

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Diaz, J. offered the following:

2

3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Paragraph (a) of subsection (1) and subsections
6 (3), (9), and (13) of section 285.710, Florida Statutes, are
7 amended, and subsection (15) is added to that section, to read:

8 285.710 Compact authorization.-

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

10 (a) "Compact" means the Gaming Compact between the
11 Seminole Tribe of Florida and the State of Florida, ~~executed on~~
12 ~~April 7, 2010.~~

13 (3) (a) A ~~The~~ Gaming Compact between the Seminole Tribe of
14 Florida and the State of Florida, executed by the Governor and

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15 the Tribe on April 7, 2010, was is ratified and approved by
16 chapter 2010-29, Laws of Florida. ~~The Governor shall cooperate~~
17 ~~with the Tribe in seeking approval of the compact from the~~
18 ~~United States Secretary of the Interior.~~

19 (b) The Gaming Compact between the Seminole Tribe of
20 Florida and the State of Florida, which was executed by the
21 Governor and the Tribe on December 7, 2015, shall be deemed
22 ratified and approved if it is amended by an agreement between
23 the Governor and the Tribe to incorporate the terms specified in
24 paragraphs (c)-(g). The amended Gaming Compact supersedes the
25 Gaming Compact ratified and approved under paragraph (a). The
26 Governor shall cooperate with the Tribe in seeking approval of
27 the amended Gaming Compact from the United States Secretary of
28 the Interior.

29 (c) The December 7, 2015, Gaming Compact shall become
30 effective after it is approved as a tribal-state compact within
31 the meaning of the Indian Gaming Regulatory Act by action of the
32 United States Secretary of the Interior or by operation of law
33 under 25 U.S.C. s. 2710(d) (8), and upon publication of a notice
34 of approval in the Federal Register under 25 U.S.C. s.
35 2710(d) (8) (D).

36 (d) The December 7, 2015, Gaming Compact must be amended
37 to include provisions specifying that all amendments made to
38 chapters 285, 546, 550, 551, and 849 by this act are authorized
39 under the Gaming Compact and do not impact the agreement's
40 revenue sharing payments, violate the Tribe's exclusivity, or

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41 authorize the Tribe to conduct online gaming.

42 (e) The December 7, 2015, Gaming Compact must be amended
43 to include provisions specifying that the State of Florida shall
44 grant to the Tribe the exclusive rights to:

45 1. Operate slot machines in Glades, Hendry, and Collier
46 Counties and within that area of the state located within a 100-
47 mile radius of the Seminole Hard Rock Hotel and Casino-Tampa;

48 2. Operate banking or banked card games, including
49 blackjack or 21, baccarat, and chemin de fer in Glades, Hendry,
50 Collier, and Hillsborough Counties; and

51 3. Operate dice games, such as craps and sic-bo, and wheel
52 games, such as roulette and big six, in Broward, Glades, Hendry,
53 Collier, and Hillsborough Counties.

54 (f) The December 7, 2015, Gaming Compact must be amended
55 to include provisions specifying that the State of Florida
56 agrees that:

57 1. It will not approve any new pari-mutuel permits after
58 the effective date of the amended Gaming Compact;

59 2. It will not approve any card game for play at pari-
60 mutuel cardrooms not found in the 1974 edition of Hoyle's Modern
61 Encyclopedia of Card Games;

62 3. The maximum cumulative number of slot machines
63 available for play at pari-mutuel facilities located outside of
64 the concession radius established in subparagraph (e)1. will not
65 exceed a maximum of 16,000 machines, and a pari-mutuel
66 permitholder licensed to operate slot machines after the

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67 effective date of this act may not be licensed to operate more
68 than 1,500 slot machines; and

69 4. A pari-mutuel facility may not operate slot machines
70 unless it is located outside of the area specified in
71 subparagraph (e)1. and has conducted a successful slot machine
72 referendum before or within 180 days after the effective date of
73 this act.

74 (g) The December 7, 2015, Gaming Compact must be amended
75 to state that relocation of a facility from one parcel of
76 current Indian lands to any other noncontiguous parcel of Indian
77 lands shall not be authorized. Any facility existing on Indian
78 lands may only be relocated within a 1-mile radius of the same
79 parcel of Indian lands on which it is currently located.
80 Expansion or replacement of a facility on the same parcel of
81 Indian lands on which it currently exists may be authorized.

82 (9) The moneys paid by the Tribe to the state for the
83 benefit of exclusivity under the compact ratified by this
84 section shall be deposited into the General Revenue Fund.

85 (a) Three percent of the annual amount paid by the Tribe
86 to the state shall be designated as the local government share
87 and shall be distributed as provided in subsections (10) and
88 (11).

89 (b) Ten million dollars of the annual amount paid by the
90 Tribe to the state shall be designated as the thoroughbred purse
91 pool share and shall be distributed as provided in subsection
92 (15).

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93 (11) Upon receipt of the annual audited revenue figures
94 from the Tribe and completion of the calculations as provided in
95 subsections (10) and (15) subsection (10), the state compliance
96 agency shall certify the results to the Chief Financial Officer
97 and shall request the distributions to be paid from the General
98 Revenue Fund within 30 days after authorization of nonoperating
99 budget authority pursuant to s. 216.181(12).

100 (13) For the purpose of satisfying the requirement in 25
101 U.S.C. s. 2710(d)(1)(B) that the gaming activities authorized
102 under an Indian gaming compact must be permitted in the state
103 for any purpose by any person, organization, or entity, the
104 following class III games or other games specified in this
105 section are hereby authorized to be conducted by the Tribe
106 pursuant to the compact:

107 (a) Slot machines, as defined in s. 551.102(8).

108 (b) Banking or banked card games, including baccarat,
109 chemin de fer, and blackjack or 21 ~~at the tribal facilities in~~
110 ~~Broward County, Collier County, and Hillsborough County.~~

111 (c) Dice games, such as craps and sic-bo.

112 (d) Wheel games, such as roulette and big six.

113 (e) ~~(e)~~ Raffles and drawings.

114 (15) Effective July 1, 2016, the calculations necessary to
115 determine the thoroughbred purse pool share distributions shall
116 be made by the state compliance agency. The thoroughbred purse
117 pool share shall be distributed equally to any thoroughbred
118 racing permitholder that has conducted a full schedule of live

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119 racers for 15 consecutive years after June 30, 2000, has never
120 operated at a facility in which slot machines are located, has
121 never held a slot machine license, and is located in a county in
122 which class III gaming is conducted on Indian lands, as long as
123 the thoroughbred racing permitholder uses the allocation for
124 thoroughbred racing purses and the operations of the
125 permitholder's thoroughbred racing facility, with at least 75
126 percent allocated to thoroughbred racing purses.

127 Section 2. Subsection (4) of section 285.712, Florida
128 Statutes, is amended to read:

129 285.712 Tribal-state gaming compacts.—

130 (4) Upon receipt of an act ratifying a tribal-state
131 compact, the Secretary of State shall forward a copy of the
132 executed compact and the ratifying act to the United States
133 Secretary of the Interior for his or her review and approval, in
134 accordance with 25 U.S.C. s. 2710(d)(8) ~~2710(8)(d)~~.

135 Section 3. Section 546.11, Florida Statutes, is created to
136 read:

137 546.11 Short title.—Sections 546.11-546.19 may be cited as
138 the "Fantasy Contest Amusement Act."

139 Section 4. Section 546.12, Florida Statutes, is created to
140 read:

141 546.12 Legislative findings and intent.—It is the intent
142 of the Legislature to ensure public confidence in the integrity
143 of fantasy contests and fantasy contest operators. This act is
144 designed to regulate fantasy contest operators and persons who

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145 participate in fantasy contests and to adopt consumer
146 protections related to such contests. The Legislature finds that
147 fantasy contests, as defined in s. 546.13, involve the skill of
148 contest participants and do not constitute gambling, gaming, or
149 games of chance.

150 Section 5. Section 546.13, Florida Statutes, is created to
151 read:

152 546.13 Definitions.—As used in ss. 546.11-546.19, the
153 term:

154 (1) "Confidential information" means information related
155 to participation in fantasy contests by contest participants
156 which is obtained solely as a result of a person's employment
157 with or work as an agent of a contest operator.

158 (2) "Contest operator" means a person or entity other than
159 a noncommercial contest operator that offers fantasy contests
160 that require an entry fee for a cash prize to members of the
161 public. Sections 546.11-546.19 apply solely to the specific
162 products, services, or offerings of a person or entity that
163 cause that person or entity to meet the definition of the term
164 "contest operator" and do not extend to any other product or
165 service offered by that person or entity.

166 (3) "Contest participant" means a person who pays an entry
167 fee for the right to participate in a fantasy contest offered by
168 a contest operator.

169 (4) "Division" means the Division of Regulation within the
170 Department of Business and Professional Regulation.

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171 (5) "Entry fee" means the cash or cash equivalent required
172 to be paid by a contest participant to a contest operator for
173 the right to participate in a fantasy contest.

174 (6) "Fantasy contest" means a fantasy or simulation game
175 or contest in which a contest participant manages a fantasy or
176 simulated sports team consisting of athletes or players who are
177 members of an amateur or professional sports organization and
178 which meets the following conditions:

179 (a) All prizes offered to winning contest participants are
180 established and made known to the contest participants in
181 advance of the fantasy contest, and the value of such prizes is
182 not determined by the number of contest participants or the
183 amount of entry fees paid by such participants.

184 (b) All winning outcomes reflect the relative knowledge
185 and skill of contest participants and are determined
186 predominantly by accumulated statistical results of the
187 performance of the athletes participating in multiple real-world
188 sporting or other events. A winning outcome may not be based:

189 1. On the score, point spread, or performance of a single
190 real-world team or combination of such teams; or

191 2. Solely on the single performance of an individual
192 athlete in a single real-world sporting or other event.

193 (c) Fantasy contests may not be based on the results of
194 college or high school sports teams, athletes, or players.

195 (d) Membership of a fantasy or simulation sports team may
196 not be based on the current membership, or on a majority of the

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197 current membership, of an actual team that is a member of an
198 amateur or professional sports organization.

199 (7) "Net revenues" means an amount equal to the total
200 entry fees collected from contest participants in this state by
201 a contest operator during a 12-month period, less the total
202 amount of cash or cash equivalent paid to contest participants
203 in this state during the same period.

204 (8) "Noncommercial contest operator" means a person who
205 organizes and conducts a fantasy contest, or an entity who makes
206 available a fantasy contest software platform, whereby
207 participants may be charged fees for the right to participate;
208 the fees are collected, maintained, and distributed by the same
209 person; and all fees are returned to the participants in the
210 form of prizes or other equivalent.

211 Section 6. Section 546.14, Florida Statutes, is created to
212 read:

213 546.14 Licensing.—

214 (1) A contest operator offering fantasy contests with an
215 entry fee to persons in this state must complete and submit an
216 application to the division for a license to conduct such
217 fantasy contests.

218 (2) (a) At the time of initial application for license, the
219 contest operator shall provide the division with an estimate of
220 the application fee calculated pursuant to paragraph (b), in
221 addition to written evidence supporting the estimate, and shall

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222 pay the estimated fee to the division. A license may not be
223 issued unless the application fee is paid.

224 (b) The application fee shall be the lesser of:

225 1. Five hundred thousand dollars; or

226 2. Ten percent of the contest operator's estimated net
227 revenues for 12 months after the date the license is issued.

228 (c) Application fee revenues shall be deposited into the
229 Professional Regulation Trust Fund for use by the division to
230 pay for regulatory costs incurred in enforcing the provisions of
231 ss. 546.11-546.19.

232 (3) (a) At the time of application for the annual renewal
233 of a license, the contest operator shall provide the division
234 with evidence of the actual net revenues collected during the
235 previous licensure period, an estimate of the license renewal
236 fee calculated pursuant to paragraph (b), and written evidence
237 supporting the estimate. The contest operator shall pay to the
238 division an amount equal to the difference between the actual
239 application fee or renewal fee for the previous licensure period
240 and the estimated application fee paid at the time of the
241 previous application, plus the estimated license renewal fee for
242 the upcoming licensure period. A license may not be renewed
243 unless the application fee is paid.

244 (b) The annual license renewal fee shall be the lesser of:

245 1. One hundred thousand dollars; or

246 2. Ten percent of the contest operator's estimated net
247 revenues for 12 months after the date the license is renewed.

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248 (c) License renewal fee revenues shall be deposited into
249 the Professional Regulation Trust Fund for use by the division
250 to pay for regulatory costs incurred in enforcing the provisions
251 of ss. 546.11-546.19 and to fund the compulsive or addictive
252 behavior prevention program pursuant to s. 546.15(3).

253 (4) An application for a contest operator's license is
254 exempt from the 90-day licensing requirement of s. 120.60.
255 Within 120 days after receipt of a complete application, the
256 division shall approve or deny the license. A complete
257 application that is not acted upon within 120 days after receipt
258 is deemed approved, and the division shall issue the license.

259 (5) An application for a contest operator's license must
260 include:

261 (a) The full name of the applicant.

262 (b) If the applicant is a corporation, the name of the
263 state in which it is incorporated and the names and addresses of
264 the officers, directors, and shareholders of the corporation who
265 hold 5 percent or more equity in the corporation. If the
266 applicant is a business entity other than a corporation, the
267 names and addresses of the principals, partners, or shareholders
268 who hold 5 percent or more equity in the entity.

269 (c) If the applicant is a corporation or other business
270 entity, the names and addresses of the ultimate equitable owners
271 of the corporation or entity, if different from those provided
272 under paragraph (b), unless the securities of the corporation or
273 entity are registered pursuant to s. 12 of the Securities

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274 Exchange Act of 1934, 15 U.S.C. ss. 78a-78kk, and:

275 1. The corporation or entity files the reports required by
276 s. 13 of such federal act with the United States Securities and
277 Exchange Commission; or

278 2. The securities of the corporation or entity are
279 regularly traded on an established securities market in the
280 United States.

281 (d) The estimated number of fantasy contests that the
282 applicant will annually conduct.

283 (e) A statement of the applicant's assets and liabilities.

284 (f) If applicable and required by the division, the names
285 and addresses of the officers and directors of any debtor of the
286 applicant and the names and addresses of any stockholder who
287 holds more than 10 percent of the stock of the debtor.

288 (g) For each person listed in the application as an
289 officer or director, a complete set of fingerprints taken by an
290 authorized law enforcement officer. Such fingerprints must be
291 submitted to the Federal Bureau of Investigation for processing.
292 Foreign nationals shall submit such documents as necessary to
293 allow the division to conduct criminal history records checks in
294 the person's home country. The applicant must pay all costs of
295 fingerprint processing, and the division may charge a \$2
296 handling fee for each set of fingerprints.

297 (6) A person, corporation, or entity is not eligible for a
298 contest operator's license or the renewal of such license if the
299 person or an officer or a director of the corporation or entity

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300 has been convicted of a felony in this state, a felony in
301 another state which would be a felony if committed in this
302 state, or a felony under the laws of the United States, or has
303 been determined by the division after investigation not to be of
304 good moral character. For purposes of this subsection, the term
305 "convicted" means having been found guilty, regardless of
306 adjudication of guilt, as a result of a jury verdict, nonjury
307 trial, or entry of a plea of guilty or nolo contendere.

308 (7) An applicant for a contest operator's license shall
309 provide evidence of a surety bond in the amount of \$1 million,
310 payable to the state, furnished by a corporate surety authorized
311 to do business in the state in such a form as established by
312 division rule. Such bond shall be kept in full force and effect
313 by the contest operator during the term of the license and any
314 renewal thereof.

315 Section 7. Section 546.15, Florida Statutes, is created to
316 read:

317 546.15 Consumer protection.—

318 (1) A contest operator that charges an entry fee to
319 contest participants shall implement commercially reasonable
320 procedures for its fantasy contests with an entry fee that are
321 intended to:

322 (a) Prevent an employee of the contest operator and
323 relatives of such employee residing in the same household as the
324 employee from participating in a fantasy contest which is open
325 to the public.

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326 (b) Prohibit the contest operator from participating as a
327 contest participant in a fantasy contest offered by the contest
328 operator.

329 (c) Prevent an employee or agent of the contest operator
330 from sharing confidential information with third parties which
331 could affect fantasy contests until the information is made
332 publicly available.

333 (d) Verify that each contest participant is 18 years of
334 age or older.

335 (e) Restrict a person who is a player, game official, or
336 other participant in a real-world sporting or other event from
337 participating in a fantasy contest that is determined in whole
338 or in part on the person's performance, the performance of the
339 person's real-world team, or the accumulated statistical results
340 of the real-world sporting or other event in which the person is
341 a player, game official, or other participant.

342 (f) Allow a person to restrict or prevent his or her own
343 access to a fantasy contest and take reasonable steps to prevent
344 himself or herself from entering a fantasy contest.

345 (g) Disclose the number of entries that a single contest
346 participant may submit to each fantasy contest and take
347 reasonable steps to prevent contest participants from submitting
348 more than the allowable number of entries.

349 (h) Segregate contest participants' funds from operational
350 funds and maintain a reserve in the form of cash or cash
351 equivalent, an irrevocable letter of credit, a bond, or a

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352 combination thereof, in the total amount of the deposits in
353 contest participants' accounts, for the benefit and protection
354 of authorized contest participants' funds held in the contest
355 participants' accounts.

356 (i) Prevent fantasy contests involving horseracing.

357 (2) For fantasy contests requiring an entry fee, a contest
358 operator must annually contract with a third party to perform an
359 independent audit, consistent with standards established by the
360 Public Company Accounting Oversight Board, to ensure the contest
361 operator's compliance with ss. 546.11-546.19. The contest
362 operator must annually submit the results of the independent
363 audit to the division.

364 (3) (a) A contest operator must provide training to
365 employees on responsible play and practices and coordinate with
366 the compulsive or addictive behavior prevention program
367 implemented pursuant to this subsection to recognize problem
368 situations, implement responsible play and practices, and
369 implement protections for underage participants.

370 (b) The division shall, subject to competitive bidding,
371 contract for services related to the prevention of compulsive or
372 addictive behavior related to fantasy contests. The contract
373 shall provide for an advertising program to encourage
374 responsible play and practices and to publicize a telephone help
375 line and shall include accountability standards that must be met
376 by any private provider. Failure of a private provider to meet
377 any material terms of the contract, including the accountability

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378 standards, constitutes a breach of contract or grounds for
379 nonrenewal.

380 (c) The compulsive or addictive behavior prevention
381 program shall be funded by the allocation of 7.5 percent of
382 initial application fees and 7.5 percent of any subsequent
383 annual license renewal fees paid by contest operators to the
384 division.

385 Section 8. Section 546.16, Florida Statutes, is created to
386 read:

387 546.16 Authority of the division.—The division is
388 responsible for the administration and enforcement of ss.
389 546.11-546.19. The division is authorized to:

390 (1) Adopt rules for the administration and enforcement of
391 ss. 546.11-546.19. Such rules shall include, but need not be
392 limited to, procedures for the operation of fantasy contests,
393 recordkeeping and reporting requirements for contest operators,
394 and procedures for the collection of entry fees.

395 (2) Perform any other duties authorized by the Secretary
396 of Business and Professional Regulation.

397 (3) Conduct investigations and monitor the operation of
398 fantasy contests.

399 (4) Review the books, accounts, and records of any current
400 or former contest operator.

401 (5) Suspend, revoke, or deny, after hearing, the license
402 of a contest operator that violates ss. 546.11-546.19 or rules
403 adopted thereunder by the division.

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404 (6) Take testimony and issue summons, subpoenas, and
405 subpoenas duces tecum in connection with any matter related to
406 the administration or enforcement of ss. 546.11-546.19.

407 (7) Monitor and enforce the collection and safeguard of
408 contest entry fees, the payment of contest prizes, and the
409 consumer protection provisions of s. 546.15.

410 (8) Coordinate with other department personnel as needed
411 to assist in the administration and enforcement of ss. 546.11-
412 546.19.

413 Section 9. Section 546.17, Florida Statutes, is created to
414 read:

415 546.17 Records and reports.-

416 (1) Each contest operator shall keep and maintain daily
417 records of its operations relevant to compliance with ss.
418 546.14-546.16 and shall maintain such records for at least 3
419 years. Such records shall include all financial transactions and
420 contain sufficient detail to determine compliance with the
421 requirements of this section. All records shall be available for
422 audit and inspection by the division or other law enforcement
423 agencies during the contest operator's regular business hours.
424 The information required in such records shall be determined by
425 division rule.

