

1 A bill to be entitled
2 An act relating to gaming; amending s. 285.710, F.S.;
3 ratifying and approving the Gaming Compact between the
4 Seminole Tribe of Florida and the State of Florida;
5 superseding a prior compact; directing the Governor to
6 cooperate with the Tribe in seeking approval of the
7 compact from the United States Secretary of the
8 Interior; expanding the games authorized to be
9 conducted and the counties in which such games may be
10 offered; providing for a portion of the amount paid by
11 the Tribe to the state to be designated as the
12 thoroughbred purse pool share; amending s. 285.712,
13 F.S.; correcting a citation; amending s. 550.002,
14 F.S.; redefining the term "full schedule of live
15 racing or games"; defining the term "video race
16 terminal"; amending s. 550.01215, F.S.; revising
17 provisions for applications for pari-mutuel operating
18 licenses; authorizing a greyhound racing permitholder
19 to specify certain information on its application;
20 authorizing a greyhound racing permitholder to receive
21 an operating license to conduct pari-mutuel wagering
22 activities at another permitholder's greyhound racing
23 facility; authorizing the Division of Pari-mutuel
24 Wagering of the Department of Business and
25 Professional Regulation to approve changes in racing
26 dates for greyhound racing permitholders under certain

27 | circumstances; providing requirements for licensure of
28 | certain jai alai permitholders; deleting a provision
29 | for conversion of certain converted permits to jai
30 | alai permits; amending s. 550.0251, F.S.; requiring
31 | the division to annually report to the Governor and
32 | the Legislature; specifying requirements for the
33 | content of the report; amending s. 550.054, F.S.;
34 | requiring the division to revoke a pari-mutuel
35 | wagering operating permit under certain circumstances;
36 | prohibiting issuance or approval of new pari-mutuel
37 | permits after a specified date; providing exceptions;
38 | authorizing a permitholder to apply to the division to
39 | place a permit in inactive status; revising provisions
40 | that prohibit transfer or assignment of a pari-mutuel
41 | permit; prohibiting transfer or assignment of a pari-
42 | mutuel permit or license under certain conditions;
43 | prohibiting relocation of a pari-mutuel facility,
44 | cardroom, or slot machine facility or conversion of
45 | pari-mutuel permits to a different class; providing
46 | for an exception; deleting provisions for certain
47 | converted permits; repealing s. 550.0555, F.S.,
48 | relating to the relocation of greyhound racing
49 | permits; repealing s. 550.0745, F.S., relating to the
50 | conversion of pari-mutuel permits to summer jai alai
51 | permits; amending s. 550.0951, F.S.; deleting
52 | provisions for specified tax credits for a greyhound

53 racing permitholder; revising the tax on handle for
54 live greyhound racing and intertrack wagering if the
55 host track is a greyhound track; requiring a tax on
56 handle and fees for video racing terminal licensees;
57 providing for use of the fees by the department and
58 the Department of Law Enforcement; amending s.
59 550.09511, F.S.; conforming a cross-reference;
60 amending s. 550.09512, F.S.; providing for the
61 revocation of certain harness horse racing permits;
62 specifying that a revoked permit may not be reissued;
63 amending s. 550.09514, F.S.; deleting certain
64 provisions that prohibit tax on handle until a
65 specified amount of tax savings have resulted;
66 revising purse requirements of a greyhound racing
67 permitholder that conducts live racing; amending s.
68 550.09515, F.S.; providing for the revocation of
69 certain thoroughbred racing permits; specifying that a
70 revoked permit may not be reissued; removing an
71 obsolete provision; amending s. 550.1625, F.S.;
72 deleting the requirement that a greyhound racing
73 permitholder pay the breaks tax; repealing s.
74 550.1647, F.S., relating to unclaimed tickets and
75 breaks held by greyhound racing permitholders;
76 amending s. 550.1648, F.S.; revising requirements for
77 a greyhound racing permitholder to provide a greyhound
78 adoption booth at its facility; requiring

79 sterilization of greyhounds before adoption;
80 authorizing the fee for such sterilization to be
81 included in the cost of adoption; defining the term
82 "bona fide organization that promotes or encourages
83 the adoption of greyhounds"; creating s. 550.2416,
84 F.S.; requiring injuries to racing greyhounds to be
85 reported within a certain timeframe on a form adopted
86 by the division; requiring such form to be completed
87 and signed under oath or affirmation by certain
88 individuals; providing penalties; specifying
89 information that must be included in the form;
90 requiring the division to maintain the forms as public
91 records for a specified time; specifying disciplinary
92 action that may be taken against a licensee of the
93 Department of Business and Professional Regulation who
94 fails to report an injury or who makes false
95 statements on an injury form; exempting injuries to
96 certain animals from reporting requirements; requiring
97 the division to adopt rules; amending s. 550.26165,
98 F.S.; conforming a cross-reference; amending s.
99 550.334, F.S.; revising a requirement for quarter
100 horse racing permitholders to conduct intertrack
101 wagering; amending s. 550.3345, F.S.; revising
102 provisions for a permit previously converted from a
103 quarter horse racing permit to a limited thoroughbred
104 racing permit; amending s. 550.3551, F.S.; revising

105 conditions for receiving and accepting wagers on out-
106 of-state broadcasts of races and games; deleting a
107 requirement that a harness permitholder conduct a
108 certain number of races; deleting a provision that
109 limits the number of out-of-state races on which
110 wagers are accepted by a greyhound racing
111 permitholder; amending s. 550.375; conforming a cross-
112 reference; amending s. 550.615, F.S.; revising
113 provisions relating to intertrack wagering; amending
114 s. 550.6305, F.S.; revising provisions requiring
115 certain simulcast signals be made available to certain
116 permitholders; providing for certain permitholders of
117 a converted permit to accept wagers on certain
118 rebroadcasts; amending s. 550.6308, F.S.; revising the
119 number of days of thoroughbred horse sales required to
120 obtain a limited intertrack wagering license; revising
121 provisions for such wagering; amending s. 551.101,
122 F.S.; revising provisions that authorize slot machine
123 gaming at certain facilities; amending s. 551.102,
124 F.S.; revising the definition of the terms "eligible
125 facility" and "slot machine licensee" for purposes of
126 provisions relating to slot machines; amending s.
127 551.104, F.S.; revising provisions for approval of a
128 license to conduct slot machine gaming; specifying
129 that a greyhound racing permitholder is not required
130 to conduct a full schedule of live racing to receive

131 and maintain a license to conduct slot machine gaming;
132 creating s. 551.1041, F.S.; authorizing the division
133 to grant a slot machine license to a limited slot
134 machine facility under certain circumstances;
135 providing requirements for a countywide referendum;
136 creating s. 551.1042, F.S.; authorizing the division
137 to grant a slot machine license to a limited slot
138 machine facility under certain circumstances;
139 requiring the division to use a request for proposals
140 process to select a limited slot machine facility;
141 providing criteria, procedures, and deadlines for a
142 request for proposals process; creating s. 551.1043,
143 F.S.; specifying the criteria for evaluation of
144 proposals and selection of a limited slot machine
145 facility; specifying conditions that disqualify an
146 applicant from eligibility to be considered for
147 selection as a limited slot machine facility; creating
148 s. 551.1044, F.S.; providing for the submission of
149 proposals by applicants that are seeking selection as
150 a limited slot machine facility; specifying the
151 information that must be on or included with a
152 proposal for a limited slot machine facility;
153 providing procedures for a proposal determined to be
154 incomplete by the division; requiring supplemental
155 information regarding changes to information on the
156 proposal; requiring a nonrefundable proposal fee;

157 providing for refund of the fee under certain
158 circumstances; creating s. 551.1055, F.S.; providing
159 for certain licensees to operate video race terminals;
160 providing conditions for such operation; providing for
161 rules; providing for distribution of certain unclaimed
162 funds; amending s. 551.106, F.S.; revising the tax
163 rate on slot machine revenues; amending s. 551.114,
164 F.S.; revising the maximum number of slot machines
165 that may be available; limiting the number of slot
166 machines available for play at certain facilities;
167 revising requirements for designated slot machine
168 gaming areas; requiring certain greyhound racing
169 permitholders to locate their slot machine gaming area
170 in certain locations; amending s. 551.116, F.S.;
171 revising the times that a slot machine gaming area may
172 be open; amending s. 551.121, F.S.; allowing
173 complimentary or reduced-cost alcoholic beverages to
174 be served to persons playing slot machines; amending
175 s. 849.086, F.S.; revising definitions; defining the
176 terms "designated player" and "designated player
177 game"; exempting greyhound racing permitholders from a
178 requirement that they conduct a minimum number of live
179 races as a condition of cardroom licensure under
180 certain conditions; requiring certain greyhound racing
181 permitholders to conduct intertrack wagering on
182 thoroughbred signals as a condition of cardroom

183 licensure; revising times that a cardroom may operate;
 184 providing for the division to authorize designated
 185 player games in certain cardrooms; providing
 186 requirements for such games; providing that such games
 187 may be authorized by the division only if they would
 188 not trigger a reduction in certain payments; deleting
 189 provisions relating to a referendum election for the
 190 transfer of certain cardroom gaming licenses;
 191 directing the division to revoke certain pari-mutuel
 192 permits; specifying that the revoked permits may not
 193 be reissued; providing severability; providing an
 194 effective date.

195
 196 Be It Enacted by the Legislature of the State of Florida:

197
 198 Section 1. Paragraph (a) of subsection (1) and subsections
 199 (3), (9), and (13) of section 285.710, Florida Statutes, are
 200 amended, and subsection (15) is added to that section, to read:

201 285.710 Compact authorization.—

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

203 (a) "Compact" means the Gaming Compact between the
 204 Seminole Tribe of Florida and the State of Florida, ~~executed on~~
 205 ~~April 7, 2010.~~

206 (3) (a) A ~~The~~ Gaming Compact between the Seminole Tribe of
 207 Florida and the State of Florida, executed by the Governor and
 208 the Tribe on April 7, 2010, was ~~is~~ ratified and approved by

209 ~~chapter 2010-29, Laws of Florida. The Governor shall cooperate~~
 210 ~~with the Tribe in seeking approval of the compact from the~~
 211 ~~United States Secretary of the Interior.~~

212 (b) The Gaming Compact between the Seminole Tribe of
 213 Florida and the State of Florida, which was executed by the
 214 Governor and the Tribe on December 7, 2015, is ratified and
 215 approved and supersedes the Gaming Compact ratified and approved
 216 under paragraph (a). The Governor shall cooperate with the Tribe
 217 in seeking approval of the compact ratified and approved by this
 218 paragraph from the United States Secretary of the Interior.

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

222 (a) Three percent of the amount paid by the Tribe to the
 223 state shall be designated as the local government share and
 224 shall be distributed as provided in subsections (10) and (11).

225 (b) Ten million dollars of the amount paid by the Tribe to
 226 the state shall be designated as the thoroughbred purse pool
 227 share and shall be distributed as provided in subsection (15).

228 (13) For the purpose of satisfying the requirement in 25
 229 U.S.C. s. 2710(d)(1)(B) that the gaming activities authorized
 230 under an Indian gaming compact must be permitted in the state
 231 for any purpose by any person, organization, or entity, the
 232 following class III games or other games specified in this
 233 section are hereby authorized to be conducted by the Tribe
 234 pursuant to the compact:

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

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

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

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

241 (e)-(e) Raffles and drawings.

242 (15) The calculations necessary to determine the
 243 thoroughbred purse pool share distributions shall be made by the
 244 state compliance agency. The thoroughbred purse pool share shall
 245 be distributed equally to any thoroughbred permitholder that has
 246 conducted a full schedule of live races for 15 consecutive years
 247 preceding the 2015-2016 fiscal year, that has never held a slot
 248 machine license, and that is located in a county in which class
 249 III gaming is conducted on Indian Lands, as long as the
 250 thoroughbred permitholder uses the allocation for thoroughbred
 251 racing purses and the operations of the permitholder's
 252 thoroughbred racing facility.

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

255 285.712 Tribal-state gaming compacts.—

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

261 Section 3. Subsections (15) through (39) of section
 262 550.002, Florida Statutes, are renumbered as subsections (16)
 263 through (40), respectively, subsection (11) is amended, and a
 264 new subsection (15) is added to that section, to read:

265 550.002 Definitions.—As used in this chapter, the term:

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

267 1. For a greyhound racing permitholder or jai alai
 268 permitholder, the conduct of a combination of at least 100 live
 269 evening or matinee performances. ~~during the preceding year; for~~
 270 ~~a permitholder who has a converted permit or filed an~~
 271 ~~application on or before June 1, 1990, for a converted permit,~~
 272 ~~the conduct of a combination of at least 100 live evening and~~
 273 ~~matinee wagering performances during either of the 2 preceding~~
 274 ~~years;~~

275 2. For a jai alai permitholder that ~~who~~ does not operate
 276 slot machines in its pari-mutuel facility, ~~who~~ has conducted at
 277 least 100 live performances per year for at least 10 years after
 278 December 31, 1992, and has had ~~whose~~ handle on live jai alai
 279 games conducted at its pari-mutuel facility which was ~~has been~~
 280 less than \$4 million per state fiscal year for at least 2
 281 consecutive years after June 30, 1992, the conduct of a
 282 ~~combination of at least 40 live evening or matinee performances.~~
 283 ~~during the preceding year;~~

284 3. For a jai alai permitholder that ~~who~~ operates slot
 285 machines in its pari-mutuel facility, the conduct of a
 286 ~~combination of at least 150 performances.~~ ~~during the preceding~~

287 ~~year;~~

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

291 5. For a harness horse racing permitholder, the conduct of
 292 at least 100 live regular wagering performances. ~~during the~~
 293 ~~preceding year;~~

294 6. For a quarter horse racing permitholder at its
 295 facility, unless an alternative schedule of at least 20 live
 296 regular wagering performances each year is agreed upon by the
 297 permitholder and either the Florida Quarter Horse Racing
 298 Association or the horsemen ~~horsemen's~~ association representing
 299 the majority of the quarter horse owners and trainers at the
 300 facility and filed ~~with the division along~~ with its annual
 301 operating license ~~date~~ application;;

302 a. In the 2010-2011 fiscal year, the conduct of at least
 303 20 regular wagering performances.;

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

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

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

311 8. For a thoroughbred racing permitholder, the conduct of
 312 at least 40 live regular wagering performances ~~during the~~

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313 ~~preceding year.~~

314 ~~(b) For a permit holder which is restricted by statute to~~
315 ~~certain operating periods within the year when other members of~~
316 ~~its same class of permit are authorized to operate throughout~~
317 ~~the year, the specified number of live performances which~~
318 ~~constitute a full schedule of live racing or games shall be~~
319 ~~adjusted pro rata in accordance with the relationship between~~
320 ~~its authorized operating period and the full calendar year and~~
321 ~~the resulting specified number of live performances shall~~
322 ~~constitute the full schedule of live games for such permit holder~~
323 ~~and all other permit holders of the same class within 100 air~~
324 ~~miles of such permit holder.~~ A live performance must consist of
325 no fewer than eight races or games conducted live for each of a
326 minimum of three performances each week at the permit holder's
327 licensed facility under a single admission charge.

328 (15) "Video race terminal" means an individual race
329 terminal linked to an in-state central server as part of a
330 network-based video game where the terminals allow a form of
331 pari-mutuel wagering on the results of previously conducted in-
332 state or out-of-state thoroughbred races.

333 Section 4. Subsections (1), (3), and (6) of section
334 550.01215, Florida Statutes, are amended to read:

335 550.01215 License application; periods of operation; bond,
336 conversion of permit.—

337 (1) Each permit holder shall annually, during the period
338 between December 15 and January 4, file in writing with the

339 | division its application for an operating a license for to
340 | ~~conduct performances during~~ the next state fiscal year. Each
341 | application for live performances must ~~shall~~ specify the number,
342 | dates, and starting times of all live performances that ~~which~~
343 | the permitholder intends to conduct. It must ~~shall~~ also specify
344 | which performances will be conducted as charity or scholarship
345 | performances.

346 | (a) In addition, Each application for an operating a
347 | license must also ~~shall~~ include:7

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

350 | 2. For each permitholder that elects to operate a
351 | cardroom, the dates and periods of operation the permitholder
352 | intends to operate the cardroom. ~~or,~~

353 | 3. For each thoroughbred racing permitholder that ~~which~~
354 | elects to receive or rebroadcast out-of-state races after 7
355 | p.m., the dates for all performances which the permitholder
356 | intends to conduct.

357 | (b) A greyhound racing permitholder that conducted a full
358 | schedule of live racing for a period of at least 10 consecutive
359 | state fiscal years after the 1996-1997 state fiscal year, or
360 | that converted its permit to a permit to conduct greyhound
361 | racing after the 1996-1997 state fiscal year, may specify in its
362 | application for an operating license that it does not intend to
363 | conduct live racing, or that it intends to conduct less than a
364 | full schedule of live racing, in the next state fiscal year. A

365 greyhound racing permitholder may receive an operating license
366 to conduct pari-mutuel wagering activities at another
367 permitholder's greyhound racing facility pursuant to s. 550.475.
368 Harness racing and quarter horse racing permitholders that have
369 held an operating license for at least 5 years and a cardroom
370 license for at least 5 years are exempt from the live racing
371 requirements of this subsection. Thoroughbred racing
372 permitholders located in a county with a population of more than
373 2.5 million who have had an operating license for at least 25
374 years and a slot license for at least 5 years are exempt from
375 the live racing requirements of this subsection.

