~~degreacing~~
 1060 facility in this state shall provide for a greyhound adoption
 1061 booth to be located at the facility.

1062 (1) (a) The greyhound adoption booth must be operated on
 1063 weekends by personnel or volunteers from a bona fide
 1064 organization that promotes or encourages the adoption of
 1065 greyhounds ~~pursuant to s. 550.1647.~~ Such bona fide organization,
 1066 as a condition of adoption, must provide sterilization of
 1067 greyhounds by a licensed veterinarian before relinquishing
 1068 custody of the greyhound to the adopter. The fee for
 1069 sterilization may be included in the cost of adoption. As used
 1070 in this section, the term "weekend" includes the hours during
 1071 which live greyhound racing is conducted on Friday, Saturday, or
 1072 Sunday, and the term "bona fide organization that promotes or
 1073 encourages the adoption of greyhounds" means an organization
 1074 that provides evidence of compliance with chapter 496 and
 1075 possesses a valid exemption from federal taxation issued by the
 1076 Internal Revenue Service. Information pamphlets and application

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1077 forms shall be provided to the public upon request.

1078 (b) ~~In addition,~~ The kennel operator or owner shall notify
1079 the permitholder that a greyhound is available for adoption and
1080 the permitholder shall provide information concerning the
1081 adoption of a greyhound in each race program and shall post
1082 adoption information at conspicuous locations throughout the
1083 greyhound racing ~~dog racing~~ facility. Any greyhound that is
1084 participating in a race and that will be available for future
1085 adoption must be noted in the race program. The permitholder
1086 shall allow greyhounds to be walked through the track facility
1087 to publicize the greyhound adoption program.

1088 (2) In addition to the charity days authorized under s.
1089 550.0351, a greyhound racing permitholder may fund the greyhound
1090 adoption program by holding a charity racing day designated as
1091 "Greyhound Adopt-A-Pet Day." All profits derived from the
1092 operation of the charity day must be placed into a fund used to
1093 support activities at the racing facility which promote the
1094 adoption of greyhounds. The division may adopt rules for
1095 administering the fund. ~~Proceeds from the charity day authorized~~
1096 ~~in this subsection may not be used as a source of funds for the~~
1097 ~~purposes set forth in s. 550.1647.~~

1098 (3) (a) Upon a violation of this section by a permitholder
1099 or licensee, the division may impose a penalty as provided in s.
1100 550.0251(10) and require the permitholder to take corrective
1101 action.

1102 (b) A penalty imposed under s. 550.0251(10) does not
1103 exclude a prosecution for cruelty to animals or for any other
1104 criminal act.

1105 Section 15. Section 550.1751, Florida Statutes, is created

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1106 to read:

1107 550.1751 Reduction in the number of pari-mutuel permits.-

1108 (1) As used in this section, the term:

1109 (a) "Active pari-mutuel permit" means a pari-mutuel permit
1110 that is actively used for the conduct of pari-mutuel racing or
1111 jai alai and under which the permitholder is operating all
1112 performances at the dates and times specified on its operating
1113 license.

1114 (b) "Bidder for an additional slot machine license" means a
1115 person who submits a bid or intends to submit a bid for an
1116 additional slot machine license in Miami-Dade County or Palm
1117 Beach County, as provided in s. 551.1041.

1118 (2) A pari-mutuel permitholder may enter into an agreement
1119 for the sale and transfer of an active pari-mutuel permit to a
1120 bidder for an additional slot machine license. An active pari-
1121 mutuel permit sold and transferred to the highest bidder under
1122 the process in s. 551.1041 must be surrendered to the division
1123 and voided.

1124 Section 16. Section 550.1752, Florida Statutes, is created
1125 to read:

1126 550.1752 Permit reduction program.-

1127 (1) The permit reduction program is created in the Division
1128 of Pari-mutuel Wagering for the purpose of purchasing and
1129 cancelling active pari-mutuel permits. The program shall be
1130 funded from revenue share payments made by the Seminole Tribe of
1131 Florida under the compact ratified by s. 285.710(3) and received
1132 by the state after October 31, 2015. Compact payments payable
1133 for the program shall be calculated on a monthly basis until
1134 such time as the division determines that sufficient funds are

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1135 available to fund the program. The total funding allocated to
1136 the program may not exceed \$20 million.

1137 (2) The division shall purchase pari-mutuel permits from
1138 pari-mutuel permitholders when sufficient moneys are available
1139 for such purchases. A pari-mutuel permitholder may not submit an
1140 offer to sell a permit unless it is actively conducting pari-
1141 mutuel racing or jai alai as required by law and satisfies all
1142 applicable requirements for the permit. The division shall adopt
1143 by rule the form to be used by a pari-mutuel permitholder for an
1144 offer to sell a permit and shall establish a schedule for the
1145 consideration of offers.

1146 (3) The division shall establish the value of a pari-mutuel
1147 permit based upon the valuation of one or more independent
1148 appraisers selected by the division. The valuation of a permit
1149 must be based on the permit's fair market value and may not
1150 include the value of the real estate or personal property. The
1151 division may establish a value for the permit that is lower than
1152 the amount determined by an independent appraiser but may not
1153 establish a higher value.

1154 (4) The division must accept the offer or offers that best
1155 utilize available funding; however, the division may also accept
1156 the offers that it determines are most likely to reduce the
1157 incidence of gaming in this state.

1158 (5) The division shall cancel any permit purchased under
1159 this section.

1160 (6) This section shall expire on July 1, 2018, unless
1161 reenacted by the Legislature.

1162 Section 17. Section 550.2416, Florida Statutes, is created
1163 to read:

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1164 550.2416 Reporting of racing greyhound injuries.-

1165 (1) An injury to a racing greyhound which occurs while the
1166 greyhound is located in this state must be reported on a form
1167 adopted by the division within 7 days after the date on which
1168 the injury occurred or is believed to have occurred. The
1169 division may adopt rules defining the term "injury."

1170 (2) The form shall be completed and signed under oath or
1171 affirmation by the:

1172 (a) Racetrack veterinarian or director of racing, if the
1173 injury occurred at the racetrack facility; or

1174 (b) Owner, trainer, or kennel operator who had knowledge of
1175 the injury, if the injury occurred at a location other than the
1176 racetrack facility, including during transportation.

1177 (3) The division may fine, suspend, or revoke the license
1178 of any individual who knowingly violates this section.

1179 (4) The form must include the following:

1180 (a) The greyhound's registered name, right-ear and left-ear
1181 tattoo numbers, and, if any, the microchip manufacturer and
1182 number.

1183 (b) The name, business address, and telephone number of the
1184 greyhound owner, the trainer, and the kennel operator.

1185 (c) The color, weight, and sex of the greyhound.

1186 (d) The specific type and bodily location of the injury,
1187 the cause of the injury, and the estimated recovery time from
1188 the injury.

1189 (e) If the injury occurred when the greyhound was racing:

1190 1. The racetrack where the injury occurred;

1191 2. The distance, grade, race, and post position of the
1192 greyhound when the injury occurred; and

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1193 3. The weather conditions, time, and track conditions when
1194 the injury occurred.

1195 (f) If the injury occurred when the greyhound was not
1196 racing:

1197 1. The location where the injury occurred, including, but
1198 not limited to, a kennel, a training facility, or a
1199 transportation vehicle; and

1200 2. The circumstances surrounding the injury.

1201 (g) Other information that the division determines is
1202 necessary to identify injuries to racing greyhounds in this
1203 state.

1204 (5) An injury form created pursuant to this section must be
1205 maintained as a public record by the division for at least 7
1206 years after the date it was received.

1207 (6) A licensee of the department who knowingly makes a
1208 false statement concerning an injury or fails to report an
1209 injury is subject to disciplinary action under this chapter or
1210 chapters 455 and 474.

1211 (7) This section does not apply to injuries to a service
1212 animal, personal pet, or greyhound that has been adopted as a
1213 pet.

1214 (8) The division shall adopt rules to implement this
1215 section.