426 (2) Each contest operator shall file a quarterly report
427 with the division that includes such required records and any
428 additional information deemed necessary by the division. The
429 report shall be submitted in the format prescribed by the

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430 division which, once filed, becomes a public record.

431 Section 10. Section 546.18, Florida Statutes, is created
432 to read:

433 546.18 Penalties.—In addition to other applicable civil,
434 administrative, and criminal penalties, a contest operator or an
435 employee or agent thereof that violates ss. 546.11-546.19 is
436 subject to a civil penalty not to exceed \$5,000 for each
437 violation, and not to exceed \$100,000 in the aggregate, which
438 shall accrue to the state and may be recovered in a civil action
439 brought by the division or the Department of Legal Affairs in
440 circuit court in the name and on behalf of the state; the same
441 to be applied when collected as all other penal forfeitures are
442 disposed of.

443 Section 11. Section 546.19, Florida Statutes, is created
444 to read:

445 546.19 Exemption.—Fantasy contests conducted in accordance
446 with ss. 546.11-546.19 by a contest operator licensed in
447 accordance with ss. 546.11-546.19, or by a noncommercial contest
448 operator, are not subject to ss. 849.01, 849.08, 849.09, 849.11,
449 849.14, or 849.25.

450 Section 12. The Division of Regulation of the Department
451 of Business and Professional Regulation may not penalize an
452 unlicensed contest operator for offering fantasy contests within
453 240 days after the effective date of this act, if the contest
454 operator applies for a license within 90 days after the
455 effective date of this act and is issued such license within 240

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456 days after the effective date of this act.

457 Section 13. Subsections (11) through (39) of section
458 550.002, Florida Statutes, are amended to read:

459 550.002 Definitions.—As used in this chapter, the term:

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

461 1. For a greyhound racing permitholder or jai alai
462 permitholder, the conduct of a combination of at least 100 live
463 evening or matinee performances, provided that a greyhound
464 racing permitholder may not perform more live races during a
465 fiscal year than the permitholder performed during the 2015-2016
466 fiscal year or 110 live races, whichever is greater. ~~during the~~
467 ~~preceding year; for a permitholder who has a converted permit or~~
468 ~~filed an application on or before June 1, 1990, for a converted~~
469 ~~permit, the conduct of a combination of at least 100 live~~
470 ~~evening and matinee wagering performances during either of the 2~~
471 ~~preceding years;~~

472 2. For a jai alai permitholder that ~~who~~ does not operate
473 slot machines in its pari-mutuel facility, ~~who~~ has conducted at
474 least 100 live performances per year for at least 10 years after
475 December 31, 1992, and has had ~~whose~~ handle on live jai alai
476 games conducted at its pari-mutuel facility which was ~~has been~~
477 less than \$4 million per state fiscal year for at least 2
478 consecutive years after June 30, 1992, the conduct of a
479 ~~combination of at least 40 live evening or matinee performances.~~
480 ~~during the preceding year;~~

481 3. For a jai alai permitholder that ~~who~~ operates slot

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482 machines in its pari-mutuel facility, the conduct of a
483 ~~combination of~~ at least 150 performances. ~~during the preceding~~
484 ~~year;~~

485 4. For a summer jai alai permitholder, authorized pursuant
486 to former s. 550.0745, Florida Statutes, 2015, as created by s.
487 14, chapter 1992-348, Laws of Florida, the conduct of at least
488 58 live performances during the preceding year, unless the
489 permitholder meets the requirements of subparagraph 2.

490 5. For a harness racing permitholder, the conduct of at
491 least 100 live regular wagering performances. ~~during the~~
492 ~~preceding year;~~

493 6. For a quarter horse racing permitholder at its
494 facility, unless an alternative schedule of at least 20 live
495 regular wagering performances each year is agreed upon by the
496 permitholder and either the Florida Quarter Horse Racing
497 Association or the horsemen ~~horsemen's~~ association representing
498 the majority of the quarter horse owners and trainers at the
499 facility and filed ~~with the division along~~ with its annual
500 operating license ~~date~~ application. ~~;~~

501 a. In the 2010-2011 fiscal year, the conduct of at least
502 20 regular wagering performances. ~~;~~

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

505 c. For every fiscal year after the 2012-2013 fiscal year,
506 the conduct of at least 40 live regular wagering performances. ~~;~~

507 7. For a quarter horse racing permitholder leasing another

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508 licensed racetrack, the conduct of 160 events at the leased
509 facility during the preceding year. and

510 8. For a thoroughbred racing permitholder, the conduct of
511 at least 40 live regular wagering performances ~~during the~~
512 ~~preceding year.~~

513 ~~(b) For a permitholder which is restricted by statute to~~
514 ~~certain operating periods within the year when other members of~~
515 ~~its same class of permit are authorized to operate throughout~~
516 ~~the year, the specified number of live performances which~~
517 ~~constitute a full schedule of live racing or games shall be~~
518 ~~adjusted pro rata in accordance with the relationship between~~
519 ~~its authorized operating period and the full calendar year and~~
520 ~~the resulting specified number of live performances shall~~
521 ~~constitute the full schedule of live games for such permitholder~~
522 ~~and all other permitholders of the same class within 100 air~~
523 ~~miles of such permitholder. A live performance must consist of~~
524 ~~no fewer than eight races or games conducted live for each of a~~
525 ~~minimum of three performances each week at the permitholder's~~
526 ~~licensed facility under a single admission charge.~~

527 (12) "Greyhound racing permitholder" means any entity
528 permitted under this chapter to conduct pari-mutuel wagering
529 meets of greyhound racing, regardless of whether the
530 permitholder indicates that it will conduct live racing on its
531 annual operating license application.

532 ~~(13) (12)~~ "Guest track" means a track or fronton receiving
533 or accepting an intertrack wager.

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534 (14)~~(13)~~ "Handle" means the aggregate contributions to
535 pari-mutuel pools.

536 (15)~~(14)~~ "Harness racing" means a type of horseracing
537 which is limited to standardbred horses using a pacing or
538 trotting gait in which each horse pulls a two-wheeled cart
539 called a sulky guided by a driver.

540 (16) "Harness racing permitholder" means any entity
541 permitted under this chapter to conduct pari-mutuel wagering
542 meets of harness racing, regardless of whether the permitholder
543 indicates that it will conduct live racing on its annual
544 operating license application.

545 (17)~~(15)~~ "Horserace permitholder" means any thoroughbred
546 entity permitted under the provisions of this chapter to conduct
547 pari-mutuel wagering meets of thoroughbred racing; any harness
548 entity permitted under this chapter to conduct pari-mutuel
549 wagering meets of harness racing; or any quarter horse entity
550 permitted under this chapter to conduct pari-mutuel wagering
551 meets of quarter horse racing.

552 (18)~~(16)~~ "Host track" means a track or fronton conducting
553 a live or simulcast race or game that is the subject of an
554 intertrack wager.

555 (19)~~(17)~~ "Intertrack wager" means a particular form of
556 pari-mutuel wagering in which wagers are accepted at a
557 permitted, in-state track, fronton, or pari-mutuel facility on a
558 race or game transmitted from and performed live at, or
559 simulcast signal rebroadcast from, another in-state pari-mutuel

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560 facility.

561 (20)~~(18)~~ "Jai alai" or "pelota" means a ball game of
562 Spanish origin played on a court with three walls.

563 (21) "Jai alai permitholder" means any entity permitted
564 under this chapter to conduct pari-mutuel wagering meets of jai
565 alai games, regardless of whether the permitholder indicates
566 that it will conduct live jai alai games on its annual operating
567 license.

568 (22)~~(19)~~ "Market area" means an area within 25 miles of a
569 permitholder's track or fronton.

570 (23)~~(20)~~ "Meet" or "meeting" means the conduct of live
571 racing or jai alai for any stake, purse, prize, or premium.

572 (24)~~(39)~~ "Net pool pricing" means a method of calculating
573 prices awarded to winning wagers relative to the contribution,
574 net of takeouts, to a pool by each participating jurisdiction
575 or, as applicable, site.

576 (25)~~(21)~~ "Operating day" means a continuous period of 24
577 hours starting with the beginning of the first performance of a
578 race or game, even though the operating day may start during one
579 calendar day and extend past midnight except that no greyhound
580 race or jai alai game may commence after 1:30 a.m.

581 (26)~~(22)~~ "Pari-mutuel" means a system of betting on races
582 or games in which the winners divide the total amount bet, after
583 deducting management expenses and taxes, in proportion to the
584 sums they have wagered individually and with regard to the odds
585 assigned to particular outcomes.

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586 ~~(27)-(23)~~ "Pari-mutuel facility" means a racetrack,
587 fronton, or other facility used by a permitholder for the
588 conduct of pari-mutuel wagering.

589 ~~(28)-(24)~~ "Pari-mutuel wagering pool" means the total
590 amount wagered on a race or game for a single possible result.

591 ~~(29)-(25)~~ "Performance" means a series of events, races, or
592 games performed consecutively under a single admission charge.

593 ~~(30)-(26)~~ "Post time" means the time set for the arrival at
594 the starting point of the horses or greyhounds in a race or the
595 beginning of a game in jai alai.

596 ~~(31)-(27)~~ "Purse" means the cash portion of the prize for
597 which a race or game is contested.

598 ~~(32)-(28)~~ "Quarter horse" means a breed of horse developed
599 in the western United States which is capable of high speed for
600 a short distance and used in quarter horse racing registered
601 with the American Quarter Horse Association.

602 ~~(33)~~ "Quarter horse racing permitholder" means any entity
603 permitted under this chapter to conduct pari-mutuel wagering
604 meets of quarter horse racing, regardless of whether the
605 permitholder indicates that it will conduct live racing on its
606 annual operating license application.

607 ~~(34)-(29)~~ "Racing greyhound" means a greyhound that is or
608 was used, or is being bred, raised, or trained to be used, in
609 racing at a pari-mutuel facility and is registered with the
610 National Greyhound Association.

611 ~~(35)-(30)~~ "Regular wagering" means contributions to pari-

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612 mutuel pools involving wagering on a single entry in a single
613 race, or a single jai alai player or team in a single game, such
614 as the win pool, the place pool, or the show pool.

615 ~~(36)-(31)~~ "Same class of races, games, or permit" means,
616 with respect to a jai alai permitholder, jai alai games or other
617 jai alai permitholders; with respect to a greyhound
618 permitholder, greyhound races or other greyhound racing
619 permitholders; with respect to a thoroughbred racing
620 permitholder, thoroughbred races or other thoroughbred racing
621 permitholders; with respect to a harness racing permitholder,
622 harness races or other harness racing permitholders; with
623 respect to a quarter horse racing permitholder, quarter horse
624 races or other quarter horse racing permitholders.

625 ~~(37)-(32)~~ "Simulcasting" means broadcasting events
626 occurring live at an in-state location to an out-of-state
627 location, or receiving at an in-state location events occurring
628 live at an out-of-state location, by the transmittal,
629 retransmittal, reception, and rebroadcast of television or radio
630 signals by wire, cable, satellite, microwave, or other
631 electrical or electronic means for receiving or rebroadcasting
632 the events.

633 ~~(38)-(33)~~ "Standardbred horse" means a pacing or trotting
634 horse that is used in harness racing and that has been
635 registered as a standardbred by the United States Trotting
636 Association or by a foreign registry whose stud book is
637 recognized by the United States Trotting Association.

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638 ~~(39)-(34)~~ "Takeout" means the percentage of the pari-mutuel
639 pools deducted by the permitholder prior to the distribution of
640 the pool.

641 ~~(40)-(35)~~ "Thoroughbred" means a purebred horse whose
642 ancestry can be traced back to one of three foundation sires and
643 whose pedigree is registered in the American Stud Book or in a
644 foreign stud book that is recognized by the Jockey Club and the
645 International Stud Book Committee.

646 (41) "Thoroughbred racing permitholder" means any entity
647 permitted under this chapter to conduct pari-mutuel wagering
648 meets of thoroughbred racing, regardless of whether the
649 permitholder indicates that it will conduct live racing on its
650 annual operating license application.

651 ~~(42)-(36)~~ "Totalisator" means the computer system used to
652 accumulate wagers, record sales, calculate payoffs, and display
653 wagering data on a display device that is located at a pari-
654 mutuel facility.

655 ~~(43)-(37)~~ "Ultimate equitable owner" means a natural person
656 who, directly or indirectly, owns or controls 5 percent or more
657 of an ownership interest in a corporation, foreign corporation,
658 or alien business organization, regardless of whether such
659 person owns or controls such ownership through one or more
660 natural persons or one or more proxies, powers of attorney,
661 nominees, corporations, associations, partnerships, trusts,
662 joint stock companies, or other entities or devices, or any
663 combination thereof.

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664 ~~(44)(38)~~ "Year," for purposes of determining a full
665 schedule of live racing, means the state fiscal year.

666 Section 14. Subsections (1), (3), and (6) of section
667 550.01215, Florida Statutes, are amended, and subsection (7) is
668 added to that section, to read:

669 550.01215 License application; periods of operation; bond,
670 conversion of permit.-

671 (1) Each permitholder shall annually, during the period
672 between December 15 and January ~~31~~ 4, file in writing with the
673 division its application for an operating a license for to
674 ~~conduct performances during~~ the next state fiscal year. Each
675 application for live performances must shall specify the number,
676 and dates, and starting times of all live performances that
677 ~~which~~ the permitholder intends to conduct. It must shall also
678 specify which performances will be conducted as charity or
679 scholarship performances.

680 (a) ~~In addition,~~ Each application for an operating a
681 license must also shall include:
682

682 1. Whether the For each permitholder which elects to
683 accept wagers on broadcast events.

684 2. For each permitholder that elects to operate a
685 cardroom, the dates and periods of operation the permitholder
686 intends to operate the cardroom. ~~or,~~

687 3. For each thoroughbred racing permitholder that which
688 elects to receive or rebroadcast out-of-state races after 7
689 p.m., the dates for all performances which the permitholder

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690 intends to conduct.

691 4. Whether the permitholder intends to conduct live
692 racing.

693 5. Whether the permitholder wants to place the permit into
694 inactive status for a period of 12 months pursuant to division
695 rule.

696 (b)1. A greyhound racing permitholder that conducted a
697 full schedule of live racing for a period of at least 10
698 consecutive state fiscal years after the 1996-1997 state fiscal
699 year, or that converted its permit to a permit to conduct
700 greyhound racing after the 1996-1997 state fiscal year, may
701 specify in its annual application for an operating license that
702 it does not intend to conduct live racing, or that it intends to
703 conduct less than a full schedule of live racing, in the next
704 state fiscal year. A greyhound racing permitholder may receive
705 an operating license to conduct pari-mutuel wagering activities
706 at another permitholder's greyhound racing facility pursuant to
707 s. 550.475.

708 2. Any harness racing permitholder and any quarter horse
709 racing permitholder that has held an operating license for at
710 least 5 years and a cardroom license for at least 2 years is
711 exempt from the live racing requirements of this subsection and
712 may specify in its annual application for an operating license
713 that it does not intend to conduct live racing, or that it
714 intends to conduct less than a full schedule of live racing, in
715 the next state fiscal year.

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716 3. A thoroughbred racing permitholder that has had an
717 operating license for at least 25 years, operated a slot machine
718 facility, and held a slot machine license for at least 5 years
719 is exempt from the live racing requirements of this subsection
720 and may specify in its annual application for an operating
721 license that it does not intend to conduct live racing, or that
722 it intends to conduct less than a full schedule of live racing,
723 in the next state fiscal year.

724 4. A jai alai permitholder that has held an operating
725 license for at least 5 years and is not authorized to conduct
726 cardroom operations pursuant to s. 849.086(17) is exempt from
727 the live jai alai requirements of this subsection and may
728 specify in its annual application for an operating license that
729 it does not intend to conduct live jai alai, or that it intends
730 to conduct less than a full schedule of live jai alai, in the
731 next state fiscal year.

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

734 (3) The division shall issue each license no later than
735 March 15. Each permitholder shall operate all performances at
736 the date and time specified on its license. The division shall
737 have the authority to approve minor changes in racing dates
738 after a license has been issued. The division may approve
739 changes in racing dates after a license has been issued when
740 there is no objection from any operating permitholder located
741 within 50 miles of the permitholder requesting the changes in

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742 operating dates. In the event of an objection, the division
743 shall approve or disapprove the change in operating dates based
744 upon the impact on operating permitholders located within 50
745 miles of the permitholder requesting the change in operating
746 dates. In making the determination to change racing dates, the
747 division shall take into consideration the impact of such
748 changes on state revenues. Notwithstanding any other provision
749 of law, and for the 2016-2017 fiscal year only, the division may
750 approve changes in racing dates for permitholders if the request
751 for such changes is received before August 31, 2016.

752 (6) A summer jai alai permitholder, authorized pursuant to
753 former s. 550.0745, Florida Statutes, 2015, as created by s. 14,
754 chapter 1992-348, Laws of Florida, may apply for a operating
755 license to operate a jai alai fronton only during the summer
756 season beginning May 1 and ending November 30 of each year on
757 the dates selected by the permitholder. Such permitholder is
758 subject to the same taxes, rules, and provisions of this chapter
759 which apply to the operation of winter jai alai frontons. A
760 summer jai alai permitholder is not eligible for licensure as a
761 slot machine facility. A summer jai alai permitholder and a
762 winter jai alai permitholder may not operate on the same days or
763 in competition with each other. This subsection does not prevent
764 a summer jai alai licensee from leasing the facilities of a
765 winter jai alai licensee for the operation of a summer meet ~~Any~~
766 ~~permit which was converted from a jai alai permit to a greyhound~~
767 ~~permit may be converted to a jai alai permit at any time if the~~

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768 ~~permitholder never conducted greyhound racing or if the~~
769 ~~permitholder has not conducted greyhound racing for a period of~~
770 ~~12 consecutive months.~~

771 (7) If any of the following conditions exist on February 1
772 of any year, the holder of a limited thoroughbred racing permit
773 that did not file an application for live performances between
774 December 15 and January 31 may apply to conduct live
775 performances, and such application must be filed before February
776 15:

777 (a) All thoroughbred racing permitholders with slot
778 machine licenses have not collectively sought pari-mutuel
779 wagering licenses for at least 160 performances and a minimum of
780 1,760 races in the next state fiscal year;

781 (b) All thoroughbred racing permitholders have not
782 collectively sought pari-mutuel wagering licenses for at least
783 200 performances or a minimum of 1,760 races in the next state
784 fiscal year; or

785 (c) All thoroughbred racing permitholders did not
786 collectively run at least 1,760 races in the previous state
787 fiscal year.

788 Section 15. Subsection (1) of section 550.0251, Florida
789 Statutes, is amended to read:

790 550.0251 The powers and duties of the Division of Pari-
791 mutuel Wagering of the Department of Business and Professional
792 Regulation.—The division shall administer this chapter and
793 regulate the pari-mutuel industry under this chapter and the

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794 rules adopted pursuant thereto, and:

795 (1) The division shall make an annual report to the
796 Governor, the President of the Senate, and the Speaker of the
797 House of Representatives. The report shall include, at a
798 minimum:

799 (a) Recent events in the gaming industry occurring since
800 the last annual report, including administrative complaints
801 filed against permitholders; consent orders entered into with
802 permitholders; litigation between the division and a
803 permitholder; the approval, revocation, or suspension of any
804 permit or operating, slot machine, or cardroom license; and new
805 and approved or proposed rules.

806 (b) Actions of the department relating to the
807 implementation and administration of this chapter, chapter 551,
808 and s. 849.086.

809 (c) The state revenues associated with each form of
810 authorized gaming. Revenues associated with pari-mutuel wagering
811 must be further delineated by the class of license.

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

814 (e) A summary of disciplinary actions taken by the
815 department.

816 (f) A summary of each permitholder's licensing history
817 from the date of issuance of the permit to the present or the
818 most recent 25 years, whichever is less, including each year an
819 operating, cardroom, or slot machine license was issued, the

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820 address of the operation of each, and the number of races or
821 games actually completed during the fiscal year.

822 (g) Any recommendations to more effectively achieve
823 showing its own actions, receipts derived under the provisions
824 of this chapter, the practical effects of the application of
825 this chapter, and any suggestions it may approve for the more
826 effectual accomplishments of the purposes of this chapter,
827 chapter 551, and s. 849.086.