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

378 (3) The division shall issue each license no later than
379 March 15. Each permitholder shall operate all performances at
380 the date and time specified on its license. The division shall
381 have the authority to approve minor changes in racing dates
382 after a license has been issued. The division may approve
383 changes in racing dates after a license has been issued when
384 there is no objection from any operating permitholder located
385 within 50 miles of the permitholder requesting the changes in
386 operating dates. In the event of an objection, the division
387 shall approve or disapprove the change in operating dates based
388 upon the impact on operating permitholders located within 50
389 miles of the permitholder requesting the change in operating
390 dates. In making the determination to change racing dates, the

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391 division shall take into consideration the impact of such
392 changes on state revenues. Notwithstanding any other provision
393 of law, and for the 2016-2017 fiscal year only, the division may
394 approve changes in racing dates for permitholders if the request
395 for such changes is received before August 31, 2016.

396 (6) A summer jai alai permitholder may apply for a
397 operating license to operate a jai alai fronton only during the
398 summer season beginning May 1 and ending November 30 of each
399 year on the dates selected by the permitholder. Such
400 permitholder is subject to the same taxes, rules, and provisions
401 of this chapter which apply to the operation of winter jai alai
402 frontons. A summer jai alai permitholder is not eligible for
403 licensure to conduct a cardroom or a slot machine facility. A
404 summer jai alai permitholder and a winter jai alai permitholder
405 may not operate on the same days or in competition with each
406 other. This subsection does not prevent a summer jai alai
407 licensee from leasing the facilities of a winter jai alai
408 licensee for the operation of a summer meet ~~Any permit which was~~
409 ~~converted from a jai alai permit to a greyhound permit may be~~
410 ~~converted to a jai alai permit at any time if the permitholder~~
411 ~~never conducted greyhound racing or if the permitholder has not~~
412 ~~conducted greyhound racing for a period of 12 consecutive~~
413 ~~months.~~

414 Section 5. Subsection (1) of section 550.0251, Florida
415 Statutes, is amended to read:

416 550.0251 The powers and duties of the Division of Pari-

417 | mutuel Wagering of the Department of Business and Professional
418 | Regulation.—The division shall administer this chapter and
419 | regulate the pari-mutuel industry under this chapter and the
420 | rules adopted pursuant thereto, and:

421 | (1) The division shall make an annual report to the
422 | Governor, the President of the Senate, and the Speaker of the
423 | House of Representatives. The report shall include, at a
424 | minimum:

425 | (a) Recent events in the gaming industry, including
426 | pending litigation; pending permitholder, facility, cardroom,
427 | slot, and operating license applications; and new and pending
428 | rules.

429 | (b) Actions of the department relating to the
430 | implementation and administration of this chapter, chapter 551,
431 | and s. 849.086.

432 | (c) The state revenues and expenses associated with each
433 | form of authorized gaming. Revenues and expenses associated with
434 | pari-mutuel wagering must be further delineated by the class of
435 | license.

436 | (d) The performance of each pari-mutuel wagering licensee,
437 | cardroom licensee, and slot machine licensee.

438 | (e) A summary of disciplinary actions taken by the
439 | department.

440 | (f) Any recommendations to more effectively achieve
441 | showing its own actions, receipts derived under the provisions
442 | of this chapter, the practical effects of the application of

443 ~~this chapter, and any suggestions it may approve for the more~~
444 ~~effectual accomplishments of the purposes of this chapter,~~
445 ~~chapter 551, and s. 849.086.~~

446 Section 6. Subsection (1), paragraph (b) of subsection
447 (9), paragraph (a) of subsection (11), and subsections (13) and
448 (14) of section 550.054, Florida Statutes, are amended, and
449 paragraphs (c) through (f) are added to subsection (9) of that
450 section, to read:

451 550.054 Application for permit to conduct pari-mutuel
452 wagering.—

453 (1) Any person who possesses the qualifications prescribed
454 in this chapter may apply to the division for a permit to
455 conduct pari-mutuel operations under this chapter.

456 (a) An applicant selected pursuant to ss. 551.1041-
457 551.1044, after meeting the requirements of s. 551.104(2)(a)4.,
458 must submit an application to conduct pari-mutuel operations
459 under this chapter and shall receive such permit. Such
460 permitholder is prohibited from operating live racing or games,
461 shall be designated as a limited slot machine permitholder, and
462 is exempt from all live racing requirements in chapters 550,
463 551, and 849.

464 (b) Applications for a pari-mutuel permit are exempt from
465 the 90-day licensing requirement of s. 120.60. Within 120 days
466 after receipt of a complete application, the division shall
467 grant or deny the permit. A completed application that is not
468 acted upon within 120 days after receipt is deemed approved, and

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469 the division shall grant the permit.

470 (9)

471 (b) The division may revoke or suspend any permit or
472 license issued under this chapter upon a the willful violation
473 by the permitholder or licensee ~~of any provision~~ of this chapter
474 or rules of any rule adopted pursuant thereto ~~under this~~
475 ~~chapter.~~ With the exception of the revocation of permits
476 required in paragraphs (c) and (f) ~~In lieu of suspending or~~
477 ~~revoking a permit or license,~~ the division, in lieu of
478 suspending or revoking a permit or license, may impose a civil
479 penalty against the permitholder or licensee for a violation of
480 this chapter or rules adopted pursuant thereto ~~any rule adopted~~
481 ~~by the division.~~ The penalty so imposed may not exceed \$1,000
482 for each count or separate offense. All penalties imposed and
483 collected must be deposited with the Chief Financial Officer to
484 the credit of the General Revenue Fund.

485 (c)1. The division shall revoke the permit of any
486 permitholder that fails to make payments pursuant to s.
487 550.0951(6) for more than 24 consecutive months unless such
488 failure to pay tax on handle was the direct result of fire,
489 strike, war, or other disaster or event beyond the
490 permitholder's control. Financial hardship to the permitholder
491 does not, in and of itself, constitute just cause for failure to
492 pay tax on handle.

493 2. The division shall revoke the permit of any
494 permitholder that has not obtained an operating license in

495 accordance with s. 550.01215 for a period of more than 24
 496 consecutive months after June 30, 2012. The division shall
 497 revoke the permit upon adequate notice to the permit holder.
 498 Financial hardship to the permit holder does not, in and of
 499 itself, constitute just cause for failure to operate.

500 (d) Except as provided in paragraph (1)(a) and s.
 501 551.104(2)(a)4., a new permit to conduct pari-mutuel wagering
 502 may not be approved or issued after July 1, 2016.

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

505 (f) A permit holder may apply to the division to place the
 506 permit into inactive status for a period of 12 months pursuant
 507 to division rule. The division, upon good cause shown by the
 508 permit holder, may renew inactive status for a period of up to 12
 509 months, but a permit may not be in inactive status for a period
 510 of more than 24 consecutive months. Holders of permits in
 511 inactive status are not eligible for licensure for pari-mutuel
 512 wagering, slot machines, or cardrooms. The division shall revoke
 513 any permit holder that is in inactive status for more than 24
 514 months.

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

520 (13)(a) Notwithstanding any provision provisions of this

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521 chapter or chapter 551, a pari-mutuel ~~no thoroughbred horse~~
522 ~~racetrack~~ permit or license issued under this chapter may not ~~shall~~
523 be transferred, or reissued when such reissuance is in the
524 nature of a transfer so as to permit or authorize a licensee to
525 change the location of a pari-mutuel facility, cardroom, or slot
526 machine facility. ~~thoroughbred horse racetrack except upon proof~~
527 ~~in such form as the division may prescribe that a referendum~~
528 ~~election has been held.~~

529 1. ~~If the proposed new location is within the same county~~
530 ~~as the already licensed location, in the county where the~~
531 ~~licensee desires to conduct the race meeting and that a majority~~
532 ~~of the electors voting on that question in such election voted~~
533 ~~in favor of the transfer of such license.~~

534 2. ~~If the proposed new location is not within the same~~
535 ~~county as the already licensed location, in the county where the~~
536 ~~licensee desires to conduct the race meeting and in the county~~
537 ~~where the licensee is already licensed to conduct the race~~
538 ~~meeting and that a majority of the electors voting on that~~
539 ~~question in each such election voted in favor of the transfer of~~
540 ~~such license.~~

541 ~~(b) Each referendum held under the provisions of this~~
542 ~~subsection shall be held in accordance with the electoral~~
543 ~~procedures for ratification of permits, as provided in s.~~
544 ~~550.0651. The expense of each such referendum shall be borne by~~
545 ~~the licensee requesting the transfer.~~

546 (14) (a) Notwithstanding any other provision of law, a

547 pari-mutuel facility, cardroom, or slot machine facility may not
548 be relocated except as provided in paragraph (b), and a pari-
549 mutuel permit may not be converted to another class of permit.

550 ~~Any holder of a permit to conduct jai alai may apply to the~~
551 ~~division to convert such permit to a permit to conduct greyhound~~
552 ~~racing in lieu of jai alai if:~~

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

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

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

561 (b) Upon application from the holder of a permit to
562 conduct greyhound racing which was converted from a permit to
563 conduct jai alai pursuant to former s. 550.054(14), Florida
564 Statutes, 2014, as created by s. 6, chapter 2009-170, Laws of
565 Florida, the division may approve the relocation of such permit
566 to another location within a 30-mile radius of the location
567 fixed in the permit if the application is received by July 31,
568 2018, the new location is within the same county, and the new
569 location is approved under the zoning regulations of the county
570 or municipality in which the permit is located ~~The division,~~
571 ~~upon application from the holder of a jai alai permit meeting~~
572 ~~all conditions of this section, shall convert the permit and~~

573 ~~shall issue to the permit holder a permit to conduct greyhound~~
574 ~~racing. A permit holder of a permit converted under this section~~
575 ~~shall be required to apply for and conduct a full schedule of~~
576 ~~live racing each fiscal year to be eligible for any tax credit~~
577 ~~provided by this chapter. The holder of a permit converted~~
578 ~~pursuant to this subsection or any holder of a permit to conduct~~
579 ~~greyhound racing located in a county in which it is the only~~
580 ~~permit issued pursuant to this section who operates at a leased~~
581 ~~facility pursuant to s. 550.475 may move the location for which~~
582 ~~the permit has been issued to another location within a 30-mile~~
583 ~~radius of the location fixed in the permit issued in that~~
584 ~~county, provided the move does not cross the county boundary and~~
585 ~~such location is approved under the zoning regulations of the~~
586 ~~county or municipality in which the permit is located, and upon~~
587 ~~such relocation may use the permit for the conduct of pari-~~
588 ~~mutuel wagering and the operation of a cardroom. The provisions~~
589 ~~of s. 550.6305(9)(d) and (f) shall apply to any permit converted~~
590 ~~under this subsection and shall continue to apply to any permit~~
591 ~~which was previously included under and subject to such~~
592 ~~provisions before a conversion pursuant to this section~~
593 ~~occurred.~~

594 Section 7. Section 550.0555, Florida Statutes, is
595 repealed.

596 Section 8. Section 550.0745, Florida Statutes, is
597 repealed.

598 Section 9. Section 550.0951, Florida Statutes, is amended

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599 to read:

600 550.0951 Payment of daily license fee and taxes;
601 penalties.—

602 (1)~~(a)~~ DAILY LICENSE FEE.—Each person engaged in the
603 business of conducting race meetings or jai alai games under
604 this chapter, hereinafter referred to as the "permitholder,"
605 "licensee," or "permittee," shall pay ~~to the division, for the~~
606 ~~use of the division,~~ a daily license fee on each live or
607 simulcast pari-mutuel event of \$100 for each horserace, and \$80
608 for each greyhound race, ~~dograce~~ and \$40 for each jai alai game,
609 any of which is conducted at a racetrack or fronton licensed
610 under this chapter. A ~~In addition to the tax exemption specified~~
611 ~~in s. 550.09514(1) of \$360,000 or \$500,000 per greyhound~~
612 ~~permitholder per state fiscal year, each greyhound permitholder~~
613 ~~shall receive in the current state fiscal year a tax credit~~
614 ~~equal to the number of live greyhound races conducted in the~~
615 ~~previous state fiscal year times the daily license fee specified~~
616 ~~for each dograce in this subsection applicable for the previous~~
617 ~~state fiscal year. This tax credit and the exemption in s.~~
618 ~~550.09514(1) shall be applicable to any tax imposed by this~~
619 ~~chapter or the daily license fees imposed by this chapter except~~
620 ~~during any charity or scholarship performances conducted~~
621 ~~pursuant to s. 550.0351. Each permitholder may not be required~~
622 to shall pay daily license fees in excess of not to exceed \$500
623 per day on any simulcast races or games on which such
624 permitholder accepts wagers, regardless of the number of out-of-

625 state events taken or the number of out-of-state locations from
626 which such events are taken. This license fee shall be deposited
627 with the Chief Financial Officer to the credit of the Pari-
628 mutuel Wagering Trust Fund.

629 ~~(b) Each permitholder that cannot utilize the full amount~~
630 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~
631 ~~550.09514(1) or the daily license fee credit provided in this~~
632 ~~section may, after notifying the division in writing, elect once~~
633 ~~per state fiscal year on a form provided by the division to~~
634 ~~transfer such exemption or credit or any portion thereof to any~~
635 ~~greyhound permitholder which acts as a host track to such~~
636 ~~permitholder for the purpose of intertrack wagering. Once an~~
637 ~~election to transfer such exemption or credit is filed with the~~
638 ~~division, it shall not be rescinded. The division shall~~
639 ~~disapprove the transfer when the amount of the exemption or~~
640 ~~credit or portion thereof is unavailable to the transferring~~
641 ~~permitholder or when the permitholder who is entitled to~~
642 ~~transfer the exemption or credit or who is entitled to receive~~
643 ~~the exemption or credit owes taxes to the state pursuant to a~~
644 ~~deficiency letter or administrative complaint issued by the~~
645 ~~division. Upon approval of the transfer by the division, the~~
646 ~~transferred tax exemption or credit shall be effective for the~~
647 ~~first performance of the next payment period as specified in~~
648 ~~subsection (5). The exemption or credit transferred to such host~~
649 ~~track may be applied by such host track against any taxes~~
650 ~~imposed by this chapter or daily license fees imposed by this~~

651 ~~chapter. The greyhound permitholder host track to which such~~
 652 ~~exemption or credit is transferred shall reimburse such~~
 653 ~~permitholder the exact monetary value of such transferred~~
 654 ~~exemption or credit as actually applied against the taxes and~~
 655 ~~daily license fees of the host track. The division shall ensure~~
 656 ~~that all transfers of exemption or credit are made in accordance~~
 657 ~~with this subsection and shall have the authority to adopt rules~~
 658 ~~to ensure the implementation of this section.~~

659 (2) ADMISSION TAX.—

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

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

670 (c) A permitholder may issue tax-free passes to its
 671 officers, officials, and employees and to ~~or~~ other persons
 672 actually engaged in working at the racetrack, including
 673 accredited media ~~press~~ representatives such as reporters and
 674 editors, and may also issue tax-free passes to other
 675 permitholders for the use of their officers and officials. The
 676 permitholder shall file with the division a list of all persons

677 to whom tax-free passes are issued under this paragraph.

678 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on
 679 contributions to pari-mutuel pools, the aggregate of which is
 680 hereinafter referred to as "handle," on races or games conducted
 681 by the permitholder. The tax is imposed daily and is based on
 682 the total contributions to all pari-mutuel pools conducted
 683 during the daily performance. If a permitholder conducts more
 684 than one performance daily, the tax is imposed on each
 685 performance separately.

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

688 (b)1. The tax on handle for greyhound racing ~~dogracing~~ is
 689 1.28 ~~5.5~~ percent of the handle, ~~except that for live charity~~
 690 ~~performances held pursuant to s. 550.0351, and for intertrack~~
 691 ~~wagering on such charity performances at a guest greyhound track~~
 692 ~~within the market area of the host, the tax is 7.6 percent of~~
 693 ~~the handle.~~

694 2. The tax on handle for jai alai is 7.1 percent of the
 695 handle.

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

697 a. If the host track is a horse track, 2.0 percent of the
 698 handle.

699 b. If the host track is a harness ~~horse~~ track, 3.3 percent
 700 of the handle.

701 c. If the host track is a greyhound ~~harness~~ track, 1.28
 702 5.5 percent of the handle, to be remitted by the guest track. if

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703 ~~the host track is a dog track, and~~
 704 d. If the host track is a jai alai fronton, 7.1 percent of
 705 the handle if the host track is a jai alai fronton.
 706 e. The tax on handle for intertrack wagering is 0.5
 707 ~~percent~~ If the host track and the guest track are thoroughbred
 708 racing permitholders or if the guest track is located outside
 709 the market area of a the host track that is not a greyhound
 710 racing track and within the market area of a thoroughbred racing
 711 permitholder currently conducting a live race meet, 0.5 percent
 712 of the handle.
 713 f. The tax on handle For intertrack wagering on
 714 rebroadcasts of simulcast thoroughbred horseraces, is 2.4
 715 percent of the handle and 1.5 percent of the handle for
 716 intertrack wagering on rebroadcasts of simulcast harness
 717 horseraces, 1.5 percent of the handle.
 718 2. The tax collected under subparagraph 1. shall be
 719 deposited into the Pari-mutuel Wagering Trust Fund.
 720 3.2. The tax on handle for intertrack wagers accepted by
 721 any greyhound dog track located in an area of the state in which
 722 there are only three permitholders, all of which are greyhound
 723 racing permitholders, located in three contiguous counties, from
 724 any greyhound racing permitholder also located within such area
 725 or any greyhound dog track or jai alai fronton located as
 726 specified in s. 550.615(7) ~~550.615(6) or (9)~~, on races or games
 727 received from any jai alai the same class of permitholder
 728 located within the same market area is 3.9 percent of the handle

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729 if the host facility is a greyhound racing permitholder. ~~and,~~ If
730 the host facility is a jai alai permitholder, the tax is rate
731 ~~shall be 6.1 percent of the handle until except that it shall be~~
732 ~~2.3 percent on handle at~~ such time as the total tax on
733 intertrack handle paid to the division by the permitholder
734 during the current state fiscal year exceeds the total ~~tax on~~
735 ~~intertrack handle~~ paid to the division by the permitholder
736 during the 1992-1993 state fiscal year, in which case the tax is
737 2.3 percent of the handle.