1216 Section 18. Subsection (1) of section 550.26165, Florida
1217 Statutes, is amended to read:

1218 550.26165 Breeders' awards.—

1219 (1) The purpose of this section is to encourage the
1220 agricultural activity of breeding and training racehorses in
1221 this state. Moneys dedicated in this chapter for use as

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1222 breeders' awards and stallion awards are to be used for awards
1223 to breeders of registered Florida-bred horses winning horseraces
1224 and for similar awards to the owners of stallions who sired
1225 Florida-bred horses winning stakes races, if the stallions are
1226 registered as Florida stallions standing in this state. Such
1227 awards shall be given at a uniform rate to all winners of the
1228 awards, may ~~shall~~ not be greater than 20 percent of the
1229 announced gross purse, and may ~~shall~~ not be less than 15 percent
1230 of the announced gross purse if funds are available. In
1231 addition, at least ~~no less than~~ 17 percent, but not ~~not~~ more
1232 than 40 percent, as determined by the Florida Thoroughbred
1233 Breeders' Association, of the moneys dedicated in this chapter
1234 for use as breeders' awards and stallion awards for
1235 thoroughbreds shall be returned pro rata to the permitholders
1236 that generated the moneys for special racing awards to be
1237 distributed by the permitholders to owners of thoroughbred
1238 horses participating in prescribed thoroughbred stakes races,
1239 nonstakes races, or both, all in accordance with a written
1240 agreement establishing the rate, procedure, and eligibility
1241 requirements for such awards entered into by the permitholder,
1242 the Florida Thoroughbred Breeders' Association, and the Florida
1243 Horsemen's Benevolent and Protective Association, Inc., except
1244 that the plan for the distribution by any permitholder located
1245 in the area described in s. 550.615(7) ~~s. 550.615(9)~~ shall be
1246 agreed upon by that permitholder, the Florida Thoroughbred
1247 Breeders' Association, and the association representing a
1248 majority of the thoroughbred racehorse owners and trainers at
1249 that location. Awards for thoroughbred races are to be paid
1250 through the Florida Thoroughbred Breeders' Association, and

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1251 awards for standardbred races are to be paid through the Florida
1252 Standardbred Breeders and Owners Association. Among other
1253 sources specified in this chapter, moneys for thoroughbred
1254 breeders' awards will come from the 0.955 percent of handle for
1255 thoroughbred races conducted, received, broadcast, or simulcast
1256 under this chapter as provided in s. 550.2625(3). The moneys for
1257 quarter horse and harness breeders' awards will come from the
1258 breaks and uncashed tickets on live quarter horse and harness
1259 horse racing performances and 1 percent of handle on intertrack
1260 wagering. The funds for these breeders' awards shall be paid to
1261 the respective breeders' associations by the permitholders
1262 conducting the races.

1263 Section 19. Section 550.3345, Florida Statutes, is amended
1264 to read:

1265 550.3345 ~~Conversion of quarter horse permit to a Limited~~
1266 thoroughbred racing permit.-

1267 (1) In recognition of the important and long-standing
1268 economic contribution of the thoroughbred horse breeding
1269 industry to this state and the state's vested interest in
1270 promoting the continued viability of this agricultural activity,
1271 the state intends to provide a limited opportunity for the
1272 conduct of live thoroughbred horse racing with the net revenues
1273 from such racing dedicated to the enhancement of thoroughbred
1274 purses and breeders', stallion, and special racing awards under
1275 this chapter; the general promotion of the thoroughbred horse
1276 breeding industry; and the care in this state of thoroughbred
1277 horses retired from racing.

1278 (2) A limited thoroughbred racing permit previously
1279 converted from ~~Notwithstanding any other provision of law, the~~

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1280 ~~holder of a quarter horse racing permit pursuant to chapter~~
1281 ~~2010-29, Laws of Florida, issued under s. 550.334 may only be~~
1282 ~~held by, within 1 year after the effective date of this section,~~
1283 ~~apply to the division for a transfer of the quarter horse racing~~
1284 ~~permit to a not-for-profit corporation formed under state law to~~
1285 ~~serve the purposes of the state as provided in subsection (1).~~
1286 ~~The board of directors of the not-for-profit corporation must be~~
1287 ~~composed~~ comprised of 11 members, 4 of whom shall be designated
1288 by the applicant, 4 of whom shall be designated by the Florida
1289 Thoroughbred Breeders' Association, and 3 of whom shall be
1290 designated by the other 8 directors, with at least 1 of these 3
1291 members being an authorized representative of another
1292 thoroughbred racing permitholder in this state. A limited
1293 thoroughbred racing ~~The not-for-profit corporation shall submit~~
1294 ~~an application to the division for review and approval of the~~
1295 ~~transfer in accordance with s. 550.054. Upon approval of the~~
1296 ~~transfer by the division, and notwithstanding any other~~
1297 ~~provision of law to the contrary, the not-for-profit corporation~~
1298 ~~may, within 1 year after its receipt of the permit, request that~~
1299 ~~the division convert the quarter horse racing permit to a permit~~
1300 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~
1301 ~~thoroughbred racing. Neither the transfer of the quarter horse~~
1302 ~~racing permit nor its conversion to a limited thoroughbred~~
1303 ~~permit shall be subject to the mileage limitation or the~~
1304 ~~ratification election as set forth under s. 550.054(2) or s.~~
1305 ~~550.0651. Upon receipt of the request for such conversion, the~~
1306 ~~division shall timely issue a converted permit. The converted~~
1307 ~~permit and the not-for-profit corporation~~ are ~~shall be~~ subject
1308 to the following requirements:

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1309 (a) All net revenues derived by the not-for-profit
1310 corporation under the thoroughbred ~~horse~~ racing permit, after
1311 the funding of operating expenses and capital improvements,
1312 shall be dedicated to the enhancement of thoroughbred purses and
1313 breeders', stallion, and special racing awards under this
1314 chapter; the general promotion of the thoroughbred horse
1315 breeding industry; and the care in this state of thoroughbred
1316 horses retired from racing.

1317 (b) From December 1 through April 30, ~~no~~ live thoroughbred
1318 racing may not be conducted under the permit on any day during
1319 which another thoroughbred racing permitholder is conducting
1320 live thoroughbred racing within 125 air miles of the not-for-
1321 profit corporation's pari-mutuel facility unless the other
1322 thoroughbred racing permitholder gives its written consent.

1323 (c) ~~After the conversion of the quarter horse racing permit~~
1324 ~~and~~ the issuance of its initial license to conduct pari-mutuel
1325 wagering meets of thoroughbred racing, the not-for-profit
1326 corporation shall annually apply to the division for a license
1327 pursuant to s. 550.5251.

1328 (d) Racing under the permit may take place only at the
1329 location for which the original quarter horse racing permit was
1330 issued, which may be leased by the not-for-profit corporation
1331 for that purpose; ~~however, the not-for-profit corporation may,~~
1332 ~~without the conduct of any ratification election pursuant to s.~~
1333 ~~550.054(13) or s. 550.0651, move the location of the permit to~~
1334 ~~another location in the same county provided that such~~
1335 ~~relocation is approved under the zoning and land use regulations~~
1336 ~~of the applicable county or municipality.~~

1337 (e) A limited thoroughbred racing ~~no~~ permit may not be

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1338 ~~transferred~~ converted under this section is eligible for
1339 ~~transfer~~ to another person or entity.

1340 (3) Unless otherwise provided in this section, ~~after~~
1341 ~~conversion,~~ the permit and the not-for-profit corporation shall
1342 be treated under the laws of this state as a thoroughbred racing
1343 permit and as a thoroughbred racing permitholder, respectively,
1344 with the exception of ss. 550.054(9)(c) and (d) and s.
1345 550.09515(3).

1346 Section 20. Paragraphs (a) and (b) of subsection (6) of
1347 section 550.3551, Florida Statutes, are amended to read:

1348 550.3551 Transmission of racing and jai alai information;
1349 commingling of pari-mutuel pools.—

1350 (6) (a) ~~A maximum of 20 percent of the total number of races~~
1351 ~~on which wagers are accepted by a greyhound permitholder not~~
1352 ~~located as specified in s. 550.615(6) may be received from~~
1353 ~~locations outside this state. A permitholder may not conduct~~
1354 ~~fewer than eight live races or games on any authorized race day~~
1355 ~~except as provided in this subsection.~~ A thoroughbred racing
1356 permitholder may not conduct fewer than eight live races on any
1357 race day without the written approval of the Florida
1358 Thoroughbred Breeders' Association and the Florida Horsemen's
1359 Benevolent and Protective Association, Inc., unless it is
1360 determined by the department that another entity represents a
1361 majority of the thoroughbred racehorse owners and trainers in
1362 the state. A harness horse racing permitholder may conduct fewer
1363 than eight live races on any authorized race day, except that
1364 such permitholder must conduct a full schedule of live racing
1365 during its race meet consisting of at least eight live races per
1366 authorized race day for at least 100 days. ~~Any harness horse~~

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1367 ~~permitholder that during the preceding racing season conducted a~~
1368 ~~full schedule of live racing may, at any time during its current~~
1369 ~~race meet, receive full-card broadcasts of harness horse races~~
1370 ~~conducted at harness racetracks outside this state at the~~
1371 ~~harness track of the permitholder and accept wagers on such~~
1372 ~~harness races.~~ With specific authorization from the division for
1373 special racing events, a permitholder may conduct fewer than
1374 eight live races or games when the permitholder also broadcasts
1375 out-of-state races or games. The division may not grant more
1376 than two such exceptions a year for a permitholder in any 12-
1377 month period, and those two exceptions may not be consecutive.