828 Section 16. Paragraph (b) of subsection (9), paragraph (a)
829 of subsection (11), and subsections (13) and (14) of section
830 550.054, Florida Statutes, are amended, and paragraphs (c)
831 through (f) are added to subsection (9) of that section, to
832 read:

833 550.054 Application for permit to conduct pari-mutuel
834 wagering.—

835 (9)

836 (b) The division may revoke or suspend any permit or
837 license issued under this chapter upon a ~~the~~ willful violation
838 by the permitholder or licensee ~~of any provision of chapter 551,~~
839 chapter 849, or this chapter or rules of any rule adopted
840 pursuant thereto under this chapter. With the exception of the
841 revocation of permits required in paragraphs (c) and (f) In lieu
842 of suspending or revoking a permit or license, the division, in
843 lieu of suspending or revoking a permit or license, may impose a
844 civil penalty against the permitholder or licensee for a
845 violation of this chapter or rules adopted pursuant thereto ~~any~~

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846 ~~rule adopted by the division.~~ The penalty so imposed may not
847 exceed \$1,000 for each count or separate offense. All penalties
848 imposed and collected must be deposited with the Chief Financial
849 Officer to the credit of the General Revenue Fund.

850 (c)1. The division shall revoke the permit of any
851 permitholder that fails to make payments due pursuant to chapter
852 550, chapter 551, or s. 849.086 for more than 24 consecutive
853 months unless such failure was the direct result of fire,
854 strike, war, or other disaster or event beyond the
855 permitholder's control. Financial hardship to the permitholder
856 does not, in and of itself, constitute just cause for failure to
857 operate or pay tax on handle.

858 2. The division shall revoke the permit of any
859 permitholder that has not obtained an operating license in
860 accordance with s. 550.01215 for a period of more than 24
861 consecutive months after June 30, 2012. The division shall
862 revoke the permit upon adequate notice to the permitholder.
863 Financial hardship to the permitholder does not, in and of
864 itself, constitute just cause for failure to operate.

865 (d) A new permit to conduct pari-mutuel wagering may not
866 be approved or issued after July 1, 2016.

867 (e) A permit revoked under this subsection is void and may
868 not be reissued.

869 (f) A permitholder may apply to the division to place the
870 permit into inactive status for a period of 12 months, if such
871 application is made pursuant to s. 550.01215 and division rule.

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872 The permitholder may renew inactive status for up to 12
873 additional months, but a permit may not be in inactive status
874 for a period of more than 24 consecutive months. Permitholders
875 in inactive status are not eligible for an operating license or
876 licensure for pari-mutuel wagering, slot machines, or cardrooms.
877 Inactive status shall be removed upon approval of an application
878 for an operating license. The division shall revoke any
879 permitholder that is in inactive status for more than 24 months.

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

885 (13) ~~(a)~~ Notwithstanding any provision ~~provisions~~ of this
886 chapter or chapter 551, a pari-mutuel ~~no thoroughbred horse~~
887 ~~racing~~ permit or license issued under this chapter may not ~~shall~~
888 ~~be transferred, or reissued when such reissuance is in the~~
889 ~~nature of a transfer so as to permit or authorize a licensee to~~
890 ~~change the location of a thoroughbred horse racetrack except~~
891 ~~upon proof in such form as the division may prescribe that a~~
892 ~~referendum election has been held:~~

893 ~~1. If the proposed new location is within the same county~~
894 ~~as the already licensed location, in the county where the~~
895 ~~licensee desires to conduct the race meeting and that a majority~~
896 ~~of the electors voting on that question in such election voted~~
897 ~~in favor of the transfer of such license.~~

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898 ~~2. If the proposed new location is not within the same~~
899 ~~county as the already licensed location, in the county where the~~
900 ~~licensee desires to conduct the race meeting and in the county~~
901 ~~where the licensee is already licensed to conduct the race~~
902 ~~meeting and that a majority of the electors voting on that~~
903 ~~question in each such election voted in favor of the transfer of~~
904 ~~such license.~~

905 ~~(b) Each referendum held under the provisions of this~~
906 ~~subsection shall be held in accordance with the electoral~~
907 ~~procedures for ratification of permits, as provided in s.~~
908 ~~550.0651. The expense of each such referendum shall be borne by~~
909 ~~the licensee requesting the transfer.~~

910 ~~(14)(a) Notwithstanding any other provision of law, a~~
911 ~~pari-mutuel permit, cardroom, or slot machine facility may not~~
912 ~~be relocated except as provided ss. 550.0555 and 550.3345, and a~~
913 ~~pari-mutuel permit may not be converted to another class of~~
914 ~~permit. Any holder of a permit to conduct jai alai may apply to~~
915 ~~the division to convert such permit to a permit to conduct~~
916 ~~greyhound racing in lieu of jai alai if:~~

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

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

922 ~~3. The holder of the permit has not conducted jai alai~~
923 ~~games during a period of 10 years immediately preceding his or~~

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924 ~~her application for conversion under this subsection.~~
925 ~~(b) The division, upon application from the holder of a~~
926 ~~jai alai permit meeting all conditions of this section, shall~~
927 ~~convert the permit and shall issue to the permitholder a permit~~
928 ~~to conduct greyhound racing. A permitholder of a permit~~
929 ~~converted under this section shall be required to apply for and~~
930 ~~conduct a full schedule of live racing each fiscal year to be~~
931 ~~eligible for any tax credit provided by this chapter. The holder~~
932 ~~of a permit converted pursuant to this subsection or any holder~~
933 ~~of a permit to conduct greyhound racing located in a county in~~
934 ~~which it is the only permit issued pursuant to this section who~~
935 ~~operates at a leased facility pursuant to s. 550.475 may move~~
936 ~~the location for which the permit has been issued to another~~
937 ~~location within a 30-mile radius of the location fixed in the~~
938 ~~permit issued in that county, provided the move does not cross~~
939 ~~the county boundary and such location is approved under the~~
940 ~~zoning regulations of the county or municipality in which the~~
941 ~~permit is located, and upon such relocation may use the permit~~
942 ~~for the conduct of pari-mutuel wagering and the operation of a~~
943 ~~cardroom. The provisions of s. 550.6305(9) (d) and (f) shall~~
944 ~~apply to any permit converted under this subsection and shall~~
945 ~~continue to apply to any permit which was previously included~~
946 ~~under and subject to such provisions before a conversion~~
947 ~~pursuant to this section occurred.~~

948 Section 17. Subsection (2) of section 550.0555, Florida
949 Statutes, is amended to read:

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950 550.0555 Permitholder ~~Greyhound dogracing permits;~~
951 relocation within a county; conditions.—

952 (2) The following permitholders are ~~Any holder of a valid~~
953 ~~outstanding permit for greyhound dogracing in a county in which~~
954 ~~there is only one dogracing permit issued, as well as any holder~~
955 ~~of a valid outstanding permit for jai alai in a county where~~
956 ~~only one jai alai permit is issued, is authorized, without the~~
957 ~~necessity of an additional county referendum required under s.~~
958 ~~550.0651, to move the location for which the permit has been~~
959 ~~issued to another location within a 30-mile radius of the~~
960 ~~location fixed in the permit issued in that county, provided the~~
961 ~~move does not cross the county boundary, that such relocation is~~
962 ~~approved under the zoning regulations of the county or~~
963 ~~municipality in which the permit is to be located as a planned~~
964 ~~development use, consistent with the comprehensive plan, and~~
965 ~~that such move is approved by the department after it is~~
966 ~~determined~~ that the new location is at least 10 miles from an
967 existing pari-mutuel facility and, if within a county with three
968 or more pari-mutuel permits, is at least 10 miles from the
969 waters of the Atlantic Ocean:

970 (a) Any holder of a valid outstanding greyhound racing
971 permit that was previously converted from a jai alai permit;

972 (b) Any holder of a valid outstanding greyhound racing
973 permit in a county in which there is only one greyhound racing
974 permit issued; and

975 (c) Any holder of a valid outstanding jai alai permit in a

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976 county where only one jai alai permit is issued. ~~at a proceeding~~
977 ~~pursuant to chapter 120 in the county affected that the move is~~
978 ~~necessary to ensure the revenue-producing capability of the~~
979 ~~permittee without deteriorating the revenue-producing capability~~
980 ~~of any other pari-mutuel permittee within 50 miles;~~

981
982 The distances ~~distance~~ shall be measured on a straight line from
983 the nearest property line of one racing plant or jai alai
984 fronton to the nearest property line of the other and the
985 nearest mean high tide line of the Atlantic Ocean.

986 Section 18. Section 550.0745, Florida Statutes, is
987 repealed.

988 Section 19. Section 550.0951, Florida Statutes, is amended
989 to read:

990 550.0951 Payment of daily license fee and taxes;
991 penalties.—

992 (1) ~~(a)~~ DAILY LICENSE FEE.—Each person engaged in the
993 business of conducting race meetings or jai alai games under
994 this chapter, hereinafter referred to as the "permitholder,"
995 "licensee," or "permittee," shall pay ~~to the division, for the~~
996 ~~use of the division,~~ a daily license fee on each live or
997 simulcast pari-mutuel event of \$100 for each horserace, and \$80
998 for each greyhound race, ~~dog race~~ and \$40 for each jai alai game,
999 any of which is conducted at a racetrack or fronton licensed
1000 under this chapter. A ~~In addition to the tax exemption specified~~
1001 ~~in s. 550.09514(1) of \$360,000 or \$500,000 per greyhound~~

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1002 ~~permitholder per state fiscal year, each greyhound permitholder~~
1003 ~~shall receive in the current state fiscal year a tax credit~~
1004 ~~equal to the number of live greyhound races conducted in the~~
1005 ~~previous state fiscal year times the daily license fee specified~~
1006 ~~for each dograce in this subsection applicable for the previous~~
1007 ~~state fiscal year. This tax credit and the exemption in s.~~
1008 ~~550.09514(1) shall be applicable to any tax imposed by this~~
1009 ~~chapter or the daily license fees imposed by this chapter except~~
1010 ~~during any charity or scholarship performances conducted~~
1011 ~~pursuant to s. 550.0351. Each permitholder may not be required~~
1012 ~~to shall pay daily license fees in excess of ~~not to exceed~~ \$500~~
1013 ~~per day on any simulcast races or games on which such~~
1014 ~~permitholder accepts wagers, regardless of the number of out-of-~~
1015 ~~state events taken or the number of out-of-state locations from~~
1016 ~~which such events are taken. This license fee shall be deposited~~
1017 ~~with the Chief Financial Officer to the credit of the Pari-~~
1018 ~~mutuel Wagering Trust Fund.~~

1019 ~~(b) Each permitholder that cannot utilize the full amount~~
1020 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~
1021 ~~550.09514(1) or the daily license fee credit provided in this~~
1022 ~~section may, after notifying the division in writing, elect once~~
1023 ~~per state fiscal year on a form provided by the division to~~
1024 ~~transfer such exemption or credit or any portion thereof to any~~
1025 ~~greyhound permitholder which acts as a host track to such~~
1026 ~~permitholder for the purpose of intertrack wagering. Once an~~
1027 ~~election to transfer such exemption or credit is filed with the~~

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1028 ~~division, it shall not be rescinded. The division shall~~
1029 ~~disapprove the transfer when the amount of the exemption or~~
1030 ~~credit or portion thereof is unavailable to the transferring~~
1031 ~~permitholder or when the permitholder who is entitled to~~
1032 ~~transfer the exemption or credit or who is entitled to receive~~
1033 ~~the exemption or credit owes taxes to the state pursuant to a~~
1034 ~~deficiency letter or administrative complaint issued by the~~
1035 ~~division. Upon approval of the transfer by the division, the~~
1036 ~~transferred tax exemption or credit shall be effective for the~~
1037 ~~first performance of the next payment period as specified in~~
1038 ~~subsection (5). The exemption or credit transferred to such host~~
1039 ~~track may be applied by such host track against any taxes~~
1040 ~~imposed by this chapter or daily license fees imposed by this~~
1041 ~~chapter. The greyhound permitholder host track to which such~~
1042 ~~exemption or credit is transferred shall reimburse such~~
1043 ~~permitholder the exact monetary value of such transferred~~
1044 ~~exemption or credit as actually applied against the taxes and~~
1045 ~~daily license fees of the host track. The division shall ensure~~
1046 ~~that all transfers of exemption or credit are made in accordance~~
1047 ~~with this subsection and shall have the authority to adopt rules~~
1048 ~~to ensure the implementation of this section.~~

1049 (2) ADMISSION TAX.—

1050 (a) An admission tax equal to 15 percent of the admission
1051 charge for entrance to the permitholder's facility and
1052 grandstand area, or 10 cents, whichever is greater, is imposed
1053 on each person attending a horserace, greyhound race ~~dograce~~, or

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1054 jai alai game. The permitholder is ~~shall be~~ responsible for
1055 collecting the admission tax.

1056 (b) The ~~No~~ admission tax imposed under this chapter and ~~or~~
1057 chapter 212 may not ~~shall~~ be imposed on any free passes or
1058 complimentary cards issued to persons for which there is no cost
1059 to the person for admission to pari-mutuel events.

1060 (c) A permitholder may issue tax-free passes to its
1061 officers, officials, and employees and to ~~or~~ other persons
1062 actually engaged in working at the racetrack, including
1063 accredited media ~~press~~ representatives such as reporters and
1064 editors, and may also issue tax-free passes to other
1065 permitholders for the use of their officers and officials. The
1066 permitholder shall file with the division a list of all persons
1067 to whom tax-free passes are issued under this paragraph.

1068 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on
1069 contributions to pari-mutuel pools, the aggregate of which is
1070 hereinafter referred to as "handle," on races or games conducted
1071 by the permitholder. The tax is imposed daily and is based on
1072 the total contributions to all pari-mutuel pools conducted
1073 during the daily performance. If a permitholder conducts more
1074 than one performance daily, the tax is imposed on each
1075 performance separately.

1076 (a) The tax on handle for quarter horse racing is 1.0
1077 percent of the handle.

1078 (b)1. The tax on handle for greyhound racing ~~dog racing~~ is
1079 1.28 ~~5.5~~ percent of the handle, ~~except that for live charity~~

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1080 ~~performances held pursuant to s. 550.0351, and for intertrack~~
1081 ~~wagering on such charity performances at a guest greyhound track~~
1082 ~~within the market area of the host, the tax is 7.6 percent of~~
1083 ~~the handle.~~

1084 2. The tax on handle for jai alai is 7.1 percent of the
1085 handle.

1086 (c)1. The tax on handle for intertrack wagering is:

1087 a. If the host track is a horse track, 2.0 percent of the
1088 handle.

1089 b. If the host track is a harness horse track, 3.3 percent
1090 of the handle.

1091 c. If the host track is a greyhound harness track, 1.28
1092 5.5 percent of the handle, to be remitted by the guest track. if
1093 the host track is a dog track, and

1094 d. If the host track is a jai alai fronton, 7.1 percent of
1095 the handle if the host track is a jai alai fronton.

1096 e. The tax on handle for intertrack wagering is 0.5
1097 percent If the host track and the guest track are thoroughbred
1098 racing permitholders or if the guest track is located outside
1099 the market area of a the host track that is not a greyhound
1100 racing track and within the market area of a thoroughbred racing
1101 permitholder currently conducting a live race meet, 0.5 percent
1102 of the handle.

1103 f. The tax on handle For intertrack wagering on
1104 rebroadcasts of simulcast thoroughbred horseraces, is 2.4
1105 percent of the handle and 1.5 percent of the handle for

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1106 intertrack wagering on rebroadcasts of simulcast harness
1107 horseraces, 1.5 percent of the handle.

1108 2. The tax shall be deposited into the Pari-mutuel
1109 Wagering Trust Fund.

1110 ~~3.2.~~ The tax on handle for intertrack wagers accepted by
1111 any greyhound ~~dog~~ track located in an area of the state in which
1112 there are only three permitholders, all of which are greyhound
1113 racing permitholders, located in three contiguous counties, from
1114 any greyhound racing permitholder also located within such area
1115 or any greyhound ~~dog~~ track or jai alai fronton located as
1116 specified in s. 550.615(7) ~~550.615(6) or (9)~~, on races or games
1117 received from any jai alai the same class of permitholder
1118 located within the same market area is 1.28 ~~3.9~~ percent of the
1119 handle if the host facility is a greyhound racing permitholder.
1120 ~~and,~~ If the host facility is a jai alai permitholder, the tax is
1121 ~~rate shall be 6.1 percent~~ of the handle until ~~except that it~~
1122 ~~shall be 2.3 percent on handle at~~ such time as the total tax on
1123 intertrack handle paid to the division by the permitholder
1124 during the current state fiscal year exceeds the total ~~tax on~~
1125 ~~intertrack handle~~ paid to the division by the permitholder
1126 during the 1992-1993 state fiscal year, in which case the tax is
1127 2.3 percent of the handle.

1128 (d) Notwithstanding any other provision of this chapter,
1129 in order to protect the Florida jai alai industry, effective
1130 July 1, 2000, a jai alai permitholder may not be taxed on live
1131 handle at a rate higher than 2 percent.

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1132 (4) BREAKS TAX.—Effective October 1, 1996, each
1133 permitholder conducting jai alai performances shall pay a tax
1134 equal to the breaks. As used in this subsection, the term
1135 "breaks" means the money that remains in each pari-mutuel pool
1136 after funds are ~~The "breaks" represents that portion of each~~
1137 ~~pari-mutuel pool which is not~~ redistributed to the contributors
1138 and commissions are ~~or~~ withheld by the permitholder ~~as~~
1139 ~~commission.~~

1140 (5) PAYMENT AND DISPOSITION OF FEES AND TAXES.—Payments
1141 imposed by this section shall be paid to the division. The
1142 division shall deposit such payments ~~these sums~~ with the Chief
1143 Financial Officer, to the credit of the Pari-mutuel Wagering
1144 Trust Fund, hereby established. The permitholder shall remit to
1145 the division payment for the daily license fee, the admission
1146 tax, the tax on handle, and the breaks tax. Such payments must
1147 ~~shall~~ be remitted by 3 p.m. on Wednesday of each week for taxes
1148 imposed and collected for the preceding week ending on Sunday.
1149 Beginning on July 1, 2012, such payments must ~~shall~~ be remitted
1150 by 3 p.m. on the 5th day of each calendar month for taxes
1151 imposed and collected for the preceding calendar month. If the
1152 5th day of the calendar month falls on a weekend, payments must
1153 ~~shall~~ be remitted by 3 p.m. on the first Monday following the
1154 weekend. Permitholders shall file a report under oath by the 5th
1155 day of each calendar month for all taxes remitted during the
1156 preceding calendar month. Such payments must ~~shall~~ be
1157 accompanied by a report under oath showing the total of all

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1158 admissions, the pari-mutuel wagering activities for the
1159 preceding calendar month, and any such other information ~~as may~~
1160 ~~be~~ prescribed by the division.

1161 (6) PENALTIES.—

1162 (a) The failure of any permitholder to make payments as
1163 prescribed in subsection (5) is a violation of this section, and
1164 the ~~permitholder may be subjected by the~~ division may impose ~~to~~
1165 a civil penalty against the permitholder of up to \$1,000 for
1166 each day the tax payment is not remitted. All penalties imposed
1167 and collected shall be deposited in the General Revenue Fund. If
1168 a permitholder fails to pay penalties imposed by order of the
1169 division under this subsection, the division may suspend or
1170 revoke the license of the permitholder, cancel the permit of the
1171 permitholder, or deny issuance of any further license or permit
1172 to the permitholder.

1173 (b) In addition to the civil penalty prescribed in
1174 paragraph (a), any willful or wanton failure by any permitholder
1175 to make payments of the daily license fee, admission tax, tax on
1176 handle, or breaks tax constitutes sufficient grounds for the
1177 division to suspend or revoke the license of the permitholder,
1178 to cancel the permit of the permitholder, or to deny issuance of
1179 any further license or permit to the permitholder.

1180 Section 20. Section 550.09512, Florida Statutes, is
1181 amended to read:

1182 550.09512 Harness horse racing taxes; abandoned interest
1183 in a permit for nonpayment of taxes.—

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1184 (1) Pari-mutuel wagering at harness horse racetracks in
1185 this state is an important business enterprise, and taxes
1186 derived therefrom constitute a part of the tax structure which
1187 funds operation of the state. Harness racing ~~horse~~ permitholders
1188 should pay their fair share of these taxes to the state. This
1189 business interest should not be taxed to such an extent as to
1190 cause any racetrack which is operated under sound business
1191 principles to be forced out of business. Due to the need to
1192 protect the public health, safety, and welfare, the gaming laws
1193 of the state provide for the harness horse industry to be highly
1194 regulated and taxed. The state recognizes that there exist
1195 identifiable differences between harness racing ~~horse~~
1196 permitholders based upon their ability to operate under such
1197 regulation and tax system.