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

742 (4) BREAKS TAX.—Effective October 1, 1996, each
743 permitholder conducting jai alai performances shall pay a tax
744 equal to the breaks. As used in this subsection, the term
745 "breaks" means the money that remains in each pari-mutuel pool
746 after funds are ~~The "breaks" represents that portion of each~~
747 ~~pari-mutuel pool which is not~~ redistributed to the contributors
748 and commissions are ~~or~~ withheld by the permitholder ~~as~~
749 ~~commission.~~

750 (5) VIDEO RACE TERMINAL; TAX AND FEE.—

751 (a) Each licensee under this chapter which operates video
752 race terminals pursuant to s. 551.1055 shall pay a tax equal to
753 2 percent of the handle from the video race terminals located at
754 its facility.

755 (b) Upon authorization to operate video race terminals
 756 pursuant to s. 551.1055, and annually thereafter on the
 757 anniversary date of the authorization, the licensee shall pay a
 758 \$50,000 fee to the department. The fee shall be deposited into
 759 the Pari-mutuel Wagering Trust Fund to be used by the department
 760 and the Department of Law Enforcement for the regulation of
 761 video race terminals, enforcement of video race terminal
 762 provisions, and related investigations.

763 (6)~~(5)~~ PAYMENT AND DISPOSITION OF FEES AND TAXES.—Payments
 764 imposed by this section shall be paid to the division. The
 765 division shall deposit such payments ~~these sums~~ with the Chief
 766 Financial Officer, to the credit of the Pari-mutuel Wagering
 767 Trust Fund, hereby established. The permitholder shall remit to
 768 the division payment for the daily license fee, the admission
 769 tax, the tax on handle, and the breaks tax. Such payments must
 770 ~~shall~~ be remitted by 3 p.m. on Wednesday of each week for taxes
 771 imposed and collected for the preceding week ending on Sunday.
 772 Beginning on July 1, 2012, such payments must ~~shall~~ be remitted
 773 by 3 p.m. on the 5th day of each calendar month for taxes
 774 imposed and collected for the preceding calendar month. If the
 775 5th day of the calendar month falls on a weekend, payments must
 776 ~~shall~~ be remitted by 3 p.m. on the first Monday following the
 777 weekend. Permitholders shall file a report under oath by the 5th
 778 day of each calendar month for all taxes remitted during the
 779 preceding calendar month. Such payments must ~~shall~~ be
 780 accompanied by a report under oath showing the total of all

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

784 (7)~~(6)~~ PENALTIES.—

785 (a) The failure of any permitholder to make payments as
 786 prescribed in subsection (6) ~~(5)~~ is a violation of this section,
 787 and the ~~permitholder may be subjected by the division~~ may impose
 788 ~~to~~ a civil penalty against the permitholder of up to \$1,000 for
 789 each day the tax payment is not remitted. All penalties imposed
 790 and collected shall be deposited in the General Revenue Fund. If
 791 a permitholder fails to pay penalties imposed by order of the
 792 division under this subsection, the division may suspend or
 793 revoke the license of the permitholder, cancel the permit of the
 794 permitholder, or deny issuance of any further license or permit
 795 to the permitholder.

796 (b) In addition to the civil penalty prescribed in
 797 paragraph (a), any willful or wanton failure by any permitholder
 798 to make payments of the daily license fee, admission tax, tax on
 799 handle, or breaks tax constitutes sufficient grounds for the
 800 division to suspend or revoke the license of the permitholder,
 801 to cancel the permit of the permitholder, or to deny issuance of
 802 any further license or permit to the permitholder.

803 Section 10. Paragraph (e) of subsection (2) of section
 804 550.09511, Florida Statutes, is amended to read:

805 550.09511 Jai alai taxes; abandoned interest in a permit
 806 for nonpayment of taxes.—

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

810 (e) The payment of taxes pursuant to paragraphs (b), (c),
 811 and (d) shall be calculated and commence beginning the day in
 812 which the permitholder is first entitled to the reduced rate
 813 specified in this section and the report of taxes required by s.
 814 550.0951(6) ~~550.0951(5)~~ is submitted to the division.

815 Section 11. Section 550.09512, Florida Statutes, is
 816 amended to read:

817 550.09512 Harness horse racing taxes; abandoned interest
 818 in a permit for nonpayment of taxes.—

819 (1) Pari-mutuel wagering at harness horse racetracks in
 820 this state is an important business enterprise, and taxes
 821 derived therefrom constitute a part of the tax structure which
 822 funds operation of the state. Harness horse permitholders should
 823 pay their fair share of these taxes to the state. This business
 824 interest should not be taxed to such an extent as to cause any
 825 racetrack which is operated under sound business principles to
 826 be forced out of business. Due to the need to protect the public
 827 health, safety, and welfare, the gaming laws of the state
 828 provide for the harness horse industry to be highly regulated
 829 and taxed. The state recognizes that there exist identifiable
 830 differences between harness horse permitholders based upon their
 831 ability to operate under such regulation and tax system.

832 (2) (a) The tax on handle for live harness horse

833 performances is 0.5 percent of handle per performance.

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

837 (3) ~~(a)~~ The division shall revoke the permit of a harness
 838 horse racing permitholder that ~~who~~ does not pay tax on handle
 839 for live harness horse performances for a full schedule of live
 840 races for more than 24 consecutive months ~~during any 2~~
 841 ~~consecutive state fiscal years shall be void and shall escheat~~
 842 ~~to and become the property of the state unless such failure to~~
 843 operate and pay tax on handle was the direct result of fire,
 844 strike, war, or other disaster or event beyond the ability of
 845 the permitholder to control. Financial hardship to the
 846 permitholder does ~~shall~~ not, in and of itself, constitute just
 847 cause for failure to operate and pay tax on handle. A permit
 848 revoked under this subsection is void and may not be reissued.

849 ~~(b) In order to maximize the tax revenues to the state,~~
 850 ~~the division shall reissue an escheated harness horse permit to~~
 851 ~~a qualified applicant pursuant to the provisions of this chapter~~
 852 ~~as for the issuance of an initial permit. However, the~~
 853 ~~provisions of this chapter relating to referendum requirements~~
 854 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
 855 ~~escheated harness horse permit. As specified in the application~~
 856 ~~and upon approval by the division of an application for the~~
 857 ~~permit, the new permitholder shall be authorized to operate a~~
 858 ~~harness horse facility anywhere in the same county in which the~~

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859 ~~escheated permit was authorized to be operated, notwithstanding~~
 860 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

861 (4) In the event that a court of competent jurisdiction
 862 determines any of the provisions of this section to be
 863 unconstitutional, it is the intent of the Legislature that the
 864 provisions contained in this section shall be null and void and
 865 that the provisions of s. 550.0951 shall apply to all harness
 866 horse permitholders beginning on the date of such judicial
 867 determination. To this end, the Legislature declares that it
 868 would not have enacted any of the provisions of this section
 869 individually and, to that end, expressly finds them not to be
 870 severable.

871 Section 12. Section 550.09514, Florida Statutes, is
 872 amended to read:

873 550.09514 Greyhound racing ~~dogracing~~ taxes; purse
 874 requirements.-

875 ~~(1) Wagering on greyhound racing is subject to a tax on~~
 876 ~~handle for live greyhound racing as specified in s. 550.0951(3).~~
 877 ~~However, each permitholder shall pay no tax on handle until such~~
 878 ~~time as this subsection has resulted in a tax savings per state~~
 879 ~~fiscal year of \$360,000. Thereafter, each permitholder shall pay~~
 880 ~~the tax as specified in s. 550.0951(3) on all handle for the~~
 881 ~~remainder of the permitholder's current race meet. For the three~~
 882 ~~permitholders that conducted a full schedule of live racing in~~
 883 ~~1995, and are closest to another state that authorizes greyhound~~
 884 ~~pari-mutuel wagering, the maximum tax savings per state fiscal~~

885 ~~year shall be \$500,000. The provisions of this subsection~~
 886 ~~relating to tax exemptions shall not apply to any charity or~~
 887 ~~scholarship performances conducted pursuant to s. 550.0351.~~

888 (1)(2)(a) The division shall determine for each greyhound
 889 racing permitholder the annual purse percentage rate of live
 890 handle for the state fiscal year 1993-1994 by dividing total
 891 purses paid on live handle by the permitholder, exclusive of
 892 payments made from outside sources, during the 1993-1994 state
 893 fiscal year by the permitholder's live handle for the 1993-1994
 894 state fiscal year. A greyhound racing ~~Each~~ permitholder
 895 conducting live racing during a fiscal year shall pay as purses
 896 for such live races conducted during its current race meet a
 897 percentage of its live handle not less than the percentage
 898 determined under this paragraph, exclusive of payments made by
 899 outside sources, for its 1993-1994 state fiscal year.

900 (b) Except as otherwise set forth herein, in addition to
 901 the minimum purse percentage required by paragraph (a), each
 902 greyhound racing permitholder conducting live racing during a
 903 fiscal year shall pay as purses an annual amount of \$60 for each
 904 live race conducted ~~equal to 75 percent of the daily license~~
 905 ~~fees paid by the greyhound racing each permitholder in for the~~
 906 preceding 1994-1995 fiscal year. ~~These~~ This purse supplement
 907 ~~shall be disbursed weekly during the permitholder's race meet in~~
 908 ~~an amount determined by dividing the annual purse supplement by~~
 909 ~~the number of performances approved for the permitholder~~
 910 ~~pursuant to its annual license and multiplying that amount by~~

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911 ~~the number of performances conducted each week. For the~~
912 ~~greyhound permitholders in the county where there are two~~
913 ~~greyhound permitholders located as specified in s. 550.615(6),~~
914 ~~such permitholders shall pay in the aggregate an amount equal to~~
915 ~~75 percent of the daily license fees paid by such permitholders~~
916 ~~for the 1994-1995 fiscal year. These permitholders shall be~~
917 ~~jointly and severally liable for such purse payments. The~~
918 ~~additional purses provided by this paragraph~~ must be used
919 exclusively for purses other than stakes and must be disbursed
920 weekly during the permitholder's race meet. The division shall
921 conduct audits necessary to ensure compliance with this section.

922 (c)1. Each greyhound racing permitholder, when conducting
923 at least three live performances during any week, shall pay
924 purses in that week on wagers it accepts as a guest track on
925 intertrack and simulcast greyhound races at the same rate as it
926 pays on live races. Each greyhound racing permitholder, when
927 conducting at least three live performances during any week,
928 shall pay purses in that week, at the same rate as it pays on
929 live races, on wagers accepted on greyhound races at a guest
930 track that ~~which~~ is not conducting live racing and is located
931 within the same market area as the greyhound racing permitholder
932 conducting at least three live performances during any week.

933 2. Each host greyhound racing permitholder shall pay
934 purses on its simulcast and intertrack broadcasts of greyhound
935 races to guest facilities that are located outside its market
936 area in an amount equal to one quarter of an amount determined

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937 | by subtracting the transmission costs of sending the simulcast
938 | or intertrack broadcasts from an amount determined by adding the
939 | fees received for greyhound simulcast races plus 3 percent of
940 | the greyhound intertrack handle at guest facilities that are
941 | located outside the market area of the host and that paid
942 | contractual fees to the host for such broadcasts of greyhound
943 | races.

944 | (d) The division shall require sufficient documentation
945 | from each greyhound racing permitholder regarding purses paid on
946 | live racing to assure that the annual purse percentage rates
947 | paid by each greyhound racing permitholder conducting ~~on the~~
948 | live races are not reduced below those paid during the 1993-1994
949 | state fiscal year. The division shall require sufficient
950 | documentation from each greyhound racing permitholder to assure
951 | that the purses paid by each permitholder on the greyhound
952 | intertrack and simulcast broadcasts are in compliance with the
953 | requirements of paragraph (c).

954 | (e) In addition to the purse requirements of paragraphs
955 | (a)-(c), each greyhound racing permitholder conducting live
956 | races shall pay as purses an amount equal to one-third of the
957 | amount of the tax reduction on live and simulcast handle
958 | applicable to such permitholder as a result of the reductions in
959 | tax rates provided by s. 6, chapter 2000-354, Laws of Florida
960 | ~~this act through the amendments to s. 550.0951(3)~~. With respect
961 | to intertrack wagering when the host and guest tracks are
962 | greyhound racing permitholders not within the same market area,

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963 an amount equal to the tax reduction applicable to the guest
964 track handle as a result of the reduction in tax rate provided
965 by s. 6, chapter 2000-354, Laws of Florida, ~~this act through the~~
966 ~~amendment to s. 550.0951(3)~~ shall be distributed to the guest
967 track, one-third of which amount shall be paid as purses at the
968 guest track. However, if the guest track is a greyhound racing
969 permitholder within the market area of the host or if the guest
970 track is not a greyhound racing permitholder, an amount equal to
971 such tax reduction applicable to the guest track handle shall be
972 retained by the host track, one-third of which amount shall be
973 paid as purses at the host track. These purse funds shall be
974 disbursed in the week received if the permitholder conducts at
975 least one live performance during that week. If the permitholder
976 does not conduct at least one live performance during the week
977 in which the purse funds are received, the purse funds shall be
978 disbursed weekly during the permitholder's next race meet in an
979 amount determined by dividing the purse amount by the number of
980 performances approved for the permitholder pursuant to its
981 annual license, and multiplying that amount by the number of
982 performances conducted each week. The division shall conduct
983 audits necessary to ensure compliance with this paragraph.

984 (f) Each greyhound racing permitholder conducting live
985 racing shall, during the permitholder's race meet, supply kennel
986 operators and the Division of Pari-Mutuel Wagering with a weekly
987 report showing purses paid on live greyhound races and all
988 greyhound intertrack and simulcast broadcasts, including both as

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989 a guest and a host together with the handle or commission
990 calculations on which such purses were paid and the transmission
991 costs of sending the simulcast or intertrack broadcasts, so that
992 the kennel operators may determine statutory and contractual
993 compliance.

994 (g) Each greyhound racing permitholder conducting live
995 racing shall make direct payment of purses to the greyhound
996 owners who have filed with such permitholder appropriate federal
997 taxpayer identification information based on the percentage
998 amount agreed upon between the kennel operator and the greyhound
999 owner.

1000 (h) At the request of a majority of kennel operators under
1001 contract with a greyhound racing permitholder conducting live
1002 racing, the permitholder shall make deductions from purses paid
1003 to each kennel operator electing such deduction and shall make a
1004 direct payment of such deductions to the local association of
1005 greyhound kennel operators formed by a majority of kennel
1006 operators under contract with the permitholder. The amount of
1007 the deduction shall be at least 1 percent of purses, as
1008 determined by the local association of greyhound kennel
1009 operators. ~~No~~ Deductions may not be taken pursuant to this
1010 paragraph without a kennel operator's specific approval before
1011 or after the effective date of this act.

1012 ~~(2)(3)~~ For the purpose of this section, the term "live
1013 handle" means the handle from wagers placed at the
1014 permitholder's establishment on the live greyhound races

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1015 conducted at the permitholder's establishment.

1016 Section 13. Section 550.09515, Florida Statutes, is
 1017 amended to read:

1018 550.09515 Thoroughbred racing horse taxes; abandoned
 1019 interest in a permit for nonpayment of taxes.—

1020 (1) Pari-mutuel wagering at thoroughbred horse racetracks
 1021 in this state is an important business enterprise, and taxes
 1022 derived therefrom constitute a part of the tax structure which
 1023 funds operation of the state. Thoroughbred horse permitholders
 1024 should pay their fair share of these taxes to the state. This
 1025 business interest should not be taxed to such an extent as to
 1026 cause any racetrack which is operated under sound business
 1027 principles to be forced out of business. Due to the need to
 1028 protect the public health, safety, and welfare, the gaming laws
 1029 of the state provide for the thoroughbred horse industry to be
 1030 highly regulated and taxed. The state recognizes that there
 1031 exist identifiable differences between thoroughbred horse
 1032 permitholders based upon their ability to operate under such
 1033 regulation and tax system and at different periods during the
 1034 year.

1035 (2) (a) The tax on handle for live thoroughbred horserace
 1036 performances shall be 0.5 percent.

1037 (b) For purposes of this section, the term "handle" shall
 1038 have the same meaning as in s. 550.0951, and shall not include
 1039 handle from intertrack wagering.

1040 (3) ~~(a)~~ The division shall revoke the permit of a

1041 thoroughbred racing horse permitholder that ~~who~~ does not pay tax
 1042 on handle for live thoroughbred horse performances for a full
 1043 schedule of live races for more than 24 consecutive months
 1044 ~~during any 2 consecutive state fiscal years shall be void and~~
 1045 ~~shall escheat to and become the property of the state unless~~
 1046 such failure to operate and pay tax on handle was the direct
 1047 result of fire, strike, war, or other disaster or event beyond
 1048 the ability of the permitholder to control. Financial hardship
 1049 to the permitholder does ~~shall~~ not, in and of itself, constitute
 1050 just cause for failure to operate and pay tax on handle. A
 1051 permit revoked under this subsection is void and may not be
 1052 reissued.

