

1                                   A bill to be entitled  
 2           An act relating to charitable gaming; amending s.  
 3           546.10, F.S.; authorizing Type C amusement games or  
 4           machines to be operated at the premises of a veterans'  
 5           service organization under certain conditions;  
 6           creating s. 849.0932, F.S.; providing definitions;  
 7           authorizing certain organizations to conduct poker  
 8           tournaments under certain circumstances; providing  
 9           requirements and restrictions for such tournaments;  
 10          prohibiting persons under 18 years of age from  
 11          participating or being involved in such tournaments;  
 12          requiring specified information to be posted at the  
 13          premises at which such tournament is conducted;  
 14          requiring such organization to submit each tournament  
 15          result to its board of directors; providing an  
 16          effective date.

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

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 20           Section 1. Paragraph (b) of subsection (6) of section  
 21   546.10, Florida Statutes, is amended to read:

22           546.10 Amusement games or machines.—

23           (6)

24           (b) A Type C amusement game or machine may only be  
 25   operated at:

- 26 | 1. A facility as defined in s. 721.05(17) that is under  
 27 | the control of a timeshare plan;  
 28 | 2. An arcade amusement center;  
 29 | 3. A bowling center, as defined in s. 849.141;  
 30 | 4. The premises of a retailer, as defined in s. 212.02;  
 31 | 5. A public lodging establishment or public food service  
 32 | establishment licensed pursuant to chapter 509;  
 33 | 6. A truck stop; or  
 34 | 7. The premises of a veterans' service organization  
 35 | granted a federal charter under Title 36, U.S.C., or a division,  
 36 | department, post, or chapter of such organization, for which an  
 37 | alcoholic beverage license has been issued if no profit is  
 38 | received by such organization, or a division, department, post,  
 39 | or chapter thereof, and all proceeds from the amusement game or  
 40 | machine are used strictly for the welfare of local veterans and  
 41 | their families.

42 | Section 2. Section 849.0932, Florida Statutes, is created  
 43 | to read:

44 | 849.0932 Poker tournaments by certain organizations  
 45 | authorized; conditions for conduct; permitted uses of proceeds;  
 46 | limitations; required posted notice.-

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

48 | (a) "Cards" means a deck of rectangular pieces of  
 49 | cardboard or other material, each of which has an identical  
 50 | pattern on one side and different numbers or letters, including

51 A, 2, 3, 4, 5, 6, 7, 8, 9, 10, J, Q, or K, on the other side,  
52 which are used to play various games. A standard deck of cards  
53 contains 52 cards divided into four suits, including spades,  
54 hearts, clubs, and diamonds, and may include two cards with the  
55 term "joker" on them.

56 (b) "Charitable, nonprofit, or veterans' organization"  
57 means a federal tax-exempt organization under s. 501(c)(3) of  
58 the Internal Revenue Code that has been actively engaged in  
59 charitable, civic, community, benevolent, religious, or  
60 scholastic works or other similar activities for at least 3  
61 years.

62 (c) "Chips" means small disk-shaped counters used to  
63 represent money when betting during gambling. Each chip has a  
64 number on it to represent a different monetary amount but has no  
65 monetary value.

66 (d) "Hand" means the cards dealt during one round of play  
67 of a game of poker.

68 (e) "Poker" means one or more of the common gambling card  
69 games.

70 (f) "Poker tournament" means the playing of poker in a  
71 tournament format, in which:

72 1. A participant pays an entry fee to compete for a cash  
73 prize and receives chips and a seat at a table.

74 2. Cards are dealt to each participant to commence the  
75 game and he or she has the opportunity to bet on each hand using

76 | chips and without exchanging any money during the game.

77 | 3. The dealer awards the pot to the winner or winners of  
78 | the hand at the conclusion of each hand.

79 | 4. A participant wins and loses chips as the tournament  
80 | progresses and is eliminated from the tournament when he or she  
81 | loses all of his or her chips.

82 | 5. Play continues until a winner or winners are determined  
83 | as defined by the specific tournament rules.

84 | (g) "Pot" means the total amount of chips that are bet for  
85 | one hand.

86 | (h) "Seat" means a participant's position at a table.

87 | (2) (a) This chapter does not prohibit or prevent a  
88 | charitable, nonprofit, or veterans' organization from conducting  
89 | a poker tournament if all of the proceeds derived from such  
90 | tournament, less actual business expenses essential for the  
91 | operation, conduct, and playing of such tournament, are donated  
92 | by such organization to the works or activities described in  
93 | paragraph (1) (b) and not used for any other purpose. The  
94 | proceeds derived from such tournament may not be considered  
95 | solicitation of public donations.

96 | (b) A charitable, nonprofit, or veterans' organization may  
97 | not sponsor a poker tournament conducted by an organization that  
98 | is not federal tax-exempt.

99 | (3) (a) The total entry fee per participant for a poker  
100 | tournament may not exceed \$200.

101        (b) The cash prize distributed to participants is awarded  
102 as determined by the specific tournament rules and must amount  
103 to at least 40 percent but not more than 80 percent of the sum  
104 of all entry fees.

105        (c) The charitable, nonprofit, or veterans' organization  
106 must retain at least 20 percent of the sum of all entry fees  
107 before the cash prize is distributed.

108        (4) (a) A person involved in conducting a poker tournament  
109 pursuant to this section must be a resident of the community in  
110 which the charitable, nonprofit, or veterans' organization is  
111 located, must be a bona fide member of such organization, and  
112 may not be compensated in any way for being involved in  
113 conducting such tournament.

114        (b) A charitable, nonprofit, or veterans' organization  
115 must designate at least one but not more than three of its  
116 members to manage the poker tournament, at least one of whom  
117 shall be present during the entire tournament.

118        (5) (a) A charitable, nonprofit, or veterans' organization  
119 conducting a poker tournament must be located in, or within a  
120 15-mile radius of, the county in which the poker tournament is  
121 conducted.

122        (b) The equipment used in the poker tournament must be  
123 owned by the charitable, nonprofit, or veterans' organization  
124 conducting the tournament.

125        (6) (a) No person under 18 years of age may participate in,

126 | or be involved in any way in, a poker tournament.

127 |       (b) A charitable, nonprofit, or veterans' organization  
 128 | conducting a poker tournament that is open to the public may  
 129 | refuse entry to a person if it determines that such person is  
 130 | objectionable or undesirable, but such refusal may not be on the  
 131 | basis of race, color, religion, sex, pregnancy, national origin,  
 132 | age, handicap, or marital status.

133 |       (7) A charitable, nonprofit, or veterans' organization  
 134 | conducting a poker tournament must post the following notices in  
 135 | a conspicuous location on the premises at which the tournament  
 136 | is conducted:

137 |           (a) The name of the organization and the designated member  
 138 | or members managing the tournament.

139 |           (b) The rules and regulations of the poker tournament.

140 |           (c) The minimum and maximum entry fees and an itemization  
 141 | of the distribution of such fees, including the amount retained  
 142 | by the charity and the amounts used for tournament expenses such  
 143 | as cash prizes and food.

144 |           (d) The results of the most recent tournament including  
 145 | the sum of entry fees and the distribution of cash prizes.

146 |       (8) A charitable, nonprofit, or veterans' organization  
 147 | conducting a poker tournament must submit the result of each  
 148 | tournament to its board of directors to be kept on file as a  
 149 | permanent record.

150 |       Section 3. This act shall take effect July 1, 2017.