1198 (2) (a) The tax on handle for live harness horse
1199 performances is 0.5 percent of handle per performance.

1200 (b) For purposes of this section, the term "handle" shall
1201 have the same meaning as in s. 550.0951, and shall not include
1202 handle from intertrack wagering.

1203 (3) ~~(a)~~ The division shall revoke the permit of a harness
1204 horse racing permitholder that fails to make payments due
1205 pursuant to this chapter, chapter 551, or s. 849.086 for more
1206 than 24 consecutive months ~~who does not pay tax on handle for~~
1207 ~~live harness horse performances for a full schedule of live~~
1208 ~~races during any 2 consecutive state fiscal years shall be void~~
1209 ~~and shall escheat to and become the property of the state unless~~

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1210 such failure to operate and pay tax ~~on handle~~ was the direct
1211 result of fire, strike, war, or other disaster or event beyond
1212 the ability of the permitholder to control. Financial hardship
1213 to the permitholder does ~~shall~~ not, in and of itself, constitute
1214 just cause for failure to operate and pay tax ~~on handle~~. A
1215 permit revoked under this subsection is void and may not be
1216 reissued.

1217 ~~(b) In order to maximize the tax revenues to the state,~~
1218 ~~the division shall reissue an escheated harness horse permit to~~
1219 ~~a qualified applicant pursuant to the provisions of this chapter~~
1220 ~~as for the issuance of an initial permit. However, the~~
1221 ~~provisions of this chapter relating to referendum requirements~~
1222 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
1223 ~~escheated harness horse permit. As specified in the application~~
1224 ~~and upon approval by the division of an application for the~~
1225 ~~permit, the new permitholder shall be authorized to operate a~~
1226 ~~harness horse facility anywhere in the same county in which the~~
1227 ~~escheated permit was authorized to be operated, notwithstanding~~
1228 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

1229 (4) In the event that a court of competent jurisdiction
1230 determines any of the provisions of this section to be
1231 unconstitutional, it is the intent of the Legislature that the
1232 provisions contained in this section shall be null and void and
1233 that the provisions of s. 550.0951 shall apply to all harness
1234 racing horse permitholders beginning on the date of such
1235 judicial determination. To this end, the Legislature declares

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1236 that it would not have enacted any of the provisions of this
1237 section individually and, to that end, expressly finds them not
1238 to be severable.

1239 Section 21. Section 550.09514, Florida Statutes, is
1240 amended to read:

1241 550.09514 Greyhound racing ~~dogracing~~ taxes; purse
1242 requirements.-

1243 ~~(1) Wagering on greyhound racing is subject to a tax on~~
1244 ~~handle for live greyhound racing as specified in s. 550.0951(3).~~
1245 ~~However, each permitholder shall pay no tax on handle until such~~
1246 ~~time as this subsection has resulted in a tax savings per state~~
1247 ~~fiscal year of \$360,000. Thereafter, each permitholder shall pay~~
1248 ~~the tax as specified in s. 550.0951(3) on all handle for the~~
1249 ~~remainder of the permitholder's current race meet. For the three~~
1250 ~~permitholders that conducted a full schedule of live racing in~~
1251 ~~1995, and are closest to another state that authorizes greyhound~~
1252 ~~pari-mutuel wagering, the maximum tax savings per state fiscal~~
1253 ~~year shall be \$500,000. The provisions of this subsection~~
1254 ~~relating to tax exemptions shall not apply to any charity or~~
1255 ~~scholarship performances conducted pursuant to s. 550.0351.~~

1256 (1)~~(2)~~(a) The division shall determine for each greyhound
1257 racing permitholder the annual purse percentage rate of live
1258 handle for the state fiscal year 1993-1994 by dividing total
1259 purses paid on live handle by the permitholder, exclusive of
1260 payments made from outside sources, during the 1993-1994 state
1261 fiscal year by the permitholder's live handle for the 1993-1994

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1262 state fiscal year. A greyhound racing ~~Each~~ permitholder
1263 conducting live racing during a fiscal year shall pay as purses
1264 for such live races conducted during its current race meet a
1265 percentage of its live handle not less than the percentage
1266 determined under this paragraph, exclusive of payments made by
1267 outside sources, for its 1993-1994 state fiscal year.

1268 (b) Except as otherwise set forth herein, in addition to
1269 the minimum purse percentage required by paragraph (a), each
1270 greyhound racing permitholder conducting live racing during a
1271 fiscal year shall pay as purses an annual amount of \$60 for each
1272 live race conducted ~~equal to 75 percent of the daily license~~
1273 ~~fees paid by the greyhound racing each permitholder in for the~~
1274 ~~preceding 1994-1995 fiscal year. These This purse supplement~~
1275 ~~shall be disbursed weekly during the permitholder's race meet in~~
1276 ~~an amount determined by dividing the annual purse supplement by~~
1277 ~~the number of performances approved for the permitholder~~
1278 ~~pursuant to its annual license and multiplying that amount by~~
1279 ~~the number of performances conducted each week. For the~~
1280 ~~greyhound permitholders in the county where there are two~~
1281 ~~greyhound permitholders located as specified in s. 550.615(6),~~
1282 ~~such permitholders shall pay in the aggregate an amount equal to~~
1283 ~~75 percent of the daily license fees paid by such permitholders~~
1284 ~~for the 1994-1995 fiscal year. These permitholders shall be~~
1285 ~~jointly and severally liable for such purse payments. The~~
1286 ~~additional purses provided by this paragraph must be used~~
1287 ~~exclusively for purses other than stakes~~ and must be disbursed

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1288 weekly during the permitholder's race meet. The division shall
1289 conduct audits necessary to ensure compliance with this section.

1290 (c)1. Each greyhound racing permitholder, when conducting
1291 at least three live performances during any week, shall pay
1292 purses in that week on wagers it accepts as a guest track on
1293 intertrack and simulcast greyhound races at the same rate as it
1294 pays on live races. Each greyhound racing permitholder, when
1295 conducting at least three live performances during any week,
1296 shall pay purses in that week, at the same rate as it pays on
1297 live races, on wagers accepted on greyhound races at a guest
1298 track that ~~which~~ is not conducting live racing and is located
1299 within the same market area as the greyhound racing permitholder
1300 conducting at least three live performances during any week.

1301 2. Each host greyhound racing permitholder shall pay
1302 purses on its simulcast and intertrack broadcasts of greyhound
1303 races to guest facilities that are located outside its market
1304 area in an amount equal to one quarter of an amount determined
1305 by subtracting the transmission costs of sending the simulcast
1306 or intertrack broadcasts from an amount determined by adding the
1307 fees received for greyhound simulcast races plus 3 percent of
1308 the greyhound intertrack handle at guest facilities that are
1309 located outside the market area of the host and that paid
1310 contractual fees to the host for such broadcasts of greyhound
1311 races.

1312 (d) The division shall require sufficient documentation
1313 from each greyhound racing permitholder regarding purses paid on

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1314 live racing to assure that the annual purse percentage rates
1315 paid by each greyhound racing permitholder conducting ~~on the~~
1316 live races are not reduced below those paid during the 1993-1994
1317 state fiscal year. The division shall require sufficient
1318 documentation from each greyhound racing permitholder to assure
1319 that the purses paid by each permitholder on the greyhound
1320 intertrack and simulcast broadcasts are in compliance with the
1321 requirements of paragraph (c).

1322 (e) In addition to the purse requirements of paragraphs
1323 (a)-(c), each greyhound racing permitholder conducting live
1324 races shall pay as purses an amount equal to one-third of the
1325 amount of the tax reduction on live and simulcast handle
1326 applicable to such permitholder as a result of the reductions in
1327 tax rates provided by s. 6, chapter 2000-354, Laws of Florida
1328 ~~this act through the amendments to s. 550.0951(3)~~. With respect
1329 to intertrack wagering when the host and guest tracks are
1330 greyhound racing permitholders not within the same market area,
1331 an amount equal to the tax reduction applicable to the guest
1332 track handle as a result of the reduction in tax rate provided
1333 by s. 6, chapter 2000-354, Laws of Florida, ~~this act through the~~
1334 ~~amendment to s. 550.0951(3)~~ shall be distributed to the guest
1335 track, one-third of which amount shall be paid as purses at the
1336 guest track. However, if the guest track is a greyhound racing
1337 permitholder within the market area of the host or if the guest
1338 track is not a greyhound racing permitholder, an amount equal to
1339 such tax reduction applicable to the guest track handle shall be

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1340 retained by the host track, one-third of which amount shall be
1341 paid as purses at the host track. These purse funds shall be
1342 disbursed in the week received if the permitholder conducts at
1343 least one live performance during that week. If the permitholder
1344 does not conduct at least one live performance during the week
1345 in which the purse funds are received, the purse funds shall be
1346 disbursed weekly during the permitholder's next race meet in an
1347 amount determined by dividing the purse amount by the number of
1348 performances approved for the permitholder pursuant to its
1349 annual license, and multiplying that amount by the number of
1350 performances conducted each week. The division shall conduct
1351 audits necessary to ensure compliance with this paragraph.

1352 (f) Each greyhound racing permitholder conducting live
1353 racing shall, during the permitholder's race meet, supply kennel
1354 operators and the Division of Pari-Mutuel Wagering with a weekly
1355 report showing purses paid on live greyhound races and all
1356 greyhound intertrack and simulcast broadcasts, including both as
1357 a guest and a host together with the handle or commission
1358 calculations on which such purses were paid and the transmission
1359 costs of sending the simulcast or intertrack broadcasts, so that
1360 the kennel operators may determine statutory and contractual
1361 compliance.

1362 (g) Each greyhound racing permitholder conducting live
1363 racing shall make direct payment of purses to the greyhound
1364 owners who have filed with such permitholder appropriate federal
1365 taxpayer identification information based on the percentage

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1366 amount agreed upon between the kennel operator and the greyhound
1367 owner.

1368 (h) At the request of a majority of kennel operators under
1369 contract with a greyhound racing permitholder conducting live
1370 racing, the permitholder shall make deductions from purses paid
1371 to each kennel operator electing such deduction and shall make a
1372 direct payment of such deductions to the local association of
1373 greyhound kennel operators formed by a majority of kennel
1374 operators under contract with the permitholder. The amount of
1375 the deduction shall be at least 1 percent of purses, as
1376 determined by the local association of greyhound kennel
1377 operators. ~~No~~ Deductions may not be taken pursuant to this
1378 paragraph without a kennel operator's specific approval before
1379 or after the effective date of this act.

1380 (2)~~(3)~~ For the purpose of this section, the term "live
1381 handle" means the handle from wagers placed at the
1382 permitholder's establishment on the live greyhound races
1383 conducted at the permitholder's establishment.

1384 Section 22. Section 550.09515, Florida Statutes, is
1385 amended to read:

1386 550.09515 Thoroughbred racing ~~horse~~ taxes; abandoned
1387 interest in a permit for nonpayment of taxes.—

1388 (1) Pari-mutuel wagering at thoroughbred horse racetracks
1389 in this state is an important business enterprise, and taxes
1390 derived therefrom constitute a part of the tax structure which
1391 funds operation of the state. Thoroughbred horse permitholders

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1392 should pay their fair share of these taxes to the state. This
1393 business interest should not be taxed to such an extent as to
1394 cause any racetrack which is operated under sound business
1395 principles to be forced out of business. Due to the need to
1396 protect the public health, safety, and welfare, the gaming laws
1397 of the state provide for the thoroughbred horse industry to be
1398 highly regulated and taxed. The state recognizes that there
1399 exist identifiable differences between thoroughbred horse
1400 permitholders based upon their ability to operate under such
1401 regulation and tax system and at different periods during the
1402 year.

1403 (2) (a) The tax on handle for live thoroughbred horserace
1404 performances shall be 0.5 percent.

1405 (b) For purposes of this section, the term "handle" shall
1406 have the same meaning as in s. 550.0951, and shall not include
1407 handle from intertrack wagering.

1408 (3) ~~(a)~~ The division shall revoke the permit of a
1409 thoroughbred racing horse permitholder that fails to make
1410 payments due pursuant to this chapter, chapter 551, or s.
1411 849.086 for more than 24 consecutive months ~~who does not pay tax~~
1412 ~~on handle for live thoroughbred horse performances for a full~~
1413 ~~schedule of live races during any 2 consecutive state fiscal~~
1414 ~~years shall be void and shall escheat to and become the property~~
1415 ~~of the state unless such failure to operate and pay tax on~~
1416 ~~handle~~ was the direct result of fire, strike, war, or other
1417 disaster or event beyond the ability of the permitholder to

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1418 control. Financial hardship to the permitholder does ~~shall~~ not,
1419 in and of itself, constitute just cause for failure to operate
1420 and pay tax ~~on handle~~. A permit revoked under this subsection is
1421 void and may not be reissued.

1422 ~~(b) In order to maximize the tax revenues to the state,~~
1423 ~~the division shall reissue an escheated thoroughbred horse~~
1424 ~~permit to a qualified applicant pursuant to the provisions of~~
1425 ~~this chapter as for the issuance of an initial permit. However,~~
1426 ~~the provisions of this chapter relating to referendum~~
1427 ~~requirements for a pari-mutuel permit shall not apply to the~~
1428 ~~reissuance of an escheated thoroughbred horse permit. As~~
1429 ~~specified in the application and upon approval by the division~~
1430 ~~of an application for the permit, the new permitholder shall be~~
1431 ~~authorized to operate a thoroughbred horse facility anywhere in~~
1432 ~~the same county in which the escheated permit was authorized to~~
1433 ~~be operated, notwithstanding the provisions of s. 550.054(2)~~
1434 ~~relating to mileage limitations.~~

1435 (4) In the event that a court of competent jurisdiction
1436 determines any of the provisions of this section to be
1437 unconstitutional, it is the intent of the Legislature that the
1438 provisions contained in this section shall be null and void and
1439 that the provisions of s. 550.0951 shall apply to all
1440 thoroughbred horse permitholders beginning on the date of such
1441 judicial determination. To this end, the Legislature declares
1442 that it would not have enacted any of the provisions of this
1443 section individually and, to that end, expressly finds them not

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1444 to be severable.

1445 (5) Notwithstanding the provisions of s. 550.0951(3)(c),
1446 the tax on handle for intertrack wagering on rebroadcasts of
1447 simulcast horseraces is 2.4 percent of the handle; provided
1448 however, that if the guest track is a thoroughbred track located
1449 more than 35 miles from the host track, the host track shall pay
1450 a tax of .5 percent of the handle, and additionally the host
1451 track shall pay to the guest track 1.9 percent of the handle to
1452 be used by the guest track solely for purses. The tax shall be
1453 deposited into the Pari-mutuel Wagering Trust Fund.

1454 (6) A credit equal to the amount of contributions made by
1455 a thoroughbred racing permitholder during the taxable year
1456 directly to the Jockeys' Guild or its health and welfare fund to
1457 be used to provide health and welfare benefits for active,
1458 disabled, and retired Florida jockeys and their dependents
1459 pursuant to reasonable rules of eligibility established by the
1460 Jockeys' Guild is allowed against taxes on live handle due for a
1461 taxable year under this section. A thoroughbred racing
1462 permitholder may not receive a credit greater than an amount
1463 equal to 1 percent of its paid taxes for the previous taxable
1464 year.

1465 ~~(7) If a thoroughbred permitholder fails to operate all~~
1466 ~~performances on its 2001-2002 license, failure to pay tax on~~
1467 ~~handle for a full schedule of live races for those performances~~
1468 ~~in the 2001-2002 fiscal year does not constitute failure to pay~~
1469 ~~taxes on handle for a full schedule of live races in a fiscal~~

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1470 ~~year for the purposes of subsection (3). This subsection may not~~
1471 ~~be construed as forgiving a thoroughbred permitholder from~~
1472 ~~paying taxes on performances conducted at its facility pursuant~~
1473 ~~to its 2001-2002 license other than for failure to operate all~~
1474 ~~performances on its 2001-2002 license. This subsection expires~~
1475 ~~July 1, 2003.~~

1476 Section 23. Section 550.1625, Florida Statutes, is amended
1477 to read:

1478 550.1625 Greyhound racing ~~dogracing~~; taxes.—

1479 (1) The operation of a greyhound ~~dog~~ track and legalized
1480 pari-mutuel betting at greyhound ~~dog~~ tracks in this state is a
1481 privilege and is an operation that requires strict supervision
1482 and regulation in the best interests of the state. Pari-mutuel
1483 wagering at greyhound ~~dog~~ tracks in this state is a substantial
1484 business, and taxes derived therefrom constitute part of the tax
1485 structures of the state and the counties. The operators of
1486 greyhound ~~dog~~ tracks should pay their fair share of taxes to the
1487 state; at the same time, this substantial business interest
1488 should not be taxed to such an extent as to cause a track that
1489 is operated under sound business principles to be forced out of
1490 business.

1491 (2) A permitholder that conducts a greyhound race ~~dograce~~
1492 meet under this chapter must pay the daily license fee, the
1493 admission tax, ~~the breaks tax,~~ and the tax on pari-mutuel handle
1494 as provided in s. 550.0951 and is subject to all penalties and
1495 sanctions provided in s. 550.0951(6).

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1496 Section 24. Section 550.1647, Florida Statutes, is
1497 repealed.

1498 Section 25. Section 550.1648, Florida Statutes, is amended
1499 to read:

1500 550.1648 Greyhound adoptions.—

1501 ~~(1) A greyhound racing~~ Each dogracing permitholder that
1502 conducts live racing at ~~operating~~ a greyhound racing dogracing
1503 facility in this state shall provide for a greyhound adoption
1504 booth to be located at the facility.

1505 (1) (a) The greyhound adoption booth must be operated on
1506 weekends by personnel or volunteers from a bona fide
1507 organization that promotes or encourages the adoption of
1508 greyhounds pursuant to s. 550.1647. Such bona fide organization,
1509 as a condition of adoption, must provide sterilization of
1510 greyhounds by a licensed veterinarian before relinquishing
1511 custody of the greyhound to the adopter. The fee for
1512 sterilization may be included in the cost of adoption. As used
1513 in this section, the term "weekend" includes the hours during
1514 which live greyhound racing is conducted on Friday, Saturday, or
1515 Sunday, and the term "bona fide organization that promotes or
1516 encourages the adoption of greyhounds" means an organization
1517 that provides evidence of compliance with chapter 496 and
1518 possesses a valid exemption from federal taxation issued by the
1519 Internal Revenue Service. Information pamphlets and application
1520 forms shall be provided to the public upon request.

1521 (b) In addition, The kennel operator or owner shall notify

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1522 the permitholder that a greyhound is available for adoption and
1523 the permitholder shall provide information concerning the
1524 adoption of a greyhound in each race program and shall post
1525 adoption information at conspicuous locations throughout the
1526 greyhound racing ~~dog racing~~ facility. Any greyhound that is
1527 participating in a race and that will be available for future
1528 adoption must be noted in the race program. The permitholder
1529 shall allow greyhounds to be walked through the track facility
1530 to publicize the greyhound adoption program.

1531 (2) In addition to the charity days authorized under s.
1532 550.0351, a greyhound racing permitholder may fund the greyhound
1533 adoption program by holding a charity racing day designated as
1534 "Greyhound Adopt-A-Pet Day." All profits derived from the
1535 operation of the charity day must be placed into a fund used to
1536 support activities at the racing facility which promote the
1537 adoption of greyhounds. The division may adopt rules for
1538 administering the fund. Proceeds from the charity day authorized
1539 in this subsection may not be used as a source of funds for the
1540 purposes set forth in s. 550.1647.

1541 (3) (a) Upon a violation of this section by a permitholder
1542 or licensee, the division may impose a penalty as provided in s.
1543 550.0251(10) and require the permitholder to take corrective
1544 action.

1545 (b) A penalty imposed under s. 550.0251(10) does not
1546 exclude a prosecution for cruelty to animals or for any other
1547 criminal act.

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1548 Section 26. Section 550.1752, Florida Statutes, is created
1549 to read:

1550 550.1752 Thoroughbred purse supplement program.—

1551 (1) The thoroughbred purse supplement program is created
1552 within the Division of Pari-mutuel Wagering for the purpose of
1553 maintaining an active and viable live thoroughbred racing,
1554 owning, and breeding industry in this state. The program shall
1555 be funded by cardroom net proceeds contributed pursuant to s.
1556 849.086(14). Payments available for the program shall be
1557 calculated on a monthly basis until such time as the division
1558 determines that sufficient funds are available for allocation.