1053 ~~(b) In order to maximize the tax revenues to the state,~~
 1054 ~~the division shall reissue an escheated thoroughbred horse~~
 1055 ~~permit to a qualified applicant pursuant to the provisions of~~
 1056 ~~this chapter as for the issuance of an initial permit. However,~~
 1057 ~~the provisions of this chapter relating to referendum~~
 1058 ~~requirements for a pari-mutuel permit shall not apply to the~~
 1059 ~~reissuance of an escheated thoroughbred horse permit. As~~
 1060 ~~specified in the application and upon approval by the division~~
 1061 ~~of an application for the permit, the new permitholder shall be~~
 1062 ~~authorized to operate a thoroughbred horse facility anywhere in~~
 1063 ~~the same county in which the escheated permit was authorized to~~
 1064 ~~be operated, notwithstanding the provisions of s. 550.054(2)~~
 1065 ~~relating to mileage limitations.~~

1066 (4) In the event that a court of competent jurisdiction

1067 determines any of the provisions of this section to be
 1068 unconstitutional, it is the intent of the Legislature that the
 1069 provisions contained in this section shall be null and void and
 1070 that the provisions of s. 550.0951 shall apply to all
 1071 thoroughbred horse permitholders beginning on the date of such
 1072 judicial determination. To this end, the Legislature declares
 1073 that it would not have enacted any of the provisions of this
 1074 section individually and, to that end, expressly finds them not
 1075 to be severable.

1076 (5) Notwithstanding the provisions of s. 550.0951(3)(c),
 1077 the tax on handle for intertrack wagering on rebroadcasts of
 1078 simulcast horseraces is 2.4 percent of the handle; provided
 1079 however, that if the guest track is a thoroughbred track located
 1080 more than 35 miles from the host track, the host track shall pay
 1081 a tax of .5 percent of the handle, and additionally the host
 1082 track shall pay to the guest track 1.9 percent of the handle to
 1083 be used by the guest track solely for purses. The tax shall be
 1084 deposited into the Pari-mutuel Wagering Trust Fund.

1085 (6) A credit equal to the amount of contributions made by
 1086 a thoroughbred permitholder during the taxable year directly to
 1087 the Jockeys' Guild or its health and welfare fund to be used to
 1088 provide health and welfare benefits for active, disabled, and
 1089 retired Florida jockeys and their dependents pursuant to
 1090 reasonable rules of eligibility established by the Jockeys'
 1091 Guild is allowed against taxes on live handle due for a taxable
 1092 year under this section. A thoroughbred permitholder may not

1093 receive a credit greater than an amount equal to 1 percent of
 1094 its paid taxes for the previous taxable year.

1095 ~~(7) If a thoroughbred permitholder fails to operate all~~
 1096 ~~performances on its 2001-2002 license, failure to pay tax on~~
 1097 ~~handle for a full schedule of live races for those performances~~
 1098 ~~in the 2001-2002 fiscal year does not constitute failure to pay~~
 1099 ~~taxes on handle for a full schedule of live races in a fiscal~~
 1100 ~~year for the purposes of subsection (3). This subsection may not~~
 1101 ~~be construed as forgiving a thoroughbred permitholder from~~
 1102 ~~paying taxes on performances conducted at its facility pursuant~~
 1103 ~~to its 2001-2002 license other than for failure to operate all~~
 1104 ~~performances on its 2001-2002 license. This subsection expires~~
 1105 ~~July 1, 2003.~~

1106 Section 14. Section 550.1625, Florida Statutes, is amended
 1107 to read:

1108 550.1625 Greyhound racing ~~dogracing~~; taxes.—

1109 (1) The operation of a greyhound ~~dog~~ track and legalized
 1110 pari-mutuel betting at greyhound ~~dog~~ tracks in this state is a
 1111 privilege and is an operation that requires strict supervision
 1112 and regulation in the best interests of the state. Pari-mutuel
 1113 wagering at greyhound ~~dog~~ tracks in this state is a substantial
 1114 business, and taxes derived therefrom constitute part of the tax
 1115 structures of the state and the counties. The operators of
 1116 greyhound ~~dog~~ tracks should pay their fair share of taxes to the
 1117 state; at the same time, this substantial business interest
 1118 should not be taxed to such an extent as to cause a track that

1119 | is operated under sound business principles to be forced out of
 1120 | business.

1121 | (2) A permitholder that conducts a greyhound race ~~degrace~~
 1122 | meet under this chapter must pay the daily license fee, the
 1123 | admission tax, ~~the breaks tax,~~ and the tax on pari-mutuel handle
 1124 | as provided in s. 550.0951 and is subject to all penalties and
 1125 | sanctions provided in s. 550.0951(7) ~~550.0951(6)~~.

1126 | Section 15. Section 550.1647, Florida Statutes, is
 1127 | repealed.

1128 | Section 16. Section 550.1648, Florida Statutes, is amended
 1129 | to read:

1130 | 550.1648 Greyhound adoptions.—

1131 | ~~(1)~~ A greyhound racing ~~Each degracing~~ permitholder that
 1132 | conducts live racing at ~~operating~~ a greyhound racing ~~degracing~~
 1133 | facility in this state shall provide for a greyhound adoption
 1134 | booth to be located at the facility.

1135 | (1) (a) The greyhound adoption booth must be operated on
 1136 | weekends by personnel or volunteers from a bona fide
 1137 | organization that promotes or encourages the adoption of
 1138 | greyhounds ~~pursuant to s. 550.1647.~~ Such bona fide organization,
 1139 | as a condition of adoption, must provide sterilization of
 1140 | greyhounds by a licensed veterinarian before relinquishing
 1141 | custody of the greyhound to the adopter. The fee for
 1142 | sterilization may be included in the cost of adoption. As used
 1143 | in this section, the term "weekend" includes the hours during
 1144 | which live greyhound racing is conducted on Friday, Saturday, or

1145 Sunday, and the term "bona fide organization that promotes or
 1146 encourages the adoption of greyhounds" means an organization
 1147 that provides evidence of compliance with chapter 496 and
 1148 possesses a valid exemption from federal taxation issued by the
 1149 Internal Revenue Service. Information pamphlets and application
 1150 forms shall be provided to the public upon request.

1151 (b) ~~In addition,~~ The kennel operator or owner shall notify
 1152 the permitholder that a greyhound is available for adoption and
 1153 the permitholder shall provide information concerning the
 1154 adoption of a greyhound in each race program and shall post
 1155 adoption information at conspicuous locations throughout the
 1156 greyhound racing ~~degracing~~ facility. Any greyhound that is
 1157 participating in a race and that will be available for future
 1158 adoption must be noted in the race program. The permitholder
 1159 shall allow greyhounds to be walked through the track facility
 1160 to publicize the greyhound adoption program.

1161 (2) In addition to the charity days authorized under s.
 1162 550.0351, a greyhound racing permitholder may fund the greyhound
 1163 adoption program by holding a charity racing day designated as
 1164 "Greyhound Adopt-A-Pet Day." All profits derived from the
 1165 operation of the charity day must be placed into a fund used to
 1166 support activities at the racing facility which promote the
 1167 adoption of greyhounds. The division may adopt rules for
 1168 administering the fund. Proceeds from the charity day authorized
 1169 in this subsection may not be used as a source of funds for the
 1170 purposes set forth in s. 550.1647.

1171 (3) (a) Upon a violation of this section by a permitholder
 1172 or licensee, the division may impose a penalty as provided in s.
 1173 550.0251(10) and require the permitholder to take corrective
 1174 action.

1175 (b) A penalty imposed under s. 550.0251(10) does not
 1176 exclude a prosecution for cruelty to animals or for any other
 1177 criminal act.

1178 Section 17. Section 550.2416, Florida Statutes, is created
 1179 to read:

1180 550.2416 Reporting of racing greyhound injuries.-

1181 (1) An injury to a racing greyhound which occurs while the
 1182 greyhound is located in this state must be reported on a form
 1183 adopted by the division within 7 days after the date on which
 1184 the injury occurred or is believed to have occurred. The
 1185 division may adopt rules defining the term "injury."

1186 (2) The form shall be completed and signed under oath or
 1187 affirmation by the:

1188 (a) Racetrack veterinarian or director of racing, if the
 1189 injury occurred at the racetrack facility; or

1190 (b) Owner, trainer, or kennel operator who had knowledge
 1191 of the injury, if the injury occurred at a location other than
 1192 the racetrack facility, including during transportation.

1193 (3) The division may fine, suspend, or revoke the license
 1194 of any individual who knowingly violates this section.

1195 (4) The form must include the following:

1196 (a) The greyhound's registered name, right-ear and left-

1197 ear tattoo numbers, and, if any, the microchip manufacturer and
 1198 number.

1199 (b) The name, business address, and telephone number of
 1200 the greyhound owner, the trainer, and the kennel operator.

1201 (c) The color, weight, and sex of the greyhound.

1202 (d) The specific type and bodily location of the injury,
 1203 the cause of the injury, and the estimated recovery time from
 1204 the injury.

1205 (e) If the injury occurred when the greyhound was racing:

1206 1. The racetrack where the injury occurred;

1207 2. The distance, grade, race, and post position of the
 1208 greyhound when the injury occurred; and

1209 3. The weather conditions, time, and track conditions when
 1210 the injury occurred.

1211 (f) If the injury occurred when the greyhound was not
 1212 racing:

1213 1. The location where the injury occurred; and

1214 2. The circumstances surrounding the injury.

1215 (g) Other information that the division determines is
 1216 necessary to identify injuries to racing greyhounds in this
 1217 state.

1218 (5) An injury form created pursuant to this section must
 1219 be maintained as a public record by the division for at least 7
 1220 years after the date it was received.

1221 (6) A licensee of the department who knowingly makes a
 1222 false statement concerning an injury or fails to report an

1223 injury is subject to disciplinary action under this chapter or
 1224 chapters 455 and 474.

1225 (7) This section does not apply to injuries to a service
 1226 animal, personal pet, or greyhound that has been adopted as a
 1227 pet.

1228 (8) The division shall adopt rules to implement this
 1229 section.

1230 Section 18. Subsection (1) of section 550.26165, Florida
 1231 Statutes, is amended to read:

1232 550.26165 Breeders' awards.—

1233 (1) The purpose of this section is to encourage the
 1234 agricultural activity of breeding and training racehorses in
 1235 this state. Moneys dedicated in this chapter for use as
 1236 breeders' awards and stallion awards are to be used for awards
 1237 to breeders of registered Florida-bred horses winning horseraces
 1238 and for similar awards to the owners of stallions who sired
 1239 Florida-bred horses winning stakes races, if the stallions are
 1240 registered as Florida stallions standing in this state. Such
 1241 awards shall be given at a uniform rate to all winners of the
 1242 awards, may ~~shall~~ not be greater than 20 percent of the
 1243 announced gross purse, and may ~~shall~~ not be less than 15 percent
 1244 of the announced gross purse if funds are available. In
 1245 addition, at least ~~no less than~~ 17 percent, but not ~~nor~~ more
 1246 than 40 percent, as determined by the Florida Thoroughbred
 1247 Breeders' Association, of the moneys dedicated in this chapter
 1248 for use as breeders' awards and stallion awards for

1249 | thoroughbreds shall be returned pro rata to the permitholders
 1250 | that generated the moneys for special racing awards to be
 1251 | distributed by the permitholders to owners of thoroughbred
 1252 | horses participating in prescribed thoroughbred stakes races,
 1253 | nonstakes races, or both, all in accordance with a written
 1254 | agreement establishing the rate, procedure, and eligibility
 1255 | requirements for such awards entered into by the permitholder,
 1256 | the Florida Thoroughbred Breeders' Association, and the Florida
 1257 | Horsemen's Benevolent and Protective Association, Inc., except
 1258 | that the plan for the distribution by any permitholder located
 1259 | in the area described in s. 550.615(7) ~~550.615(9)~~ shall be
 1260 | agreed upon by that permitholder, the Florida Thoroughbred
 1261 | Breeders' Association, and the association representing a
 1262 | majority of the thoroughbred racehorse owners and trainers at
 1263 | that location. Awards for thoroughbred races are to be paid
 1264 | through the Florida Thoroughbred Breeders' Association, and
 1265 | awards for standardbred races are to be paid through the Florida
 1266 | Standardbred Breeders and Owners Association. Among other
 1267 | sources specified in this chapter, moneys for thoroughbred
 1268 | breeders' awards will come from the 0.955 percent of handle for
 1269 | thoroughbred races conducted, received, broadcast, or simulcast
 1270 | under this chapter as provided in s. 550.2625(3). The moneys for
 1271 | quarter horse and harness breeders' awards will come from the
 1272 | breaks and uncashed tickets on live quarter horse and harness
 1273 | horse racing performances and 1 percent of handle on intertrack
 1274 | wagering. The funds for these breeders' awards shall be paid to

1275 the respective breeders' associations by the permitholders
 1276 conducting the races.

1277 Section 19. Subsection (8) of section 550.334, Florida
 1278 Statutes, is amended to read:

1279 550.334 Quarter horse racing; substitutions.—

1280 (8) To be eligible to conduct intertrack wagering, a
 1281 quarter horse racing permitholder must have conducted a full
 1282 schedule of live racing in accordance with an operating license
 1283 in the 2015-2016 fiscal ~~preceding~~ year.

1284 Section 20. Section 550.3345, Florida Statutes, is amended
 1285 to read:

1286 550.3345 ~~Conversion of quarter horse permit to a~~ Limited
 1287 thoroughbred racing permit.—

1288 (1) In recognition of the important and long-standing
 1289 economic contribution of the thoroughbred horse breeding
 1290 industry to this state and the state's vested interest in
 1291 promoting the continued viability of this agricultural activity,
 1292 the state intends to provide a limited opportunity for the
 1293 conduct of live thoroughbred horse racing with the net revenues
 1294 from such racing dedicated to the enhancement of thoroughbred
 1295 purses and breeders', stallion, and special racing awards under
 1296 this chapter; the general promotion of the thoroughbred horse
 1297 breeding industry; and the care in this state of thoroughbred
 1298 horses retired from racing.

1299 (2) A limited thoroughbred racing permit previously
 1300 converted from ~~Notwithstanding any other provision of law, the~~

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1301 ~~holder of a quarter horse racing permit pursuant to chapter~~
1302 ~~2010-29, Laws of Florida, issued under s. 550.334 may only be~~
1303 ~~held by, within 1 year after the effective date of this section,~~
1304 ~~apply to the division for a transfer of the quarter horse racing~~
1305 ~~permit to a not-for-profit corporation formed under state law to~~
1306 ~~serve the purposes of the state as provided in subsection (1).~~
1307 ~~The board of directors of the not-for-profit corporation must be~~
1308 ~~composed~~ comprised of 11 members, 4 of whom shall be designated
1309 by the applicant, 4 of whom shall be designated by the Florida
1310 Thoroughbred Breeders' Association, and 3 of whom shall be
1311 designated by the other 8 directors, with at least 1 of these 3
1312 members being an authorized representative of another
1313 thoroughbred racing permitholder in this state. A limited
1314 thoroughbred racing ~~The not-for-profit corporation shall submit~~
1315 ~~an application to the division for review and approval of the~~
1316 ~~transfer in accordance with s. 550.054. Upon approval of the~~
1317 ~~transfer by the division, and notwithstanding any other~~
1318 ~~provision of law to the contrary, the not-for-profit corporation~~
1319 ~~may, within 1 year after its receipt of the permit, request that~~
1320 ~~the division convert the quarter horse racing permit to a permit~~
1321 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~
1322 ~~thoroughbred racing. Neither the transfer of the quarter horse~~
1323 ~~racing permit nor its conversion to a limited thoroughbred~~
1324 ~~permit shall be subject to the mileage limitation or the~~
1325 ~~ratification election as set forth under s. 550.054(2) or s.~~
1326 ~~550.0651. Upon receipt of the request for such conversion, the~~

1327 ~~division shall timely issue a converted permit. The converted~~
1328 permit and the not-for-profit corporation are ~~shall be~~ subject
1329 to the following requirements:

1330 (a) All net revenues derived by the not-for-profit
1331 corporation under the thoroughbred ~~horse~~ racing permit, after
1332 the funding of operating expenses and capital improvements,
1333 shall be dedicated to the enhancement of thoroughbred purses and
1334 breeders', stallion, and special racing awards under this
1335 chapter; the general promotion of the thoroughbred horse
1336 breeding industry; and the care in this state of thoroughbred
1337 horses retired from racing.

1338 (b) From December 1 through April 30, ~~no~~ live thoroughbred
1339 racing may not be conducted under the permit on any day during
1340 which another thoroughbred racing permitholder is conducting
1341 live thoroughbred racing within 125 air miles of the not-for-
1342 profit corporation's pari-mutuel facility unless the other
1343 thoroughbred racing permitholder gives its written consent.

1344 (c) After ~~the conversion of the quarter horse racing~~
1345 ~~permit and~~ the issuance of its initial license to conduct pari-
1346 mutuel wagering meets of thoroughbred racing, the not-for-profit
1347 corporation shall annually apply to the division for a license
1348 pursuant to s. 550.5251.

1349 (d) Racing under the permit may take place only at the
1350 location for which the original quarter horse racing permit was
1351 issued, which may be leased by the not-for-profit corporation
1352 for that purpose; ~~however, the not-for-profit corporation may,~~

1353 ~~without the conduct of any ratification election pursuant to s.~~
 1354 ~~550.054(13) or s. 550.0651, move the location of the permit to~~
 1355 ~~another location in the same county provided that such~~
 1356 ~~relocation is approved under the zoning and land use regulations~~
 1357 ~~of the applicable county or municipality.~~

1358 (e) A limited thoroughbred racing ~~no~~ permit may not be
 1359 transferred ~~converted under this section is eligible for~~
 1360 ~~transfer~~ to another person or entity.

1361 (3) Unless otherwise provided in this section, ~~after~~
 1362 ~~conversion,~~ the permit and the not-for-profit corporation shall
 1363 be treated under the laws of this state as a thoroughbred racing
 1364 permit and as a thoroughbred racing permitholder, respectively,
 1365 with the exception of ss. 550.054(9)(c) and s. 550.09515(3).

