

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative La Rosa offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (1) and subsection (3) of section 285.710, Florida Statutes, are amended to read:

285.710 Compact authorization.—

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

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

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

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

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

18 (b) The Governor, on behalf of this state, is hereby
19 authorized and directed to execute a new compact with the Tribe
20 as set forth in paragraph (c), and the Legislature hereby
21 signifies in advance its approval and ratification of such
22 compact, provided that it is identical to the compact set forth
23 in paragraph (c) and becomes effective on or before January 1,
24 2018. The Governor shall cooperate with the Tribe in seeking
25 approval of such compact ratified and approved under this
26 paragraph from the Secretary of the Department of the Interior.
27 Upon becoming effective, such compact supersedes the Gaming
28 Compact ratified and approved under paragraph (a), which shall
29 then become null and void.

30 (c) The Legislature hereby approves and ratifies the
31 following Gaming Compact between the State of Florida and the
32 Seminole Tribe of Florida, provided that such compact becomes
33 effective on or before January 1, 2018:

34
35 Gaming Compact Between the Seminole Tribe of Florida
36 and the State of Florida
37

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

63 within its jurisdiction, but the United States Congress, through
64 the Indian Gaming Regulatory Act, has given states a role in the
65 conduct of tribal gaming in accordance with negotiated tribal-
66 state compacts.

67 (5) Pursuant to the Seminole Tribe Amended Gaming
68 Ordinance, adopted by Resolution No. C-195-06, and approved by
69 the Chairman of the National Indian Gaming Commission on July
70 10, 2006, hereafter referred to as the "Seminole Tribal Gaming
71 Code," the Seminole Tribe of Florida desires to offer the play
72 of covered games, as defined in Part III, as a means of
73 generating revenues for purposes authorized by the Indian Gaming
74 Regulatory Act, including, without limitation, the support of
75 tribal governmental programs, such as health care, housing,
76 sewer and water projects, police, fire suppression, general
77 assistance for tribal elders, day care for children, economic
78 development, educational opportunities, per capita payments to
79 tribal members, and other typical and valuable governmental
80 services and programs for tribal members.

81 (6) This compact is the only gaming compact between the
82 Tribe and the state. This compact supersedes the Gaming Compact
83 between the Tribe and the state executed on or about April 7,
84 2010, which was subsequently ratified by the Legislature and
85 went into effect on or about July 6, 2010.

86 (7) It is in the best interests of the Seminole Tribe of
87 Florida and the State of Florida for the state to enter into a

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

88 compact with the Tribe that recognizes the Tribe's right to
89 offer certain Class III gaming and provides substantial
90 exclusivity of such activities in conjunction with a reasonable
91 revenue sharing arrangement between the Tribe and the state that
92 will entitle the state to significant revenue participation.

93
94 PART III

95
96 DEFINITIONS.—As used in this compact, the term:

97 (1) "Annual oversight assessment" means the amount owed by
98 the Tribe to the state for reimbursement for the actual and
99 reasonable costs incurred by the state compliance agency to
100 perform the monitoring functions set forth under the compact.

101 (2) "Class II video bingo terminals" means any electronic
102 aid to a Class II bingo game that includes a video spinning reel
103 or mechanical spinning reel display.

104 (3) "Class III gaming" means the forms of Class III gaming
105 defined in 25 U.S.C. s. 2703(8) and by the regulations of the
106 National Indian Gaming Commission.

107 (4) "Commission" means the Seminole Tribal Gaming
108 Commission, which is the tribal governmental agency that has the
109 authority to carry out the Tribe's regulatory and oversight
110 responsibilities under this compact.

111 (5) "Compact" means this Gaming Compact between the
112 Seminole Tribe of Florida and the State of Florida.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

113 (6) "Covered game" or "covered gaming activity" means the
114 following Class III gaming activities:

115 (a) Slot machines, which machines must meet all of the
116 following requirements:

117 1. Any mechanical or electrical contrivance, terminal that
118 may or may not be capable of downloading slot games from a
119 central server system, machine, or other device.

120 2. Require, for play or operation, the insertion of a
121 coin, bill, ticket, token, or similar object, or payment of any
122 consideration whatsoever, including the use of any electronic
123 payment system, except a credit card or debit card, unless state
124 law authorizes the use of an electronic payment system that uses
125 a credit or debit card payment, in which case the Tribe is
126 authorized to use such payment system.

127 3. Are available to play or operate, the play or operation
128 of which, whether by reason of skill or application of the
129 element of chance or both, may deliver or entitle the person or
130 persons playing or operating the contrivance, terminal, machine,
131 or other device to receive cash, billets, tickets, tokens, or
132 electronic credits to be exchanged for cash or to receive
133 merchandise or anything of value whatsoever, whether the payoff
134 is made automatically from the machine or manually.

135 4. Includes associated equipment necessary to conduct the
136 operation of the contrivance, terminal, machine, or other
137 device.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

138 5. May use spinning reels, video displays, or both.

139 (b) Banking or banked card games, including any card games
140 that are banked by the house, a player, other person or party,
141 or any combination or variation thereof, such as baccarat,
142 chemin de fer, and blackjack or 21; provided that the Tribe
143 shall not offer such banked card games at its Brighton or Big
144 Cypress facilities.

145 (c) Raffles and drawings.

146 (d) Any new game, if expressly authorized by the
147 Legislature pursuant to legislation enacted subsequent to the
148 effective date of this compact and lawfully conducted by any
149 person for any purpose pursuant to such authorization, except
150 for banked card games authorized for any other federally
151 recognized tribe pursuant to Indian Gaming Regulatory Act,
152 provided that the tribe has land in federal trust in the state
153 as of February 1, 2017.

154 (7) "Covered game employee" or "covered employee" means an
155 individual employed and licensed by the Tribe whose
156 responsibilities include the rendering of services with respect
157 to the operation, maintenance, or management of covered games,
158 including, but not limited to, managers and assistant managers;
159 accounting personnel; commission officers; surveillance and
160 security personnel; cashiers, supervisors, and floor personnel;
161 cage personnel; and any other employee whose employment duties
162 require or authorize access to areas of the facility related to

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

163 the conduct of covered games or the technical support or storage
164 of covered game components. The term does not include the
165 Tribe's elected officials, provided that such individuals are
166 not directly involved in the operation, maintenance, or
167 management of covered games or covered games components.

168 (8) "Documents" means books, records, electronic,
169 magnetic, and computer media documents, and other writings and
170 materials, copies of such documents and writings, and
171 information contained in such documents and writings.

172 (9) "Effective date" means the date on which the compact
173 becomes effective pursuant to subsection (1) of Part XVI.

174 (10) "Electronic bingo machine" means a card minding
175 device, which may only be used in connection with a bingo game
176 as defined in s. 849.0931(1)(a), Florida Statutes, which is
177 certified in advance by an independent testing laboratory
178 approved by the Division of Pari-Mutuel Wagering as a bingo aid
179 device that meets all of the following requirements:

180 (a) Aids a bingo game player by:

181 1. Storing in the memory of the device not more than three
182 bingo faces of tangible bingo cards as defined by s.
183 849.0931(1)(b), Florida Statutes, purchased by a player.

184 2. Comparing the numbers drawn and individually entered
185 into the device by the player to the bingo faces previously
186 stored in the memory of the device.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

187 3. Identifying preannounced winning bingo patterns marked
188 or covered on the stored bingo faces.

189 (b) Is not capable of accepting or dispensing any coins,
190 currency, or tokens.

191 (c) Is not capable of monitoring any bingo card face other
192 than the faces of the tangible bingo card or cards purchased by
193 the player for that game.