1559 (2) The division shall adopt by rule the form to be used
1560 by a thoroughbred racing permitholder for applying to receive
1561 funds from the program to be used to supplement purses for its
1562 live racing meet.

1563 (3) The division shall apportion the purse supplement
1564 funds to all applicants on a pro rata basis based upon the
1565 number of days of live performances to be conducted by
1566 applicants pursuant to their annual racing licenses.

1567 (4) If a day of live performances is not conducted by a
1568 thoroughbred racing permitholder that has received funds
1569 pursuant to this section for that day of live performances, the
1570 thoroughbred racing permitholder failing to conduct the day of
1571 live performances shall return the purse supplement fund
1572 allocated for that day to the division, and the division shall
1573 reapportion such amount based on the number of remaining days of

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1574 live performances to be conducted during the state fiscal year.

1575 (5) Purse supplement funds under this section are intended
1576 to enhance the total purses paid per race day in comparison to
1577 the purses paid by a permitholder in the previous state fiscal
1578 year and to encourage live thoroughbred racing in this state
1579 from May through November of each year. A thoroughbred racing
1580 permitholder may not receive purse supplement funds under this
1581 section unless it has an agreement to this effect with the
1582 Florida Horsemen's Benevolent and Protective Association, Inc.,
1583 or the association representing a majority of the horse owners
1584 and trainers conducting racing at the permitholder's pari-mutuel
1585 facility, for purses to be paid in its upcoming licensed meet.

1586 (6) The division may adopt rules necessary to implement
1587 this section.

1588 Section 27. Section 550.2416, Florida Statutes, is created
1589 to read:

1590 550.2416 Reporting of racing greyhound injuries.—

1591 (1) An injury to a racing greyhound which occurs while the
1592 greyhound is located in this state must be reported on a form
1593 adopted by the division within 7 days after the date on which
1594 the injury occurred or is believed to have occurred. The
1595 presence of cocaine found in a racing greyhound is considered an
1596 injury under this section. The division may adopt rules defining
1597 the term "injury."

1598 (2) The form shall be completed and signed under oath or
1599 affirmation by the:

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- 1600 (a) Racetrack veterinarian or director of racing, if the
1601 injury occurred at the racetrack facility; or
- 1602 (b) Owner, trainer, or kennel operator who had knowledge
1603 of the injury, if the injury occurred at a location other than
1604 the racetrack facility, including during transportation.
- 1605 (3) The division shall fine, suspend, or revoke the
1606 license of any individual who knowingly violates this section or
1607 who intentionally causes an injury to a racing greyhound.
- 1608 (4) The form must include the following:
- 1609 (a) The greyhound's registered name, right-ear and left-
1610 ear tattoo numbers, and, if any, the microchip manufacturer and
1611 number.
- 1612 (b) The name, business address, and telephone number of
1613 the greyhound owner, the trainer, and the kennel operator.
- 1614 (c) The color, weight, and sex of the greyhound.
- 1615 (d) The specific type and bodily location of the injury,
1616 the cause of the injury, and the estimated recovery time from
1617 the injury.
- 1618 (e) If the injury occurred when the greyhound was racing:
- 1619 1. The racetrack where the injury occurred;
1620 2. The distance, grade, race, and post position of the
1621 greyhound when the injury occurred; and
- 1622 3. The weather conditions, time, and track conditions when
1623 the injury occurred.
- 1624 (f) If the injury occurred when the greyhound was not
1625 racing:

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1626 1. The location where the injury occurred; and

1627 2. The circumstances surrounding the injury.

1628 (g) Other information that the division determines is
1629 necessary to identify injuries to racing greyhounds in this
1630 state.

1631 (5) An injury form created pursuant to this section must
1632 be maintained as a public record by the division for at least 7
1633 years after the date it was received.

1634 (6) A licensee of the department who knowingly makes a
1635 false statement concerning an injury or fails to report an
1636 injury is subject to disciplinary action under this chapter or
1637 chapters 455 and 474.

1638 (7) This section does not apply to injuries to a service
1639 animal, personal pet, or greyhound that has been adopted as a
1640 pet.

1641 (8) The division shall adopt rules to implement this
1642 section.

1643 Section 28. Subsection (1) of section 550.26165, Florida
1644 Statutes, is amended to read:

1645 550.26165 Breeders' awards.—

1646 (1) The purpose of this section is to encourage the
1647 agricultural activity of breeding and training racehorses in
1648 this state. Moneys dedicated in this chapter for use as
1649 breeders' awards and stallion awards are to be used for awards
1650 to breeders of registered Florida-bred horses winning horseraces
1651 and for similar awards to the owners of stallions who sired

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1652 Florida-bred horses winning stakes races, if the stallions are
1653 registered as Florida stallions standing in this state. Such
1654 awards shall be given at a uniform rate to all winners of the
1655 awards, may ~~shall~~ not be greater than 20 percent of the
1656 announced gross purse, and may ~~shall~~ not be less than 15 percent
1657 of the announced gross purse if funds are available. In
1658 addition, at least ~~no less than~~ 17 percent, but not ~~nor~~ more
1659 than 40 percent, as determined by the Florida Thoroughbred
1660 Breeders' Association, of the moneys dedicated in this chapter
1661 for use as breeders' awards and stallion awards for
1662 thoroughbreds shall be returned pro rata to the permitholders
1663 that generated the moneys for special racing awards to be
1664 distributed by the permitholders to owners of thoroughbred
1665 horses participating in prescribed thoroughbred stakes races,
1666 nonstakes races, or both, all in accordance with a written
1667 agreement establishing the rate, procedure, and eligibility
1668 requirements for such awards entered into by the permitholder,
1669 the Florida Thoroughbred Breeders' Association, and the Florida
1670 Horsemen's Benevolent and Protective Association, Inc., except
1671 that the plan for the distribution by any permitholder located
1672 in the area described in s. 550.615(7) ~~550.615(9)~~ shall be
1673 agreed upon by that permitholder, the Florida Thoroughbred
1674 Breeders' Association, and the association representing a
1675 majority of the thoroughbred racehorse owners and trainers at
1676 that location. Awards for thoroughbred races are to be paid
1677 through the Florida Thoroughbred Breeders' Association, and

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1678 awards for standardbred races are to be paid through the Florida
1679 Standardbred Breeders and Owners Association. Among other
1680 sources specified in this chapter, moneys for thoroughbred
1681 breeders' awards will come from the 0.955 percent of handle for
1682 thoroughbred races conducted, received, broadcast, or simulcast
1683 under this chapter as provided in s. 550.2625(3). The moneys for
1684 quarter horse and harness breeders' awards will come from the
1685 breaks and uncashed tickets on live quarter horse and harness
1686 horse racing performances and 1 percent of handle on intertrack
1687 wagering. The funds for these breeders' awards shall be paid to
1688 the respective breeders' associations by the permitholders
1689 conducting the races.

1690 Section 29. Subsection (8) of section 550.334, Florida
1691 Statutes, is amended to read:

1692 550.334 Quarter horse racing; substitutions.—

1693 (8) To be eligible to conduct intertrack wagering, a
1694 quarter horse racing permitholder must have conducted a full
1695 schedule of live racing in accordance with an operating license
1696 in the 2015-2016 fiscal preceding year.

1697 Section 30. Section 550.3345, Florida Statutes, is amended
1698 to read:

1699 550.3345 ~~Conversion of quarter horse permit to a~~ Limited
1700 thoroughbred racing permit.—

1701 (1) In recognition of the important and long-standing
1702 economic contribution of the thoroughbred horse breeding
1703 industry to this state and the state's vested interest in

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1704 promoting the continued viability of this agricultural activity,
1705 the state intends to provide a limited opportunity for the
1706 conduct of live thoroughbred horse racing with the net revenues
1707 from such racing dedicated to the enhancement of thoroughbred
1708 purses and breeders', stallion, and special racing awards under
1709 this chapter; the general promotion of the thoroughbred horse
1710 breeding industry; and the care in this state of thoroughbred
1711 horses retired from racing.

1712 (2) A limited thoroughbred racing permit previously
1713 converted from ~~Notwithstanding any other provision of law, the~~
1714 ~~holder of a quarter horse racing permit pursuant to chapter~~
1715 2010-29, Laws of Florida, issued under s. 550.334 may only be
1716 held by, within 1 year after the effective date of this section,
1717 ~~apply to the division for a transfer of the quarter horse racing~~
1718 ~~permit to~~ a not-for-profit corporation formed under state law to
1719 serve the purposes of the state as provided in subsection (1).
1720 The board of directors of the not-for-profit corporation must be
1721 composed ~~comprised~~ of 11 members, 4 of whom shall be designated
1722 by the applicant, 4 of whom shall be designated by the Florida
1723 Thoroughbred Breeders' Association, and 3 of whom shall be
1724 designated by the other 8 directors, with at least 1 of these 3
1725 members being an authorized representative of another
1726 thoroughbred racing permitholder in this state. A limited
1727 thoroughbred racing ~~The not-for-profit corporation shall submit~~
1728 ~~an application to the division for review and approval of the~~
1729 ~~transfer in accordance with s. 550.054. Upon approval of the~~

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1730 ~~transfer by the division, and notwithstanding any other~~
1731 ~~provision of law to the contrary, the not-for-profit corporation~~
1732 ~~may, within 1 year after its receipt of the permit, request that~~
1733 ~~the division convert the quarter horse racing permit to a permit~~
1734 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~
1735 ~~thoroughbred racing. Neither the transfer of the quarter horse~~
1736 ~~racing permit nor its conversion to a limited thoroughbred~~
1737 ~~permit shall be subject to the mileage limitation or the~~
1738 ~~ratification election as set forth under s. 550.054(2) or s.~~
1739 ~~550.0651. Upon receipt of the request for such conversion, the~~
1740 ~~division shall timely issue a converted permit. The converted~~
1741 ~~permit and the not-for-profit corporation are shall be subject~~
1742 ~~to the following requirements:~~

1743 (a) All net revenues derived by the not-for-profit
1744 corporation under the thoroughbred ~~horse~~ racing permit, after
1745 the funding of operating expenses and capital improvements,
1746 shall be dedicated to the enhancement of thoroughbred purses and
1747 breeders', stallion, and special racing awards under this
1748 chapter; the general promotion of the thoroughbred horse
1749 breeding industry; and the care in this state of thoroughbred
1750 horses retired from racing.

1751 (b) From December 1 through April 30, ~~no~~ live thoroughbred
1752 racing may not be conducted under the permit on any day during
1753 which another thoroughbred racing permit holder is conducting
1754 live thoroughbred racing within 125 air miles of the not-for-
1755 profit corporation's pari-mutuel facility unless the other

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1756 thoroughbred racing permitholder gives its written consent.

1757 (c) After ~~the conversion of the quarter horse racing~~
1758 ~~permit and~~ the issuance of its initial license to conduct pari-
1759 mutuel wagering meets of thoroughbred racing, the not-for-profit
1760 corporation shall annually apply to the division for a license
1761 pursuant to s. 550.5251.

1762 (d) Racing under the permit may take place only at the
1763 location for which the original quarter horse racing permit was
1764 issued, which may be leased by the not-for-profit corporation
1765 for that purpose; however, the not-for-profit corporation may,
1766 without the conduct of any ratification election pursuant to s.
1767 550.054(13) or s. 550.0651, move the location of the permit to
1768 another location in the same county or counties, if the
1769 permitholder's location is situated in such a manner that it is
1770 located in more than one county, provided that such relocation
1771 is approved under the zoning and land use regulations of the
1772 applicable county or municipality.

1773 (e) A limited thoroughbred racing ~~Ne~~ permit may not be
1774 transferred ~~converted under this section is eligible for~~
1775 ~~transfer~~ to another person or entity.

1776 (3) Unless otherwise provided in this section, ~~after~~
1777 ~~conversion,~~ the permit and the not-for-profit corporation shall
1778 be treated under the laws of this state as a thoroughbred racing
1779 permit and as a thoroughbred racing permitholder, respectively,
1780 ~~with the exception of s. 550.09515(3).~~

1781 Section 31. Subsection (6) of section 550.3551, Florida

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1782 Statutes, is amended to read:

1783 550.3551 Transmission of racing and jai alai information;
1784 commingling of pari-mutuel pools.-

1785 (6) (a) ~~A maximum of 20 percent of the total number of~~
1786 ~~races on which wagers are accepted by a greyhound permitholder~~
1787 ~~not located as specified in s. 550.615(6) may be received from~~
1788 ~~locations outside this state. A jai alai permitholder may not~~
1789 ~~conduct fewer than eight live ~~races~~ or games on any authorized~~
1790 ~~race day except as provided in this subsection. A thoroughbred~~
1791 ~~racing permitholder may not conduct fewer than eight live races~~
1792 ~~on any race day without the written approval of the Florida~~
1793 ~~Thoroughbred Breeders' Association and the Florida Horsemen's~~
1794 ~~Benevolent and Protective Association, Inc., unless it is~~
1795 ~~determined by the department that another entity represents a~~
1796 ~~majority of the thoroughbred racehorse owners and trainers in~~
1797 ~~the state. A ~~harness permitholder may conduct fewer than eight~~~~
1798 ~~live races on any authorized race day, except that such~~
1799 ~~permitholder must conduct a full schedule of live racing during~~
1800 ~~its race meet consisting of at least eight live races per~~
1801 ~~authorized race day for at least 100 days. Any harness racing~~
1802 ~~horse permitholder that during the preceding racing season~~
1803 ~~conducted a full schedule of live racing and any harness racing~~
1804 ~~permitholder that has held an operating license for at least 5~~
1805 ~~years and a slot machine license for at least 5 years may, at~~
1806 ~~any time ~~during its current race meet~~, receive full-card~~
1807 ~~broadcasts of harness horse races conducted at harness~~

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1808 racetracks outside this state at the harness track of the
1809 permitholder and accept wagers on such harness races. With
1810 specific authorization from the division for special racing
1811 events, a permitholder may conduct fewer than eight live races
1812 or games when the permitholder also broadcasts out-of-state
1813 races or games. The division may not grant more than two such
1814 exceptions a year for a permitholder in any 12-month period, and
1815 those two exceptions may not be consecutive.

1816 (b) Notwithstanding any other provision of this chapter,
1817 any harness racing ~~horse~~ permitholder accepting broadcasts of
1818 out-of-state harness horse races when such permitholder is not
1819 conducting live races must make the out-of-state signal
1820 available to all permitholders eligible to conduct intertrack
1821 wagering and shall pay to guest tracks located as specified in
1822 s. ~~ss. 550.615(6) and~~ 550.6305(9) (d) 50 percent of the net
1823 proceeds after taxes and fees to the out-of-state host track on
1824 harness race wagers which they accept. If conducting live
1825 racing, a harness racing ~~horse~~ permitholder shall be required to
1826 pay into its purse account 50 percent of the net income retained
1827 by the permitholder on account of wagering on the out-of-state
1828 broadcasts received pursuant to this subsection. Nine-tenths of
1829 a percent of all harness wagering proceeds on the broadcasts
1830 received pursuant to this subsection shall be paid to the
1831 Florida Standardbred Breeders and Owners Association under the
1832 provisions of s. 550.2625(4) for the purposes provided therein.

1833 Section 32. Subsection (1) of section 550.5251, Florida

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1834 Statutes, is amended to read:

1835 550.5251 Florida thoroughbred racing; certain permits;
1836 operating days.—

1837 (1) Each thoroughbred racing permitholder shall annually,
1838 during the period commencing December 15 of each year and ending
1839 January 31 ~~4~~ of the following year, file in writing with the
1840 division its application pursuant to s. 550.01215 ~~to conduct one~~
1841 ~~or more thoroughbred racing meetings during the thoroughbred~~
1842 ~~racing season commencing on the following July 1. Each~~
1843 ~~application shall specify the number and dates of all~~
1844 ~~performances that the permitholder intends to conduct during~~
1845 ~~that thoroughbred racing season. On or before March 15 of each~~
1846 year, the division shall issue a license authorizing each
1847 permitholder to conduct performances on the dates specified in
1848 its application, if any. Up to February 28 of each year, each
1849 permitholder may request and shall be granted changes in its
1850 authorized performances; but thereafter, as a condition
1851 precedent to the validity of its license and its right to retain
1852 its permit, each permitholder must operate the full number of
1853 days authorized on each of the dates set forth in its license,
1854 if any.

1855 Section 33. Subsections (2), (4), and (6) through (10) of
1856 section 550.615, Florida Statutes, are amended, and a new
1857 subsection (9) is added to that section, to read:

1858 550.615 Intertrack wagering.—

1859 (2) (a) Any track ~~or fronton~~ licensed under this chapter

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1860 ~~may which in the preceding year conducted a full schedule of~~
1861 ~~live racing is qualified to,~~ at any time, receive broadcasts of
1862 any class of pari-mutuel race or game and accept wagers on such
1863 races or games conducted by any class of permitholders licensed
1864 under this chapter.

1865 (b) Any fronton licensed under this chapter which in the
1866 preceding year conducted a full schedule of live games or was
1867 licensed pursuant to s. 550.01215(1)(b)4. may, at any time,
1868 receive broadcasts of any class of pari-mutuel race or game and
1869 accept wagers on such races or games conducted by any class of
1870 permitholders licensed under this chapter.

1871 (4) An ~~In no event shall any~~ intertrack wager may not be
1872 accepted on the same class of live races or games of any
1873 permitholder without the written consent of such operating
1874 permitholders conducting the same class of live races or games
1875 if the guest track is within the market area of such operating
1876 permitholder. A greyhound racing permitholder licensed under
1877 this chapter which accepts intertrack wagers on live greyhound
1878 signals is not required to obtain the written consent required
1879 by this subsection from any operating greyhound racing
1880 permitholder within its market area.

1881 ~~(6) Notwithstanding the provisions of subsection (3), in~~
1882 ~~any area of the state where there are three or more horserace~~
1883 ~~permitholders within 25 miles of each other, intertrack wagering~~
1884 ~~between permitholders in said area of the state shall only be~~
1885 ~~authorized under the following conditions: Any permitholder,~~

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1886 ~~other than a thoroughbred permitholder, may accept intertrack~~
1887 ~~wagers on races or games conducted live by a permitholder of the~~
1888 ~~same class or any harness permitholder located within such area~~
1889 ~~and any harness permitholder may accept wagers on games~~
1890 ~~conducted live by any jai alai permitholder located within its~~
1891 ~~market area and from a jai alai permitholder located within the~~
1892 ~~area specified in this subsection when no jai alai permitholder~~
1893 ~~located within its market area is conducting live jai alai~~
1894 ~~performances; any greyhound or jai alai permitholder may receive~~
1895 ~~broadcasts of and accept wagers on any permitholder of the other~~
1896 ~~class provided that a permitholder, other than the host track,~~
1897 ~~of such other class is not operating a contemporaneous live~~
1898 ~~performance within the market area.~~

1899 ~~(7) In any county of the state where there are only two~~
1900 ~~permits, one for dogracing and one for jai alai, no intertrack~~
1901 ~~wager may be taken during the period of time when a permitholder~~
1902 ~~is not licensed to conduct live races or games without the~~
1903 ~~written consent of the other permitholder that is conducting~~
1904 ~~live races or games. However, if neither permitholder is~~
1905 ~~conducting live races or games, either permitholder may accept~~
1906 ~~intertrack wagers on horseraces or on the same class of races or~~
1907 ~~games, or on both horseraces and the same class of races or~~
1908 ~~games as is authorized by its permit.~~

1909 ~~(6)(8) In any three contiguous counties of the state where~~
1910 ~~there are only three permitholders, all of which are greyhound~~
1911 ~~racing permitholders, if a greyhound racing any permitholder~~

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1912 leases the facility of another greyhound racing permitholder for
1913 the purpose of conducting all or any portion of ~~the conduct of~~
1914 its live race meet pursuant to s. 550.475, such lessee may
1915 conduct intertrack wagering at its pre-lease permitted facility
1916 throughout the entire year, including while its live race meet
1917 is being conducted at the leased facility, ~~if such permitholder~~
1918 ~~has conducted a full schedule of live racing during the~~
1919 ~~preceding fiscal year at its pre-lease permitted facility or at~~
1920 ~~a leased facility, or combination thereof.~~

1921 ~~(7)(9)~~ In any two contiguous counties of the state in
1922 which there are located only four active permits, one for
1923 thoroughbred horse racing, two for greyhound racing ~~degracing~~,
1924 and one for jai alai games, an ~~no~~ intertrack wager may not be
1925 accepted on the same class of live races or games of any
1926 permitholder without the written consent of such operating
1927 permitholders conducting the same class of live races or games
1928 if the guest track is within the market area of such operating
1929 permitholder.