1378 (b) Notwithstanding any other provision of this chapter,
1379 any harness horse racing permitholder accepting broadcasts of
1380 out-of-state harness horse races when such permitholder is not
1381 conducting live races must make the out-of-state signal
1382 available to all permitholders eligible to conduct intertrack
1383 wagering and shall pay to guest tracks located as specified in
1384 s. ss. 550.615(6) and 550.6305(9) (d) 50 percent of the net
1385 proceeds after taxes and fees to the out-of-state host track on
1386 harness horse race wagers which they accept. A harness horse
1387 racing permitholder shall be required to pay into its purse
1388 account 50 percent of the net income retained by the
1389 permitholder on account of wagering on the out-of-state
1390 broadcasts received pursuant to this subsection. Nine-tenths of
1391 a percent of all harness horse race wagering proceeds on the
1392 broadcasts received pursuant to this subsection shall be paid to
1393 the Florida Standardbred Breeders and Owners Association under
1394 the provisions of s. 550.2625(4) for the purposes provided
1395 therein.

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1396 Section 21. Subsection (4) of section 550.375, Florida
1397 Statutes, is amended to read:

1398 550.375 Operation of certain harness tracks.—

1399 (4) The permitholder conducting a harness horse race meet
1400 must pay the daily license fee, the admission tax, the tax on
1401 breaks, and the tax on pari-mutuel handle provided in s.
1402 550.0951 and is subject to all penalties and sanctions provided
1403 in s. 550.0951(7) ~~s. 550.0951(6)~~.

1404 Section 22. Subsections (2), (4), (6), and (7) of section
1405 550.615, Florida Statutes, are amended, present subsections (8),
1406 (9), and (10) of that section are redesignated as subsections
1407 (6), (7), and (8), respectively, and amended, and a new
1408 subsection (9) is added to that section, to read:

1409 550.615 Intertrack wagering.—

1410 (2) A ~~Any~~ track or fronton licensed under this chapter
1411 which conducted a full schedule of live racing or games in the
1412 preceding year and any greyhound racing permitholder that
1413 conducted a full schedule of live racing for a period of at
1414 least 10 consecutive state fiscal years after the 1996-1997
1415 state fiscal year or that converted its permit to a permit to
1416 conduct greyhound racing after that fiscal year is qualified to,
1417 at any time, receive broadcasts of any class of pari-mutuel race
1418 or game and accept wagers on such races or games conducted by
1419 any class of permitholders licensed under this chapter.

1420 (4) An ~~In no event shall any~~ intertrack wager may not be
1421 accepted on the same class of live races or games of any
1422 permitholder without the written consent of such operating
1423 permitholders conducting the same class of live races or games
1424 if the guest track is within the market area of such operating

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1425 permitholder. A greyhound racing permitholder licensed under
1426 this chapter which accepts intertrack wagers on live greyhound
1427 signals is not required to obtain the written consent required
1428 by this subsection from any operating greyhound racing
1429 permitholder within its market area.

1430 ~~(6) Notwithstanding the provisions of subsection (3), in~~
1431 ~~any area of the state where there are three or more horserace~~
1432 ~~permitholders within 25 miles of each other, intertrack wagering~~
1433 ~~between permitholders in said area of the state shall only be~~
1434 ~~authorized under the following conditions: Any permitholder,~~
1435 ~~other than a thoroughbred permitholder, may accept intertrack~~
1436 ~~wagers on races or games conducted live by a permitholder of the~~
1437 ~~same class or any harness permitholder located within such area~~
1438 ~~and any harness permitholder may accept wagers on games~~
1439 ~~conducted live by any jai alai permitholder located within its~~
1440 ~~market area and from a jai alai permitholder located within the~~
1441 ~~area specified in this subsection when no jai alai permitholder~~
1442 ~~located within its market area is conducting live jai alai~~
1443 ~~performances; any greyhound or jai alai permitholder may receive~~
1444 ~~broadcasts of and accept wagers on any permitholder of the other~~
1445 ~~class provided that a permitholder, other than the host track,~~
1446 ~~of such other class is not operating a contemporaneous live~~
1447 ~~performance within the market area.~~

1448 ~~(7) In any county of the state where there are only two~~
1449 ~~permits, one for dogracing and one for jai alai, no intertrack~~
1450 ~~wager may be taken during the period of time when a permitholder~~
1451 ~~is not licensed to conduct live races or games without the~~
1452 ~~written consent of the other permitholder that is conducting~~
1453 ~~live races or games. However, if neither permitholder is~~

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1454 ~~conducting live races or games, either permitholder may accept~~
1455 ~~intertrack wagers on horseraces or on the same class of races or~~
1456 ~~games, or on both horseraces and the same class of races or~~
1457 ~~games as is authorized by its permit.~~

1458 (6)~~(8)~~ In any three contiguous counties of the state where
1459 there are only three permitholders, all of which are greyhound
1460 racing permitholders, if a greyhound racing any permitholder
1461 leases the facility of another greyhound racing permitholder for
1462 the purpose of conducting all or any portion of ~~the conduct of~~
1463 its live race meet pursuant to s. 550.475, such lessee may
1464 conduct intertrack wagering at its pre-lease permitted facility
1465 throughout the entire year, including while its live race meet
1466 is being conducted at the leased facility,~~if such permitholder~~
1467 ~~has conducted a full schedule of live racing during the~~
1468 ~~preceding fiscal year at its pre-lease permitted facility or at~~
1469 ~~a leased facility, or combination thereof.~~

1470 (7)~~(9)~~ In any two contiguous counties of the state in which
1471 there are located only four active permits, one for thoroughbred
1472 horse racing, two for greyhound racing ~~dogracing~~, and one for
1473 jai alai games, an ~~no~~ intertrack wager may not be accepted on
1474 the same class of live races or games of any permitholder
1475 without the written consent of such operating permitholders
1476 conducting the same class of live races or games if the guest
1477 track is within the market area of such operating permitholder.

1478 (8)~~(10)~~ All costs of receiving the transmission of the
1479 broadcasts shall be borne by the guest track; and all costs of
1480 sending the broadcasts shall be borne by the host track.

1481 (9) A greyhound racing permitholder, as provided in
1482 subsection (2), operating pursuant to a current year's operating

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1483 license that specifies no live performances or less than a full
1484 schedule of live performances is qualified to:

1485 (a) Receive broadcasts at any time of any class of pari-
1486 mutuel race or game and accept wagers on such races or games
1487 conducted by any class of permitholder licensed under this
1488 chapter; and

1489 (b) Accept wagers on live races conducted at out-of-state
1490 greyhound tracks only on the days when such permitholder
1491 receives all live races that any greyhound host track in this
1492 state makes available.

1493 Section 23. Paragraphs (d), (f), and (g) of subsection (9)
1494 of section 550.6305, Florida Statutes, are amended to read:

1495 550.6305 Intertrack wagering; guest track payments;
1496 accounting rules.-

1497 (9) A host track that has contracted with an out-of-state
1498 horse track to broadcast live races conducted at such out-of-
1499 state horse track pursuant to s. 550.3551(5) may broadcast such
1500 out-of-state races to any guest track and accept wagers thereon
1501 in the same manner as is provided in s. 550.3551.

1502 (d) Any permitholder located in any area of the state where
1503 there are only two permits, one for greyhound racing ~~dog racing~~
1504 and one for jai alai, and any permitholder that converted its
1505 permit to conduct jai alai to a permit to conduct greyhound
1506 racing in lieu of jai alai under s. 550.054(14), Florida
1507 Statutes 2014, as created by s. 6, chapter 2009-170, Laws of
1508 Florida, may accept wagers on rebroadcasts of out-of-state
1509 thoroughbred horse races from an in-state thoroughbred horse
1510 racing permitholder and is ~~shall~~ not be subject to the
1511 provisions of paragraph (b) if such thoroughbred ~~horse~~ racing

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1512 permitholder located within the area specified in this paragraph
1513 is both conducting live races and accepting wagers on out-of-
1514 state horseraces. In such case, the guest permitholder is ~~shall~~
1515 ~~be~~ entitled to 45 percent of the net proceeds on wagers accepted
1516 at the guest facility. The remaining proceeds shall be
1517 distributed as follows: one-half shall be retained by the host
1518 facility and one-half shall be paid by the host facility as
1519 purses at the host facility.

1520 (f) Any permitholder located in any area of the state where
1521 there are only two permits, one for greyhound racing ~~dog racing~~
1522 and one for jai alai, and any permitholder that converted its
1523 permit to conduct jai alai to a permit to conduct greyhound
1524 racing in lieu of jai alai under s. 550.054(14), Florida
1525 Statutes 2014, as created by s. 6, chapter 2009-170, Laws of
1526 Florida, may accept wagers on rebroadcasts of out-of-state
1527 harness horse races from an in-state harness horse racing
1528 permitholder and may ~~shall~~ not be subject to ~~the provisions of~~
1529 paragraph (b) if such harness horse racing permitholder located
1530 within the area specified in this paragraph is conducting live
1531 races. In such case, the guest permitholder is ~~shall be~~ entitled
1532 to 45 percent of the net proceeds on wagers accepted at the
1533 guest facility. The remaining proceeds shall be distributed as
1534 follows: one-half shall be retained by the host facility and
1535 one-half shall be paid by the host facility as purses at the
1536 host facility.