194 (d) Is not capable of displaying or representing the game
195 result through any means other than highlighting the winning
196 numbers marked or covered on the bingo card face or giving an
197 audio alert that the player's card has a prize-winning pattern.
198 No casino game graphics, themes, or titles, including, but not
199 limited to, depictions of slot machine-style symbols, cards,
200 craps, roulette, or lottery may be used.

201 (e) Is not capable of determining the outcome of any game.

202 (f) Does not award progressive prizes of more than \$2,500.

203 (g) Does not award prizes exceeding \$1,000, other than
204 progressive prizes not exceeding \$2,500.

205 (h) Does not contain more than one player position for
206 playing bingo.

207 (i) Does not contain or does not link to more than one
208 video display.

209 (j) Awards prizes based solely on the results of the bingo
210 game, with no additional element of chance.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

211 (11) "Facility" means a building or buildings of the Tribe
212 in which the covered games authorized by this compact are
213 conducted.

214 (12) "Guaranteed minimum compact term payment" means a
215 minimum total payment for the guarantee payment period of \$3
216 billion, which shall include all revenue share payments during
217 the guarantee payment period.

218 (13) "Guarantee payment period" means the seven-year
219 period beginning July 1, 2017, and ending June 30, 2024.

220 (14) "Guaranteed revenue sharing cycle payment" means the
221 payments as provided in Part XI.

222 (15) "Historic racing machine" means an individual
223 historic race terminal linked to a central server as part of a
224 network-based video game, where the terminals allow pari-mutuel
225 wagering by players on the results of previously conducted horse
226 or greyhound races, but only if the game is certified in advance
227 by an independent testing laboratory approved by the Division of
228 Pari-Mutuel Wagering as complying with all of the following
229 requirements:

230 (a) Stores all data on previously conducted horse or
231 greyhound races in a secure format on the central server, which
232 is located at the pari-mutuel facility.

233 (b) Uses only horse or greyhound races that were recorded
234 at licensed pari-mutuel facilities in the United States after
235 January 1, 2000.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

236 (c) Offers one or more of the following three bet types on
237 all historic racing machines: win-place-show, quinella, or tri-
238 fecta.

239 (d) Offers one or more of the following racing types:
240 thoroughbreds, harness, or greyhounds.

241 (e) Progressive prizes of more than of \$2,500 are
242 prohibited.

243 (f) Does not award prizes exceeding \$1,000, other than
244 progressive prizes not exceeding \$2,500.

245 (g) After each wager is placed, displays a video of at
246 least the final eight seconds of the horse or greyhound race
247 before any prize is awarded or indicated on the historic racing
248 machine.

249 (h) The display of the video of the horse or greyhound
250 race must occupy at least 70 percent of the historic racing
251 machine's video screen and does not contain and is not linked to
252 more than one video display.

253 (i) Does not use casino game graphics, themes, or titles,
254 including but not limited to, depictions of slot machine-style
255 symbols, cards, craps, roulette, lottery, or bingo.

256 (j) Does not use video or mechanical reel displays.

257 (k) Does not contain more than one player position for
258 placing wagers.

259 (l) Does not dispense coins, currency, or tokens.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

260 (m) Awards prizes solely on the results of a previously
261 conducted horse or greyhound race with no additional element of
262 chance.

263 (n) Uses a random number generator to select the race from
264 the central server to be displayed to the player and the numbers
265 or other designations of race entrants that will be used in the
266 various bet types for any "Quick Pick" bets. To prevent an
267 astute player from recognizing the race based on the entrants
268 and thus knowing the results before placing a wager, the
269 entrants of the race may not be identified until after all
270 wagers for that race have been placed.

271 (16) "Indian Gaming Regulatory Act" means the Indian
272 Gaming Regulatory Act, Pub. L. 100-497, Oct. 17, 1988, 102 Stat.
273 2467, codified at 25 U.S.C. ss. 2701 et seq. and 18 U.S.C. ss.
274 1166 to 1168.

275 (17) "Indian lands" means the lands defined in 25 U.S.C.
276 s. 2703(4).

277 (18) "Initial payment period" means the period beginning
278 on the effective date of the compact and ending on June 30,
279 2017.

280 (19) "Lottery vending machine" means any of the following
281 three types of machines:

282 (a) A machine that dispenses pre-printed paper instant
283 lottery tickets, but that does not read or reveal the results of
284 the ticket or allow a player to redeem any ticket. The machine,

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

285 or any machine or device linked to the machine, does not include
286 or make use of video reels or mechanical reels or other video
287 depictions of slot machine or casino game themes or titles for
288 game play, but does not preclude the use of casino game themes
289 or titles on such tickets or signage or advertising displays on
290 the machines;

291 (b) A machine that dispenses pre-determined electronic
292 instant lottery tickets and displays an image of the ticket on a
293 video screen on the machine, where the player touches the image
294 of the ticket on the video screen to reveal the outcome of the
295 ticket, provided the machine does not permit a player to redeem
296 winnings, does not make use of video reels or mechanical reels,
297 and does not simulate the play of any casino game, and the
298 lottery retailer is paid the same amount as would be paid for
299 the sale of paper instant lottery tickets; or

300 (c) A machine that dispenses a paper lottery ticket with
301 numbers selected by the player or randomly by the machine, but
302 does not reveal the winning numbers. Such winning numbers are
303 selected at a subsequent time and different location through a
304 drawing conducted by the state lottery. The machine, or any
305 machine or device linked to the machine, does not include or
306 make use of video reels or mechanical reels or other video
307 depictions of slot machine or casino game themes or titles for
308 game play. The machine is not used to redeem a winning ticket.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

309 This does not preclude the use of casino game themes, titles for
310 signage, or advertising displays on the machine.

311 (20) "Monthly payment" means the monthly revenue share
312 payment which the Tribe remits to the state on the 15th day of
313 the month following each month of the revenue sharing cycle.

314 (21) "Net revenue base" means the net win for the 12 month
315 period immediately preceding the offering of, for public or
316 private use, Class III or other casino-style gaming at any of
317 the licensed pari-mutuel facilities in Broward and Miami-Dade
318 Counties, except that if the commencement of such new gaming is
319 made during the initial payment period, "net revenue base" means
320 net win for the 12-month period immediately preceding this
321 compact.

322 (22) "Net win" means the total receipts from the play of
323 all covered games less all prize payouts and free play or
324 promotional credits issued by the Tribe.

325 (23) "Pari-mutuel wagering activities" means those
326 activities presently authorized by chapter 550, which do not
327 include any casino-style game or device that includes video
328 reels or mechanical reels or other slot machine or casino game
329 themes or titles.

330 (24) "Patron" means any person who is on the premises of a
331 facility, or who enters the Tribe's Indian lands for the purpose
332 of playing covered games authorized by this compact.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

333 (25) "Regular payment period" means the period beginning
334 on July 1, 2024, and terminating at the end of the term of this
335 compact.

336 (26) "Revenue share payment" means the periodic payment by
337 the Tribe to the state provided for in Part XI.

338 (27) "Revenue sharing cycle" means the annual 12-month
339 period of the Tribe's operation of covered games in its
340 facilities beginning on July 1 of each fiscal year, except for
341 during the initial payment period, when the first revenue
342 sharing cycle begins on July 1 of the previous year, and the
343 Tribe receives a credit for any amount paid to the state under
344 the 2010 Compact for that revenue sharing cycle.

345 (28) "Rules and regulations" means the rules and
346 regulations promulgated by the commission for implementation of
347 this compact.

348 (29) "State" means the State of Florida.

349 (30) "State compliance agency" means the state agency
350 designated by the Florida Legislature that has the authority to
351 carry out the state's oversight responsibilities under this
352 compact.

353 (31) "Tribe" means the Seminole Tribe of Florida or any
354 affiliate thereof conducting activities pursuant to this compact
355 under the authority of the Seminole Tribe of Florida.