1366 Section 21. Subsections (5) and (6) of section 550.3551,
 1367 Florida Statutes, are amended to read:

1368 550.3551 Transmission of racing and jai alai information;
 1369 commingling of pari-mutuel pools.-

1370 ~~(5) A pari-mutuel permitholder licensed under this chapter~~
 1371 ~~may not receive broadcasts of races or games from outside this~~
 1372 ~~state except from an out-of-state pari-mutuel permitholder who~~
 1373 ~~holds the same type or class of pari-mutuel permit as the pari-~~
 1374 ~~mutuel permitholder licensed under this chapter who intends to~~
 1375 ~~receive the broadcast.~~

1376 (5)-(6)(a) A maximum of 20 percent of the total number of
 1377 ~~races on which wagers are accepted by a greyhound permitholder~~
 1378 ~~not located as specified in s. 550.615(6) may be received from~~

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1379 ~~locations outside this state.~~ A jai alai permitholder may not
1380 conduct fewer than eight live ~~races~~ or games on any authorized
1381 race day except as provided in this subsection. A thoroughbred
1382 permitholder may not conduct fewer than eight live races on any
1383 race day without the written approval of the Florida
1384 Thoroughbred Breeders' Association and the Florida Horsemen's
1385 Benevolent and Protective Association, Inc., unless it is
1386 determined by the department that another entity represents a
1387 majority of the thoroughbred racehorse owners and trainers in
1388 the state. ~~A harness permitholder may conduct fewer than eight
1389 live races on any authorized race day, except that such
1390 permitholder must conduct a full schedule of live racing during
1391 its race meet consisting of at least eight live races per
1392 authorized race day for at least 100 days. Any harness horse
1393 permitholder that during the preceding racing season conducted a
1394 full schedule of live racing may, at any time during its current
1395 race meet, receive full-card broadcasts of harness horse races
1396 conducted at harness racetracks outside this state at the
1397 harness track of the permitholder and accept wagers on such
1398 harness races.~~ With specific authorization from the division for
1399 special racing events, a permitholder may conduct fewer than
1400 eight live races or games when the permitholder also broadcasts
1401 out-of-state races or games. The division may not grant more
1402 than two such exceptions a year for a permitholder in any 12-
1403 month period, and those two exceptions may not be consecutive.
1404 (b) Notwithstanding any other provision of this chapter,

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1405 any harness horse permitholder accepting broadcasts of out-of-
1406 state harness horse races when such permitholder is not
1407 conducting live races must make the out-of-state signal
1408 available to all permitholders eligible to conduct intertrack
1409 wagering and shall pay to guest tracks located as specified in
1410 s. ss. 550.615(6) and 550.6305(9) (d) 50 percent of the net
1411 proceeds after taxes and fees to the out-of-state host track on
1412 harness race wagers which they accept. If conducting live
1413 racing, a harness horse permitholder shall be required to pay
1414 into its purse account 50 percent of the net income retained by
1415 the permitholder on account of wagering on the out-of-state
1416 broadcasts received pursuant to this subsection. Nine-tenths of
1417 a percent of all harness wagering proceeds on the broadcasts
1418 received pursuant to this subsection shall be paid to the
1419 Florida Standardbred Breeders and Owners Association under the
1420 provisions of s. 550.2625(4) for the purposes provided therein.

1421 Section 22. Subsection (4) of section 550.375, Florida
1422 Statutes, is amended to read:

1423 550.375 Operation of certain harness tracks.—

1424 (4) The permitholder conducting a harness horse race meet
1425 must pay the daily license fee, the admission tax, the tax on
1426 breaks, and the tax on pari-mutuel handle provided in s.
1427 550.0951 and is subject to all penalties and sanctions provided
1428 in s. 550.0951(7) ~~550.0951(6)~~.

1429 Section 23. Subsections (2), (4), (6), (7), (8), (9), and
1430 (10) of section 550.615, Florida Statutes, are amended, and a

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1431 new subsection (9) is added to that section, to read:

1432 550.615 Intertrack wagering.—

1433 (2) Any track or fronton licensed under this chapter may
1434 ~~which in the preceding year conducted a full schedule of live~~
1435 ~~racing is qualified to~~, at any time, receive broadcasts of any
1436 class of pari-mutuel race or game and accept wagers on such
1437 races or games conducted by any class of permitholders licensed
1438 under this chapter.

1439 (4) ~~An In no event shall any~~ intertrack wager may not be
1440 accepted on the same class of live races or games of any
1441 permitholder without the written consent of such operating
1442 permitholders conducting the same class of live races or games
1443 if the guest track is within the market area of such operating
1444 permitholder. A greyhound racing permitholder licensed under
1445 this chapter which accepts intertrack wagers on live greyhound
1446 signals is not required to obtain the written consent required
1447 by this subsection from any operating greyhound racing
1448 permitholder within its market area.

1449 ~~(6) Notwithstanding the provisions of subsection (3), in~~
1450 ~~any area of the state where there are three or more horserace~~
1451 ~~permitholders within 25 miles of each other, intertrack wagering~~
1452 ~~between permitholders in said area of the state shall only be~~
1453 ~~authorized under the following conditions: Any permitholder,~~
1454 ~~other than a thoroughbred permitholder, may accept intertrack~~
1455 ~~wagers on races or games conducted live by a permitholder of the~~
1456 ~~same class or any harness permitholder located within such area~~

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1457 ~~and any harness permitholder may accept wagers on games~~
1458 ~~conducted live by any jai alai permitholder located within its~~
1459 ~~market area and from a jai alai permitholder located within the~~
1460 ~~area specified in this subsection when no jai alai permitholder~~
1461 ~~located within its market area is conducting live jai alai~~
1462 ~~performances; any greyhound or jai alai permitholder may receive~~
1463 ~~broadcasts of and accept wagers on any permitholder of the other~~
1464 ~~class provided that a permitholder, other than the host track,~~
1465 ~~of such other class is not operating a contemporaneous live~~
1466 ~~performance within the market area.~~

1467 ~~(7) In any county of the state where there are only two~~
1468 ~~permits, one for dogracing and one for jai alai, no intertrack~~
1469 ~~wager may be taken during the period of time when a permitholder~~
1470 ~~is not licensed to conduct live races or games without the~~
1471 ~~written consent of the other permitholder that is conducting~~
1472 ~~live races or games. However, if neither permitholder is~~
1473 ~~conducting live races or games, either permitholder may accept~~
1474 ~~intertrack wagers on horseraces or on the same class of races or~~
1475 ~~games, or on both horseraces and the same class of races or~~
1476 ~~games as is authorized by its permit.~~

1477 ~~(6)~~(8) In any three contiguous counties of the state where
1478 there are only three permitholders, all of which are greyhound
1479 racing permitholders, if a greyhound racing any permitholder
1480 leases the facility of another greyhound racing permitholder for
1481 the purpose of conducting all or any portion of ~~the conduct of~~
1482 its live race meet pursuant to s. 550.475, such lessee may

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1483 conduct intertrack wagering at its pre-lease permitted facility
 1484 throughout the entire year, including while its live race meet
 1485 is being conducted at the leased facility, ~~if such permitholder~~
 1486 ~~has conducted a full schedule of live racing during the~~
 1487 ~~preceding fiscal year at its pre-lease permitted facility or at~~
 1488 ~~a leased facility, or combination thereof.~~

1489 ~~(7)-(9)~~ In any two contiguous counties of the state in
 1490 which there are located only four active permits, one for
 1491 thoroughbred horse racing, two for greyhound racing ~~degracing~~,
 1492 and one for jai alai games, an ~~no~~ intertrack wager may not be
 1493 accepted on the same class of live races or games of any
 1494 permitholder without the written consent of such operating
 1495 permitholders conducting the same class of live races or games
 1496 if the guest track is within the market area of such operating
 1497 permitholder.

1498 ~~(8)-(10)~~ All costs of receiving the transmission of the
 1499 broadcasts shall be borne by the guest track; and all costs of
 1500 sending the broadcasts shall be borne by the host track.

1501 (9) A permitholder, as provided in subsection (2),
 1502 operating pursuant to a current year's operating license that
 1503 specifies no live performances or less than a full schedule of
 1504 live performances may:

1505 (a) Receive broadcasts at any time of any class of pari-
 1506 mutuel race or game and accept wagers on such races or games
 1507 conducted by any class of permitholder licensed under this
 1508 chapter; and

1509 (b) Accept wagers on live races conducted at out-of-state
 1510 greyhound tracks only on the days when such permitholder
 1511 receives all live races that any greyhound host track in this
 1512 state makes available.

1513 Section 24. Paragraphs (d), (f), and (g) of subsection (9)
 1514 of section 550.6305, Florida Statutes, are amended to read:

1515 550.6305 Intertrack wagering; guest track payments;
 1516 accounting rules.—

1517 (9) A host track that has contracted with an out-of-state
 1518 horse track to broadcast live races conducted at such out-of-
 1519 state horse track pursuant to s. 550.3551(5) may broadcast such
 1520 out-of-state races to any guest track and accept wagers thereon
 1521 in the same manner as is provided in s. 550.3551.

1522 (d) Any permitholder located in any area of the state
 1523 where there are only two permits, one for greyhound racing
 1524 ~~dogracing~~ and one for jai alai, and any permitholder that
 1525 converted its permit to conduct jai alai to a permit to conduct
 1526 greyhound racing in lieu of jai alai under s. 550.054(14),
 1527 Florida Statutes 2014, as created by s. 6, chapter 2009-170,
 1528 Laws of Florida, may accept wagers on rebroadcasts of out-of-
 1529 state thoroughbred horse races from an in-state thoroughbred
 1530 ~~horse~~ racing permitholder and is ~~shall~~ not be subject to the
 1531 provisions of paragraph (b) if such thoroughbred ~~horse~~ racing
 1532 permitholder located within the area specified in this paragraph
 1533 is both conducting live races and accepting wagers on out-of-
 1534 state horseraces. In such case, the guest permitholder is ~~shall~~

1535 ~~be~~ entitled to 45 percent of the net proceeds on wagers accepted
 1536 at the guest facility. The remaining proceeds shall be
 1537 distributed as follows: one-half shall be retained by the host
 1538 facility and one-half shall be paid by the host facility as
 1539 purses at the host facility.

1540 (f) Any permitholder located in any area of the state
 1541 where there are only two permits, one for greyhound racing
 1542 ~~dog racing~~ and one for jai alai, and any permitholder that
 1543 converted its permit to conduct jai alai to a permit to conduct
 1544 greyhound racing in lieu of jai alai under s. 550.054(14),
 1545 Florida Statutes 2014, as created by s. 6, chapter 2009-170,
 1546 Laws of Florida, may accept wagers on rebroadcasts of out-of-
 1547 state harness horse races from an in-state harness horse racing
 1548 permitholder and may ~~shall~~ not be subject to ~~the provisions of~~
 1549 paragraph (b) if such harness horse racing permitholder located
 1550 within the area specified in this paragraph is conducting live
 1551 races. In such case, the guest permitholder is ~~shall be~~ entitled
 1552 to 45 percent of the net proceeds on wagers accepted at the
 1553 guest facility. The remaining proceeds shall be distributed as
 1554 follows: one-half shall be retained by the host facility and
 1555 one-half shall be paid by the host facility as purses at the
 1556 host facility.

1557 (g)1.a. Any thoroughbred racing permitholder that ~~which~~
 1558 accepts wagers on a simulcast signal must make the signal
 1559 available to any permitholder that is eligible to conduct
 1560 intertrack wagering under the provisions of ss. 550.615-

1561 550.6345.

1562 ~~b.2.~~ Any thoroughbred racing permitholder that ~~which~~
 1563 accepts wagers on a simulcast signal received after 6 p.m. must
 1564 make such signal available to any permitholder that is eligible
 1565 to conduct intertrack wagering under the provisions of ss.
 1566 550.615-550.6345, ~~including any permitholder located as~~
 1567 ~~specified in s. 550.615(6)~~. Such guest permitholders are
 1568 authorized to accept wagers on such simulcast signal,
 1569 notwithstanding any other provision of this chapter to the
 1570 contrary.

1571 ~~c.3.~~ Any thoroughbred racing permitholder that ~~which~~
 1572 accepts wagers on a simulcast signal received after 6 p.m. must
 1573 make such signal available to any permitholder that is eligible
 1574 to conduct intertrack wagering under ~~the provisions of~~ ss.
 1575 550.615-550.6345, ~~including any permitholder located as~~
 1576 ~~specified in s. 550.615(9)~~. Such guest permitholders are
 1577 authorized to accept wagers on such simulcast signals for a
 1578 number of performances not to exceed that which constitutes a
 1579 full schedule of live races for a quarter horse racing
 1580 permitholder pursuant to s. 550.002(11), notwithstanding any
 1581 other provision of this chapter to the contrary, ~~except that the~~
 1582 ~~restrictions provided in s. 550.615(9)(a) apply to wagers on~~
 1583 ~~such simulecast signals.~~

1584 2. A ~~to~~ thoroughbred racing permitholder is not ~~shall be~~
 1585 required to continue to rebroadcast a simulcast signal to any
 1586 in-state permitholder if the average per performance gross

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1587 receipts returned to the host permitholder over the preceding
 1588 30-day period were less than \$100. Subject to the provisions of
 1589 s. 550.615(4), as a condition of receiving rebroadcasts of
 1590 thoroughbred simulcast signals under this paragraph, a guest
 1591 permitholder must accept intertrack wagers on all live races
 1592 conducted by all then-operating thoroughbred racing
 1593 permitholders.

1594 Section 25. Section 550.6308, Florida Statutes, is amended
 1595 to read:

1596 550.6308 Limited intertrack wagering license.—In
 1597 recognition of the economic importance of the thoroughbred
 1598 breeding industry to this state, its positive impact on tourism,
 1599 and of the importance of a permanent thoroughbred sales facility
 1600 as a key focal point for the activities of the industry, a
 1601 limited license to conduct intertrack wagering is established to
 1602 ensure the continued viability and public interest in
 1603 thoroughbred breeding in Florida.

1604 (1) (a) Upon application to the division on or before
 1605 January 31 of each year, any person who ~~that~~ is licensed to
 1606 conduct public sales of thoroughbred horses pursuant to s.
 1607 535.01 and, ~~that~~ has conducted at least 8 ~~15~~ days of
 1608 thoroughbred horse sales at a permanent sales facility in this
 1609 state for at least 3 consecutive years, ~~and that has conducted~~
 1610 ~~at least 1 day of nonwagering thoroughbred racing in this state,~~
 1611 ~~with a purse structure of at least \$250,000 per year for 2~~
 1612 ~~consecutive years before such application,~~ shall be issued a

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1613 license, subject to the conditions set forth in this section, to
1614 conduct intertrack wagering at such a permanent sales facility
1615 during the following periods:

1616 1.~~(a)~~ Up to 21 days in connection with thoroughbred sales;

1617 2.~~(b)~~ Between November 1 and May 8;

1618 3.~~(c)~~ Between May 9 and October 31 at such times and on
1619 such days as any thoroughbred, jai alai, or a greyhound
1620 permitholder in the same county is not conducting live
1621 performances; provided that any such permitholder may waive this
1622 requirement, in whole or in part, and allow the licensee under
1623 this section to conduct intertrack wagering during one or more
1624 of the permitholder's live performances; and

1625 4.~~(d)~~ During the weekend of the Kentucky Derby, the
1626 Preakness, the Belmont, and a Breeders' Cup Meet that is
1627 conducted before November 1 and after May 8.

1628 (b) Only ~~no more than~~ one such license may be issued, and
1629 the no-such license may not be issued for a facility located
1630 within 50 miles of any for-profit thoroughbred racing
1631 permitholder's licensed track.

1632 (2) If more than one application is submitted for such
1633 license, the division shall determine which applicant shall be
1634 granted the license. In making its determination, the division
1635 shall grant the license to the applicant demonstrating superior
1636 capabilities, as measured by the length of time the applicant
1637 has been conducting thoroughbred sales within this state or
1638 elsewhere, the applicant's total volume of thoroughbred horse

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1639 sales, within this state or elsewhere, the length of time the
 1640 applicant has maintained a permanent thoroughbred sales facility
 1641 in this state, and the quality of the facility.

1642 (3) The applicant must comply with the provisions of ss.
 1643 550.125 and 550.1815.

1644 ~~(4) Intertrack wagering under this section may be~~
 1645 ~~conducted only on thoroughbred horse racing, except that~~
 1646 ~~intertrack wagering may be conducted on any class of pari-mutuel~~
 1647 ~~race or game conducted by any class of permitholders licensed~~
 1648 ~~under this chapter if all thoroughbred, jai alai, and greyhound~~
 1649 ~~permitholders in the same county as the licensee under this~~
 1650 ~~section give their consent.~~

1651 (4)-(5) The licensee shall be considered a guest track
 1652 under this chapter. The licensee shall pay 2.5 percent of the
 1653 total contributions to the daily pari-mutuel pool on wagers
 1654 accepted at the licensee's facility on greyhound races or jai
 1655 alai games to the thoroughbred racing permitholder that is
 1656 conducting live races for purses to be paid during its current
 1657 racing meet. If more than one thoroughbred racing permitholder
 1658 is conducting live races on a day during which the licensee is
 1659 conducting intertrack wagering on greyhound races or jai alai
 1660 games, the licensee shall allocate these funds between the
 1661 operating thoroughbred racing permitholders on a pro rata basis
 1662 based on the total live handle at the operating permitholders'
 1663 facilities.