1537 (g)1.a. Any thoroughbred racing permitholder that ~~which~~
1538 accepts wagers on a simulcast signal must make the signal
1539 available to any permitholder that is eligible to conduct
1540 intertrack wagering under the provisions of ss. 550.615-

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1541 550.6345.

1542 ~~b.2.~~ Any thoroughbred racing permitholder that ~~which~~
1543 accepts wagers on a simulcast signal received after 6 p.m. must
1544 make such signal available to any permitholder that is eligible
1545 to conduct intertrack wagering under the provisions of ss.
1546 550.615-550.6345, ~~including any permitholder located as~~
1547 ~~specified in s. 550.615(6)~~. Such guest permitholders are
1548 authorized to accept wagers on such simulcast signal,
1549 notwithstanding any other provision of this chapter to the
1550 contrary.

1551 ~~c.3.~~ Any thoroughbred racing permitholder that ~~which~~
1552 accepts wagers on a simulcast signal received after 6 p.m. must
1553 make such signal available to any permitholder that is eligible
1554 to conduct intertrack wagering under ~~the provisions of~~ ss.
1555 550.615-550.6345, ~~including any permitholder located as~~
1556 ~~specified in s. 550.615(9)~~. Such guest permitholders are
1557 authorized to accept wagers on such simulcast signals for a
1558 number of performances not to exceed that which constitutes a
1559 full schedule of live races for a quarter horse racing
1560 permitholder pursuant to s. 550.002(11), notwithstanding any
1561 other provision of this chapter to the contrary, ~~except that the~~
1562 ~~restrictions provided in s. 550.615(9)(a) apply to wagers on~~
1563 ~~such simulcast signals.~~

1564 2. A ~~No~~ thoroughbred racing permitholder is not ~~shall be~~
1565 required to continue to rebroadcast a simulcast signal to any
1566 in-state permitholder if the average per performance gross
1567 receipts returned to the host permitholder over the preceding
1568 30-day period were less than \$100. Subject to the provisions of
1569 s. 550.615(4), as a condition of receiving rebroadcasts of

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1570 thoroughbred simulcast signals under this paragraph, a guest
1571 permitholder must accept intertrack wagers on all live races
1572 conducted by all then-operating thoroughbred racing
1573 permitholders.

1574 Section 24. Section 550.6308, Florida Statutes, is amended
1575 to read:

1576 550.6308 Limited intertrack wagering license.—In
1577 recognition of the economic importance of the thoroughbred
1578 breeding industry to this state, its positive impact on tourism,
1579 and of the importance of a permanent thoroughbred sales facility
1580 as a key focal point for the activities of the industry, a
1581 limited license to conduct intertrack wagering is established to
1582 ensure the continued viability and public interest in
1583 thoroughbred breeding in Florida.

1584 (1) (a) Upon application to the division on or before
1585 January 31 of each year, any person that is licensed to conduct
1586 public sales of thoroughbred horses pursuant to s. 535.01 and~~7~~
1587 that has conducted at least 8 ~~15~~ days of thoroughbred horse
1588 sales at a permanent sales facility in this state for at least 3
1589 consecutive years, ~~and that has conducted at least 1 day of~~
1590 ~~nonwagering thoroughbred racing in this state, with a purse~~
1591 ~~structure of at least \$250,000 per year for 2 consecutive years~~
1592 ~~before such application,~~ shall be issued a license, subject to
1593 the conditions set forth in this section, to conduct intertrack
1594 wagering at such a permanent sales facility during the following
1595 periods:

1596 1.(a) Up to 21 days in connection with thoroughbred sales;

1597 2.(b) Between November 1 and May 8;

1598 3.(c) Between May 9 and October 31 at such times and on

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1599 such days as any thoroughbred racing, jai alai, or a greyhound
1600 racing permitholder in the same county is not conducting live
1601 performances; provided that any such permitholder may waive this
1602 requirement, in whole or in part, and allow the licensee under
1603 this section to conduct intertrack wagering during one or more
1604 of the permitholder's live performances; and

1605 4.~~(d)~~ During the weekend of the Kentucky Derby, the
1606 Preakness, the Belmont, and a Breeders' Cup Meet that is
1607 conducted before November 1 and after May 8.

1608 (b) Only ~~no more than~~ one such license may be issued, and
1609 the no-such license may not be issued for a facility located
1610 within 50 miles of any for-profit thoroughbred racing
1611 permitholder's licensed track.

1612 (2) If more than one application is submitted for such
1613 license, the division shall determine which applicant shall be
1614 granted the license. In making its determination, the division
1615 shall grant the license to the applicant demonstrating superior
1616 capabilities, as measured by the length of time the applicant
1617 has been conducting thoroughbred sales within this state or
1618 elsewhere, the applicant's total volume of thoroughbred horse
1619 sales, within this state or elsewhere, the length of time the
1620 applicant has maintained a permanent thoroughbred sales facility
1621 in this state, and the quality of the facility.

1622 (3) The applicant must comply with the provisions of ss.
1623 550.125 and 550.1815.

1624 ~~(4) Intertrack wagering under this section may be conducted~~
1625 ~~only on thoroughbred horse racing, except that intertrack~~
1626 ~~wagering may be conducted on any class of pari-mutuel race or~~
1627 ~~game conducted by any class of permitholders licensed under this~~

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1628 ~~chapter if all thoroughbred, jai alai, and greyhound~~
1629 ~~permitholders in the same county as the licensee under this~~
1630 ~~section give their consent.~~

1631 (4)~~(5)~~ The licensee shall be considered a guest track under
1632 this chapter. The licensee shall pay 2.5 percent of the total
1633 contributions to the daily pari-mutuel pool on wagers accepted
1634 at the licensee's facility on greyhound races or jai alai games
1635 to the thoroughbred racing permitholder that is conducting live
1636 races for purses to be paid during its current racing meet. If
1637 more than one thoroughbred racing permitholder is conducting
1638 live races on a day during which the licensee is conducting
1639 intertrack wagering on greyhound races or jai alai games, the
1640 licensee shall allocate these funds between the operating
1641 thoroughbred racing permitholders on a pro rata basis based on
1642 the total live handle at the operating permitholders'
1643 facilities.

1644 Section 25. Section 551.101, Florida Statutes, is amended
1645 to read:

1646 551.101 Slot machine gaming authorized.~~Possession of slot~~
1647 machines and conduct of slot machine gaming is authorized only
1648 at licensed facilities eligible pursuant to this chapter ~~Any~~
1649 ~~licensed pari-mutuel facility located in Miami-Dade County or~~
1650 ~~Broward County existing at the time of adoption of s. 23, Art. X~~
1651 ~~of the State Constitution that has conducted live racing or~~
1652 ~~games during calendar years 2002 and 2003 may possess slot~~
1653 ~~machines and conduct slot machine gaming at the location where~~
1654 ~~the pari-mutuel permitholder is authorized to conduct pari-~~
1655 ~~mutuel wagering activities pursuant to such permitholder's valid~~
1656 ~~pari-mutuel permit provided that a majority of voters in a~~

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1657 ~~countywide referendum have approved slot machines at such~~
1658 ~~facility in the respective county.~~ Notwithstanding any other
1659 ~~provision of law,~~ it is not a crime for a person to participate
1660 in slot machine gaming at a pari-mutuel facility licensed to
1661 possess slot machines and conduct slot machine gaming or to
1662 participate in slot machine gaming described in this chapter.

1663 Section 26. Subsections (4) and (11) of section 551.102,
1664 Florida Statutes, are amended to read:

1665 551.102 Definitions.—As used in this chapter, the term:

1666 (4) "Eligible facility" means a any licensed pari-mutuel
1667 facility that meets the requirements of ss. 551.104 and 551.1041
1668 ~~located in Miami-Dade County or Broward County existing at the~~
1669 ~~time of adoption of s. 23, Art. X of the State Constitution that~~
1670 ~~has conducted live racing or games during calendar years 2002~~
1671 ~~and 2003 and has been approved by a majority of voters in a~~
1672 ~~countywide referendum to have slot machines at such facility in~~
1673 ~~the respective county; any licensed pari-mutuel facility located~~
1674 ~~within a county as defined in s. 125.011, provided such facility~~
1675 ~~has conducted live racing for 2 consecutive calendar years~~
1676 ~~immediately preceding its application for a slot machine~~
1677 ~~license, pays the required license fee, and meets the other~~
1678 ~~requirements of this chapter; or any licensed pari-mutuel~~
1679 ~~facility in any other county in which a majority of voters have~~
1680 ~~approved slot machines at such facilities in a countywide~~
1681 ~~referendum held pursuant to a statutory or constitutional~~
1682 ~~authorization after the effective date of this section in the~~
1683 ~~respective county, provided such facility has conducted a full~~
1684 ~~schedule of live racing for 2 consecutive calendar years~~
1685 ~~immediately preceding its application for a slot machine~~

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1686 ~~license~~, pays the required license ~~licensed~~ fee, and meets the
1687 other requirements of this chapter.