356
357 PART IV

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

AUTHORIZATION AND LOCATION OF COVERED GAMES.—

(1) The Tribe and state agree that the Tribe is authorized to operate covered games on its Indian lands, as defined in the Indian Gaming Regulatory Act, in accordance with the provisions of this compact. Except as otherwise provided in this compact, nothing gives the Tribe the right to conduct roulette, craps, roulette-style games, or craps-style games; however, nothing in the compact is intended to prohibit the Tribe from operating slot machines that employ video or mechanical displays of roulette, wheels, or other table game themes. Except for the provisions in subsection (1) of Part XI, nothing in this compact shall limit the Tribe's right to operate any Class II gaming under the Indian Gaming Regulatory Act.

(2) The Tribe is authorized to conduct covered games under this compact only at the following seven existing facilities, which may be expanded or replaced as provided in subsection (3) on Indian lands:

(a) Seminole Indian Casino-Brighton in Okeechobee, FL.

(b) Seminole Indian Casino-Coconut Creek in Coconut Creek, FL.

(c) Seminole Indian Casino-Hollywood in Hollywood, FL.

(d) Seminole Indian Casino-Immokalee in Immokalee, FL.

(e) Seminole Indian Casino-Big Cypress in Clewiston, FL.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

382 (f) Seminole Hard Rock Hotel & Casino-Hollywood in
383 Hollywood, FL.

384 (g) Seminole Hard Rock Hotel & Casino-Tampa in Tampa, FL.

385 (3) Any of the facilities existing on Indian lands
386 identified in subsection (2) may be expanded or replaced by
387 another facility on the same Indian lands with at least 60 days'
388 advance notice to the state.

389
390 PART V

391
392 RULES AND REGULATIONS; MINIMUM REQUIREMENTS FOR
393 OPERATIONS.-

394 (1) At all times during the term of this compact, the
395 Tribe shall be responsible for all duties that are assigned to
396 it and the commission under this compact. The Tribe shall
397 promulgate any rules necessary to implement this compact, which,
398 at a minimum, shall expressly include or incorporate by
399 reference all provisions of Parts V, VI, VII, and VIII. Nothing
400 in this compact shall be construed to affect the Tribe's right
401 to amend its rules, provided that any such amendment is in
402 conformity with this compact. The state compliance agency may
403 propose additional rules consistent with and related to the
404 implementation of this compact to the commission at any time,
405 and the commission shall give good faith consideration to such

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

406 proposed rules and shall notify the state compliance agency of
407 its response or action with respect to such rules.

408 (2) All facilities shall comply with, and all covered
409 games approved under this compact shall be operated in
410 accordance with, the requirements set forth in this compact,
411 including, but not limited to, the requirements set forth in
412 subsections (3) and (4) and the Tribe's Internal Control
413 Policies and Procedures. In addition, all facilities and all
414 covered games shall be operated in strict compliance with tribal
415 internal control standards that provide a level of control that
416 equals or exceeds those set forth in the National Indian Gaming
417 Commission's Minimum Internal Control Standards, 25 C.F.R. part
418 542 (2015), even if the 2015 regulations are determined to be
419 invalid or are subsequently withdrawn by the National Indian
420 Gaming Commission. The Tribe may amend or supplement its
421 internal control standards from time to time, provided that such
422 changes continue to provide a level of control that equals or
423 exceeds those set forth in 25 C.F.R. part 542 (2015).

424 (3) The Tribe and the commission shall retain all
425 documents in compliance with the requirements set forth in the
426 Tribe's Record Retention Policies and Procedures.

427 (4) The Tribe shall continue and maintain its program to
428 combat problem gambling and curtail compulsive gambling and work
429 with the Florida Council on Compulsive Gambling or other
430 organizations dedicated to assisting problem gamblers. The Tribe

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

431 shall continue to maintain the following safeguards against
432 problem gambling:

433 (a) The Tribe shall provide to every new gaming employee a
434 comprehensive training and education program designed in
435 cooperation with the Florida Council on Compulsive Gambling or
436 other organization dedicated to assisting problem gamblers.

437 (b) The Tribe shall make printed materials available to
438 patrons, which include contact information for the Florida
439 Council on Compulsive Gambling 24-hour helpline or other hotline
440 dedicated to assisting problem gamblers, and will work with the
441 Florida Council on Compulsive Gambling or other organization
442 dedicated to assisting problem gamblers to provide contact
443 information for the Florida Council on Compulsive Gambling or
444 other organization dedicated to assisting problem gamblers, and
445 to provide such information on the facility's website. The Tribe
446 shall continue to display within the facilities all literature
447 from the Florida Council on Compulsive Gambling or other
448 organization dedicated to assisting problem gamblers.

449 (c)1. The commission shall establish a list of patrons
450 voluntarily excluded from the Tribe's facilities, pursuant to
451 subparagraph 3.

452 2. The Tribe shall employ its best efforts to exclude
453 patrons on such list from entry into its facilities; provided
454 that nothing in this compact shall create for patrons who are
455 excluded but gain access to the facilities, or any other person,

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

456 a cause of action or claim against the state, the Tribe or the
457 commission, or any other person, entity, or agency for failing
458 to enforce such exclusion.

459 3. Patrons who believe they may be compulsively playing
460 covered games may request that their names be placed on the list
461 of patrons voluntarily excluded from the Tribe's facilities.

462 (d) All covered game employees shall receive training on
463 identifying compulsive gamblers and shall be instructed to ask
464 such persons to leave. The facility shall make available signs
465 bearing a toll-free help-line number and educational and
466 informational materials at conspicuous locations and automated
467 teller machines in each facility, which materials aim at the
468 prevention of problem gaming and which specify where patrons may
469 receive counseling or assistance for gambling problems. All
470 covered games employees shall also be screened by the Tribe for
471 compulsive gambling habits. Nothing in this subsection shall
472 create for patrons, or any other person, a cause of action or
473 claim against the state, the Tribe or the commission, or any
474 other person, entity, or agency for failing to identify a patron
475 or person who is a compulsive gambler or ask that person to
476 leave.

477 (e) The Tribe shall follow the rules for exclusion of
478 patrons set forth in the Seminole Tribal Gaming Code.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

479 (f) The Tribe shall make diligent efforts to prevent
480 underage individuals from loitering in the area of each facility
481 where the covered games take place.

482 (g) The Tribe shall ensure that any advertising and
483 marketing of covered games at the facilities contains a
484 responsible gambling message and a toll-free help-line number
485 for problem gamblers, where practical, and that such advertising
486 and marketing make no false or misleading claims.

487 (5) The state may secure an annual independent audit of
488 the conduct of covered games subject to this compact, as set
489 forth in Part VIII.

490 (6) The facility shall visibly display summaries of the
491 rules for playing covered games and promotional contests and
492 shall make available complete sets of rules upon request. The
493 Tribe shall provide copies of all such rules to the state
494 compliance agency within 30 calendar days after issuance or
495 amendment.

496 (7) The Tribe shall provide the commission and state
497 compliance agency with a chart of the supervisory lines of
498 authority with respect to those directly responsible for the
499 conduct of covered games, and shall promptly notify those
500 agencies of any material changes to the chart.

501 (8) The Tribe shall continue to maintain proactive
502 approaches to prevent improper alcohol sales, drunk driving,
503 underage drinking, and underage gambling. These approaches shall

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

504 involve intensive staff training, screening and certification,
505 patron education, and the use of security personnel and
506 surveillance equipment in order to enhance patrons' enjoyment of
507 the facilities and provide for patron safety.

508 (a) Staff training includes specialized employee training
509 in nonviolent crisis intervention, driver license verification,
510 and detection of intoxication.

511 (b) Patron education shall be carried out through notices
512 transmitted on valet parking stubs, posted signs in the
513 facilities, and in brochures.