1930 ~~(8)(10)~~ All costs of receiving the transmission of the
1931 broadcasts shall be borne by the guest track; and all costs of
1932 sending the broadcasts shall be borne by the host track.

1933 (9) A greyhound racing permitholder operating pursuant to
1934 a current year's operating license, regardless of whether the
1935 permitholder specifies a full schedule of live performances, no
1936 live performances, or less than a full schedule of live
1937 performances, may accept wagers on live races conducted at out-

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1938 of-state greyhound tracks only on the days when such
1939 permitholder receives all live races that any host track in this
1940 state makes available.

1941 Section 34. Paragraphs (d), (f), and (g) of subsection (9)
1942 of section 550.6305, Florida Statutes, are amended to read:

1943 550.6305 Intertrack wagering; guest track payments;
1944 accounting rules.-

1945 (9) A host track that has contracted with an out-of-state
1946 horse track to broadcast live races conducted at such out-of-
1947 state horse track pursuant to s. 550.3551(5) may broadcast such
1948 out-of-state races to any guest track and accept wagers thereon
1949 in the same manner as is provided in s. 550.3551.

1950 (d) Any permitholder located in any area of the state
1951 where there are only two permits, one for greyhound racing
1952 ~~dog racing~~ and one for jai alai, and any permitholder that
1953 converted its permit to conduct jai alai to a permit to conduct
1954 greyhound racing in lieu of jai alai under s. 550.054(14),
1955 Florida Statutes 2014, as created by s. 6, chapter 2009-170,
1956 Laws of Florida, may accept wagers on rebroadcasts of out-of-
1957 state thoroughbred horse races from an in-state thoroughbred
1958 ~~horse~~ racing permitholder and is shall not ~~be~~ subject to the
1959 provisions of paragraph (b) if such thoroughbred ~~horse~~ racing
1960 permitholder located within the area specified in this paragraph
1961 is both conducting live races and accepting wagers on out-of-
1962 state horseraces. In such case, the guest permitholder is shall
1963 ~~be~~ entitled to 45 percent of the net proceeds on wagers accepted

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1964 at the guest facility. The remaining proceeds shall be
1965 distributed as follows: one-half shall be retained by the host
1966 facility and one-half shall be paid by the host facility as
1967 purses at the host facility.

1968 (f) Any permitholder located in any area of the state
1969 where there are only two permits, one for greyhound racing
1970 ~~dog racing~~ and one for jai alai, and any permitholder that
1971 converted its permit to conduct jai alai to a permit to conduct
1972 greyhound racing in lieu of jai alai under s. 550.054(14),
1973 Florida Statutes 2014, as created by s. 6, chapter 2009-170,
1974 Laws of Florida, may accept wagers on rebroadcasts of out-of-
1975 state harness horse races from an in-state harness horse racing
1976 permitholder and may ~~shall~~ not be subject to ~~the provisions of~~
1977 paragraph (b) if such harness horse racing permitholder located
1978 within the area specified in this paragraph is conducting live
1979 races. In such case, the guest permitholder is ~~shall be~~ entitled
1980 to 45 percent of the net proceeds on wagers accepted at the
1981 guest facility. The remaining proceeds shall be distributed as
1982 follows: one-half shall be retained by the host facility and
1983 one-half shall be paid by the host facility as purses at the
1984 host facility.

1985 (g)1.a. Any thoroughbred racing permitholder that ~~which~~
1986 accepts wagers on a simulcast signal must make the signal
1987 available to any permitholder that is eligible to conduct
1988 intertrack wagering under the provisions of ss. 550.615-
1989 550.6345.

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1990 ~~b.2.~~ Any thoroughbred racing permitholder that ~~which~~
1991 accepts wagers on a simulcast signal received after 6 p.m. must
1992 make such signal available to any permitholder that is eligible
1993 to conduct intertrack wagering under the provisions of ss.
1994 550.615-550.6345, ~~including any permitholder located as~~
1995 ~~specified in s. 550.615(6)~~. Such guest permitholders are
1996 authorized to accept wagers on such simulcast signal,
1997 notwithstanding any other provision of this chapter to the
1998 contrary.

1999 ~~c.3.~~ Any thoroughbred racing permitholder that ~~which~~
2000 accepts wagers on a simulcast signal received after 6 p.m. must
2001 make such signal available to any permitholder that is eligible
2002 to conduct intertrack wagering under ~~the provisions of~~ ss.
2003 550.615-550.6345, ~~including any permitholder located as~~
2004 ~~specified in s. 550.615(9)~~. Such guest permitholders are
2005 authorized to accept wagers on such simulcast signals for a
2006 number of performances not to exceed that which constitutes a
2007 full schedule of live races for a quarter horse racing
2008 permitholder pursuant to s. 550.002(11), notwithstanding any
2009 other provision of this chapter to the contrary, ~~except that the~~
2010 ~~restrictions provided in s. 550.615(9)(a) apply to wagers on~~
2011 ~~such simulcast signals.~~

2012 2. A ~~No~~ thoroughbred racing permitholder is not ~~shall be~~
2013 required to continue to rebroadcast a simulcast signal to any
2014 in-state permitholder if the average per performance gross
2015 receipts returned to the host permitholder over the preceding

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2016 30-day period were less than \$100. Subject to the provisions of
2017 s. 550.615(4), as a condition of receiving rebroadcasts of
2018 thoroughbred simulcast signals under this paragraph, a guest
2019 permitholder must accept intertrack wagers on all live races
2020 conducted by all then-operating thoroughbred racing
2021 permitholders.

2022 Section 35. Section 550.6308, Florida Statutes, is amended
2023 to read:

2024 550.6308 Limited intertrack wagering license.—In
2025 recognition of the economic importance of the thoroughbred
2026 breeding industry to this state, its positive impact on tourism,
2027 and of the importance of a permanent thoroughbred sales facility
2028 as a key focal point for the activities of the industry, a
2029 limited license to conduct intertrack wagering is established to
2030 ensure the continued viability and public interest in
2031 thoroughbred breeding in Florida.

2032 (1) (a) Upon application to the division on or before
2033 January 31 of each year, any person who ~~that~~ is licensed to
2034 conduct public sales of thoroughbred horses pursuant to s.
2035 535.01 and, ~~that~~ has conducted at least 8 ~~15~~ days of
2036 thoroughbred horse sales at a permanent sales facility in this
2037 state for at least 3 consecutive years, ~~and that has conducted~~
2038 ~~at least 1 day of nonwagering thoroughbred racing in this state,~~
2039 ~~with a purse structure of at least \$250,000 per year for 2~~
2040 ~~consecutive years before such application,~~ shall be issued a
2041 license, subject to the conditions set forth in this section, to

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2042 conduct intertrack wagering at such a permanent sales facility
2043 on any day on which intertrack wagering is authorized pursuant
2044 to s. 550.615. during the following periods:

2045 ~~(a) Up to 21 days in connection with thoroughbred sales;~~

2046 ~~(b) Between November 1 and May 8;~~

2047 ~~(c) Between May 9 and October 31 at such times and on such~~
2048 ~~days as any thoroughbred, jai alai, or a greyhound permitholder~~
2049 ~~in the same county is not conducting live performances; provided~~
2050 ~~that any such permitholder may waive this requirement, in whole~~
2051 ~~or in part, and allow the licensee under this section to conduct~~
2052 ~~intertrack wagering during one or more of the permitholder's~~
2053 ~~live performances; and~~

2054 ~~(d) During the weekend of the Kentucky Derby, the~~
2055 ~~Preakness, the Belmont, and a Breeders' Cup Meet that is~~
2056 ~~conducted before November 1 and after May 8.~~

2057 (b) Only ~~No more than~~ one such license may be issued, and
2058 the no such license may not be issued for a facility located
2059 within 50 miles of any for-profit thoroughbred racing
2060 permitholder's licensed track.

2061 (2) If more than one application is submitted for such
2062 license, the division shall determine which applicant shall be
2063 granted the license. In making its determination, the division
2064 shall grant the license to the applicant demonstrating superior
2065 capabilities, as measured by the length of time the applicant
2066 has been conducting thoroughbred sales within this state or
2067 elsewhere, the applicant's total volume of thoroughbred horse

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2068 sales, within this state or elsewhere, the length of time the
2069 applicant has maintained a permanent thoroughbred sales facility
2070 in this state, and the quality of the facility.

2071 (3) The applicant must comply with the provisions of ss.
2072 550.125 and 550.1815.

2073 ~~(4) Intertrack wagering under this section may be~~
2074 ~~conducted only on thoroughbred horse racing, except that~~
2075 ~~intertrack wagering may be conducted on any class of pari-mutuel~~
2076 ~~race or game conducted by any class of permitholders licensed~~
2077 ~~under this chapter if all thoroughbred, jai alai, and greyhound~~
2078 ~~permitholders in the same county as the licensee under this~~
2079 ~~section give their consent.~~

2080 ~~(4)-(5) The licensee shall be considered a guest track~~
2081 ~~under this chapter. The licensee shall pay 2.5 percent of the~~
2082 ~~total contributions to the daily pari-mutuel pool on wagers~~
2083 ~~accepted at the licensee's facility on greyhound races or jai~~
2084 ~~alai games to the thoroughbred permitholder that is conducting~~
2085 ~~live races for purses to be paid during its current racing meet.~~
2086 ~~If more than one thoroughbred permitholder is conducting live~~
2087 ~~races on a day during which the licensee is conducting~~
2088 ~~intertrack wagering on greyhound races or jai alai games, the~~
2089 ~~licensee shall allocate these funds between the operating~~
2090 ~~thoroughbred permitholders on a pro rata basis based on the~~
2091 ~~total live handle at the operating permitholders' facilities.~~

2092 Section 36. Section 551.101, Florida Statutes, is amended
2093 to read:

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2094 551.101 Slot machine gaming authorized.—Any licensed
2095 eligible facility ~~pari-mutuel facility located in Miami-Dade~~
2096 ~~County or Broward County existing at the time of adoption of s.~~
2097 ~~23, Art. X of the State Constitution that has conducted live~~
2098 ~~racing or games during calendar years 2002 and 2003~~ may possess
2099 slot machines and conduct slot machine gaming at the location
2100 where the pari-mutuel permitholder is authorized to conduct
2101 pari-mutuel wagering activities pursuant to such permitholder's
2102 valid pari-mutuel permit or as otherwise authorized by law
2103 ~~provided that a majority of voters in a countywide referendum~~
2104 ~~have approved slot machines at such facility in the respective~~
2105 ~~county~~. Notwithstanding any other ~~provision of law~~, it is not a
2106 crime for a person to participate in slot machine gaming at a
2107 pari-mutuel facility licensed to possess slot machines and
2108 conduct slot machine gaming or to participate in slot machine
2109 gaming described in this chapter.

2110 Section 37. Subsections (4), (10), and (11) of section
2111 551.102, Florida Statutes, are amended to read:

2112 551.102 Definitions.—As used in this chapter, the term:

2113 (4) "Eligible facility" means a ~~any~~ licensed pari-mutuel
2114 facility located in Miami-Dade County or Broward County existing
2115 at the time of adoption of s. 23, Art. X of the State
2116 Constitution that has conducted live racing or games during
2117 calendar years 2002 and 2003 and has been approved by a majority
2118 of voters in a countywide referendum to have slot machines at
2119 such facility in the respective county, provided that such

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2120 facility may, without the necessity of an additional county
2121 referendum or further live racing, relocate pursuant to s.
2122 550.0555 within such county; any licensed pari-mutuel facility
2123 located within a county as defined in s. 125.011, provided such
2124 facility has conducted live racing for 2 consecutive calendar
2125 years immediately preceding its application for a slot machine
2126 license, pays the required license fee, and meets the other
2127 requirements of this chapter; or any licensed pari-mutuel
2128 facility in any other county in which a majority of voters have
2129 approved slot machines at such facilities in a countywide
2130 referendum which was held before the effective date of this act
2131 or before January 1, 2017 held pursuant to a statutory or
2132 constitutional authorization after the effective date of this
2133 section in the respective county, provided the permit holder at
2134 such facility has conducted a full schedule of live racing for 2
2135 consecutive calendar years immediately preceding its application
2136 for a slot machine license, pays the required license licensed
2137 fee, and meets the other requirements of this chapter. An
2138 eligible facility may not be located within 100 miles of the
2139 Seminole Hard Rock Hotel and Casino-Tampa located at 5223 Orient
2140 Road, Tampa, Florida.

2141 (10) "Slot machine license" means a license issued by the
2142 division authorizing a pari-mutuel permit holder to place and
2143 operate slot machines as provided by ~~s. 23, Art. X of the State~~
2144 ~~Constitution, the provisions of this chapter, and division~~
2145 rules.

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2146 (11) "Slot machine licensee" means a pari-mutuel
2147 permitholder that who holds a slot machine license ~~issued by the~~
2148 ~~division pursuant to this chapter that authorizes such person to~~
2149 ~~possess a slot machine within facilities specified in s. 23,~~
2150 ~~Art. X of the State Constitution and allows slot machine gaming.~~

2151 Section 38. Subsections (2) and (3), paragraph (c) of
2152 subsection (4), and paragraph (a) of subsection (10) of section
2153 551.104, Florida Statutes, are amended to read:

2154 551.104 License to conduct slot machine gaming.—

2155 (2) An application may be approved by the division only:

2156 (a) After the voters of the county where the applicant's
2157 facility is located have authorized by referendum slot machines
2158 within pari-mutuel facilities in that county; or

2159 (b) Pursuant to s. 551.1041 as specified in s. 23, Art. X
2160 of the State Constitution.

2161 (3) (a) A slot machine license may be issued only to a
2162 licensed pari-mutuel permitholder, and slot machine gaming may
2163 be conducted only at the eligible facility at which the
2164 permitholder is authorized under its valid pari-mutuel wagering
2165 permit to conduct pari-mutuel wagering activities.

2166 (b) The division may not issue a slot machine license to
2167 any pari-mutuel permitholder if issuance of the license would
2168 trigger a reduction in revenue-sharing payments under the Gaming
2169 Compact between the Seminole Tribe of Florida and the State of
2170 Florida authorized pursuant to s. 285.710(3)(b).

2171 (c) The division may not issue a slot machine license to

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2172 any pari-mutuel permitholder that includes, or previously
2173 included within its ownership group, an ultimate equitable owner
2174 that was also an ultimate equitable owner of a pari-mutuel
2175 permitholder whose permit was voluntarily or involuntarily
2176 surrendered, suspended, or revoked by the division within 10
2177 years before the date of the permitholder's filing an
2178 application for a slot machine license.

2179 (4) As a condition of licensure and to maintain continued
2180 authority for the conduct of slot machine gaming, the slot
2181 machine licensee shall:

2182 (c)1. For slot machines licensees conducting live racing
2183 or games, conduct no fewer than a full schedule of live racing
2184 or games as defined in s. 550.002(11). A permitholder's
2185 responsibility to conduct such number of live races or games
2186 shall be reduced by the number of races or games that could not
2187 be conducted due to the direct result of fire, war, hurricane,
2188 or other disaster or event beyond the control of the
2189 permitholder. The races or games may be conducted at the
2190 facility of the slot machine licensee or at another pari-mutuel
2191 facility leased pursuant to s. 550.3345.

2192 2. A greyhound racing permitholder is exempt from the live
2193 racing requirement of this subsection if the permitholder
2194 conducted a full schedule of live racing for a period of at
2195 least 10 consecutive state fiscal years after the 2002-2003
2196 state fiscal year.

2197 3. Harness racing and quarter horse racing permitholders

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2198 that have held an operating license for at least 5 years and
2199 either a slot machine license for at least 5 years or a cardroom
2200 license for at least 2 years are exempt from the live racing
2201 requirements of this subsection.

2202 4. Thoroughbred racing permitholders that have had an
2203 operating license for at least 25 years and that operated a slot
2204 machine facility and held a slot machine license for at least 5
2205 years are exempt from the live racing requirements of this
2206 subsection.

2207 (10) (a)1. Unless no live thoroughbred races are conducted
2208 at a licensee's pari-mutuel facility, a ~~no~~ slot machine license
2209 or renewal thereof may not ~~shall~~ be issued to an applicant
2210 holding a permit under chapter 550 to conduct pari-mutuel
2211 wagering meets of thoroughbred racing unless the applicant has
2212 on file with the division a binding written agreement between
2213 the applicant and the Florida Horsemen's Benevolent and
2214 Protective Association, Inc., governing the payment of purses on
2215 live thoroughbred races conducted at the licensee's pari-mutuel
2216 facility. In addition, no slot machine license or renewal
2217 thereof shall be issued to such an applicant unless the
2218 applicant has on file with the division a binding written
2219 agreement between the applicant and the Florida Thoroughbred
2220 Breeders' Association, Inc., governing the payment of breeders',
2221 stallion, and special racing awards on live thoroughbred races
2222 conducted at the licensee's pari-mutuel facility. The agreement
2223 governing purses and the agreement governing awards may direct

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2224 the payment of such purses and awards from revenues generated by
2225 any wagering or gaming the applicant is authorized to conduct
2226 under Florida law. All purses and awards shall be subject to the
2227 terms of chapter 550. All sums for breeders', stallion, and
2228 special racing awards shall be remitted monthly to the Florida
2229 Thoroughbred Breeders' Association, Inc., for the payment of
2230 awards subject to the administrative fee authorized in s.
2231 550.2625(3).

2232 2. Unless no live quarter horse races are conducted at a
2233 licensee's pari-mutuel facility, a ~~no~~ slot machine license or
2234 renewal thereof may not ~~shall~~ be issued to an applicant holding
2235 a permit under chapter 550 to conduct pari-mutuel wagering meets
2236 of quarter horse racing unless the applicant has on file with
2237 the division a binding written agreement between the applicant
2238 and the Florida Quarter Horse Racing Association or the
2239 association representing a majority of the horse owners and
2240 trainers at the applicant's eligible facility, governing the
2241 payment of purses on live quarter horse races conducted at the
2242 licensee's pari-mutuel facility. The agreement governing purses
2243 may direct the payment of such purses from revenues generated by
2244 any wagering or gaming the applicant is authorized to conduct
2245 under Florida law. All purses shall be subject to the terms of
2246 chapter 550.

2247 Section 39. Section 551.1041, Florida Statutes, is created
2248 to read:

2249 551.1041 Slot machine license.-In recognition of the

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2250 important and long-standing economic contribution of the pari-
2251 mutuel industry to this state as a whole and the state's vested
2252 interest in the revenue generated therefrom and promoting the
2253 continued viability of the important statewide agricultural
2254 activities it supports, the Legislature finds that it is in the
2255 state's interest to provide a limited opportunity for the
2256 establishment of an additional slot machine license to be
2257 awarded and renewed annually to a pari-mutuel permitholder
2258 located within a county as defined in s. 125.011.

2259 (1) (a) Within 120 days after the effective date of this
2260 section, any pari-mutuel permitholder that is located within a
2261 county as defined in s. 125.011 and is not a slot machine
2262 licensee may apply pursuant to s. 551.104 to the division for
2263 the slot machine license created by this section.

2264 (b) The application shall be accompanied by a license
2265 application fee of \$2 million, which shall be nonrefundable. The
2266 license application fee shall be deposited into the Pari-mutuel
2267 Wagering Trust Fund of the Department of Business and
2268 Professional Regulation to be used by the division and the
2269 Department of Law Enforcement for investigations, regulation of
2270 slot machine gaming, and enforcement of the slot machine gaming
2271 provisions of this chapter. If the applicant is awarded the
2272 license created pursuant to this section, the license
2273 application fee shall be credited to the license fee required
2274 pursuant to s. 551.106.

2275 (2) If there is more than one applicant for the slot

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2276 machine license created pursuant to this section, the division
2277 shall award the license to the applicant that best meets the
2278 selection criteria, as demonstrated in the application. The
2279 selection criteria include:

2280 (a) The extent to which the proposed slot machine facility
2281 will increase tourism, generate jobs, provide revenue to the
2282 local economy, and provide revenue to the state as evidenced by
2283 an evaluation by the applicant and its partners of their history
2284 in constructing premier facilities with high-quality amenities
2285 that complement the local tourism industry.

2286 (b) The financial history of the applicant and its
2287 partners in making capital investments in slot machine gaming
2288 and pari-mutuel facilities and its bona fide plan for future
2289 community involvement and financial investment.