1688 (11) "Slot machine licensee" means a pari-mutuel
1689 permitholder that ~~who~~ holds a license issued by the division
1690 pursuant to this chapter which ~~that~~ authorizes such person to
1691 possess a slot machine within facilities as provided in this
1692 chapter specified in s. 23, Art. X of the State Constitution and
1693 allows slot machine gaming.

1694 Section 27. Subsection (2) and paragraph (c) of subsection
1695 (4) of section 551.104, Florida Statutes, are amended, paragraph
1696 (e) is added to subsection (10) of that section, and subsection
1697 (3) of that section is republished, to read:

1698 551.104 License to conduct slot machine gaming.—

1699 (2) If it is determined that the application would not
1700 trigger a reduction in revenue-sharing payments under the Gaming
1701 Compact between the Seminole Tribe of Florida and the State of
1702 Florida, an application may be approved by the division, but
1703 only for:

1704 (a) A licensed pari-mutuel facility where live racing or
1705 games were conducted during calendar years 2002 and 2003 which
1706 is located in Miami-Dade County or Broward County and is
1707 authorized for slot machine licensure pursuant to s. 23, Art. X
1708 of the State Constitution.

1709 (b) A licensed pari-mutuel facility where a full schedule
1710 of live horseracing has been conducted for 2 consecutive
1711 calendar years immediately preceding its application for a slot
1712 machine license and which is located within a county as defined
1713 in s. 125.011.

1714 (c) A licensed pari-mutuel facility authorized under s.

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1715 ~~551.1041 after the voters of the county where the applicant's~~
1716 ~~facility is located have authorized by referendum slot machines~~
1717 ~~within pari-mutuel facilities in that county as specified in s.~~
1718 ~~23, Art. X of the State Constitution.~~

1719 (3) A slot machine license may be issued only to a licensed
1720 pari-mutuel permitholder, and slot machine gaming may be
1721 conducted only at the eligible facility at which the
1722 permitholder is authorized under its valid pari-mutuel wagering
1723 permit to conduct pari-mutuel wagering activities.

1724 (4) As a condition of licensure and to maintain continued
1725 authority for the conduct of slot machine gaming, the slot
1726 machine licensee shall:

1727 (c) Conduct ~~no fewer than~~ a full schedule of live racing or
1728 games as defined in s. 550.002(11), excluding any. ~~A~~
1729 ~~permitholder's responsibility to conduct such number of live~~
1730 ~~races or games shall be reduced by the number of~~ races or games
1731 that could not be conducted as a due to the direct result of
1732 fire, war, hurricane, or other disaster or event beyond the
1733 control of the permitholder. This paragraph does not apply to a
1734 greyhound racing permitholder that conducted a full schedule of
1735 live racing for a period of at least 10 consecutive state fiscal
1736 years after the 2002-2003 state fiscal year or to a thoroughbred
1737 racing permitholder that holds a slot machine license if it has
1738 entered into an agreement with another thoroughbred racing
1739 permitholder to conduct its race meet at the other thoroughbred
1740 racing permitholder's facility.

1741 (10)

1742 (e) Each slot machine licensee that does not offer live
1743 racing shall withhold 2 percent of its net revenue from slot

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1744 machines to be deposited into a purse pool to be paid as purses
1745 to licensed pari-mutuel facilities offering live racing or
1746 games. This paragraph does not apply to slot machine licenses
1747 issued pursuant to subsection (1).

1748 Section 28. Section 551.1041, Florida Statutes, is created
1749 to read:

1750 551.1041 Additional slot machine licenses.-

1751 (1) An additional slot machine license is authorized and
1752 may be issued to a pari-mutuel permitholder for a slot machine
1753 facility in Miami-Dade County.

1754 (2) An additional slot machine license is authorized and
1755 may be issued to a pari-mutuel permitholder for a slot machine
1756 facility in Palm Beach County.

1757 (3) A slot machine license may not be issued under this
1758 section until a majority of the voters of the county where the
1759 facility is located approve slot machines at the facility in a
1760 referendum held after July 1, 2016. The referendum may be
1761 conducted pursuant to s. 550.0651. If a special election is not
1762 held, the referendum shall be conducted at the next general
1763 election in that county.

1764 (4) Application for a slot machine license must be made by
1765 sealed bid to the division, with the license awarded to the
1766 highest bidder. Before the advertisement or notice of bid
1767 solicitations, the division shall publish prequalification
1768 procedures and requirements that, at minimum, meet the criteria
1769 in subsection (5). The division shall adopt by rule the form for
1770 the bid. The form shall include the applicant's bid amount and
1771 evidence that the applicant meets the prequalification criteria.
1772 The bids may not be opened until the day, time, and place

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1773 designated by the division and provided in the notice, at which
1774 time all bids shall be opened at a public meeting pursuant to s.
1775 286.011. Any challenge or protest of the award is subject to s.
1776 120.57(3). Section 120.60(1) does not apply to the bid process
1777 established by this section.

1778 (5) At minimum, the prequalification criteria must include:

1779 (a) Evidence that the bidder meets the qualifications in
1780 chapters 550 and 551, as applicable; and

1781 (b) Evidence that the bidder has purchased, or entered into
1782 an agreement to purchase and transfer, an active pari-mutuel
1783 permit with the intent to surrender and void such permit, as
1784 provided in s. 550.1751.

1785 (6) To be eligible for a slot machine license under this
1786 section, the applicant must submit a minimum bid of \$3 million.
1787 If no minimum bids are received, the slot machine license will
1788 not be issued and the division may restart the bid process on
1789 its own initiative or upon the receipt of a petition by a
1790 potential bidder to start the bid process.

1791 (7) A slot machine licensee who is awarded a license under
1792 this section may make available for play the following machines:

1793 (a) After the issuance of the initial slot machine license
1794 and before October 1, 2018, up to a total of 500 slot machines
1795 and 250 video race terminals.

1796 (b) On or after October 1, 2018, up to a total of 750 slot
1797 machines and 750 video race terminals.

1798 (8) The following requirements apply to slot machines and
1799 video race terminals authorized under this section:

1800 (a) A wager on a slot machine or a video race terminal may
1801 not exceed \$5 per game or race.

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1802 (b) Only one game or race may be played at any given time
1803 on a slot machine or video race terminal, and a player may not
1804 wager on a new game or race until the previous game or race has
1805 been completed.

1806 (c) Slot machines and video race terminals may not offer
1807 games that use tangible playing cards, but may have games that
1808 use electronic or virtual cards.

1809 (9) As used in subsections (7) and (8), the term "video
1810 race terminal" means an individual racing terminal linked to a
1811 central server as part of a network-based video game in which
1812 the terminals allow pari-mutuel wagering by players on the
1813 results of previously conducted horse races, but only if the
1814 game is certified in advance by an independent testing
1815 laboratory licensed or contracted by the division as complying
1816 with all of the following requirements:

1817 (a) All data on previously conducted horse races must be
1818 stored in a secure format on the central server, which must be
1819 located at the pari-mutuel facility.

1820 (b) Only horse races that were recorded at licensed pari-
1821 mutuel facilities in the United States after January 1, 2005,
1822 may be used.

1823 (c) After each wager is placed, the video race terminal
1824 must display a video of at least the final seconds of the horse
1825 race before any prize is awarded or indicated on the video race
1826 terminal.

1827 (d) The display of the video of the horse race must be
1828 shown on the video race terminal's video screen.

1829 (e) Mechanical reel displays are prohibited.

1830 (f) A video race terminal may not contain more than one

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1831 player position for placing wagers.

1832 (g) Coins, currency, or tokens may not be dispensed from a
1833 video race terminal.

1834 (h) Prizes must be awarded based solely on the results of a
1835 previously conducted horse race, and no additional element of
1836 chance may be used. However, a random number generator must be
1837 used to select from the central server the race to be displayed
1838 to the player(s) and to select numbers or other designations of
1839 race entrants that will be used in the various bet types for any
1840 "Quick Pick" bets. To prevent an astute player from recognizing
1841 the race based on the entrants and thus knowing the results
1842 before placing a wager, the entrants of the race may not be
1843 identified until after all wagers for that race have been
1844 placed.

1845 (10) Each slot machine licensee under this section shall
1846 withhold 1 percent of the net revenue from the slot machines and
1847 video race terminals authorized by this section to be deposited
1848 into a purse pool to be paid as purses for thoroughbred horse
1849 racing at a licensed pari-mutuel facility that is not authorized
1850 to conduct slot machine gaming.

1851 Section 29. Section 551.1042, Florida Statutes, is created
1852 to read:

1853 551.1042 Transfer or relocation of slot machine license
1854 prohibited.—A slot machine license issued under this chapter may
1855 not be transferred or reissued when such reissuance is in the
1856 nature of a transfer so as to permit or authorize a licensee to
1857 change the location of a slot machine facility.