514 (c) Roving and fixed security officers, along with
515 surveillance cameras, shall assist in the detection of
516 intoxicated patrons, investigate problems, and engage with
517 patrons to deescalate volatile situations.

518 (d) To help prevent alcohol-related crashes, the Tribe
519 will continue to operate the "Safe Ride Home Program," a free
520 taxi service.

521 (e) The Tribe shall maintain these programs and policies
522 in its Alcohol Beverage Control Act for the duration of the
523 compact but may replace such programs and policies with stricter
524 or more extensive programs and policies. The Tribe shall provide
525 the state with written notice of any changes to the Tribe's
526 Alcohol Beverage Control Act, which notice shall include a copy
527 of such changes and shall be sent on or before the effective
528 date of the change. Nothing in this subsection shall create for

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

529 patrons, or any other person, a cause of action or claim against
530 the state, the Tribe or the commission, or any other person,
531 entity, or agency for failing to fulfill the requirements of
532 this subsection.

533 (9) A person under 21 years of age may not play covered
534 games, unless otherwise permitted by state law.

535 (10) The Tribe may establish and operate facilities that
536 operate covered games only on its Indian lands as defined by the
537 Indian Gaming Regulatory Act and as specified in Part IV.

538 (11) The commission shall keep a record of, and shall
539 report at least quarterly to the state compliance agency, the
540 number of covered games in each facility, by the name or type of
541 each game and its identifying number.

542 (12) The Tribe and the commission shall make available, to
543 any member of the public upon request, within 10 business days,
544 a copy of the minimum internal control standards of the National
545 Indian Gaming Commission (25 C.F.R. part 542 (2015)), the
546 Seminole Tribal Gaming Code, this compact, the rules of each
547 covered game operated by the Tribe, and the administrative
548 procedures for addressing patron tort claims under Part VI.

549
550 PART VI

551
552 PATRON DISPUTES, WORKERS' COMPENSATION, TORT CLAIMS; PRIZE
553 CLAIMS; LIMITED CONSENT TO SUIT.-

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

554 (1) All patron disputes involving gaming shall be resolved
555 in accordance with the procedures established in the Seminole
556 Tribal Gaming Code.

557 (2) Tort claims by employees of the Tribe's facilities
558 will be handled pursuant to the provisions of the Tribe's
559 Workers' Compensation Ordinance, which shall provide workers the
560 same or better protections as provided in state workers'
561 compensation laws.

562 (3) Disputes involving employees of the Tribe's facilities
563 will be handled pursuant to the provisions of the Tribe's policy
564 for gaming employees, as set forth in the Employee Fair
565 Treatment and Dispute Resolution Policy.

566 (4) A patron who claims to have been injured after the
567 effective date of the compact at one of the Tribe's facilities
568 in which covered games are played is required to provide written
569 notice to the Tribe's Risk Management Department or the
570 facility, in a reasonable and timely manner, but no longer than
571 three years after the date of the incident giving rise to the
572 claimed injury, or the claim shall be forever barred.

573 (5) The Tribe shall have 30 days to respond to a claim
574 made by a patron. If the Tribe fails to respond within 30 days,
575 the patron may file suit against the Tribe. When the Tribe
576 responds to an incident alleged to have caused a patron's injury
577 or illness, the Tribe shall provide a claim form to the patron.
578 The form must include the address for the Tribe's Risk

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

579 Management Department and provide notice of the Tribe's
580 administrative procedures for addressing patron tort claims,
581 including notice of the relevant deadlines that may bar such
582 claims if the Tribe's administrative procedures are not
583 followed. It is the patron's responsibility to complete the form
584 and forward the form to the Tribe's Risk Management Department
585 within a reasonable period of time, and in a reasonable and
586 timely manner. Nothing herein shall interfere with any claim a
587 patron might have arising under the Federal Tort Claim Act.

588 (6) Upon receiving written notification of the claim, the
589 Tribe's Risk Management Department shall forward the
590 notification to the Tribe's insurance carrier. The Tribe shall
591 use its best efforts to ensure that the insurance carrier
592 contacts the patron within a reasonable period of time after
593 receipt of the claim.

594 (7) The insurance carrier shall handle the claim to
595 conclusion. If the patron, Tribe, and insurance carrier are not
596 able to resolve the claim in good faith within one year after
597 the patron provided written notice to the Tribe's Risk
598 Management Department or the facility, the patron may bring a
599 tort claim against the Tribe in any court of competent
600 jurisdiction in the county in which the incident alleged to have
601 caused injury occurred, as provided in this compact, and subject
602 to a four-year statute of limitations, which shall begin to run
603 from the date of the incident of the injury alleged in the

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

604 claim. A patron's notice of injury to the Tribe pursuant to
605 subsection (4) and the fulfillment of the good faith attempt at
606 resolution pursuant to this part are conditions precedent to
607 filing suit.

608 (8) For tort claims of patrons made pursuant to subsection
609 (4), the Tribe agrees to waive its tribal sovereign immunity to
610 the same extent as the state waives its sovereign immunity, as
611 specified in s. 768.28(1) and (5), Florida Statutes, as such
612 provision may be amended from time to time by the Legislature.
613 In no event shall the Tribe be deemed to have waived its tribal
614 immunity from suit beyond the limits set forth in s. 768.28(5),
615 Florida Statutes. These limitations are intended to include
616 liability for compensatory damages, costs, pre-judgment
617 interest, and attorney fees if otherwise allowable under state
618 law arising out of any claim brought or asserted against the
619 Tribe, its subordinate governmental and economic units, any
620 Tribal officials, employees, servants, or agents in their
621 official capacities and any entity which is owned, directly or
622 indirectly, by the Tribe. All patron tort claims brought
623 pursuant to this provision shall be brought solely against the
624 Tribe, as the sole party in interest.

625 (9) Notices explaining the procedures and time limitations
626 with respect to making a tort claim shall be prominently
627 displayed in the facilities, posted on the Tribe's website, and
628 provided to any patron for whom the Tribe has notice of the

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

629 injury or property damage giving rise to the tort claim. Such
630 notices shall explain:

631 (a) The method and places for making a tort claim,
632 including where the patron must submit the claim.

633 (b) That the process is the exclusive method for asserting
634 a tort claim arising under this section against the Tribe.

635 (c) That the Tribe and its insurance carrier have one year
636 from the date the patron gives notice of the claim to resolve
637 the matter, and that after that time, the patron may file suit
638 in a court of competent jurisdiction.

639 (d) That the exhaustion of the process is a prerequisite
640 to filing a claim in state court.

641 (e) That claims that fail to follow this process shall be
642 forever barred.

643 (10) The Tribe shall maintain an insurance policy that
644 shall:

645 (a) Prohibit the insurer or the Tribe from invoking tribal
646 sovereign immunity for claims up to the limits to which the
647 state has waived sovereign immunity as set forth in s.
648 768.28(5), Florida Statutes, or its successor statute.

649 (b) Include covered claims made by a patron or invitee for
650 personal injury or property damage.

651 (c) Permit the insurer or the Tribe to assert any
652 statutory or common law defense other than sovereign immunity.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

653 (d) Provide that any award or judgment rendered in favor
654 of a patron or invitee shall be satisfied solely from insurance
655 proceeds.

656 (11) The Tribal Council of the Seminole Tribe of Florida
657 may, in its discretion, consider claims for compensation in
658 excess of the limits of the Tribe's waiver of its sovereign
659 immunity.