2290 (c) The history of investment by the applicant and its
2291 partners in the communities in which its previous developments
2292 have been located.

2293 (d) The applicant's ability to purchase and maintain a
2294 surety bond in an amount established by the division, to
2295 represent the projected annual revenues generated by the
2296 proposed slot machine facility.

2297 (e) The applicant's ability to demonstrate the financial
2298 wherewithal to adequately capitalize, develop, construct,
2299 maintain, and operate a proposed slot machine facility, which
2300 shall cost at least \$100 million in costs related to
2301 construction and development of the facility, excluding purchase

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2302 price and costs associated with acquisition of real property and
2303 any impact fees. This shall include the ability to meet any
2304 projected secured and unsecured debt obligations and complete
2305 construction within 2 years after the awarding of the slot
2306 machine license.

2307 (f) The applicant's ability to implement a program to
2308 train and employ residents of South Florida at the facility and
2309 contract with local business owners for goods and services.

2310 (g) The ability of the applicant and its partners to
2311 generate substantial gross gaming revenue after the award of
2312 gaming licenses.

2313 (3) (a) Notwithstanding the timelines set forth in s.
2314 120.60, the division shall complete its evaluation within 120
2315 days after the submission of applications and notice its intent
2316 to award the license within that timeframe. Within 30 days after
2317 the submission of an application, the division shall issue, if
2318 necessary, requests for additional information or any notices of
2319 deficiency to the license applicant. The applicant shall have 15
2320 days to respond to such requests or notices. Failure to properly
2321 respond and provide sufficient information or correct identified
2322 deficiencies shall serve as grounds for denial of the
2323 application.

2324 (b) Any protest of the intent to award the license must be
2325 submitted within 3 business days after the issuance of the
2326 notice of intent to award and shall be forwarded to the Division
2327 of Administrative Hearings which shall conduct an administrative

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2328 hearing before an administrative law judge regarding the protest
2329 within 30 days after the notice of intent to award. The
2330 administrative law judge shall issue a proposed recommended
2331 order not more than 30 days after the completion of the final
2332 hearing. The division shall issue a final order within 15 days
2333 after receipt of the proposed recommended order.

2334 (c) Any appeal of a license denial shall be made to the
2335 First District Court of Appeal.

2336 (4) The division may adopt emergency rules pursuant to s.
2337 120.54 to implement this section. The Legislature finds that
2338 such emergency rulemaking power is necessary for the
2339 preservation of the rights and welfare of the people in order to
2340 provide additional funds to benefit the public. The Legislature
2341 further finds that the unique nature of the competitive award of
2342 the slot machine license under this section requires that the
2343 department respond as quickly as is practicable to implement
2344 these provisions. Therefore, in adopting such emergency rules,
2345 the division need not make the findings required by s.
2346 120.54(4)(a). Emergency rules adopted under this section are
2347 exempt from s. 120.54(4)(c) and shall remain in effect until
2348 replaced by other emergency rules or by rules adopted under the
2349 nonemergency rulemaking procedures of the Administrative
2350 Procedure Act.

2351 Section 40. Section 551.1044, Florida Statutes, is created
2352 to read:

2353 551.1044 House banked blackjack table games authorized.-

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2354 (1) Notwithstanding the provisions of s. 849.086(13) (a),
2355 the pari-mutuel permitholder of each of the following pari-
2356 mutuel wagering facilities may operate up to 25 house banked
2357 blackjack table games at the permitholder's facility:

2358 (a) A licensed pari-mutuel facility at which live racing
2359 or games were conducted during calendar years 2002 and 2003,
2360 located in Miami-Dade County or Broward County, and authorized
2361 for slot machine licensure pursuant to s. 23, Art. X of the
2362 State Constitution.

2363 (b) A licensed pari-mutuel facility where a full schedule
2364 of live racing has been conducted for 2 consecutive calendar
2365 years immediately preceding its application for a slot machine
2366 license and located within a county as defined in s. 125.011.

2367 (2) Wagers on authorized house banked blackjack table
2368 games may not exceed \$25 for each initial two card wager.
2369 Subsequent wagers on splits or double downs are allowed but may
2370 not exceed the initial two card wager. Single side bets of not
2371 more than \$5 are allowed.

2372 (3) Each pari-mutuel permitholder offering banked
2373 blackjack pursuant to this section shall pay a tax to the state
2374 of 10 percent of the blackjack operation's monthly gross
2375 receipts. All provisions of s. 849.086(14), except s.
2376 849.086(14) (b), shall apply to taxes owed pursuant to this
2377 section.

2378 Section 41. Subsections (3) through (5) of section
2379 551.106, Florida Statutes, are renumbered as subsections (4)

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2380 through (6), respectively, paragraph (a) of subsection (2) is
2381 amended, and a new subsection (3) is added to that section, to
2382 read:

2383 551.106 License fee; tax rate; penalties.—

2384 (2) TAX ON SLOT MACHINE REVENUES.—

2385 (a) The tax rate on slot machine revenues at each facility
2386 shall be 35 percent. Effective January 1, 2017, the tax rate on
2387 slot machine revenues at each facility shall be 30 percent.

2388 However, notwithstanding s. 551.114(1), a slot machine licensee
2389 offering slot machines for play that agrees and elects to

2390 permanently reduce its authorized total number of slot machines
2391 to up to 1,700 and attests to do so in its annual license

2392 renewal application approved by the division on or before July
2393 1, 2017, shall have a tax rate on slot machine revenues at such

2394 facility of 25 percent effective July 1, 2017. Slot machine

2395 licensees licensed after the effective date of this act shall

2396 have a tax rate on slot machine revenues at such facility of 25

2397 percent effective July 1, 2017. ~~If, during any state fiscal~~

2398 ~~year, the aggregate amount of tax paid to the state by all slot~~

2399 ~~machine licensees in Broward and Miami-Dade Counties is less~~

2400 ~~than the aggregate amount of tax paid to the state by all slot~~

2401 ~~machine licensees in the 2008-2009 fiscal year, each slot~~

2402 ~~machine licensee shall pay to the state within 45 days after the~~

2403 ~~end of the state fiscal year a surcharge equal to its pro rata~~

2404 ~~share of an amount equal to the difference between the aggregate~~

2405 ~~amount of tax paid to the state by all slot machine licensees in~~

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2406 ~~the 2008-2009 fiscal year and the amount of tax paid during the~~
2407 ~~fiscal year. Each licensee's pro rata share shall be an amount~~
2408 ~~determined by dividing the number 1 by the number of facilities~~
2409 ~~licensed to operate slot machines during the applicable fiscal~~
2410 ~~year, regardless of whether the facility is operating such~~
2411 ~~machines.~~

2412 (3) NEW FACILITY GUARANTEE FEE.-

2413 (a) For any slot machine licensee located within a county
2414 that has conducted a successful slot machine referendum after
2415 January 1, 2012, the following aggregate tax payment guarantee
2416 shall apply in a pro rata amount pursuant to paragraph (b):

2417 1. Thirty-four million seven hundred fifty thousand
2418 dollars for the 2018-2019 fiscal year;

2419 2. Sixty-nine million five hundred thousand dollars for
2420 the 2019-2020 fiscal year; and

2421 3. One hundred twenty-one million four hundred thousand
2422 dollars for the 2020-2021 fiscal year and for every fiscal year
2423 thereafter.

2424 (b) Each slot machine licensee located within a county
2425 that has conducted a successful slot machine referendum after
2426 January 1, 2012, shall pay to the state within 45 days after the
2427 end of the state fiscal year a surcharge equal to its pro rata
2428 share of an amount equal to the difference between the tax
2429 payment guarantee in paragraph (a) and the aggregate amount of
2430 tax paid during the immediately preceding fiscal year by all
2431 slot machine licensees located within counties which conducted a

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2432 successful slot machine referendum after January 1, 2012. No
2433 such slot machine licensee is responsible for a pro rata share
2434 of more than 25 percent of the aggregate difference, if
2435 applicable, in any fiscal year.

2436 Section 42. Subsections (1), (2), and (4) of section
2437 551.114, Florida Statutes, are amended to read:

2438 551.114 Slot machine gaming areas.—

2439 (1) (a) The cumulative total of slot machines made
2440 available for play by all slot machine licensees in this state
2441 may not exceed 16,000 machines. If the division determines that
2442 the statewide cumulative total exceeds 16,000 machines, no
2443 licensee may add any additional slot machines at its facility;
2444 however, no facility shall be required to remove any slot
2445 machines already located in the facility. The division may adopt
2446 rules to administer this paragraph.

2447 (b) Except as provided in paragraph (c) or s.
2448 551.106(2) (a), a slot machine licensee may make available for
2449 play up to 1,850 ~~2,000~~ slot machines within the property of the
2450 facilities of the slot machine licensee.

2451 (c) Effective January 1, 2017, a slot machine licensee
2452 operating at a facility authorized after the effective date of
2453 this act may make available for play up to 1,000 slot machines.
2454 Effective October 1, 2018, such licensee may make available for
2455 play up to 1,500 slot machines.

2456 (2) The slot machine licensee shall display pari-mutuel
2457 races or games within the designated slot machine gaming areas

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2458 and offer patrons within the designated slot machine gaming
2459 areas the ability to engage in pari-mutuel wagering on any live,
2460 intertrack, and simulcast races conducted or offered to patrons
2461 of the licensed facility.

2462 (4) Designated slot machine gaming areas may be located
2463 within the current live gaming facility or in an existing
2464 building that is ~~must be~~ contiguous and connected to the live
2465 gaming facility. If a designated slot machine gaming area is to
2466 be located in a building that is to be constructed, that new
2467 building must be contiguous and connected to the live gaming
2468 facility. For any permit holder licensed to conduct pari-mutuel
2469 activities pursuant to a current year's operating license that
2470 does not require live performances, designated slot machine
2471 gaming areas may be located only within the eligible facility
2472 licensed pursuant to s. 551.104.

2473 Section 43. Section 551.116, Florida Statutes, is amended
2474 to read:

2475 551.116 Days and hours of operation.—Slot machine gaming
2476 areas may be open daily throughout the year. The slot machine
2477 gaming areas may be open ~~a cumulative amount of 18 hours per day~~
2478 ~~on Monday through Friday and 24 hours per day on Saturday and~~
2479 ~~Sunday and on those holidays specified in s. 110.117(1).~~

2480 Section 44. Section 551.121, Florida Statutes, is amended
2481 to read:

2482 551.121 Prohibited activities and devices; exceptions.—
2483 ~~(1) Complimentary or reduced-cost alcoholic beverages may~~

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2484 ~~not be served to persons playing a slot machine. Alcoholic~~
2485 ~~beverages served to persons playing a slot machine shall cost at~~
2486 ~~least the same amount as alcoholic beverages served to the~~
2487 ~~general public at a bar within the facility.~~

2488 (1)~~(2)~~ A slot machine licensee may not make any loan,
2489 provide credit, or advance cash in order to enable a person to
2490 play a slot machine. This subsection shall not prohibit
2491 automated ticket redemption machines that dispense cash
2492 resulting from the redemption of tickets from being located in
2493 the designated slot machine gaming area of the slot machine
2494 licensee.

2495 ~~(3) A slot machine licensee may not allow any automated~~
2496 ~~teller machine or similar device designed to provide credit or~~
2497 ~~dispense cash to be located within the designated slot machine~~
2498 ~~gaming areas of a facility of a slot machine licensee.~~

2499 (2)~~(4)~~(a) A slot machine licensee may not accept or cash
2500 any check from any person within the designated slot machine
2501 gaming areas of a facility of a slot machine licensee.

2502 (b) Except as provided in paragraph (c) for employees of
2503 the facility, a slot machine licensee or operator shall not
2504 accept or cash for any person within the property of the
2505 facility any government-issued check, third-party check, or
2506 payroll check made payable to an individual.

2507 (c) Outside the designated slot machine gaming areas, a
2508 slot machine licensee or operator may accept or cash a check for
2509 an employee of the facility who is prohibited from wagering on a

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2510 slot machine under s. 551.108(5), a check made directly payable
2511 to a person licensed by the division, or a check made directly
2512 payable to the slot machine licensee or operator from:

- 2513 1. A pari-mutuel patron; or
2514 2. A pari-mutuel facility in this state or in another
2515 state.

2516 (d) Unless accepting or cashing a check is prohibited by
2517 this subsection, nothing shall prohibit a slot machine licensee
2518 or operator from accepting and depositing in its accounts checks
2519 received in the normal course of business.

2520 ~~(3)-(5)~~ A slot machine, or the computer operating system
2521 linking the slot machine, may be linked by any means to any
2522 other slot machine or computer operating system within the
2523 facility of a slot machine licensee. A progressive system may be
2524 used in conjunction with slot machines between licensed
2525 facilities in Florida or in other jurisdictions.

2526 ~~(4)-(6)~~ A slot machine located within a licensed facility
2527 shall accept only tickets or paper currency or an electronic
2528 payment system for wagering and return or deliver payouts to the
2529 player in the form of tickets that may be exchanged for cash,
2530 merchandise, or other items of value. The use of coins, credit
2531 or debit cards, tokens, or similar objects is specifically
2532 prohibited. However, an electronic credit system may be used for
2533 receiving wagers and making payouts.

2534 Section 45. Subsections (9) through (17) of section
2535 849.086, Florida Statutes, are renumbered as subsections (10)

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2536 through (18), respectively, a new subsection (9) is added to
2537 that section, and subsection (2), paragraphs (a) and (b) of
2538 subsection (5), paragraph (b) of subsection (7), paragraphs (d)
2539 and (h) of present subsection (13), and present subsections (16)
2540 and (17) of that section are amended, to read:

2541 849.086 Cardrooms authorized.—

2542 (2) DEFINITIONS.—As used in this section:

2543 (a) "Authorized game" means a game or series of games of
2544 poker, including designated player poker games, or dominoes
2545 which are played in conformance with this section and in which
2546 hands are ranked consistent with the definition of traditional
2547 poker hand rankings provided in the 1974 edition of Hoyle's
2548 Modern Encyclopedia of Card Games ~~a nonbanking manner.~~

2549 (b) "Banking game" means a game in which the house is a
2550 participant in the game, taking on players, paying winners, and
2551 collecting from losers or in which the cardroom establishes a
2552 bank against which participants play. The term does not include
2553 a designated player poker game if played in accordance with this
2554 chapter and if hands are ranked consistent with the definition
2555 of traditional poker hand rankings provided in the 1974 edition
2556 of Hoyle's Modern Encyclopedia of Card Games.

2557 (c) "Cardroom" means a facility where authorized games are
2558 played for money or anything of value and to which the public is
2559 invited to participate in such games and charged a fee for
2560 participation by the operator of such facility. Authorized games
2561 and cardrooms do not constitute casino gaming operations.

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2562 (d) "Cardroom management company" means any individual not
2563 an employee of the cardroom operator, any proprietorship,
2564 partnership, corporation, or other entity that enters into an
2565 agreement with a cardroom operator to manage, operate, or
2566 otherwise control the daily operation of a cardroom.

2567 (e) "Cardroom distributor" means any business that
2568 distributes cardroom paraphernalia such as card tables, betting
2569 chips, chip holders, dominoes, dominoes tables, drop boxes,
2570 banking supplies, playing cards, card shufflers, and other
2571 associated equipment to authorized cardrooms.

2572 (f) "Cardroom operator" means a licensed pari-mutuel
2573 permitholder which holds a valid permit and license issued by
2574 the division pursuant to chapter 550 and which also holds a
2575 valid cardroom license issued by the division pursuant to this
2576 section which authorizes such person to operate a cardroom and
2577 to conduct authorized games in such cardroom.

2578 (g) "Designated player" means the player identified as the
2579 player in the dealer position, seated at a traditional player
2580 position in a designated player poker game, who pays winning
2581 players and collects from losing players, but is not required to
2582 cover all wagers.

2583 (h) "Designated player poker game" means a game consisting
2584 of at least three cards in which the players compare their cards
2585 only to the cards of the designated player, and in which hands
2586 are ranked consistent with the definition of traditional poker
2587 hand rankings provided in the 1974 edition of Hoyle's Modern

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2588 Encyclopedia of Card Games.

2589 (i)~~(g)~~ "Division" means the Division of Pari-mutuel
2590 Wagering of the Department of Business and Professional
2591 Regulation.

2592 (j)~~(h)~~ "Dominoes" means a game of dominoes typically
2593 played with a set of 28 flat rectangular blocks, called "bones,"
2594 which are marked on one side and divided into two equal parts,
2595 with zero to six dots, called "pips," in each part. The term
2596 also includes larger sets of blocks that contain a
2597 correspondingly higher number of pips. The term also means the
2598 set of blocks used to play the game.

2599 (k)~~(i)~~ "Gross receipts" means the total amount of money
2600 received by a cardroom from any person for participation in
2601 authorized games.

2602 (l)~~(j)~~ "House" means the cardroom operator and all
2603 employees of the cardroom operator.

2604 (m)~~(k)~~ "Net proceeds" means the total amount of gross
2605 receipts received by a cardroom operator from cardroom
2606 operations less direct operating expenses related to cardroom
2607 operations, including labor costs, admission taxes only if a
2608 separate admission fee is charged for entry to the cardroom
2609 facility, gross receipts taxes imposed on cardroom operators by
2610 this section, the annual cardroom license fees imposed by this
2611 section on each table operated at a cardroom, and reasonable
2612 promotional costs excluding officer and director compensation,
2613 interest on capital debt, legal fees, real estate taxes, bad

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2614 debts, contributions or donations, or overhead and depreciation
2615 expenses not directly related to the operation of the cardrooms.

2616 ~~(n)-(1)~~ "Rake" means a set fee or percentage of the pot
2617 assessed by a cardroom operator for providing the services of a
2618 dealer, table, or location for playing the authorized game.

2619 ~~(o)-(m)~~ "Tournament" means a series of games that have more
2620 than one betting round involving one or more tables and where
2621 the winners or others receive a prize or cash award.

2622 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
2623 operate a cardroom in this state unless such person holds a
2624 valid cardroom license issued pursuant to this section.

2625 (a) Only those persons holding a valid cardroom license
2626 issued by the division may operate a cardroom. A cardroom
2627 license may only be issued to a licensed pari-mutuel
2628 permitholder and an authorized cardroom may only be operated at
2629 the same facility at which the permitholder is authorized under
2630 its valid pari-mutuel wagering permit to conduct pari-mutuel
2631 wagering activities. An initial cardroom license shall be issued
2632 to a pari-mutuel permitholder only after its facilities are in
2633 place and after it conducts its first day of live racing or
2634 games, except for a summer jai alai permitholder receiving its
2635 initial cardroom license.

2636 (b)1. After the initial cardroom license is granted, the
2637 application for the annual license renewal shall be made in
2638 conjunction with the applicant's annual application for its
2639 pari-mutuel operating license. Except as provided in

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2640 subparagraphs 2., 3., and 4., and except for any facility
2641 licensed in accordance with s. 551.1041, ~~If a permitholder has~~
2642 ~~operated a cardroom during any of the 3 previous fiscal years~~
2643 ~~and fails to include a renewal request for the operation of the~~
2644 ~~cardroom in its annual application for license renewal, the~~
2645 ~~permitholder may amend its annual application to include~~
2646 ~~operation of the cardroom.~~ in order for a cardroom license to be
2647 renewed the applicant must have requested, as part of its pari-
2648 mutuel annual operating license application, to conduct at least
2649 90 percent of the total number of live performances conducted by
2650 such permitholder during either the state fiscal year in which
2651 its initial cardroom license was issued or the state fiscal year
2652 immediately prior thereto if the permitholder ran at least a
2653 full schedule of live racing or games in the prior year. Except
2654 as provided in subparagraphs 2., 3., and 4. and except for any
2655 facility licensed in accordance with s. 551.1041, ~~If the~~
2656 ~~application is for a harness permitholder cardroom, the~~
2657 ~~applicant must have requested authorization to conduct a minimum~~
2658 ~~of 140 live performances during the state fiscal year~~
2659 ~~immediately prior thereto.~~ if more than one permitholder is
2660 operating at a facility, each permitholder must have applied for
2661 a license to conduct a full schedule of live racing.

2662 2. A greyhound racing permitholder is exempt from the live
2663 racing requirements of this subsection if it conducted a full
2664 schedule of live racing for a period of at least 10 consecutive
2665 state fiscal years after the 1996-1997 state fiscal year, or if

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2666 it converted its permit to a permit to conduct greyhound racing
2667 after that fiscal year. However, as a condition of cardroom
2668 licensure, greyhound racing permitholders who are not conducting
2669 a full schedule of live racing must conduct intertrack wagering
2670 on thoroughbred signals, to the extent available, on each day of
2671 cardroom operation.