1858 Section 30. Paragraph (a) of subsection (1) and paragraph
1859 (a) of subsection (2) of section 551.106, Florida Statutes, are

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1860 amended to read:

1861 551.106 License fee; tax rate; penalties.—

1862 (1) LICENSE FEE.—

1863 (a) Upon submission of the initial application for a slot
1864 machine license and annually thereafter, on the anniversary date
1865 of the issuance of the initial license, the licensee must pay to
1866 the division a nonrefundable license fee of ~~\$3 million for the~~
1867 ~~succeeding 12 months of licensure. In the 2010-2011 fiscal year,~~
1868 ~~the licensee must pay the division a nonrefundable license fee~~
1869 ~~of \$2.5 million for the succeeding 12 months of licensure. In~~
1870 ~~the 2011-2012 fiscal year and for every fiscal year thereafter,~~
1871 ~~the licensee must pay the division a nonrefundable license fee~~
1872 ~~of \$2 million for the succeeding 12 months of licensure. The~~
1873 license fee shall be deposited into the Pari-mutuel Wagering
1874 Trust Fund of the Department of Business and Professional
1875 Regulation to be used by the division and the Department of Law
1876 Enforcement for investigations, regulation of slot machine
1877 gaming, and enforcement of slot machine gaming provisions under
1878 this chapter. These payments shall be accounted for separately
1879 from taxes or fees paid pursuant to the provisions of chapter
1880 550.

1881 (2) TAX ON SLOT MACHINE REVENUES.—

1882 (a) The tax rate on slot machine revenues at each facility
1883 shall be 30 ~~35~~ percent. If, during any state fiscal year, the
1884 aggregate amount of tax paid to the state by all slot machine
1885 licensees in Broward and Miami-Dade Counties is less than the
1886 aggregate amount of tax paid to the state by all slot machine
1887 licensees in the 2008-2009 fiscal year, each slot machine
1888 licensee shall pay to the state within 45 days after the end of

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1889 the state fiscal year a surcharge equal to its pro rata share of
1890 an amount equal to the difference between the aggregate amount
1891 of tax paid to the state by all slot machine licensees in the
1892 2008-2009 fiscal year and the amount of tax paid during the
1893 fiscal year. Each licensee's pro rata share shall be an amount
1894 determined by dividing the number 1 by the number of facilities
1895 licensed to operate slot machines during the applicable fiscal
1896 year, regardless of whether the facility is operating such
1897 machines.

1898 Section 31. Subsections (1), (2), and (4) of section
1899 551.114, Florida Statutes, are amended to read:

1900 551.114 Slot machine gaming areas.—

1901 (1) A slot machine licensee may make available for play up
1902 to 1,700 ~~2,000~~ slot machines within the property of the
1903 facilities of the slot machine licensee.

1904 (2) The slot machine licensee shall display pari-mutuel
1905 races or games within the designated slot machine gaming areas
1906 and offer patrons within the designated slot machine gaming
1907 areas the ability to engage in pari-mutuel wagering on any live,
1908 intertrack, and simulcast races conducted or offered to patrons
1909 of the licensed facility.

1910 (4) Designated slot machine gaming areas may be located
1911 within the current live gaming facility or in an existing
1912 building that must be contiguous and connected to the live
1913 gaming facility. If a designated slot machine gaming area is to
1914 be located in a building that is to be constructed, that new
1915 building must be contiguous and connected to the live gaming
1916 facility. For a greyhound racing permitholder, jai alai
1917 permitholder, harness horse racing permitholder, or quarter

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1918 horse permitholder licensed to conduct pari-mutuel activities
1919 pursuant to a current year's operating license that does not
1920 require live performances or games, designated slot machine
1921 gaming areas may be located only within the eligible facility
1922 for which the initial annual slot machine license was issued.

1923 Section 32. Section 551.116, Florida Statutes, is amended
1924 to read:

1925 551.116 Days and hours of operation.—Slot machine gaming
1926 areas may be open 24 hours per day, 7 days a week daily
1927 throughout the year. ~~The slot machine gaming areas may be open a~~
1928 ~~cumulative amount of 18 hours per day on Monday through Friday~~
1929 ~~and 24 hours per day on Saturday and Sunday and on those~~
1930 ~~holidays specified in s. 110.117(1).~~

1931 Section 33. Subsections (1) and (3) of section 551.121,
1932 Florida Statutes, are amended to read:

1933 551.121 Prohibited activities and devices; exceptions.—

1934 (1) Complimentary or reduced-cost alcoholic beverages may
1935 ~~not~~ be served to a person ~~persons~~ playing a slot machine.
1936 ~~Alcoholic beverages served to persons playing a slot machine~~
1937 ~~shall cost at least the same amount as alcoholic beverages~~
1938 ~~served to the general public at a bar within the facility.~~

1939 (3) A slot machine licensee may ~~not~~ allow any automated
1940 teller machine or similar device designed to provide credit or
1941 dispense cash to be located within the designated slot machine
1942 gaming areas of a facility of a slot machine licensee.

1943 Section 34. Present subsections (9) through (17) of section
1944 849.086, Florida Statutes, are redesignated as subsections (10)
1945 through (18), respectively, a new subsection (9) is added to
1946 that section, and subsections (1), (2), (4), and (5), paragraphs

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1947 (b) and (c) of subsection (7), subsection (8), present
 1948 subsections (10) and (12), paragraphs (d) and (h) of present
 1949 subsection (13), and present subsections (16) and (17) of that
 1950 section are amended, to read:

1951 849.086 Cardrooms authorized.—

1952 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
 1953 to provide additional entertainment choices for the residents of
 1954 and visitors to the state, promote tourism in the state, and
 1955 provide additional state revenues through the authorization of
 1956 the playing of certain games in the state at facilities known as
 1957 cardrooms which are to be located at licensed pari-mutuel
 1958 facilities. To ensure the public confidence in the integrity of
 1959 authorized cardroom operations, this act is designed to strictly
 1960 regulate the facilities, persons, and procedures related to
 1961 cardroom operations. Furthermore, the Legislature finds that
 1962 authorized games of card and dominoes ~~as herein defined~~ are
 1963 considered to be pari-mutuel style games and not casino gaming
 1964 because the participants play against each other instead of
 1965 against the house.

1966 (2) DEFINITIONS.—As used in this section:

1967 (a) "Authorized game" means a game or series of card and
 1968 domino games that of poker or dominoes which are played in
 1969 conformance with this section ~~a nonbanking manner.~~

1970 (b) "Banking game" means a game in which the house is a
 1971 participant in the game, taking on players, paying winners, and
 1972 collecting from losers ~~or in which the cardroom establishes a~~
 1973 ~~bank against which participants play.~~

1974 (c) "Cardroom" means a facility where authorized games are
 1975 played for money or anything of value and to which the public is

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1976 invited to participate in such games and charged a fee for
1977 participation by the operator of such facility. Authorized games
1978 and cardrooms do not constitute casino gaming operations if
1979 conducted at an eligible facility.

1980 (d) "Cardroom management company" means any individual not
1981 an employee of the cardroom operator, any proprietorship,
1982 partnership, corporation, or other entity that enters into an
1983 agreement with a cardroom operator to manage, operate, or
1984 otherwise control the daily operation of a cardroom.

1985 (e) "Cardroom distributor" means any business that
1986 distributes cardroom paraphernalia such as card tables, betting
1987 chips, chip holders, dominoes, dominoes tables, drop boxes,
1988 banking supplies, playing cards, card shufflers, and other
1989 associated equipment to authorized cardrooms.

1990 (f) "Cardroom operator" means a licensed pari-mutuel
1991 permitholder that ~~which~~ holds a valid permit and license issued
1992 by the division pursuant to chapter 550 and which also holds a
1993 valid cardroom license issued by the division pursuant to this
1994 section which authorizes such person to operate a cardroom and
1995 to conduct authorized games in such cardroom.

1996 (g) "Designated player" means the player identified as the
1997 player in the dealer position and seated at a traditional player
1998 position in a designated player game and who pays winning
1999 players and collects from losing players.

2000 (h) "Designated player game" means a game consisting of at
2001 least three cards in which the players compare their cards only
2002 to the cards of the designated player.

2003 (i) ~~(g)~~ "Division" means the Division of Pari-mutuel
2004 Wagering of the Department of Business and Professional

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2005 Regulation.

2006 (j)~~(h)~~ "Dominoes" means a game of dominoes typically played
2007 with a set of 28 flat rectangular blocks, called "bones," which
2008 are marked on one side and divided into two equal parts, with
2009 zero to six dots, called "pips," in each part. The term also
2010 includes larger sets of blocks that contain a correspondingly
2011 higher number of pips. The term also means the set of blocks
2012 used to play the game.