660
661 PART VII

662
663 ENFORCEMENT OF COMPACT PROVISIONS.—

664 (1) The Tribe, the commission, and the state compliance
665 agency, to the extent authorized by this compact, shall be
666 responsible for regulating activities pursuant to this compact.
667 As part of its responsibilities, the Tribe shall adopt or issue
668 standards designed to ensure that the facilities are
669 constructed, operated, and maintained in a manner that
670 adequately protects the environment and public health and
671 safety. Additionally, the Tribe and the commission shall ensure
672 that:

673 (a) Operation of the conduct of covered games is in strict
674 compliance with:

675 1. The Seminole Tribal Gaming Code.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

676 2. All rules, regulations, procedures, specifications, and
677 standards lawfully adopted by the National Indian Gaming
678 Commission and the commission.

679 3. The provisions of this compact, including, but not
680 limited to, the Tribe's standards and rules.

681 (b) Reasonable measures are taken to:

682 1. Ensure the physical safety of facility patrons,
683 employees, and any other person while in the facility.

684 2. Prevent illegal activity at the facilities or with
685 regard to the operation of covered games, including, but not
686 limited to, the maintenance of employee procedures and a
687 surveillance system.

688 3. Ensure prompt notification is given, in accordance with
689 applicable law, to appropriate law enforcement authorities of
690 persons who may be involved in illegal acts.

691 4. Ensure that the construction and maintenance of the
692 facilities complies with the standards of the Florida Building
693 Code, the provisions of which the Tribe has adopted as the
694 Seminole Tribal Building Code.

695 5. Ensure adequate emergency access plans have been
696 prepared to ensure the health and safety of all covered game
697 patrons.

698 (2) All licenses for members and employees of the
699 commission shall be issued according to the same standards and
700 terms applicable to facility employees. The commission's

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

701 officers shall be independent of the Tribal gaming operations,
702 and shall be supervised by and accountable only to the
703 commission. A commission officer shall be available to the
704 facility during all hours of operation upon reasonable notice,
705 and shall have immediate access to any and all areas of the
706 facility for the purpose of ensuring compliance with the
707 provisions of this compact. The commission shall investigate any
708 suspected or reported violation of this part and shall
709 officially enter into its files timely written reports of
710 investigations and any action taken thereon, and shall forward
711 copies of such investigative reports to the state compliance
712 agency within 30 calendar days after such filing. The scope of
713 such reporting shall be determined by the commission and the
714 state compliance agency as soon as practicable after the
715 effective date of this compact. Any such violations shall be
716 reported immediately to the commission, and the commission shall
717 immediately forward such reports to the state compliance agency.
718 In addition, the commission shall promptly report to the state
719 compliance agency any such violations which it independently
720 discovers.

721 (3) In order to develop and foster a positive and
722 effective relationship in the enforcement of the provisions of
723 this compact, representatives of the commission and the state
724 compliance agency shall meet at least annually to review past
725 practices and examine methods to improve the regulatory scheme

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

726 created by this compact. The meetings shall take place at a
727 location mutually agreed upon by the commission and the state
728 compliance agency. The state compliance agency, before or during
729 such meetings, shall disclose to the commission any concerns,
730 suspected activities, or pending matters reasonably believed to
731 constitute violations of the compact by any person,
732 organization, or entity, if such disclosure will not compromise
733 the interest sought to be protected.

734
735 PART VIII

736
737 STATE MONITORING OF COMPACT.—

738 (1) It is the express intent of the Tribe and the state
739 for the Tribe to regulate its own gaming activities.
740 Notwithstanding, the state shall conduct random inspections as
741 provided for in this part to ensure that the Tribe is operating
742 in accordance with the terms of the compact. The state may
743 secure an annual independent audit of the conduct of covered
744 games subject to this compact and the Tribe shall cooperate with
745 such audit. The audit shall:

746 (a) Examine the covered games operated by the Tribe to
747 ensure compliance with the Tribe's Internal Control Policies and
748 Procedures and any other standards, policies, or procedures
749 adopted by the Tribe, the commission, or the National Indian
750 Gaming Commission which govern the play of covered games.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

751 (b) Examine revenues in connection with the conduct of
752 covered games and include only those matters necessary to verify
753 the determination of net win and the basis and amount of the
754 payments the Tribe is required to make to the state pursuant to
755 Part XI and as defined by this compact.

756 (2) A copy of the audit report for the conduct of covered
757 games shall be submitted to the commission and the state
758 compliance agency within 30 calendar days after completion.
759 Representatives of the state compliance agency may, upon
760 request, meet with the Tribe and its auditors to discuss the
761 audit or any matters in connection therewith; provided that such
762 discussions are limited to covered games information. The annual
763 independent audit shall be performed by an independent firm
764 selected by the state which has experience in auditing casino
765 operations, subject to the consent of the Tribe, which shall not
766 be unreasonably withheld. The Tribe shall pay for the cost of
767 the annual independent audit.

768 (3) As provided herein, the state compliance agency may
769 monitor the conduct of covered games to ensure that the covered
770 games are conducted in compliance with the provisions of this
771 compact. In order to properly monitor the conduct of covered
772 games, agents of the state compliance agency shall have
773 reasonable access, without prior notice, to all public areas of
774 the facilities related to the conduct of covered games.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

775 (a) The state compliance agency may review whether the
776 Tribe's facilities are in compliance with the provisions of this
777 compact and the Tribe's rules and regulations applicable to
778 covered games and may advise on such issues as it deems
779 appropriate. In the event of a dispute or disagreement between
780 Tribal and state compliance agency regulators, the dispute or
781 disagreement shall be resolved in accordance with the dispute
782 resolution provisions of Part XIII.

783 (b) In order to fulfill its oversight responsibilities,
784 the state compliance agency may perform on a routine basis
785 specific oversight testing procedures as set forth in paragraph
786 (c).

787 (c)1. The state compliance agency may inspect any covered
788 games in operation at the facilities on a random basis, provided
789 that such inspections may not exceed one inspection per facility
790 per calendar month and the inspection may not exceed ten hours
791 spread over those two consecutive days, unless the state
792 compliance agency determines that additional inspection hours
793 are needed to address the issues of substantial noncompliance,
794 provided that the state compliance agency provides the Tribe
795 with written notification of the need for additional inspection
796 hours and a written summary of the substantial noncompliance
797 issues that need to be addressed during the additional
798 inspection hours. The total number of hours of random
799 inspections and audit reviews per year may not exceed 1,200

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

800 hours. Inspection hours shall be calculated on the basis of the
801 actual amount of time spent by the state compliance agency
802 conducting the inspections at a facility, without accounting for
803 a multiple for the number of state compliance agency inspectors
804 or agents engaged in the inspection activities. The purpose of
805 the random inspections is to confirm that the covered games
806 function properly pursuant to the manufacturer's technical
807 standards and are conducted in compliance with the Tribe's
808 Internal Control Policies and Procedures and any other
809 standards, policies, or procedures adopted by the Tribe, the
810 commission, or the National Indian Gaming Commission which
811 govern the play of covered games. The state compliance agency
812 shall provide notice to the commission of such inspection at or
813 before the commencement of a random inspection and a commission
814 agent may accompany the inspection.

815 2. For each facility, the state compliance agency may
816 perform one annual review of the Tribe's slot machine compliance
817 audit.

818 3. At least annually, the state compliance agency may meet
819 with the Tribe's Internal Audit Department for Gaming to review
820 internal controls and the record of violations for each
821 facility.

822 (d) The state compliance agency shall cooperate with and
823 obtain the assistance of the commission in the resolution of any
824 conflicts in the management of the facilities, and the state and

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

825 the Tribe shall make their best efforts to resolve disputes
826 through negotiation whenever possible. Therefore, to foster a
827 spirit of cooperation and efficiency, the state compliance
828 agency and Tribe shall resolve disputes between the state
829 compliance agency staff and commission regulators about the day-
830 to-day regulation of the facilities through meeting and
831 conferring in good faith. Notwithstanding, the parties may seek
832 other relief that may be available when circumstances require
833 such relief. In the event of a dispute or disagreement between
834 tribal and state compliance agency regulators, the dispute or
835 disagreement shall be resolved in accordance with the dispute
836 resolution provisions of Part XIII.