1664 Section 26. Section 551.101, Florida Statutes, is amended

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1665 to read:

1666 551.101 Slot machine gaming authorized.—Possession of slot
 1667 machines and conduct of slot machine gaming is authorized only
 1668 at eligible facilities licensed under this chapter ~~Any licensed~~
 1669 ~~pari-mutuel facility located in Miami-Dade County or Broward~~
 1670 ~~County existing at the time of adoption of s. 23, Art. X of the~~
 1671 ~~State Constitution that has conducted live racing or games~~
 1672 ~~during calendar years 2002 and 2003 may possess slot machines~~
 1673 ~~and conduct slot machine gaming at the location where the pari-~~
 1674 ~~mutuel permit holder is authorized to conduct pari-mutuel~~
 1675 ~~wagering activities pursuant to such permit holder's valid pari-~~
 1676 ~~mutuel permit provided that a majority of voters in a countywide~~
 1677 ~~referendum have approved slot machines at such facility in the~~
 1678 ~~respective county.~~ Notwithstanding any other ~~provision of law,~~
 1679 it is not a crime for a person to participate in slot machine
 1680 gaming at a pari-mutuel facility licensed to possess slot
 1681 machines and conduct slot machine gaming or to participate in
 1682 slot machine gaming described in this chapter.

1683 Section 27. Subsections (4) and (11) of section 551.102,
 1684 Florida Statutes, are amended to read:

1685 551.102 Definitions.—As used in this chapter, the term:

1686 (4) "Eligible facility" means a any licensed pari-mutuel
 1687 facility that meets the requirements of s. 551.104(2) ~~located in~~
 1688 ~~Miami-Dade County or Broward County existing at the time of~~
 1689 ~~adoption of s. 23, Art. X of the State Constitution that has~~
 1690 ~~conducted live racing or games during calendar years 2002 and~~

1691 ~~2003 and has been approved by a majority of voters in a~~
 1692 ~~countywide referendum to have slot machines at such facility in~~
 1693 ~~the respective county; any licensed pari-mutuel facility located~~
 1694 ~~within a county as defined in s. 125.011, provided such facility~~
 1695 ~~has conducted live racing for 2 consecutive calendar years~~
 1696 ~~immediately preceding its application for a slot machine~~
 1697 ~~license, pays the required license fee, and meets the other~~
 1698 ~~requirements of this chapter; or any licensed pari-mutuel~~
 1699 ~~facility in any other county in which a majority of voters have~~
 1700 ~~approved slot machines at such facilities in a countywide~~
 1701 ~~referendum held pursuant to a statutory or constitutional~~
 1702 ~~authorization after the effective date of this section in the~~
 1703 ~~respective county, provided such facility has conducted a full~~
 1704 ~~schedule of live racing for 2 consecutive calendar years~~
 1705 ~~immediately preceding its application for a slot machine~~
 1706 ~~license, pays the required license licensed fee, and meets the~~
 1707 ~~other requirements of this chapter.~~

1708 (11) "Slot machine licensee" means a pari-mutuel
 1709 permitholder that ~~who~~ holds a slot machine license issued by the
 1710 ~~division pursuant to this chapter that authorizes such person to~~
 1711 ~~possess a slot machine within facilities specified in s. 23,~~
 1712 ~~Art. X of the State Constitution and allows slot machine gaming.~~

1713 Section 28. Subsection (2) and paragraph (c) of subsection
 1714 (4) of section 551.104, Florida Statutes, are amended, and
 1715 subsection (3) of that section is republished, to read:

1716 551.104 License to conduct slot machine gaming.—

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1717 (2) An application may be approved by the division only
1718 if:

1719 (a) The facility at which the applicant seeks to operate
1720 slot machines is:

1721 1. A licensed pari-mutuel facility where live racing or
1722 games were conducted during calendar years 2002 and 2003,
1723 located in Miami-Dade County or Broward County, and authorized
1724 for slot machine licensure pursuant to s. 23, Art. X of the
1725 State Constitution;

1726 2. A licensed pari-mutuel facility where a full schedule
1727 of live horseracing has been conducted for 2 consecutive
1728 calendar years immediately preceding its application for a slot
1729 machine license and located within a county as defined in s.
1730 125.011; or

1731 3. A licensed pari-mutuel facility located within a county
1732 that has a total population of at least 1.25 million; has at
1733 least 30 incorporated municipalities; is located in a county
1734 other than Miami-Dade and Broward Counties, in which a majority
1735 of voters approve slot machines at such facility in a countywide
1736 referendum held after the effective date of this paragraph and
1737 concurrently with a general election in which the offices of
1738 President and Vice President of the United States are on the
1739 ballot; pays the required license fee; and meets the other
1740 requirements of this chapter. However, a license to conduct slot
1741 machine gaming may not be granted by the division pursuant to
1742 this subparagraph unless the gaming compact, authorized pursuant

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1743 to s. 285.710 (3) (b), between the Seminole Tribe of Florida and
1744 the State of Florida indicates that slot machine gaming
1745 conducted by such slot machine licensee would not violate any of
1746 the compact's provisions. Licensure in accordance with this
1747 subparagraph is permitted only if the permitholder relinquishes
1748 one pari-mutuel permit issued in accordance with chapter 550 to
1749 the state before issuance of the license. Any relinquished pari-
1750 mutuel permit is void and shall not be reissued. Any
1751 permitholder licensed in accordance with this subparagraph is
1752 exempt from all of the live racing requirements of chapter 550
1753 and this chapter.

1754 4. Selected pursuant to ss. 551.1041-551.1044; is located
1755 within a county with a population of at least 2.5 million in
1756 which a majority of voters in a countywide referendum voted to
1757 allow slot machines before December 30, 2011, and a majority of
1758 voters approve slot machines at such facility in a countywide
1759 referendum held after the effective date of this paragraph and
1760 concurrently with a general election in which the offices of
1761 President and Vice President of the United States are on the
1762 ballot; pays the required license fee; and meets the other
1763 requirements of this chapter. However, a license to conduct slot
1764 machine gaming may not be granted by the division pursuant to
1765 this subparagraph unless the gaming compact, authorized pursuant
1766 to s. 285.710 (3) (b), between the Seminole Tribe of Florida and
1767 the State of Florida indicates that slot machine gaming
1768 conducted by such slot machine licensee would not violate any of

1769 the compact's provisions. Any permitholder licensed in
 1770 accordance with this subparagraph is exempt from all live racing
 1771 requirements contained in chapter 550 and this chapter.

1772 (b) ~~after~~ The voters of the county where the applicant's
 1773 facility is located have authorized by referendum slot machines
 1774 within pari-mutuel facilities in that county ~~as specified in s.~~
 1775 ~~23, Art. X of the State Constitution.~~

1776 (c) Issuance of the license would not trigger a reduction
 1777 in revenue-sharing payments under the Gaming Compact between the
 1778 Seminole Tribe of Florida and the State of Florida.

1779 (3) A slot machine license may be issued only to a
 1780 licensed pari-mutuel permitholder, and slot machine gaming may
 1781 be conducted only at the eligible facility at which the
 1782 permitholder is authorized under its valid pari-mutuel wagering
 1783 permit to conduct pari-mutuel wagering activities.

1784 (4) As a condition of licensure and to maintain continued
 1785 authority for the conduct of slot machine gaming, the slot
 1786 machine licensee shall:

1787 (c) Conduct no fewer than a full schedule of live racing
 1788 or games as defined in s. 550.002(11). A permitholder's
 1789 responsibility to conduct such number of live races or games
 1790 shall be reduced by the number of races or games that could not
 1791 be conducted due to the direct result of fire, war, hurricane,
 1792 or other disaster or event beyond the control of the
 1793 permitholder. A greyhound racing permitholder is exempt from the
 1794 live racing requirement of this paragraph if the permitholder

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1795 conducted a full schedule of live racing for a period of at
1796 least 10 consecutive state fiscal years after the 2002-2003
1797 state fiscal year. Harness racing and quarter horse racing
1798 permitholders that have held an operating license for at least 5
1799 years and a slot license for at least 5 years are exempt from
1800 the live racing requirements of this subsection. Thoroughbred
1801 racing permitholders located in a county with a population of
1802 more than 2.5 million who have had an operating license for at
1803 least 25 years and a slot license for at least 5 years are
1804 exempt from the live racing requirements of this subsection.

1805 Section 29. Section 551.1041, Florida Statutes, is created
1806 to read:

1807 551.1041 Authorization of limited slot machine facility.-
1808 The division may grant a slot machine license under this chapter
1809 to a limited slot machine facility only if a majority of the
1810 electors in the county in which the facility will be located,
1811 voting in a countywide referendum, have passed a referendum
1812 allowing for slot machines as of December 30, 2011, and if,
1813 subsequent to the selection of the facility pursuant to this
1814 section and ss. 551.1042, 551.1043, and 551.1044, a majority of
1815 the electors voting in a countywide referendum have passed a
1816 referendum allowing slot machines at a limited slot machine
1817 facility.

1818 Section 30. Section 551.1042, Florida Statutes, is created
1819 to read:

1820 551.1042 Selection of limited slot machine facility.-

1821 (1) The division may grant a slot machine license to a
1822 limited slot machine facility applicant that is the best suited
1823 to operate such facility. The licensee must comply with all
1824 provisions of chapter 550, including s. 550.054.

1825 (2) The division shall use a request for proposals process
1826 for determining the selection of a limited slot machine
1827 facility. The proposal forms and procedures shall be provided by
1828 the division. The deadline for issuance of the initial request
1829 for proposals shall be no later than January 1, 2017.

1830 (3) Proposals in response to the request for proposals
1831 must be received by the division within 180 days after the
1832 issuance of the request for proposals.

1833 (4) The division shall specify in its request for
1834 proposals the county in which the facility may be located. When
1835 determining whether to select a facility located within a
1836 specific county, the division shall hold a public hearing in
1837 such county to discuss the proposals and receive public
1838 comments.

1839 (5) The division and the Secretary of Business and
1840 Professional Regulation shall review all complete proposals
1841 received pursuant to a request for proposals. The secretary may
1842 select one proposal after determining which proposal is in the
1843 best interest of the state based on the selection criteria. The
1844 division shall notify all applicants within 90 days after
1845 approval or denial by the secretary. Subsequent to approval of
1846 the referendum required under s. 551.1041, the selected facility

1847 may be granted a slot machine license in accordance with this
 1848 chapter.

1849 Section 31. Section 551.1043, Florida Statutes, is created
 1850 to read:

1851 551.1043 Criteria for selection of a limited slot machine
 1852 facility.—Proposals for selection as a limited slot machine
 1853 facility shall be evaluated based on the criteria and
 1854 requirements in this section and ss. 551.1041-551.1044.

1855 (1)(a) The division shall evaluate applicants based on the
 1856 following minimum criteria:

1857 1. The applicant must demonstrate a capacity to increase
 1858 tourism, generate jobs, and provide revenue to the local economy
 1859 and the General Revenue Fund.

1860 2. The applicant must demonstrate a history of, or a bona
 1861 fide plan for, involvement or investment in the community where
 1862 the facility will be located.

1863 3. The applicant must demonstrate a history of investment
 1864 in the communities in which its previous developments have been
 1865 located or propose a plan to increase community investment.

1866 4. The applicant must demonstrate that it has adequate
 1867 capitalization to develop, construct, maintain, and operate the
 1868 facility in accordance with all related laws and rules and to
 1869 responsibly meet its financial and other contractual agreements.

1870 The applicant must demonstrate management expertise and
 1871 experience in building and managing a similar facility.

1872 5. The applicant must demonstrate how it will integrate

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1873 with local businesses in the host and surrounding communities,
1874 including local restaurants, hotels, retail outlets, and
1875 impacted live entertainment venues. The applicant must
1876 demonstrate how the facility's design will integrate properly
1877 into the community.

1878 6. The applicant must demonstrate its ability to develop a
1879 facility of a high caliber with a variety of high quality
1880 amenities to be included as part of the establishment that will
1881 enhance the state's tourism industry and economy.

1882 7. The applicant must demonstrate the ability to generate
1883 substantial gross receipts and revenue for state and local
1884 governments.

1885 (b) The division shall evaluate applicants based on their
1886 ability to contribute to a contraction in the amount of gaming
1887 in the state based on the following:

1888 1. The applicant must acquire eligible permits for the
1889 conduct of pari-mutuel wagering pursuant to this section or sign
1890 an irrevocable option contract to acquire such permits
1891 contingent on the applicant's obtaining a limited slot machine
1892 facility. The acquired eligible permits must total a minimum of
1893 five points under the point system identified in subparagraph
1894 3., and the division shall add additional value in its scoring
1895 for applicants based on total points calculated under this
1896 paragraph. If the applicant's proposal is selected as the
1897 limited slot machine facility and receives a slot machine
1898 license, the applicant shall obtain and forfeit to the division

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1899 such acquired eligible permits. A permit forfeited under this
1900 subparagraph is void and may not be reissued. A permit holder who
1901 sells, transfers, or assigns a permit under this chapter
1902 forfeits any right to conduct slot machine gaming at such
1903 facility.

1904 2. As used in this paragraph, the term:

1905 a. "Eligible permit" means a permit for the conduct of
1906 pari-mutuel wagering in this state under which a full schedule
1907 of live racing or games has been held for each of the 3
1908 consecutive fiscal years immediately preceding the effective
1909 date of this section.

1910 b. "Gaming-related taxes" means the total net taxes and
1911 fees paid to the state pursuant to ss. 550.0951, 550.3551,
1912 551.106, and 849.086, reduced by any applied tax credits or
1913 exemptions.

1914 3. The division shall score eligible permits under the
1915 following point system:

1916 a. An eligible permit under which a total of at least \$50
1917 million in gaming-related taxes has been paid to the state over
1918 the 3 completed fiscal years immediately preceding the effective
1919 date of this section shall be valued at three points.

1920 b. An eligible permit under which a total of at least \$3
1921 million, but less than \$50 million, in gaming-related taxes has
1922 been paid to the state over the 3 completed fiscal years
1923 immediately preceding the effective date of this section shall
1924 be valued at two and one-half points.

1925 c. An eligible permit under which a total of at least \$1
1926 million, but less than \$3 million, in gaming-related taxes has
1927 been paid to the state over the 3 completed fiscal years
1928 immediately preceding the effective date of this section shall
1929 be valued at two points.

1930 d. An eligible permit under which a total of at least
1931 \$100,000, but less than \$1 million, in gaming-related taxes has
1932 been paid to the state over the 3 completed fiscal years
1933 immediately preceding the effective date of this section shall
1934 be valued at one and one-half points.

1935 e. An eligible permit under which a total of at least
1936 \$1,000, but less than \$100,000, in gaming-related taxes has been
1937 paid to the state over the 3 completed fiscal years immediately
1938 preceding the effective date of this section shall be valued at
1939 one point.

1940 (c) The division may assess any other criteria it deems
1941 necessary to evaluate the proposal and applicant.

1942 (2) The division shall only consider proposals from
1943 applicants that are individuals of good moral character who are
1944 at least 21 years of age or a corporation only if its officers
1945 are of good moral character and at least 21 years of age.

1946 (3) (a) The division may not consider a proposal from an
1947 applicant if the applicant:

1948 1. Has, within the last 5 years, been adjudicated by a
1949 court or tribunal for failure to pay income, sales, or gross
1950 receipts tax due and payable under any federal, state, or local

1951 law, after exhaustion of all appeals or administrative remedies.

1952 2. Has been convicted of a felony under the laws of this
 1953 state, any other state, or the United States.

1954 3. Has been convicted of any violation of chapter 817 or a
 1955 substantially similar law of another jurisdiction.

1956 4. Knowingly submitted false information in the proposal.

1957 5. Is an employee of the division.

1958 6. Was licensed to own or operate gaming or pari-mutuel
 1959 facilities in this state or another jurisdiction and such
 1960 license was revoked.

1961 (b) As used in this subsection, the term "convicted"
 1962 includes an adjudication of guilt, a plea of guilty or nolo
 1963 contendere, or the forfeiture of a bond when charged with a
 1964 crime.

1965 Section 32. Section 551.1044, Florida Statutes, is created
 1966 to read:

1967 551.1044 Submission of proposal for a limited slot machine
 1968 facility.—

1969 (1) PROPOSAL.—A proposal submitted in response to a
 1970 request for proposals must include documentation on the criteria
 1971 and requirements in ss. 551.1041, 551.1042, and 551.1043 and the
 1972 following information:

1973 (a)1. The name, business address, telephone number, social
 1974 security number, and, if applicable, federal tax identification
 1975 number of the applicant.

1976 2. Any information, documentation, and assurances

1977 concerning financial background and resources which may be
1978 required to establish the financial stability, integrity, and
1979 responsibility of the applicant. Such information includes all
1980 financial backers, investors, mortgagees, bondholders, holders
1981 of indentures, and holders of notes; other indebtedness;
1982 business and personal income and disbursement schedules; tax
1983 returns and other reports filed with governmental agencies; and
1984 business and personal accounting and check records and ledgers.
1985 In addition, each applicant must provide written authorization
1986 for the examination of all financial accounts and records as may
1987 be deemed necessary by the division and any information,
1988 documentation, or assurances the division requires to establish
1989 by clear and convincing evidence the adequacy of financial
1990 resources.

1991 (b) The identity and, if applicable, the state of
1992 incorporation or registration of any business in which the
1993 applicant has an equity interest of more than 5 percent. If the
1994 applicant is a corporation, partnership, or other business
1995 entity, the applicant must identify any other corporation,
1996 partnership, or other business entity in which it has an equity
1997 interest of more than 5 percent, including, if applicable, the
1998 state of incorporation or registration.

1999 (c) Documentation that the applicant has acquired, or has
2000 an option to acquire, the site where the proposed facility will
2001 be located.

2002 (d) A statement as to whether the applicant has developed

2003 and operated a similar gaming facility within a highly regulated
2004 domestic jurisdiction that allows similar forms of development,
2005 including a description of the gaming facility, the gaming
2006 facility's gross revenue, and the amount of revenue the gaming
2007 facility has generated for state and local governments within
2008 that jurisdiction.