2013 (k)~~(i)~~ "Gross receipts" means the total amount of money
2014 received by a cardroom from any person for participation in
2015 authorized games.

2016 (l)~~(j)~~ "House" means the cardroom operator and all
2017 employees of the cardroom operator.

2018 (m)~~(k)~~ "Net proceeds" means the total amount of gross
2019 receipts received by a cardroom operator from cardroom
2020 operations less direct operating expenses related to cardroom
2021 operations, including labor costs, admission taxes only if a
2022 separate admission fee is charged for entry to the cardroom
2023 facility, gross receipts taxes imposed on cardroom operators by
2024 this section, the annual cardroom license fees imposed by this
2025 section on each table operated at a cardroom, and reasonable
2026 promotional costs excluding officer and director compensation,
2027 interest on capital debt, legal fees, real estate taxes, bad
2028 debts, contributions or donations, or overhead and depreciation
2029 expenses not directly related to the operation of the cardrooms.

2030 (n)~~(l)~~ "Rake" means a set fee or percentage of the pot
2031 assessed by a cardroom operator for providing the services of a
2032 dealer, table, or location for playing the authorized game.

2033 (o)~~(m)~~ "Tournament" means a series of games that have more

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2034 than one betting round involving one or more tables and where
2035 the winners or others receive a prize or cash award.

2036 (4) AUTHORITY OF DIVISION.—The Division of Pari-mutuel
2037 Wagering of the Department of Business and Professional
2038 Regulation shall administer this section and regulate the
2039 operation of cardrooms under this section and the rules adopted
2040 ~~pursuant thereto~~, and is hereby authorized to:

2041 (a) Adopt rules, including, but not limited to: the
2042 issuance of cardroom and employee licenses for cardroom
2043 operations; the operation of a cardroom and games; recordkeeping
2044 and reporting requirements; and the collection of all fees and
2045 taxes imposed by this section.

2046 (b) Conduct investigations and monitor the operation of
2047 cardrooms and the playing of authorized games at the cardrooms
2048 ~~therein~~.

2049 (c) Review the books, accounts, and records of any current
2050 or former cardroom operator.

2051 (d) Suspend or revoke any license or permit, after hearing,
2052 for any violation of the provisions of this section or the
2053 administrative rules adopted pursuant thereto.

2054 (e) Take testimony, issue summons and subpoenas for any
2055 witness, and issue subpoenas duces tecum in connection with any
2056 matter within its jurisdiction.

2057 (f) Monitor and ensure the proper collection of taxes and
2058 fees imposed by this section. Permitholder internal controls are
2059 mandated to ensure no compromise of state funds. To that end, a
2060 roaming division auditor will monitor and verify the cash flow
2061 and accounting of cardroom revenue for any given operating day.

2062 (5) LICENSE REQUIRED; APPLICATION; FEES.—A ~~No~~ person may

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2063 not operate a cardroom in this state unless such person holds a
2064 valid cardroom license issued pursuant to this section.

2065 (a) Only those persons holding a valid cardroom license
2066 issued by the division may operate a cardroom. A cardroom
2067 license may only be issued to a licensed pari-mutuel
2068 permitholder, and an authorized cardroom may only be operated at
2069 the same facility at which the permitholder is authorized under
2070 its valid pari-mutuel wagering permit to conduct pari-mutuel
2071 wagering activities if the permitholder offers live racing or
2072 games. However, a thoroughbred racing permitholder that holds a
2073 slot machine license and has entered into an agreement with
2074 another thoroughbred racing permitholder to conduct its race
2075 meet at the other thoroughbred racing permitholder's facility
2076 may operate a cardroom at the slot facility stated in the
2077 permitholder's slot machine license. An initial cardroom license
2078 shall be issued to a pari-mutuel permitholder only after its
2079 facilities are in place and after it conducts its first day of
2080 live racing or games if the permitholder offers live racing or
2081 games.

2082 (b) After the initial cardroom license is granted, the
2083 application for the annual license renewal shall be made in
2084 conjunction with the applicant's annual application for its
2085 pari-mutuel license. If a permitholder has operated a cardroom
2086 during any of the 3 previous fiscal years and fails to include a
2087 renewal request for the operation of the cardroom in its annual
2088 application for license renewal, the permitholder may amend its
2089 annual application to include operation of the cardroom. ~~In~~
2090 ~~order for a cardroom license to be renewed the applicant must~~
2091 ~~have requested, as part of its pari-mutuel annual license~~

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2092 application, to conduct at least 90 percent of the total number
2093 of live performances conducted by such permitholder during
2094 either the state fiscal year in which its initial cardroom
2095 license was issued or the state fiscal year immediately prior
2096 thereto if the permitholder ran at least a full schedule of live
2097 racing or games in the prior year. If the application is for a
2098 harness permitholder cardroom, the applicant must have requested
2099 authorization to conduct a minimum of 140 live performances
2100 during the state fiscal year immediately prior thereto. If more
2101 than one permitholder is operating at a facility, each
2102 permitholder must have applied for a license to conduct a full
2103 schedule of live racing.

2104 (c) A greyhound racing permitholder is exempt from the live
2105 racing requirements of this subsection if it conducted a full
2106 schedule of live racing for a period of at least 10 consecutive
2107 state fiscal years after the 1996-1997 state fiscal year or if
2108 it converted its permit to a permit to conduct greyhound racing
2109 after that fiscal year. However, as a condition of cardroom
2110 licensure, greyhound racing permitholders who are not conducting
2111 a full schedule of live racing must conduct intertrack wagering
2112 on thoroughbred signals, to the extent available, on each day of
2113 cardroom operation.

2114 (d)-(e) Persons seeking a license or a renewal thereof to
2115 operate a cardroom shall make application on forms prescribed by
2116 the division. Applications for cardroom licenses shall contain
2117 all of the information the division, by rule, may determine is
2118 required to ensure eligibility.

2119 (e)-(d) The annual cardroom license fee for each facility
2120 shall be \$1,000 for each table to be operated at the cardroom.

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2121 The license fee shall be deposited by the division with the
2122 Chief Financial Officer to the credit of the Pari-mutuel
2123 Wagering Trust Fund.

2124 (7) CONDITIONS FOR OPERATING A CARDROOM.—

2125 (b) Any cardroom operator may operate a cardroom at the
2126 pari-mutuel facility daily throughout the year, if the
2127 permitholder meets the requirements under paragraph (5) (b). The
2128 cardroom may be open ~~a cumulative amount of 18 hours per day on~~
2129 ~~Monday through Friday and 24 hours per day on Saturday and~~
2130 ~~Sunday and on the holidays specified in s. 110.117(1).~~

2131 (c) For authorized games of poker or dominoes at a
2132 cardroom, a cardroom operator must at all times employ and
2133 provide a nonplaying live dealer at ~~for~~ each table on which the
2134 authorized card games ~~which traditionally use a dealer~~ are
2135 conducted ~~at the cardroom~~. Such dealers may not have a
2136 participatory interest in any game other than the dealing of
2137 cards and may not have an interest in the outcome of the game.
2138 The providing of such dealers by a licensee does not constitute
2139 the conducting of a banking game by the cardroom operator.

2140 (8) METHOD OF WAGERS; LIMITATION.—

2141 (a) ~~No~~ Wagering may not be conducted using money or other
2142 negotiable currency. Games may only be played utilizing a
2143 wagering system whereby all players' money is first converted by
2144 the house to tokens or chips that may ~~which shall~~ be used for
2145 wagering only at that specific cardroom.

2146 (b) For authorized games of poker or dominoes, the cardroom
2147 operator may limit the amount wagered in any game or series of
2148 games.

2149 (c) A tournament shall consist of a series of games. The

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2150 entry fee for a tournament may be set by the cardroom operator.
2151 Tournaments may be played only with tournament chips that are
2152 provided to all participants in exchange for an entry fee and
2153 any subsequent re-buys. All players must receive an equal number
2154 of tournament chips for their entry fee. Tournament chips have
2155 no cash value and represent tournament points only. There is no
2156 limitation on the number of tournament chips that may be used
2157 for a bet except as otherwise determined by the cardroom
2158 operator. Tournament chips may never be redeemed for cash or for
2159 any other thing of value. The distribution of prizes and cash
2160 awards must be determined by the cardroom operator before entry
2161 fees are accepted. For purposes of tournament play only, the
2162 term "gross receipts" means the total amount received by the
2163 cardroom operator for all entry fees, player re-buys, and fees
2164 for participating in the tournament less the total amount paid
2165 to the winners or others as prizes.

2166 (9) DESIGNATED PLAYER GAMES AUTHORIZED.—

2167 (a) A cardroom operator that does not possess slot machines
2168 or a slot machine license may offer designated player games
2169 consisting of players making wagers against another player. The
2170 maximum wager in such games may not exceed \$25.

2171 (b) The designated player must occupy a playing position at
2172 the table and may not be required to cover all wagers or cover
2173 more than 10 times the minimum posted wager for players seated
2174 during a single game.