837 (e) The state compliance agency shall have access to each
838 facility during the facility's operating hours only. No advance
839 notice is required when the state compliance agency inspection
840 is limited to public areas of the facility; however,
841 representatives of the state compliance agency shall provide
842 notice and photographic identification to the commission of
843 their presence before beginning any such inspections.

844 (f) The state compliance agency agents, to ensure that a
845 commission officer is available to accompany the state
846 compliance agency agents at all times, shall provide one hour
847 notice and photographic identification to the commission before
848 entering any nonpublic area of a facility. Agents of the state

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

849 compliance agency shall be accompanied in nonpublic areas of the
850 facility by a commission officer.

851 (g) Any suspected or claimed violations of this compact or
852 law shall be directed in writing to the commission. The state
853 compliance agency, in conducting the functions assigned them
854 under this compact, shall not unreasonably interfere with the
855 functioning of any facility.

856 (4) Subject to the provisions herein, the state compliance
857 agency may review and request copies of documents of the
858 facility related to its conduct of covered games during normal
859 business hours unless otherwise allowed by the Tribe. The Tribe
860 may not refuse said inspection and copying of such documents,
861 provided that the inspectors do not require copies of documents
862 in such volume that it unreasonably interferes with the normal
863 functioning of the facilities or covered games. To the extent
864 that the Tribe provides the state with information that the
865 Tribe claims to be confidential and proprietary, or a trade
866 secret, the Tribe shall clearly mark such information with the
867 following designation: "Trade Secret, Confidential, and
868 Proprietary." If the state receives a request under chapter 119
869 that would include such designated information, the state shall
870 promptly notify the Tribe of such a request and the Tribe shall
871 promptly notify the state about its intent to seek judicial
872 protection from disclosure. Upon such notice from the Tribe, the
873 state may not release the requested information until a judicial

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

874 determination is made. This designation and notification
875 procedure does not excuse the state from complying with the
876 requirements of the state's public records law, but is intended
877 to provide the Tribe the opportunity to seek whatever judicial
878 remedy it deems appropriate. Notwithstanding the foregoing
879 procedure, the state compliance agency may provide copies of
880 tribal documents to federal law enforcement and other state
881 agencies or state consultants that the state deems reasonably
882 necessary in order to conduct or complete any investigation of
883 suspected criminal activity in connection with the Tribe's
884 covered games or the operation of the facilities or in order to
885 assure the Tribe's compliance with this compact.

886 (5) At the completion of any state compliance agency
887 inspection or investigation, the state compliance agency shall
888 forward any written report thereof to the commission, containing
889 all pertinent, nonconfidential, nonproprietary information
890 regarding any violation of applicable laws or this compact which
891 was discovered during the inspection or investigation unless
892 disclosure thereof would adversely impact an investigation of
893 suspected criminal activity. Nothing herein prevents the state
894 compliance agency from contacting tribal or federal law
895 enforcement authorities for suspected criminal wrongdoing
896 involving the commission.

897 (6) Except as expressly provided in this compact, nothing
898 in this compact shall be deemed to authorize the state to

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

899 regulate the Tribe's government, including the commission, or to
900 interfere in any way with the Tribe's selection of its
901 governmental officers, including members of the commission.

902
903 PART IX

904
905 JURISDICTION.—The obligations and rights of the state and
906 the Tribe under this compact are contractual in nature and are
907 to be construed in accordance with the laws of the state. This
908 compact does not alter tribal, federal, or state civil
909 adjudicatory or criminal jurisdiction in any way.

910
911 PART X

912
913 LICENSING.—The Tribe and the commission shall comply with
914 the licensing and hearing requirements set forth in 25 C.F.R.
915 parts 556 and 558, as well as the applicable licensing and
916 hearing requirements set forth in Articles IV, V, and VI of the
917 Seminole Tribal Gaming Code. The commission shall notify the
918 state compliance agency of any disciplinary hearings or
919 revocation or suspension of licenses.

920
921 PART XI

922
923 PAYMENTS TO THE STATE OF FLORIDA.—

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

924 (1) The parties acknowledge and recognize that this
925 compact provides the Tribe with partial but substantial
926 exclusivity and other valuable consideration consistent with the
927 goals of the Indian Gaming Regulatory Act, including special
928 opportunities for tribal economic development through gaming
929 within the external boundaries of the state with respect to the
930 play of covered games. In consideration thereof, the Tribe
931 covenants and agrees, subject to the conditions agreed upon in
932 Part XII, to make payments to the state derived from net win as
933 set forth in subsections (2) and (7). The Tribe further agrees
934 that it will not purchase or lease any new Class II video bingo
935 terminals or their equivalents for use at its facilities after
936 the effective date of this compact.

937 (2) The Tribe shall make periodic revenue share payments
938 to the state derived from net win as set forth in this
939 subsection, and any such payments shall be made to the state via
940 electronic funds transfer. Of the amounts paid by the Tribe to
941 the state, three percent shall be distributed to local
942 governments, including both counties and municipalities, in the
943 state affected by the Tribe's operation of covered games. Of the
944 remaining amounts paid by the Tribe to the state, one-third
945 shall be allocated to K-12 teacher recruitment and retention
946 bonuses, one-third shall be allocated to schools that serve
947 students from persistently failing schools, and one-third shall
948 be allocated to higher education institutions to recruit and

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

949 retain distinguished faculty. If the Florida Legislature fails
950 to allocate the amounts to the specified educational purposes in
951 the precise manner and amounts set forth in this subsection, all
952 further payments due to the state pursuant to subsections (2)
953 and (7) shall cease, until such time as such allocations are
954 made, in which event the payments shall resume. Payments shall
955 be due in accordance with the payment schedule set forth in
956 paragraph (a).

957 (a) Revenue share payments by the Tribe to the state shall
958 be calculated as follows:

959 1. During the initial payment period, the Tribe agrees to
960 pay the state a revenue share payment in accordance with this
961 subparagraph.

962 a. 13 percent of all amounts up to \$2 billion of net win
963 received by the Tribe from the operation and play of covered
964 games during each revenue sharing cycle;

965 b. 17.5 percent of all amounts greater than \$2 billion up
966 to and including \$3.5 billion of net win received by the Tribe
967 from the operation and play of covered games during each revenue
968 sharing cycle;

969 c. 20 percent of all amounts greater than \$3.5 billion up
970 to and including \$4 billion of net win received by the Tribe
971 from the operation and play of covered games during each revenue
972 sharing cycle;

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

973 d. 22.5 percent of all amounts greater than \$4 billion up
974 to and including \$4.5 billion of net win received by the Tribe
975 from the operation and play of covered games during each revenue
976 sharing cycle; or

977 e. 25 percent of all amounts greater than \$4.5 billion of
978 net win received by the Tribe from the operation and play of
979 covered games during each revenue sharing cycle.

980 2. During the guarantee payment period, the Tribe agrees
981 to make fixed payments in accordance with this subparagraph. In
982 addition, within 90 days after the end of the guarantee payment
983 period, the Tribe shall make an additional payment to the state
984 equal to the amount above \$3 billion, if any, that would have
985 been owed by the Tribe to the state had the percentages set
986 forth in subparagraph 3. been applicable during the guarantee
987 payment period.