2009 (e) A statement as to whether the applicant has been
2010 indicted, convicted of, pled guilty or nolo contendere to, or
2011 forfeited bail for any felony or for a misdemeanor involving
2012 gambling, theft, or fraud. The statement must include the date,
2013 the name and location of the court, the arresting agency, the
2014 prosecuting agency, the case caption, the docket number, the
2015 nature of the offense, the disposition of the case, and, if
2016 applicable, the location and length of incarceration.

2017 (f) A statement as to whether the applicant has ever been
2018 granted any license or certificate in any jurisdiction which has
2019 been restricted, suspended, revoked, not renewed, or otherwise
2020 subjected to discipline. The statement must describe the facts
2021 and circumstances concerning that restriction, suspension,
2022 revocation, nonrenewal, or discipline, including the licensing
2023 authority, the date each action was taken, and an explanation of
2024 the circumstances for each disciplinary action.

2025 (g) A statement as to whether the applicant has, as a
2026 principal or a controlling shareholder, within the last 10
2027 years, filed for protection under the federal Bankruptcy Code or
2028 had an involuntary bankruptcy petition filed against it.

2029 (h) A statement as to whether the applicant has, within
2030 the last 5 years, been adjudicated by a court or tribunal for
2031 failure to pay any income, sales, or gross receipts tax due and
2032 payable under federal, state, or local law, or under the laws of
2033 any applicable foreign jurisdiction, after exhaustion of all
2034 appeals or administrative remedies. This statement must identify
2035 the amount and type of the tax and the time periods involved and
2036 must describe the resolution of the nonpayment.

2037 (i) A list of the names and titles of any public officials
2038 or officers of any unit of state government or of the local
2039 government or governments in the county or municipality in which
2040 the proposed facility is to be located, and the spouses,
2041 parents, and children of those public officials or officers,
2042 who, directly or indirectly, own any financial interest in, have
2043 any beneficial interest in, are the creditors of, hold any debt
2044 instrument issued by, or hold or have an interest in any
2045 contractual or service relationship with the applicant. As used
2046 in this paragraph, the terms "public official" and "officer" do
2047 not include a person who would be listed solely because the
2048 person is a member of the Florida National Guard.

2049 (j) The name and business telephone number of any
2050 attorney, lobbyist, employee, consultant, or other person who is
2051 representing an applicant before the division during the
2052 proposal process.

2053 (k) A description of the applicant's history of and
2054 proposed plan for community involvement or investment in the

2055 community where the facility will be located.

2056 (l) A description of the applicant's proposed facility,
2057 including a map documenting the location of the facility within
2058 the authorized counties; a statement from appropriate state and
2059 local agencies regarding the compliance of the applicant with
2060 state, regional, and local planning and zoning requirements; a
2061 description of the economic benefit to the community in which
2062 the facility will be located; the anticipated number of jobs
2063 generated by construction of the facility; the anticipated
2064 number of employees; a projection of admissions or attendance at
2065 the facility; a projection of gross receipts; a projection of
2066 revenue generated for state and local governments; and market
2067 research pertaining to the proposed facility.

2068 (m) A schedule or timeframe for completing the facility.

2069 (n) A plan for training residents of this state for jobs
2070 at the facility.

2071 (o) The identity of each person, association, trust,
2072 corporation, or partnership having a direct or an indirect
2073 equity interest in the applicant of greater than 5 percent. If
2074 disclosure of a trust is required under this paragraph, the
2075 names and addresses of the beneficiaries of the trust must also
2076 be disclosed. If the identity of a corporation must be
2077 disclosed, the names and addresses of all stockholders and
2078 directors must also be disclosed. If the identity of a
2079 partnership must be disclosed, the names and addresses of all
2080 partners, both general and limited, must also be disclosed.

2081 (p) A facility development plan and projected investment.

2082 (q) The fingerprints of all officers or directors of the
 2083 applicant, and any persons exercising operational or managerial
 2084 control of the applicant, for a criminal history records check.

2085 (r) A listing of all gaming licenses and permits the
 2086 applicant currently possesses.

2087 (s) A listing of former or inactive officers, directors,
 2088 partners, and trustees.

2089 (t) A listing of all affiliated business entities or
 2090 holding companies, including nongaming interests.

2091 (u) Contracts and documentation related to permits that
 2092 will be forfeited under the gaming footprint contraction
 2093 criteria in s. 551.1042.

2094 (v) Any other information the division may deem
 2095 appropriate or require during the proposal process.

2096 (2) DISCRETION TO REQUIRE INFORMATION.—In addition to the
 2097 documentation and information required in subsection (1), the
 2098 division may request additional information or documentation
 2099 that must be included in a proposal for a limited slot machine
 2100 facility.

2101 (3) INCOMPLETE PROPOSALS.—

2102 (a) An incomplete proposal for a limited slot machine
 2103 facility is grounds for the denial of the proposal.

2104 (b) The division must refund 70 percent of the proposal
 2105 fee within 30 days after the denial of an incomplete proposal.

2106 (4) DUTY TO SUPPLEMENT PROPOSAL.—The proposal shall be

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2107 supplemented as needed to reflect any material change in any
2108 circumstance or condition stated in the proposal which takes
2109 place between the initial filing of the proposal and the final
2110 grant or denial of the license. Any submission required to be in
2111 writing may otherwise be required by the division to be made by
2112 electronic means.

2113 (5) PROPOSAL FEE.—The proposal for a limited slot machine
2114 facility must be submitted along with a nonrefundable proposal
2115 fee of \$1 million, which shall be deposited into the Pari-mutuel
2116 Wagering Trust Fund to be used by the division to defray costs
2117 associated with the review and investigation of the proposal and
2118 to conduct a background investigation of the applicant. If the
2119 cost of the review and investigation exceeds \$1 million, the
2120 applicant must pay the additional amount to the division within
2121 30 days after receipt of a request for an additional payment.
2122 Additional payments under this subsection shall also be
2123 deposited into the Pari-mutuel Wagering Trust Fund.

2124 Section 33. Section 551.1055, Florida Statutes, is created
2125 to read:

2126 551.1055 Video race terminals.—

2127 (1) Subject to the requirements of this section and
2128 compliance with the rules adopted by the department, a slot
2129 machine licensee operating at a facility authorized pursuant to
2130 s. 551.104(2)(a)3. and a slot machine licensee operating at a
2131 limited slot machine facility selected pursuant to ss. 551.1041-
2132 551.1044 may operate a video race terminal and a video race

2133 system under all of the following conditions:

2134 (a) The game is certified in advance by an independent
2135 testing laboratory licensed or contracted by the division as
2136 complying with this section.

2137 (b) All data on previously conducted horseraces must be
2138 stored in a secure format on the central server that is located
2139 at the pari-mutuel facility.

2140 (c) Only horseraces that were recorded at licensed pari-
2141 mutuel facilities in the United States after January 1, 2005,
2142 may be used.

2143 (d) A wager on a video race terminal may not exceed \$5 per
2144 game or race.

2145 (e) Only one game or race on a video race terminal may be
2146 played at a time and a player is not permitted to wager on a new
2147 game or race until the previous game or race has been completed.

2148 (f) Video race terminals may not offer games using
2149 tangible playing cards, such as paper or plastic, but may offer
2150 games using electronic or virtual cards.

2151 (g) After each wager is placed, the video race terminal
2152 must display a video of at least the final seconds of the
2153 horserace on the video race terminal's video screen before any
2154 prize is awarded or indicated on the video race terminal and the
2155 video race terminal must display the official results and
2156 identity of the race.

2157 (h)1. Identifying information about any race or the
2158 competing horses in that race, other than handicapping data, may

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2159 not be revealed to a patron until after the patron's wagers are
2160 irrevocably placed. Before the patron makes wager selections,
2161 the terminal shall not display any information that would allow
2162 the patron to identify the race on which he or she is wagering,
2163 including location of the race, the date on which the race was
2164 run, the names of the animals in the race, or the names of the
2165 jockeys that participated in the race;

2166 2. Once the patron deposits the wagered amount in the
2167 video race terminal, a race shall be chosen at random for
2168 presentation to the patron;

2169 3. The terminal shall make available true and accurate
2170 past performance information on the race to the patron before
2171 the patron makes his or her wager selections. The information
2172 shall be current as of the day the race was run. The information
2173 may be displayed on the terminal in data or graphical form.

2174 (i) Mechanical reel displays are not permitted.

2175 (j) A video race terminal may not contain more than one
2176 player position for placing wagers.

2177 (k) If there is a complete breakdown of a video race
2178 terminal, the licensee offering the wager shall make a full
2179 refund of the patron's balance on the terminal at the time of
2180 the breakdown, as verified by the video racing totalisator
2181 system.

2182 (l) The video race must take place on individual wagering
2183 terminals located at a facility at which the conduct of other
2184 pari-mutuel wagering is authorized under a license issued under

2185 ss. 550.01215 and 551.104.

2186 (m) The licensee has paid the \$50,000 fee under s.
2187 550.0951(5)(b).

2188 (n) Coins, currency, or tokens may not be dispensed from a
2189 video race wagering terminal.

2190 (o) The video race terminal or machines may not be played
2191 by persons under 21 years of age.

2192 (p) Prizes must be awarded based solely on the results of
2193 a previously conducted horserace. No additional element of
2194 chance may be used. However, a random number generator must be
2195 used to select the race from the central server to be displayed
2196 to the player and to select numbers or other designations of
2197 race entrants that will be used in the various bet types for any
2198 "Quick Pick" bets. To prevent a player from recognizing the race
2199 based on the entrants and thus knowing the results before
2200 placing a wager, the entrants of the race may not be identified
2201 until after all wagers for that race are placed.

2202 (q)1. Except as specified in subparagraph 3., all payouts
2203 to winning video race wagers shall be paid exclusively from the
2204 pools of video race wagers. An entity may not conduct video
2205 racing in a manner that allows patrons to wager against the
2206 licensee, or in a manner such that the licensee's commission
2207 depends upon the outcome of any particular race or the success
2208 of any particular wager. Payment of a winning wager may not
2209 exceed the amount available in the applicable pool and must be
2210 paid to the patron using cash or cash vouchers only.

2211 2. Seed pools shall be maintained and funded so that the
 2212 amount available at any given time is sufficient to ensure that
 2213 a patron will be paid the minimum payout for a winning wager as
 2214 specified by the video race terminal through which the wager is
 2215 placed. A licensee may assign a percentage of each video racing
 2216 wager to fund seed pools.

2217 3. A licensee shall provide the funding for the initial
 2218 seed pool for each type of wager. The funding for the initial
 2219 seed pool is not refundable.

2220 (2) An eligible licensee may only make available for play
 2221 up to 250 video race terminals effective January 1, 2017, and
 2222 may only make available for play up to 750 video race terminals
 2223 effective October 1, 2018.

2224 (3) An eligible licensee may not operate more than 750
 2225 video race terminals at any time.

2226 (4) The moneys wagered on races via the video race system
 2227 shall be separated from all other pari-mutuel wagers accepted by
 2228 the licensee.

2229 (5) The department shall adopt rules necessary to
 2230 implement, administer, and regulate the operation of video
 2231 racing systems. The rules must include:

2232 (a) Procedures for regulating, managing, and auditing the
 2233 operation, financial data, and program information relating to
 2234 video racing systems which enable the department to audit the
 2235 operation, financial data, and program information of the
 2236 licensee authorized to operate a video racing system.

2237 (b) Technical requirements to operate a video race system,
2238 including ensuring that the blended takeout from the pari-mutuel
2239 pools on video race terminals shall not be higher than 12
2240 percent of the total handle on video racing conducted at a
2241 facility.

2242 (c) Procedures to require a licensee to maintain specified
2243 records and submit any data, information, records, or reports,
2244 including financial and income records, required by this chapter
2245 or rules of the department.

2246 (d) Procedures relating to video race system revenues,
2247 including verifying and accounting for such revenues, auditing,
2248 and collecting taxes and fees.

2249 (e) Minimum standards for security of the facilities,
2250 including floor plans, security cameras, and other security
2251 equipment.

2252 (f) Procedures to ensure that a video race terminal does
2253 not enter the state and will not be offered for play until it
2254 has been tested and certified by a licensed testing laboratory
2255 for play in the state. The procedures shall address measures to
2256 scientifically test and technically evaluate video race
2257 terminals for compliance with laws and rules regulating video
2258 race systems. The department may contract with an independent
2259 testing laboratory to conduct any necessary testing. The
2260 independent testing laboratory must have a national reputation
2261 indicating that it is demonstrably competent and qualified to
2262 scientifically test and evaluate video racing systems to ensure

2263 that the system performs the functions required by laws and
 2264 rules. An independent testing laboratory may not be owned or
 2265 controlled by a licensee. The selection of an independent
 2266 laboratory for any purpose related to the conduct of video race
 2267 systems shall be made from a list of laboratories approved by
 2268 the department. The department shall adopt rules regarding the
 2269 testing, certification, control, and approval of video race
 2270 systems.

2271 (6) Notwithstanding any other provision of the law, the
 2272 proceeds of video race terminal tickets purchased that are not
 2273 redeemed within 1 year after purchase shall be distributed as
 2274 follows:

2275 (a) Fifty percent shall be retained by the licensee.

2276 (b) Fifty percent shall be used for purses or awards on
 2277 live thoroughbred racing conducted at licensed thoroughbred
 2278 facilities in the state by distributing it in equal amounts to
 2279 any thoroughbred racing permit holder that holds an operating
 2280 permit. If a licensee does not conduct live racing, 50 percent
 2281 shall be remitted to the state pursuant to s. 550.1645.

2282 Section 34. Paragraph (a) of subsection (2) of section
 2283 551.106, Florida Statutes, is amended to read:

2284 551.106 License fee; tax rate; penalties.—

2285 (2) TAX ON SLOT MACHINE REVENUES.—

2286 (a) The tax rate on slot machine revenues at each facility
 2287 shall be 30 ~~35~~ percent. However, notwithstanding s. 551.114(1),
 2288 a slot machine licensee offering slot machines on January 1,

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2289 2016, may elect to permanently reduce its authorized total
2290 number of slot machines to 1,500 slot machines within the
2291 property of the slot machine licensee in the licensee's next
2292 annual slot machine license renewal application. Any licensee
2293 that agrees and elects to permanently reduce its authorized
2294 total number of slot machines to 1,500 and attests to do so in
2295 its annual license renewal application approved by the division
2296 on or before July 1, 2017, shall have a tax rate on slot machine
2297 revenues at such facility of 25 percent effective July 1, 2017.
2298 ~~If, during any state fiscal year, the aggregate amount of tax~~
2299 ~~paid to the state by all slot machine licensees in Broward and~~
2300 ~~Miami-Dade Counties is less than the aggregate amount of tax~~
2301 ~~paid to the state by all slot machine licensees in the 2008-2009~~
2302 ~~fiscal year, each slot machine licensee shall pay to the state~~
2303 ~~within 45 days after the end of the state fiscal year a~~
2304 ~~surcharge equal to its pro rata share of an amount equal to the~~
2305 ~~difference between the aggregate amount of tax paid to the state~~
2306 ~~by all slot machine licensees in the 2008-2009 fiscal year and~~
2307 ~~the amount of tax paid during the fiscal year. Each licensee's~~
2308 ~~pro rata share shall be an amount determined by dividing the~~
2309 ~~number 1 by the number of facilities licensed to operate slot~~
2310 ~~machines during the applicable fiscal year, regardless of~~
2311 ~~whether the facility is operating such machines.~~

2312 Section 35. Subsections (1), (2), and (4) of section
2313 551.114, Florida Statutes, are amended to read:

2314 551.114 Slot machine gaming areas.—

2315 (1) (a) Except as provided in paragraph (b) or s.
 2316 551.106(2) (a), a slot machine licensee may make available for
 2317 play up to 1,750 ~~2,000~~ slot machines within the property of the
 2318 facilities of the slot machine licensee.

2319 (b) Effective January 1, 2017, a slot machine licensee
 2320 operating at a facility authorized pursuant to s.
 2321 551.104(2) (a)3. or s. 551.104(2) (a)4. may make available for
 2322 play up to 250 slot machines. Effective October 1, 2018, such
 2323 licensee may make available for play up to 750 slot machines.
 2324 However, a wager on a slot machine operated in accordance with
 2325 this subsection may not exceed \$5.

2326 (2) The slot machine licensee shall display pari-mutuel
 2327 races or games within the designated slot machine gaming areas
 2328 and offer patrons within the designated slot machine gaming
 2329 areas the ability to engage in pari-mutuel wagering on any live,
 2330 intertrack, and simulcast races conducted or offered to patrons
 2331 of the licensed facility.

2332 (4) Designated slot machine gaming areas may be located
 2333 within the current live gaming facility or in an existing
 2334 building that is ~~must be~~ contiguous and connected to the live
 2335 gaming facility. If a designated slot machine gaming area is to
 2336 be located in a building that is to be constructed, that new
 2337 building must be contiguous and connected to the live gaming
 2338 facility. For any permit holder licensed to conduct pari-mutuel
 2339 activities pursuant to a current year's operating license that
 2340 does not require live performances, designated slot machine

2341 gaming areas may be located only within the eligible facility
 2342 for which the initial annual slot machine license was issued.

2343 Section 36. Section 551.116, Florida Statutes, is amended
 2344 to read:

2345 551.116 Days and hours of operation.—Slot machine gaming
 2346 areas may be open daily throughout the year. The slot machine
 2347 gaming areas may be open ~~a cumulative amount of 18 hours per day~~
 2348 ~~on Monday through Friday and 24 hours per day on Saturday and~~
 2349 ~~Sunday and on those holidays specified in s. 110.117(1).~~

2350 Section 37. Section 551.121, Florida Statutes, is amended
 2351 to read:

2352 551.121 Prohibited activities and devices; exceptions.—

2353 ~~(1) Complimentary or reduced cost alcoholic beverages may~~
 2354 ~~not be served to persons playing a slot machine. Alcoholic~~
 2355 ~~beverages served to persons playing a slot machine shall cost at~~
 2356 ~~least the same amount as alcoholic beverages served to the~~
 2357 ~~general public at a bar within the facility.~~

2358 (1)~~(2)~~ A slot machine licensee may not make any loan,
 2359 provide credit, or advance cash in order to enable a person to
 2360 play a slot machine. This subsection shall not prohibit
 2361 automated ticket redemption machines that dispense cash
 2362 resulting from the redemption of tickets from being located in
 2363 the designated slot machine gaming area of the slot machine
 2364 licensee.