2175 (c) Each seated player shall be afforded the temporary
2176 opportunity to be the designated player to wager against
2177 multiple players at the same table, provided that this position
2178 is rotated among the other seated players in the game. The

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2179 opportunity to be a designated player must be offered to each
2180 player, in a clockwise rotation, after each hand. The
2181 opportunity to be the designated player may be declined by a
2182 player. A player participating as a designated player for 30
2183 consecutive hands must subsequently play as a nondesignated
2184 player for at least 2 hands before he or she may resume as the
2185 designated player.

2186 (d) The cardroom operator may not serve as a designated
2187 player in any game. The cardroom operator may not have any
2188 direct or indirect financial or pecuniary interest in a
2189 designated player in any game.

2190 (e) A designated player may only wager personal funds or
2191 funds from a sole proprietorship. A designated player may not be
2192 directly or indirectly financed or controlled by another party.
2193 A designated player shall operate independently.

2194 (f) Designated player games offered by a cardroom operator
2195 may not make up more than 25 percent of the total authorized
2196 game tables at the cardroom.

2197 (g) Licensed pari-mutuel facilities that offer slot machine
2198 gaming or video race terminals may not offer designated player
2199 games.

2200 (h) The division may only approve cardroom operators to
2201 conduct designated player games only if such games would not
2202 trigger a reduction in revenue-sharing payments under the Gaming
2203 Compact between the Seminole Tribe of Florida and the State of
2204 Florida.

2205 (11)-(10) FEE FOR PARTICIPATION.—The cardroom operator may
2206 charge a fee for the right to participate in poker or dominoes
2207 games conducted at the cardroom. Such fee may be either a flat

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2208 fee or hourly rate for the use of a seat at a table or a rake
2209 subject to the posted maximum amount but may not be based on the
2210 amount won by players. The rake-off, if any, must be made in an
2211 obvious manner and placed in a designated rake area which is
2212 clearly visible to all players. Notice of the amount of the
2213 participation fee charged shall be posted in a conspicuous place
2214 in the cardroom and at each table at all times.

2215 (13)~~(12)~~ PROHIBITED ACTIVITIES.—

2216 (a) A ~~No~~ person licensed to operate a cardroom may not
2217 conduct ~~any banking game or~~ any game not specifically authorized
2218 by this section.

2219 (b) A ~~No~~ person under 18 years of age may not be allowed
2220 ~~permitted~~ to hold a cardroom or employee license, or to engage
2221 in any game conducted in the cardroom ~~therein~~.

2222 (c) With the exception of mechanical card shufflers, ~~No~~
2223 electronic or mechanical devices, ~~except mechanical card~~
2224 ~~shufflers,~~ may not be used to conduct any authorized game in a
2225 cardroom.

2226 (d) ~~No~~ Cards, game components, or game implements may not
2227 be used in playing an authorized game unless such have ~~has~~ been
2228 furnished or provided to the players by the cardroom operator.

2229 (14)~~(13)~~ TAXES AND OTHER PAYMENTS.—

2230 (d)1. Each greyhound racing permitholder conducting live
2231 racing and jai alai permitholder that operates a cardroom
2232 facility shall use at least 4 percent of such permitholder's
2233 cardroom monthly gross receipts to supplement greyhound purses
2234 or jai alai prize money, respectively, during the permitholder's
2235 current or next ensuing pari-mutuel meet.

2236 2. Each thoroughbred and harness horse racing permitholder

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2237 that operates a cardroom facility shall use at least 50 percent
2238 of such permitholder's cardroom monthly net proceeds as follows:
2239 47 percent to supplement purses and 3 percent to supplement
2240 breeders' awards during the permitholder's next ensuing racing
2241 meet.

2242 3. Each harness horse racing permitholder that operates a
2243 cardroom facility shall use at least 50 percent of such
2244 permitholder's cardroom monthly net proceeds as follows: 47
2245 percent to supplement purses and 3 percent to supplement
2246 breeders' awards during the permitholder's next ensuing racing
2247 meet if the permitholder offers live races or games.

2248 4.3. No cardroom license or renewal thereof shall be issued
2249 to an applicant holding a permit under chapter 550 to conduct
2250 pari-mutuel wagering meets of quarter horse racing unless the
2251 applicant has on file with the division a binding written
2252 agreement between the applicant and the Florida Quarter Horse
2253 Racing Association or the association representing a majority of
2254 the horse owners and trainers at the applicant's eligible
2255 facility, governing the payment of purses on live quarter horse
2256 races conducted at the licensee's pari-mutuel facility. The
2257 agreement governing purses may direct the payment of such purses
2258 from revenues generated by any wagering or gaming the applicant
2259 is authorized to conduct under Florida law. All purses shall be
2260 subject to the terms of chapter 550.

2261 (h) One-quarter of the moneys deposited into the Pari-
2262 mutuel Wagering Trust Fund pursuant to paragraph (g) shall, by
2263 October 1 of each year, be distributed to the local government
2264 that approved the cardroom under subsection (17) ~~(16)~~; however,
2265 if two or more pari-mutuel racetracks are located within the

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2266 same incorporated municipality, the cardroom funds shall be
2267 distributed to the municipality. If a pari-mutuel facility is
2268 situated in such a manner that it is located in more than one
2269 county, the site of the cardroom facility shall determine the
2270 location for purposes of disbursement of tax revenues under this
2271 paragraph. The division shall, by September 1 of each year,
2272 determine: the amount of taxes deposited into the Pari-mutuel
2273 Wagering Trust Fund pursuant to this section from each cardroom
2274 licensee; the location by county of each cardroom; whether the
2275 cardroom is located in the unincorporated area of the county or
2276 within an incorporated municipality; and, the total amount to be
2277 distributed to each eligible county and municipality.

2278 (17)~~(16)~~ LOCAL GOVERNMENT APPROVAL.—The Division of Pari-
2279 mutuel Wagering may ~~shall~~ not issue any initial license under
2280 this section except upon proof in such form as the division may
2281 prescribe that the local government where the applicant for such
2282 license desires to conduct cardroom gaming has voted to approve
2283 such activity by a majority vote of the governing body of the
2284 municipality or the governing body of the county if the facility
2285 is not located in a municipality.

2286 (18)~~(17)~~ CHANGE OF LOCATION; ~~REFERENDUM.~~—

2287 ~~(a)~~ Notwithstanding any provisions of this section, a ~~no~~
2288 cardroom gaming license issued under this section may not ~~shall~~
2289 be transferred, or reissued when such reissuance is in the
2290 nature of a transfer, so as to permit or authorize a licensee to
2291 change the location of the cardroom ~~except upon proof in such~~
2292 ~~form as the division may prescribe that a referendum election~~
2293 ~~has been held:~~

2294 ~~1. If the proposed new location is within the same county~~

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2295 ~~as the already licensed location, in the county where the~~
2296 ~~licensee desires to conduct cardroom gaming and that a majority~~
2297 ~~of the electors voting on the question in such election voted in~~
2298 ~~favor of the transfer of such license. However, the division~~
2299 ~~shall transfer, without requirement of a referendum election,~~
2300 ~~the cardroom license of any permit holder that relocated its~~
2301 ~~permit pursuant to s. 550.0555.~~

2302 ~~2. If the proposed new location is not within the same~~
2303 ~~county as the already licensed location, in the county where the~~
2304 ~~licensee desires to conduct cardroom gaming and that a majority~~
2305 ~~of the electors voting on that question in each such election~~
2306 ~~voted in favor of the transfer of such license.~~

2307 ~~(b) The expense of each referendum held under the~~
2308 ~~provisions of this subsection shall be borne by the licensee~~
2309 ~~requesting the transfer.~~

2310 Section 35. The Division of Pari-mutuel Wagering of the
2311 Department of Business and Professional Regulation shall revoke
2312 any permit to conduct pari-mutuel wagering if a permit holder has
2313 not conducted live events within the 24 months preceding the
2314 effective date of this act, unless the permit was issued under
2315 s. 550.3345, Florida Statutes. A permit revoked under this
2316 section may not be reissued.

2317 Section 36. The provisions of this act are not severable.
2318 If this act or any portion of this act is determined to be
2319 unconstitutional or the applicability thereof to any person or
2320 circumstance is held invalid:

2321 (1) Such determination shall render all other provisions or
2322 applications of this act invalid; and

2323 (2) This act is deemed never to have become law.

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2324 Section 37. This act shall take effect only if Senate
2325 Proposed Bill 7074, 2016 Regular Session, or similar legislation
2326 becomes law ratifying the Gaming Compact between the Seminole
2327 Tribe of Florida and the State of Florida executed by the
2328 Governor and the Seminole Tribe of Florida on December 7, 2015,
2329 under the Indian Gaming Regulatory Act of 1988, and only if such
2330 compact is approved or deemed approved, and not voided by the
2331 United States Department of the Interior, and this act shall
2332 take effect on the date that the approved compact is published
2333 in the Federal Register.