988 a. A payment of \$325 million during the first revenue
989 sharing cycle;

990 b. A payment of \$350 million during the second revenue
991 sharing cycle;

992 c. A payment of \$375 million during the third revenue
993 sharing cycle;

994 d. A payment of \$425 million during the fourth revenue
995 sharing cycle;

996 e. A payment of \$475 million during the fifth revenue
997 sharing cycle;

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

998 f. A payment of \$500 million during the sixth revenue
999 sharing cycle; and

1000 g. A payment of \$550 million during the seventh revenue
1001 sharing cycle.

1002 3. During the regular payment period, the Tribe agrees to
1003 pay a revenue share payment, for each revenue sharing cycle, to
1004 the state equal to the amount calculated in accordance with this
1005 subparagraph.

1006 a. 13 percent of all amounts up to \$2 billion of net win
1007 received by the Tribe from the operation and play of covered
1008 games during each revenue sharing cycle;

1009 b. 17.5 percent of all amounts greater than \$2 billion up
1010 to and including \$3.5 billion of net win received by the Tribe
1011 from the operation and play of covered games during each revenue
1012 sharing cycle;

1013 c. 20 percent of all amounts greater than \$3.5 billion up
1014 to and including \$4 billion of net win received by the Tribe
1015 from the operation and play of covered games during each revenue
1016 sharing cycle;

1017 d. 22.5 percent of all amounts greater than \$4 billion up
1018 to and including \$4.5 billion of net win received by the Tribe
1019 from the operation and play of covered games during each revenue
1020 sharing cycle; or

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1021 e. 25 percent of all amounts greater than \$4.5 billion of
1022 net win received by the Tribe from the operation and play of
1023 covered games during each revenue sharing cycle.

1024 (3) The Tribe shall remit monthly payments as follows:

1025 (a) On or before the 15th day of the month following each
1026 month of the revenue sharing cycle, the Tribe will remit to the
1027 state or its assignee the monthly payment. For purposes of this
1028 section, the monthly payment shall be 8.3 percent of the
1029 estimated revenue share payment to be paid by the Tribe during
1030 such revenue sharing cycle.

1031 (b) The Tribe shall make available to the state at the
1032 time of the monthly payment the basis for the calculation of the
1033 payment.

1034 (c) The Tribe shall, on a monthly basis, reconcile the
1035 calculation of the estimated revenue share payment based on the
1036 Tribe's unaudited financial statements related to covered games.

1037 (4) The Tribe shall have an audit conducted as follows:

1038 (a) On or before the 45th day after the third month, sixth
1039 month, ninth month, and twelfth month of each revenue sharing
1040 cycle, provided that the 12-month period does not coincide with
1041 the Tribe's fiscal year end date as indicated in paragraph (c),
1042 the Tribe shall provide the state with an audit report by its
1043 independent auditors as to the annual revenue share calculation.

1044 (b) For each quarter within revenue sharing cycle, the
1045 Tribe shall engage its independent auditors to conduct a review

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1046 of the unaudited net revenue from covered games. On or before
1047 the 120th day after the end of the Tribe's fiscal year, the
1048 Tribe shall require its independent auditors to provide an audit
1049 report with respect to net win for covered games and the related
1050 payment of the annual revenue share.

1051 (c) If the twelfth month of the revenue sharing cycle does
1052 not coincide with the Tribe's fiscal year, the Tribe shall
1053 deduct net win from covered games for any of the months outside
1054 of the revenue sharing cycle and include net win from covered
1055 games for those months outside of the Tribe's audit period but
1056 within the revenue sharing cycle, before issuing the audit
1057 report.

1058 (d) No later than 30 calendar days after the day the audit
1059 report is issued, the Tribe shall remit to the state any
1060 underpayment of the annual revenue share, and the state shall
1061 either reimburse to the Tribe any overpayment of the annual
1062 revenue share or authorize the overpayment to be deducted from
1063 the next successive monthly payment or payments.

1064 (5) If, after any change in state law to affirmatively
1065 allow internet or online gaming, or any functionally equivalent
1066 remote gaming system that permits a person to play from home or
1067 any other location that is remote from a casino or other
1068 commercial gaming facility, the Tribe's net win from the
1069 operation of covered games at all of its facilities combined
1070 drops more than five percent below its net win from the previous

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1071 12-month period, the Tribe shall no longer be required to make
1072 payments to the state based on the guaranteed minimum compact
1073 term payment and shall not be required to make the guaranteed
1074 minimum compact term payment. However, the Tribe shall continue
1075 to make payments based on the percentage revenue share amount.
1076 The Tribe shall resume making the guaranteed minimum compact
1077 term payment for any subsequent revenue sharing cycle in which
1078 its net win rises above the level described in this subsection.

1079 This subsection does not apply if:

1080 (a) The decline in net win is due to acts of God, war,
1081 terrorism, fires, floods, or accidents causing damage to or
1082 destruction of one or more of its facilities or property
1083 necessary to operate the facility of facilities; or

1084 (b) The Tribe offers internet or online gaming or any
1085 functionally equivalent remote gaming system that permits a
1086 person to game from home or any other location that is remote
1087 from any of the Tribe's facilities, as authorized by law.

1088 (6) The annual oversight assessment, which shall not
1089 exceed \$250,000 per year, indexed for inflation as determined by
1090 the Consumer Price Index, shall be determined and paid in
1091 quarterly installments within 30 calendar days after receipt by
1092 the Tribe of an invoice from the state compliance agency. The
1093 Tribe reserves the right to audit the invoices on an annual
1094 basis, a copy of which will be provided to the state compliance
1095 agency, and any discrepancies found therein shall be reconciled

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1096 within 45 calendar days after receipt of the audit by the state
1097 compliance agency.

1098 (7) The Tribe shall make an annual donation to the Florida
1099 Council on Compulsive Gaming as an assignee of the state in an
1100 amount not less than \$250,000 per facility.

1101 (8) In accordance with the Tribe's previous and continued
1102 conduct of Class III gaming pursuant to the previously existing
1103 compact, the Tribe shall continue to pay the state \$19.5 million
1104 on or before the 15th day of the month following each month that
1105 the Tribe conducts Class III gaming before the effective date of
1106 this compact.

1107 (9) On the effective date of this compact, any moneys
1108 remitted by the Tribe before the effective date of this compact
1109 shall be released to the state without further obligation or
1110 encumbrance.

1111 (10) Except as expressly provided in this part, nothing in
1112 this compact shall be deemed to require the Tribe to make
1113 payments of any kind to the state or any of its agencies.

1114

1115 PART XII

1116

1117 REDUCTION OF TRIBAL PAYMENTS BECAUSE OF LOSS OF EXCLUSIVITY
1118 OR OTHER CHANGES IN STATE LAW.—The intent of this compact is to
1119 provide the Tribe with the right to operate covered games on an

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1120 exclusive basis throughout the state, subject to the exceptions
1121 and provisions in this part.

1122 (1) For purposes of this subsection, the terms "Class III
1123 gaming" or "other casino-style gaming" include, but are not
1124 limited to, slot machines, electronically assisted bingo or
1125 electronically assisted pull-tab games, noncard table games,
1126 video lottery terminals, or any similar games, whether or not
1127 such games are determined through the use of a random number
1128 generator.

1129 (a) If, after February 1, 2017, state law is amended,
1130 implemented, or interpreted to allow the operation of Class III
1131 gaming or other casino-style gaming at any location under the
1132 jurisdiction of the state that was not in operation as of
1133 February 1, 2017, or a new form of Class III gaming or other
1134 casino-style gaming that was not in operation as of February 1,
1135 2017, and such gaming is offered to the public as a result of
1136 the amendment, implementation, or interpretation, the Tribe, no
1137 fewer than 30 days after the commencement of such new gaming or
1138 90 days after the state's receipt of written notice from the
1139 Tribe pursuant to subsection (b), whichever occurs later, may
1140 elect to begin making the affected portion of its payments due
1141 to the state pursuant to subsections (2) and (7) of Part XI,
1142 into an escrow account.