2365 ~~(3) A slot machine licensee may not allow any automated~~
 2366 ~~teller machine or similar device designed to provide credit or~~

2367 ~~dispense cash to be located within the designated slot machine~~
 2368 ~~gaming areas of a facility of a slot machine licensee.~~

2369 (2)~~(4)~~(a) A slot machine licensee may not accept or cash
 2370 any check from any person within the designated slot machine
 2371 gaming areas of a facility of a slot machine licensee.

2372 (b) Except as provided in paragraph (c) for employees of
 2373 the facility, a slot machine licensee or operator shall not
 2374 accept or cash for any person within the property of the
 2375 facility any government-issued check, third-party check, or
 2376 payroll check made payable to an individual.

2377 (c) Outside the designated slot machine gaming areas, a
 2378 slot machine licensee or operator may accept or cash a check for
 2379 an employee of the facility who is prohibited from wagering on a
 2380 slot machine under s. 551.108(5), a check made directly payable
 2381 to a person licensed by the division, or a check made directly
 2382 payable to the slot machine licensee or operator from:

- 2383 1. A pari-mutuel patron; or
- 2384 2. A pari-mutuel facility in this state or in another
 2385 state.

2386 (d) Unless accepting or cashing a check is prohibited by
 2387 this subsection, nothing shall prohibit a slot machine licensee
 2388 or operator from accepting and depositing in its accounts checks
 2389 received in the normal course of business.

2390 (3)~~(5)~~ A slot machine, or the computer operating system
 2391 linking the slot machine, may be linked by any means to any
 2392 other slot machine or computer operating system within the

2393 facility of a slot machine licensee. A progressive system may be
 2394 used in conjunction with slot machines between licensed
 2395 facilities in Florida or in other jurisdictions.

2396 (4)~~(6)~~ A slot machine located within a licensed facility
 2397 shall accept only tickets or paper currency or an electronic
 2398 payment system for wagering and return or deliver payouts to the
 2399 player in the form of tickets that may be exchanged for cash,
 2400 merchandise, or other items of value. The use of coins, credit
 2401 or debit cards, tokens, or similar objects is specifically
 2402 prohibited. However, an electronic credit system may be used for
 2403 receiving wagers and making payouts.

2404 Section 38. Subsections (9) through (17) of section
 2405 849.086, Florida Statutes, are renumbered as subsections (10)
 2406 through (18), respectively, and a new subsection (9) is added to
 2407 that section, subsection (2), paragraphs (a) and (b) of
 2408 subsection (5), paragraph (b) of subsection (7), paragraphs (d)
 2409 and (h) of present subsection (13), and present subsections (16)
 2410 and (17) of that section are amended, to read:

2411 849.086 Cardrooms authorized.—

2412 (2) DEFINITIONS.—As used in this section:

2413 (a) "Authorized game" means a game or series of card and
 2414 domino games that ~~of poker or dominoes which~~ are played in
 2415 conformance with this section a nonbanking manner.

2416 (b) "Banking game" means a game in which the house is a
 2417 participant in the game, taking on players, paying winners, and
 2418 collecting from losers ~~or in which the cardroom establishes a~~

2419 ~~bank against which participants play.~~

2420 (c) "Cardroom" means a facility where authorized games are
2421 played for money or anything of value and to which the public is
2422 invited to participate in such games and charged a fee for
2423 participation by the operator of such facility. Authorized games
2424 and cardrooms do not constitute casino gaming operations.

2425 (d) "Cardroom management company" means any individual not
2426 an employee of the cardroom operator, any proprietorship,
2427 partnership, corporation, or other entity that enters into an
2428 agreement with a cardroom operator to manage, operate, or
2429 otherwise control the daily operation of a cardroom.

2430 (e) "Cardroom distributor" means any business that
2431 distributes cardroom paraphernalia such as card tables, betting
2432 chips, chip holders, dominoes, dominoes tables, drop boxes,
2433 banking supplies, playing cards, card shufflers, and other
2434 associated equipment to authorized cardrooms.

2435 (f) "Cardroom operator" means a licensed pari-mutuel
2436 permitholder which holds a valid permit and license issued by
2437 the division pursuant to chapter 550 and which also holds a
2438 valid cardroom license issued by the division pursuant to this
2439 section which authorizes such person to operate a cardroom and
2440 to conduct authorized games in such cardroom.

2441 (g) "Designated player" means the player identified as the
2442 player in the dealer position, seated at a traditional player
2443 position in a designated player game, who pays winning players
2444 and collects from losing players.

2445 (h) "Designated player game" means a game consisting of at
2446 least three cards in which the players compare their cards only
2447 to the cards of the designated player.

2448 (i)~~(g)~~ "Division" means the Division of Pari-mutuel
2449 Wagering of the Department of Business and Professional
2450 Regulation.

2451 (j)~~(h)~~ "Dominoes" means a game of dominoes typically
2452 played with a set of 28 flat rectangular blocks, called "bones,"
2453 which are marked on one side and divided into two equal parts,
2454 with zero to six dots, called "pips," in each part. The term
2455 also includes larger sets of blocks that contain a
2456 correspondingly higher number of pips. The term also means the
2457 set of blocks used to play the game.

2458 (k)~~(i)~~ "Gross receipts" means the total amount of money
2459 received by a cardroom from any person for participation in
2460 authorized games.

2461 (l)~~(j)~~ "House" means the cardroom operator and all
2462 employees of the cardroom operator.

2463 (m)~~(k)~~ "Net proceeds" means the total amount of gross
2464 receipts received by a cardroom operator from cardroom
2465 operations less direct operating expenses related to cardroom
2466 operations, including labor costs, admission taxes only if a
2467 separate admission fee is charged for entry to the cardroom
2468 facility, gross receipts taxes imposed on cardroom operators by
2469 this section, the annual cardroom license fees imposed by this
2470 section on each table operated at a cardroom, and reasonable

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2471 promotional costs excluding officer and director compensation,
2472 interest on capital debt, legal fees, real estate taxes, bad
2473 debts, contributions or donations, or overhead and depreciation
2474 expenses not directly related to the operation of the cardrooms.

2475 (n)~~(l)~~ "Rake" means a set fee or percentage of the pot
2476 assessed by a cardroom operator for providing the services of a
2477 dealer, table, or location for playing the authorized game.

2478 (o)~~(m)~~ "Tournament" means a series of games that have more
2479 than one betting round involving one or more tables and where
2480 the winners or others receive a prize or cash award.

2481 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
2482 operate a cardroom in this state unless such person holds a
2483 valid cardroom license issued pursuant to this section.

2484 (a) Only those persons holding a valid cardroom license
2485 issued by the division may operate a cardroom. A cardroom
2486 license may only be issued to a licensed pari-mutuel
2487 permitholder and an authorized cardroom may only be operated at
2488 the same facility at which the permitholder is authorized under
2489 its valid pari-mutuel wagering permit to conduct pari-mutuel
2490 wagering activities. An initial cardroom license shall be issued
2491 to a pari-mutuel permitholder only after its facilities are in
2492 place and after it conducts its first day of live racing or
2493 games, except for a facility licensed in accordance with s.
2494 551.104(2)(a)4. and ss. 551.1041-551.1044.

2495 (b)1. After the initial cardroom license is granted, the
2496 application for the annual license renewal shall be made in

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2497 conjunction with the applicant's annual application for its
2498 pari-mutuel license. If a permitholder has operated a cardroom
2499 during any of the 3 previous fiscal years and fails to include a
2500 renewal request for the operation of the cardroom in its annual
2501 application for license renewal, the permitholder may amend its
2502 annual application to include operation of the cardroom. Except
2503 as provided in subparagraph 2. for greyhound, harness, and
2504 quarter horse racing permitholders, and any facility licensed in
2505 accordance with 551.104(2)(a)4., and ss. 551.1041-551.1044, in
2506 order for a cardroom license to be renewed the applicant must
2507 have requested, as part of its pari-mutuel annual license
2508 application, to conduct at least 90 percent of the total number
2509 of live performances conducted by such permitholder during
2510 either the state fiscal year in which its initial cardroom
2511 license was issued or the state fiscal year immediately prior
2512 thereto if the permitholder ran at least a full schedule of live
2513 racing or games in the prior year. ~~If the application is for a~~
2514 ~~harness permitholder cardroom, the applicant must have requested~~
2515 ~~authorization to conduct a minimum of 140 live performances~~
2516 ~~during the state fiscal year immediately prior thereto.~~ If more
2517 than one permitholder is operating at a facility, each
2518 permitholder that is required to conduct a full schedule of live
2519 racing must have applied for a license to conduct a full
2520 schedule of live racing.

2521 2. A greyhound racing permitholder is exempt from the live
2522 racing requirements of this subsection if it conducted a full

2523 schedule of live racing for a period of at least 10 consecutive
 2524 state fiscal years after the 1996-1997 state fiscal year or if
 2525 it converted its permit to a permit to conduct greyhound racing
 2526 after that fiscal year. However, as a condition of cardroom
 2527 licensure, greyhound racing permitholders who are not conducting
 2528 a full schedule of live racing must conduct intertrack wagering
 2529 on thoroughbred signals, to the extent available, on each day of
 2530 cardroom operation. Harness racing and quarter horse racing
 2531 permitholders that have held an operating license for at least 5
 2532 years and a cardroom license for at least 5 years are exempt
 2533 from the live racing requirements of this subsection.
 2534 Thoroughbred racing permitholders located in a county with a
 2535 population of more than 2.5 million who have had an operating
 2536 license for at least 25 years and a slot license for at least 5
 2537 years are exempt from the live racing requirements of this
 2538 subsection.

2539 (7) CONDITIONS FOR OPERATING A CARDROOM.—

2540 (b) Any cardroom operator may operate a cardroom at the
 2541 pari-mutuel facility daily throughout the year, if the
 2542 permitholder meets the requirements under paragraph (5) (b). The
 2543 cardroom may be open ~~a cumulative amount of 18 hours per day on~~
 2544 ~~Monday through Friday and 24 hours per day on Saturday and~~
 2545 ~~Sunday and on the holidays specified in s. 110.117(1).~~

2546 (9) DESIGNATED PLAYER GAMES AUTHORIZED.—

2547 (a) The division may authorize a cardroom operator that
 2548 does not possess slot machines or a slot machine license to

2549 offer designated player games consisting of players making
2550 wagers against another player. The maximum wager may not exceed
2551 \$25.

2552 (b) The designated player must occupy a playing position
2553 at the table and may not be required to cover all wagers or
2554 cover more than ten times the minimum posted wager for players
2555 seated during a single game.

2556 (c) Each seated player shall be afforded the temporary
2557 opportunity to be the designated player to wager against
2558 multiple players at the same table; however, this position must
2559 be rotated among the other seated players in the game. The
2560 opportunity to be a designated player must be offered to each
2561 player, in a clockwise rotation, after each hand. The
2562 opportunity to be the designated player may be declined by a
2563 player. A player participating as a designated player for 30
2564 consecutive hands must subsequently play as a nondesignated
2565 player for at least 2 hands before he or she may resume as the
2566 designated player.

2567 (d) The cardroom operator may not serve as a designated
2568 player in any game. The cardroom operator may not have any
2569 direct or indirect financial or pecuniary interest in a
2570 designated player in any game.

2571 (e) A designated player may only wager personal funds or
2572 funds from a sole proprietorship. A designated player may not be
2573 directly or indirectly financed or controlled by another party.
2574 A designated player shall operate independently.

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2575 (f) Designated player games offered by a cardroom operator
 2576 may not make up more than 25 percent of the total authorized
 2577 game tables at the cardroom.

2578 (g) Licensed pari-mutuel facilities that offer slot
 2579 machine gaming or video race terminals may not offer designated
 2580 player games.

2581 (h) The division may only authorize cardroom operators to
 2582 conduct designated player games if such games would not trigger
 2583 a reduction in revenue-sharing payments under the Gaming Compact
 2584 between the Seminole Tribe of Florida and the State of Florida.

2585 (14)-(13) TAXES AND OTHER PAYMENTS.—

2586 (d)1. Each greyhound racing permitholder conducting live
 2587 racing and jai alai permitholder that operates a cardroom
 2588 facility shall use at least 4 percent of such permitholder's
 2589 cardroom monthly gross receipts to supplement greyhound purses
 2590 or jai alai prize money, respectively, during the permitholder's
 2591 current or next ensuing pari-mutuel meet.

2592 2. Each thoroughbred and harness horse racing permitholder
 2593 that operates a cardroom facility shall use at least 50 percent
 2594 of such permitholder's cardroom monthly net proceeds as follows:
 2595 47 percent to supplement purses and 3 percent to supplement
 2596 breeders' awards during the permitholder's next ensuing racing
 2597 meet.

2598 3. A ~~Ne~~ cardroom license or renewal thereof may not shall
 2599 be issued to an applicant holding a permit under chapter 550 to
 2600 conduct pari-mutuel wagering meets of quarter horse racing

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2601 unless the applicant has on file with the division a binding
2602 written agreement between the applicant and the Florida Quarter
2603 Horse Racing Association or the association representing a
2604 majority of the horse owners and trainers at the applicant's
2605 eligible facility, governing the payment of purses on live
2606 quarter horse races conducted at the licensee's pari-mutuel
2607 facility. The agreement governing purses may direct the payment
2608 of such purses from revenues generated by any wagering or gaming
2609 the applicant is authorized to conduct under Florida law. All
2610 purses shall be subject to the terms of chapter 550.

2611 (h) One-quarter of the moneys deposited into the Pari-
2612 mutuel Wagering Trust Fund pursuant to paragraph (g) shall, by
2613 October 1 of each year, be distributed to the local government
2614 that approved the cardroom under subsection (17) ~~(16)~~; however,
2615 if two or more pari-mutuel racetracks are located within the
2616 same incorporated municipality, the cardroom funds shall be
2617 distributed to the municipality. If a pari-mutuel facility is
2618 situated in such a manner that it is located in more than one
2619 county, the site of the cardroom facility shall determine the
2620 location for purposes of disbursement of tax revenues under this
2621 paragraph. The division shall, by September 1 of each year,
2622 determine: the amount of taxes deposited into the Pari-mutuel
2623 Wagering Trust Fund pursuant to this section from each cardroom
2624 licensee; the location by county of each cardroom; whether the
2625 cardroom is located in the unincorporated area of the county or
2626 within an incorporated municipality; and, the total amount to be

2627 distributed to each eligible county and municipality.

2628 (17)~~(16)~~ LOCAL GOVERNMENT APPROVAL.—The Division of Pari-
 2629 mutuel Wagering may ~~shall~~ not issue any initial license under
 2630 this section except upon proof in such form as the division may
 2631 prescribe that the local government where the applicant for such
 2632 license desires to conduct cardroom gaming has voted to approve
 2633 such activity by a majority vote of the governing body of the
 2634 municipality or the governing body of the county if the facility
 2635 is not located in a municipality.

2636 (18)~~(17)~~ CHANGE OF LOCATION; ~~REFERENDUM~~.—

2637 ~~(a)~~ Notwithstanding any provisions of this section, a ~~no~~
 2638 cardroom gaming license issued under this section may not ~~shall~~
 2639 be transferred, or reissued when such reissuance is in the
 2640 nature of a transfer, so as to permit or authorize a licensee to
 2641 change the location of the cardroom. ~~except upon proof in such~~
 2642 ~~form as the division may prescribe that a referendum election~~
 2643 ~~has been held:~~

2644 1. ~~If the proposed new location is within the same county~~
 2645 ~~as the already licensed location, in the county where the~~
 2646 ~~licensee desires to conduct cardroom gaming and that a majority~~
 2647 ~~of the electors voting on the question in such election voted in~~
 2648 ~~favor of the transfer of such license. However, the division~~
 2649 ~~shall transfer, without requirement of a referendum election,~~
 2650 ~~the cardroom license of any permit holder that relocated its~~
 2651 ~~permit pursuant to s. 550.0555.~~

2652 2. ~~If the proposed new location is not within the same~~

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2653 ~~county as the already licensed location, in the county where the~~
2654 ~~licensee desires to conduct cardroom gaming and that a majority~~
2655 ~~of the electors voting on that question in each such election~~
2656 ~~voted in favor of the transfer of such license.~~

2657 ~~(b) The expense of each referendum held under the~~
2658 ~~provisions of this subsection shall be borne by the licensee~~
2659 ~~requesting the transfer.~~

2660 Section 39. The Division of Pari-mutuel Wagering of the
2661 Department of Business and Professional Regulation shall revoke
2662 any permit to conduct pari-mutuel wagering if a permit holder has
2663 not conducted live events within the 24 months immediately
2664 preceding the effective date of this act, unless the permit was
2665 issued under s. 550.3345 or ss. 551.1041-551.1044, after meeting
2666 the requirements of s. 551.104(2)(a)4. A permit revoked under
2667 this section may not be reissued.

2668 Section 40. If any provision of this act or its
2669 application to any person or circumstance is held invalid, the
2670 invalidity does not affect other provisions or applications of
2671 this act which can be given effect without the invalid provision
2672 or application, and to this end the provisions of this act are
2673 severable.

2674 Section 41. This act shall take effect upon becoming a
2675 law.