

By Senator Margolis

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1 A bill to be entitled
2 An act relating to advance deposit wagering; creating
3 s. 550.6346, F.S.; defining terms; providing that the
4 Division of Pari-mutuel Wagering of the Department of
5 Business and Professional Regulation may authorize
6 advance deposit wagering conducted by certain
7 permitholders or certain operators contracting with a
8 permitholder; specifying requirements, prohibitions,
9 and authorizations for a person authorized to conduct
10 advance deposit wagering; prohibiting a resident or
11 other individual from placing a wager through an
12 advance deposit wagering system under specified
13 circumstances; requiring the division to adopt rules;
14 providing an effective date.

15
16 WHEREAS, advance deposit wagering is neither specifically
17 authorized nor prohibited by Florida law, and yet advance
18 deposit wagering companies deem advance deposit wagering to be
19 legal in this state, and

20 WHEREAS, Florida pari-mutuel operations are missing the
21 opportunity to collect revenue generated by advance deposit
22 wagers placed by Florida residents, thereby harming stakeholders
23 such as operators, horsemen, and greyhound breeders and trainers
24 and harming the state through reduced tax revenues, and

25 WHEREAS, handle at the Oregon hub system used by many
26 Florida residents increased 47 percent from 2007 to 2012 while
27 pari-mutuel handle in Florida decreased 41 percent during the
28 same period, and

29 WHEREAS, other states have successfully imposed fees and

35-00793-16

2016728__

30 taxes on advance deposit wagering operators who collect wagers
 31 from their residents, NOW, THEREFORE,

32

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

34

35 Section 1. Section 550.6346, Florida Statutes, is created
 36 to read:

37 550.6346 Advance deposit wagering.-

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

39 (a) "Advance deposit wagering" means a form of pari-mutuel
 40 wagering in which an individual deposits money into an account
 41 with a person authorized by the division to conduct advance
 42 deposit wagering and such individual uses the account funds to
 43 pay for pari-mutuel wagers made in person, by telephone, or
 44 through communication by other electronic means.

45 (b) "Permitholder" means a person that is issued a permit
 46 under this chapter.

47 (2) The division may authorize advance deposit wagering
 48 conducted by:

49 (a) A permitholder; or

50 (b) An operator of an advance deposit wagering system
 51 accepting wagers pursuant to an agreement with a permitholder if
 52 the agreement is approved by the division.

53 (3) A person authorized to conduct advance deposit wagering
 54 under subsection (2) may accept advance deposit wagering for
 55 racas conducted:

56 (a) In this state under a permit issued under this chapter;

57 or

58 (b) In another state on a schedule approved by the

35-00793-16

2016728__

59 permitholder.

60 (4) A person authorized to conduct advance deposit wagering
61 under subsection (2) may not:

62 (a) Accept an account wager in an amount in excess of the
63 funds on deposit in the advance deposit wagering account of the
64 individual placing the wager; or

65 (b) Allow an individual younger than 21 years of age to
66 open, own, or have access to an advance deposit wagering
67 account.

68 (5) A person authorized to conduct advance deposit wagering
69 under subsection (2) shall:

70 (a) Include a statement in all forms of advertising for
71 advance deposit wagering that an individual younger than 21
72 years of age may not open, own, or have access to an advance
73 deposit wagering account; and

74 (b) Verify the identification, residence, and age of the
75 advance deposit wagering account holder by using methods and
76 technologies approved by the division.

77 (6) A resident or any other individual located within this
78 state may not place a wager through a system of advance deposit
79 wagering except with a person authorized to conduct advance
80 deposit wagering under subsection (2). Only persons authorized
81 to conduct advance deposit wagering under subsection (2) may
82 accept wagers from residents or other individuals located within
83 this state.

84 (7) The division shall adopt rules to administer this
85 section.

86 Section 2. This act shall take effect July 1, 2016.