2672 3. Harness racing and quarter horse racing permitholders
2673 that have held an operating license for at least 5 years and a
2674 cardroom license for at least 2 years are exempt from the live
2675 racing requirements of this subsection.

2676 4. Thoroughbred racing permitholders that have had an
2677 operating license for at least 25 years, and that operated a
2678 slot machine facility and held a slot machine license for at
2679 least 5 years are exempt from the live racing requirements of
2680 this subsection.

2681 (7) CONDITIONS FOR OPERATING A CARDROOM.—

2682 (b) Any cardroom operator may operate a cardroom at the
2683 pari-mutuel facility daily throughout the year, if the
2684 permitholder meets the requirements under paragraph (5) (b). The
2685 cardroom may be open ~~a cumulative amount of 18 hours per day on~~
2686 ~~Monday through Friday and 24 hours per day on Saturday and~~
2687 ~~Sunday and on the holidays specified in s. 110.117(1).~~

2688 (9) DESIGNATED PLAYER POKER GAMES AUTHORIZED.—

2689 (a) The division may authorize a cardroom operator to
2690 offer designated player poker games as defined in this section.

2691 (b) The designated player must occupy a playing position

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2692 at the table and may not be required to cover all wagers for
2693 players seated during a single game.

2694 (c) The cardroom operator may not serve as a designated
2695 player in any game. The cardroom operator may not have any
2696 direct or indirect financial or pecuniary interest in a
2697 designated player in any game.

2698 (d) Designated player poker games offered by a cardroom
2699 operator may not make up more than 50 percent of the total
2700 authorized game tables at the cardroom.

2701 (e) The division may only authorize cardroom operators to
2702 conduct designated player poker games if such games would not
2703 trigger a reduction in revenue-sharing payments under the Gaming
2704 Compact between the Seminole Tribe of Florida and the State of
2705 Florida.

2706 (14)(13) TAXES AND OTHER PAYMENTS.-

2707 (d)1. Each ~~greyhound and jai alai~~ permitholder that
2708 operates a cardroom facility and is licensed to conduct at least
2709 a full schedule of live racing or games shall use at least 4
2710 percent of such permitholder's cardroom monthly gross receipts
2711 to supplement ~~greyhound~~ purses or jai alai prize money,
2712 respectively, during the permitholder's current or next ensuing
2713 pari-mutuel meet.

2714 2. Each ~~thoroughbred and harness horse racing~~ permitholder
2715 that operates a cardroom facility and is not licensed to conduct
2716 at least a full schedule of live racing or games shall pay 4
2717 percent of such permitholder's cardroom monthly gross receipts

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2718 to the division for use in the thoroughbred purse supplement
2719 program established by s. 550.1752 shall use at least 50 percent
2720 of such permitholder's cardroom monthly net proceeds as follows:
2721 47 percent to supplement purses and 3 percent to supplement
2722 breeders' awards during the permitholder's next ensuing racing
2723 meet.

2724 ~~3. No cardroom license or renewal thereof shall be issued~~
2725 ~~to an applicant holding a permit under chapter 550 to conduct~~
2726 ~~pari-mutuel wagering meets of quarter horse racing unless the~~
2727 ~~applicant has on file with the division a binding written~~
2728 ~~agreement between the applicant and the Florida Quarter Horse~~
2729 ~~Racing Association or the association representing a majority of~~
2730 ~~the horse owners and trainers at the applicant's eligible~~
2731 ~~facility, governing the payment of purses on live quarter horse~~
2732 ~~races conducted at the licensee's pari-mutuel facility. The~~
2733 ~~agreement governing purses may direct the payment of such purses~~
2734 ~~from revenues generated by any wagering or gaming the applicant~~
2735 ~~is authorized to conduct under Florida law. All purses shall be~~
2736 ~~subject to the terms of chapter 550.~~

2737 (h) One-quarter of the moneys deposited into the Pari-
2738 mutuel Wagering Trust Fund pursuant to paragraph (g) shall, by
2739 October 1 of each year, be distributed to the local government
2740 that approved the cardroom under subsection (17) ~~(16)~~; however,
2741 if two or more pari-mutuel racetracks are located within the
2742 same incorporated municipality, the cardroom funds shall be
2743 distributed to the municipality. If a pari-mutuel facility is

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2744 situated in such a manner that it is located in more than one
2745 county, the site of the cardroom facility shall determine the
2746 location for purposes of disbursement of tax revenues under this
2747 paragraph. The division shall, by September 1 of each year,
2748 determine: the amount of taxes deposited into the Pari-mutuel
2749 Wagering Trust Fund pursuant to this section from each cardroom
2750 licensee; the location by county of each cardroom; whether the
2751 cardroom is located in the unincorporated area of the county or
2752 within an incorporated municipality; and, the total amount to be
2753 distributed to each eligible county and municipality.

2754 ~~(17)~~(16) LOCAL GOVERNMENT APPROVAL.—The Division of Pari-
2755 mutuel Wagering may ~~shall~~ not issue any initial license under
2756 this section except upon proof in such form as the division may
2757 prescribe that the local government where the applicant for such
2758 license desires to conduct cardroom gaming has voted to approve
2759 such activity by a majority vote of the governing body of the
2760 municipality or the governing body of the county if the facility
2761 is not located in a municipality.

2762 ~~(18)~~(17) CHANGE OF LOCATION; ~~REFERENDUM.~~—

2763 ~~(a)~~ Notwithstanding any provisions of this section, a ~~no~~
2764 cardroom gaming license issued under this section may not ~~shall~~
2765 be transferred, or reissued when such reissuance is in the
2766 nature of a transfer, so as to permit or authorize a licensee to
2767 change the location of the cardroom, except that a permitholder
2768 that relocated pursuant to s. 550.0555(2)(a), s. 550.0555(2)(b),
2769 or s. 550.3345 is entitled to a cardroom license at the new

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2770 location. ~~except upon proof in such form as the division may~~
2771 ~~prescribe that a referendum election has been held:~~

2772 1. ~~If the proposed new location is within the same county~~
2773 ~~as the already licensed location, in the county where the~~
2774 ~~licensee desires to conduct cardroom gaming and that a majority~~
2775 ~~of the electors voting on the question in such election voted in~~
2776 ~~favor of the transfer of such license. However, the division~~
2777 ~~shall transfer, without requirement of a referendum election,~~
2778 ~~the cardroom license of any permit holder that relocated its~~
2779 ~~permit pursuant to s. 550.0555.~~

2780 2. ~~If the proposed new location is not within the same~~
2781 ~~county as the already licensed location, in the county where the~~
2782 ~~licensee desires to conduct cardroom gaming and that a majority~~
2783 ~~of the electors voting on that question in each such election~~
2784 ~~voted in favor of the transfer of such license.~~

2785 (b) ~~The expense of each referendum held under the~~
2786 ~~provisions of this subsection shall be borne by the licensee~~
2787 ~~requesting the transfer.~~

2788 Section 46. The Division of Pari-mutuel Wagering of the
2789 Department of Business and Professional Regulation shall revoke
2790 any permit to conduct pari-mutuel wagering if a permit holder has
2791 not conducted live events within the 24 months immediately
2792 preceding the effective date of this act, unless the permit was
2793 issued on or after July 1, 2015. A permit revoked under this
2794 section may not be reissued.

2795 Section 47. If any provision of this act or its

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2796 application to any person or circumstance is held invalid, the
2797 invalidity does not affect other provisions or applications of
2798 this act which can be given effect without the invalid provision
2799 or application, and to this end the provisions of this act are
2800 severable.

2801 Section 48. For the 2016-2017 fiscal year, the sum of
2802 \$150,000 in recurring funds from the Pari-Mutuel Wagering Trust
2803 Fund is appropriated to the Department of Business and
2804 Professional Regulation, and the associated salary rate of
2805 45,000 is authorized, for the purpose of implementing the state
2806 oversight responsibilities of this act.

2807 Section 49. Except for the amendments made by this act to
2808 ss. 285.710(1) and 285.710(3), Florida Statutes, which shall
2809 take effect upon this act becoming a law, the amendments made by
2810 this act to chapters 285, 546, 550, 551, and 849, Florida
2811 Statutes, are contingent upon the December 7, 2015, Gaming
2812 Compact becoming effective pursuant to s. 285.710(3)(c), Florida
2813 Statutes, as amended by this act, and shall not take effect if
2814 such Gaming Compact does not become effective.

2815 Section 50. Except as otherwise expressly provided in this
2816 act, this act shall take effect July 1, 2016, or upon approval
2817 by the United States Department of the Interior of the December
2818 7, 2015, Gaming Compact ratified pursuant to s. 285.710, Florida
2819 Statutes, as amended by this act, whichever occurs later.

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Amendment No.

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

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to gaming; amending s. 285.710, F.S.; ratifying and approving the Gaming Compact between the Seminole Tribe of Florida and the State of Florida provided certain conditions are met; superseding a prior compact; directing the Governor to cooperate with the Tribe in seeking approval of the compact from the United States Secretary of the Interior; expanding the games authorized to be conducted and the counties in which such games may be offered; providing for a portion of the amount paid by the Tribe to the state to be designated as the thoroughbred purse pool share; directing the state compliance agency to determine calculations for the thoroughbred purse pool share distributions; amending s. 285.712, F.S.; correcting a citation; creating s. 546.11, F.S.; providing a short title; creating s. 546.12, F.S.; providing legislative findings and intent; creating s. 546.13, F.S.; providing definitions; creating s. 546.14, F.S.; requiring contest operators to obtain licenses from the Division of Regulation of the Department of Business and Professional Regulation to conduct fantasy contests in the state; providing an application fee and annual license renewal fees;

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Amendment No.

2848 providing application requirements; requiring the
2849 division to approve or deny a license within a
2850 specified timeframe; providing that a complete
2851 application is deemed approved under certain
2852 circumstances; providing that persons or entities are
2853 not eligible for licensure under certain
2854 circumstances; requiring a contest operator to provide
2855 evidence of a surety bond; requiring the surety bond
2856 to be kept during the term of the license and any
2857 renewal term thereafter; creating s. 546.15, F.S.;
2858 requiring contest operators to implement certain
2859 procedures; requiring contest operators to contract
2860 for independent audits and to annually submit the
2861 results to the division; requiring contest operators
2862 to coordinate with a compulsive or addictive behavior
2863 prevention program and provide training to employees;
2864 requiring the division to contract for services
2865 related to the prevention of compulsive or addictive
2866 behavior; creating s. 546.16, F.S.; authorizing the
2867 division to adopt rules and perform certain duties;
2868 authorizing the division to suspend, revoke, or deny a
2869 license for certain violations; creating s. 546.17,
2870 F.S.; requiring contest operators to keep and maintain
2871 daily records and to make such records available for
2872 inspection; requiring contest operators to file a
2873 quarterly report; creating s. 546.18, F.S.; providing

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Amendment No.

2874 penalties; authorizing the division or the Department
2875 of Legal Affairs to bring certain civil actions;
2876 creating s. 546.19, F.S.; providing that specified
2877 provisions of chapter 849, F.S., relating to gambling
2878 offenses, do not apply to fantasy contest operators
2879 complying with certain requirements or to
2880 noncommercial contest operators; prohibiting the
2881 Division of Regulation from penalizing an unlicensed
2882 contest operator for a specified period of time;
2883 amending s. 550.002, F.S.; revising the definition of
2884 the term "full schedule of live racing or games";
2885 providing definitions for purposes of the Florida
2886 Pari-mutuel Wagering Act; amending s. 550.01215, F.S.;
2887 revising provisions for applications for pari-mutuel
2888 operating licenses; authorizing a greyhound racing
2889 permitholder to specify certain information on its
2890 application; authorizing a greyhound racing
2891 permitholder to receive an operating license to
2892 conduct pari-mutuel wagering activities at another
2893 permitholder's greyhound racing facility; authorizing
2894 the Division of Pari-mutuel Wagering of the Department
2895 of Business and Professional Regulation to approve
2896 changes in racing dates for greyhound racing
2897 permitholders under certain circumstances; exempting
2898 certain permitholders from specified live racing
2899 requirements; providing requirements for licensure of

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Amendment No.

2900 certain jai alai permitholders; deleting a provision
2901 for conversion of certain converted permits to jai
2902 alai permits; authorizing certain thoroughbred racing
2903 permitholders to apply to conduct live performances
2904 under certain conditions; amending s. 550.0251, F.S.;
2905 requiring the division to annually report to the
2906 Governor and the Legislature; specifying requirements
2907 for the content of the report; amending s. 550.054,
2908 F.S.; requiring the division to revoke a pari-mutuel
2909 wagering operating permit under certain circumstances;
2910 prohibiting issuance or approval of new pari-mutuel
2911 permits after a specified date; providing exceptions;
2912 authorizing a permitholder to apply to the division to
2913 place a permit in inactive status; revising provisions
2914 that prohibit transfer or assignment of a pari-mutuel
2915 permit; prohibiting transfer or assignment of a pari-
2916 mutuel permit or license under certain conditions;
2917 prohibiting relocation of a pari-mutuel facility,
2918 cardroom, or slot machine facility or conversion of
2919 pari-mutuel permits to a different class; providing
2920 for an exception; deleting provisions for certain
2921 converted permits; amending s. 550.0555, F.S.;
2922 revising provisions for the relocation of certain jai
2923 alai and greyhound racing permits; repealing s.
2924 550.0745, F.S., relating to the conversion of pari-
2925 mutuel permits to summer jai alai permits; amending s.

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Amendment No.

2926 550.0951, F.S.; deleting provisions for specified tax
2927 credits for a greyhound racing permitholder; revising
2928 the tax on handle for live greyhound racing and
2929 intertrack wagering if the host track is a greyhound
2930 track; amending s. 550.09512, F.S.; providing for the
2931 revocation of certain harness horse racing permits;
2932 specifying that a revoked permit may not be reissued;
2933 amending s. 550.09514, F.S.; deleting certain
2934 provisions that prohibit tax on handle until a
2935 specified amount of tax savings have resulted;
2936 revising purse requirements of a greyhound racing
2937 permitholder that conducts live racing; amending s.
2938 550.09515, F.S.; providing for the revocation of
2939 certain thoroughbred racing permits; specifying that a
2940 revoked permit may not be reissued; removing an
2941 obsolete provision; amending s. 550.1625, F.S.;
2942 deleting the requirement that a greyhound racing
2943 permitholder pay the breaks tax; repealing s.
2944 550.1647, F.S., relating to unclaimed tickets and
2945 breaks held by greyhound racing permitholders;
2946 amending s. 550.1648, F.S.; revising requirements for
2947 a greyhound racing permitholder to provide a greyhound
2948 adoption booth at its facility; requiring
2949 sterilization of greyhounds before adoption;
2950 authorizing the fee for such sterilization to be
2951 included in the cost of adoption; defining the term

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Amendment No.

2952 "bona fide organization that promotes or encourages
2953 the adoption of greyhounds"; creating s. 550.1752,
2954 F.S.; providing for a thoroughbred purse supplement
2955 program in the division; providing for funding and
2956 distribution of such funds; authorizing the division
2957 to adopt rules; creating s. 550.2416, F.S.; requiring
2958 injuries to racing greyhounds to be reported within a
2959 certain timeframe on a form adopted by the division;
2960 requiring such form to be completed and signed under
2961 oath or affirmation by certain individuals; providing
2962 penalties; specifying information that must be
2963 included in the form; requiring the division to
2964 maintain the forms as public records for a specified
2965 time; specifying disciplinary action that may be taken
2966 against a licensee of the Department of Business and
2967 Professional Regulation who fails to report an injury
2968 or who makes false statements on an injury form;
2969 exempting injuries to certain animals from reporting
2970 requirements; requiring the division to adopt rules;
2971 amending s. 550.26165, F.S.; conforming a cross-
2972 reference; amending s. 550.334, F.S.; revising a
2973 requirement for quarter horse racing permitholders to
2974 conduct intertrack wagering; amending s. 550.3345,
2975 F.S.; revising provisions for a permit previously
2976 converted from a quarter horse racing permit to a
2977 limited thoroughbred racing permit; amending s.

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Amendment No.

2978 550.3551, F.S.; revising conditions for receiving and
2979 accepting wagers on out-of-state broadcasts of races
2980 and games; deleting a requirement that a harness
2981 permitholder conduct a certain number of races;
2982 deleting a provision that limits the number of out-of-
2983 state races on which wagers are accepted by a
2984 greyhound racing permitholder; amending s. 550.5251,
2985 F.S.; revising the period within which a thoroughbred
2986 racing permitholder must file its application to
2987 conduct thoroughbred racing meetings; amending s.
2988 550.615, F.S.; revising requirements for conducting
2989 intertrack wagering; amending s. 550.6305, F.S.;
2990 revising provisions requiring certain simulcast
2991 signals be made available to certain permitholders;
2992 providing for certain permitholders of a converted
2993 permit to accept wagers on certain rebroadcasts;
2994 amending s. 550.6308, F.S.; revising conditions for a
2995 person licensed to conduct public sales of
2996 thoroughbred horses to obtain a limited intertrack
2997 wagering license; revising provisions for such
2998 wagering; amending s. 551.101, F.S.; revising
2999 provisions that authorize slot machine gaming at
3000 certain facilities; amending s. 551.102, F.S.;
3001 revising the definition of the terms "eligible
3002 facility," "slot machine license," and "slot machine
3003 licensee" for purposes of provisions relating to slot

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Amendment No.

3004 machines; prohibiting locating eligible facilities in
3005 certain areas; amending s. 551.104, F.S.; revising
3006 provisions for approval of a license to conduct slot
3007 machine gaming; specifying that certain permitholders
3008 are not required to conduct a full schedule of live
3009 racing to receive and maintain a license to conduct
3010 slot machine gaming; conforming provisions relating to
3011 payment of purses; creating s. 551.1041, F.S.;
3012 authorizing the division to grant one additional slot
3013 machine license to a facility in a specified county;
3014 providing for award of such license if more than one
3015 permitholder applies; providing procedures;
3016 authorizing the division to adopt emergency rules;
3017 creating s. 551.1044, F.S.; providing for certain
3018 pari-mutuel facilities to operate house-banked
3019 blackjack table games; providing a tax; providing for
3020 application of specified provisions; amending s.
3021 551.106, F.S.; revising the tax rate on slot machine
3022 revenues; requiring a new facility guarantee fee to be
3023 paid by certain slot machine facilities; providing for
3024 calculation of the fee; amending s. 551.114, F.S.;
3025 revising the maximum number of slot machines that may
3026 be available; limiting the number of slot machines
3027 available for play at certain facilities; revising
3028 requirements for designated slot machine gaming areas;
3029 requiring certain greyhound racing permitholders to

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Amendment No.

3030 locate their slot machine gaming area in certain
3031 locations; amending s. 551.116, F.S.; revising the
3032 times that a slot machine gaming area may be open;
3033 amending s. 551.121, F.S.; removing a provision that
3034 prohibits complimentary or reduced-cost alcoholic
3035 beverages to be served to persons playing slot
3036 machines; removing a provision that prohibits
3037 automatic teller machines in the gaming area; amending
3038 s. 849.086, F.S.; revising definitions; defining the
3039 terms "designated player" and "designated player poker
3040 game"; exempting certain permitholders from a
3041 requirement that they conduct a minimum number of live
3042 races as a condition of cardroom licensure under
3043 certain conditions; requiring certain greyhound racing
3044 permitholders to conduct intertrack wagering on
3045 thoroughbred signals as a condition of cardroom
3046 licensure; revising times that a cardroom may operate;
3047 providing for the division to authorize designated
3048 player poker games in certain cardrooms; providing
3049 requirements for such games; providing that such games
3050 may be authorized by the division only if they would
3051 not trigger a reduction in certain payments; revising
3052 provisions for use of cardroom receipts; requiring
3053 permitholders not conducting a full schedule of live
3054 racing or games to pay a portion of its cardroom
3055 receipts to the thoroughbred purse supplement program;

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Amendment No.

3056 removing a provision requiring an agreement between a
3057 permitholder and a horseracing association; directing
3058 the division to revoke certain pari-mutuel permits;
3059 specifying that the revoked permits may not be
3060 reissued; providing severability; providing an
3061 appropriation; providing a contingent effective date;
3062 providing effective dates.

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