1143 (b) In order to exercise the provisions of paragraph (a),
1144 the Tribe must first notify the state, within 90 days after such

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1145 amendment, implementation, or interpretation of state law, of
1146 the Tribe's objections to such action or interpretation and
1147 further specify the basis for the Tribe's contention that such
1148 action or interpretation infringes upon the substantial
1149 exclusivity afforded under this compact. As part of its written
1150 notice, the Tribe must also indicate, if applicable, its
1151 intention to begin making the affected portion of its payments
1152 due to the state into an escrow account.

1153 (c) Upon receipt of written notice from the Tribe, the
1154 state may elect to:

1155 1. Invoke the dispute resolution provisions of Part XIII
1156 to determine whether the Tribe's contention is well-founded. In
1157 such proceeding, the Tribe carries the burden of proof and
1158 persuasion. The pendency of such proceeding tolls the time
1159 periods set forth in paragraph (1)(a) of Part XI for the
1160 duration of the dispute or litigation; or

1161 2. Seek through enforcement action, legislation, or other
1162 means to stop the conduct of such new games.

1163 (d)1. If, within 15 months following the state's receipt
1164 of written notice from the Tribe, the Tribe's contention is
1165 deemed not to be well-founded at the conclusion of dispute
1166 resolution or new gaming is made illegal and is halted, then all
1167 funds being held in the escrow account shall be released to the
1168 state and all further payments due to the state pursuant to
1169 subsections (2) and (7) of Part XI shall promptly resume.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1170 2. If, after 15 months following the state's receipt of
1171 written notice from the Tribe, the Tribe's contention is deemed
1172 to be well-founded at the conclusion of dispute resolution and
1173 such gaming is not made illegal and halted, then all funds being
1174 held in escrow shall be returned to the Tribe and all further
1175 payments due to the state pursuant to subsections (2) and (7) of
1176 Part XI shall cease or be reduced as provided in subsection (2)
1177 until such gaming is no longer operated, in which event the
1178 payments shall promptly resume.

1179 (2) The following are exceptions to the exclusivity
1180 provisions of subsection (1):

1181 (a) Any Class III gaming authorized by a compact between
1182 the state and any other federally recognized tribe pursuant to
1183 Indian Gaming Regulatory Act, provided that the tribe has land
1184 in federal trust in the state as of February 1, 2017.

1185 (b) The operation of slot machines, which does not include
1186 any game played with tangible playing cards, at each of the four
1187 currently operating licensed pari-mutuel facilities in Broward
1188 County and the four currently operating licensed pari-mutuel
1189 facilities in Miami-Dade County, whether or not currently
1190 operating slot machines, provided that such licenses are not
1191 transferred or otherwise used to move or operate such slot
1192 machines at any other location.

1193 (c)1. If state law is amended to allow for the play of any
1194 additional type of Class III or other casino-style gaming at any

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1195 of the presently operating licensed pari-mutuel facilities in
1196 Broward and Miami-Dade Counties, the Tribe may be entitled to a
1197 reduction in the revenue sharing payment as described in
1198 subparagraph 2.

1199 2. If the Tribe's annual net win from its facilities
1200 located in Broward County for the 12 month period after the
1201 gaming specified in subparagraph 1. begins to be offered for
1202 public or private use is less than the net revenue base, the
1203 revenue share payments due to the state, pursuant to
1204 subparagraph (2) (a)2. of Part XI, for the next revenue sharing
1205 cycle and future revenue sharing cycles shall be calculated by
1206 reducing the Tribe's payment on revenue generated from its
1207 facilities in Broward County by 50 percent of that reduction in
1208 annual net win from its facilities in Broward County. This
1209 paragraph does not apply if the decline in net win is due to
1210 acts of God, war, terrorism, fires, floods, or accidents causing
1211 damage to or destruction of one or more of its facilities or
1212 property necessary to operate the facility or facilities.

1213 3. If the Tribe's annual net win from its facilities
1214 located in Broward County subsequently equals or exceeds the net
1215 revenue base, then the Tribe's payments due to the state
1216 pursuant to subparagraph (2) (a)2. of Part XI shall again be
1217 calculated without any reduction, but may be reduced again under
1218 the provisions set forth in subparagraph 2.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1219 (d) If state law is amended to allow the play of Class III
1220 gaming or other casino-style gaming, as defined in this part, at
1221 any location in Miami-Dade County or Broward County under the
1222 jurisdiction of the state that is not presently licensed for the
1223 play of such games at such locations, other than those
1224 facilities set forth in paragraph (c) and this paragraph, and
1225 such games were not in play as of February 1, 2017, and such
1226 gaming begins to be offered for public or private use, the
1227 payments due the state pursuant to subparagraph (c)2., shall be
1228 calculated by excluding the net win from the Tribe's facilities
1229 in Broward County.

1230 (e) The operation of a combined total of not more than 350
1231 historic racing machines, connected to a central server at that
1232 facility, and electronic bingo machines at each pari-mutuel
1233 facility licensed as of February 1, 2017, and not located in
1234 either Broward County or Miami-Dade County.

1235 (f) The operation of pari-mutuel wagering activities at
1236 pari-mutuel facilities licensed by the state, provided such
1237 facilities annually conduct a full schedule of live races or
1238 games in a manner that would comply with the Florida Statutes in
1239 effect as of February 1, 2017.

1240 (g) The operation of poker, including no-limit poker but
1241 excluding any game involving a bank, at card rooms licensed by
1242 the state; provided all such card rooms are located at pari-
1243 mutuel facilities that annually conduct a certain number of live

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1244 performances in a manner that would comply with cardroom license
1245 renewal requirements set forth in the Florida Statutes in effect
1246 as of February 1, 2017.

1247 (h) The operation by the Department of the Lottery of
1248 those types of lottery games authorized under chapter 24 as of
1249 February 1, 2017, but not including any player-activated or
1250 operated machine or device other than a lottery vending machine
1251 or any banked or banking card or table game. However, not more
1252 than ten lottery vending machines may be installed at any
1253 facility or location and no lottery vending machine that
1254 dispenses electronic instant tickets may be installed at any
1255 licensed pari-mutuel facility.

1256 (i) The operation of games authorized by chapter 849 as of
1257 February 1, 2017, which does not authorize any card game in
1258 which any person, operator, or other party serves as a bank,
1259 paying all winners and collecting from all losers.

1260 (3) To the extent that the exclusivity provisions of this
1261 part are breached or otherwise violated and the Tribe's ongoing
1262 payment obligations to the state pursuant to subsections (2) and
1263 (7) of Part XI cease, any outstanding payments that would have
1264 been due the state from the Tribe's facilities before the breach
1265 or violation shall be made within 30 business days after the
1266 breach or violation.

1267 (4) The breach of this part's exclusivity provisions and
1268 the cessation of payments pursuant to subsections (2) and (7) of

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1269 Part XI shall not excuse the Tribe from continuing to comply
1270 with all other provisions of this compact, including continuing
1271 to pay the state the annual oversight assessment as set forth in
1272 subsection (3) of Part XI.

1273

1274 PART XIII

1275

1276 DISPUTE RESOLUTION.—In the event that the Tribe or State
1277 believes that the other party has failed to comply with any
1278 requirements of this compact, or in the event of any dispute
1279 hereunder, including, but not limited to, a dispute over the
1280 proper interpretation of the terms and conditions of this
1281 compact, the goal of the parties is to resolve all disputes
1282 amicably and voluntarily whenever possible. In pursuit of this
1283 goal, the following procedures may be invoked:

1284 (1) A party asserting noncompliance or seeking an
1285 interpretation of this compact first shall serve written notice
1286 on the other party. The notice shall identify the specific
1287 compact provision alleged to have been violated or in dispute
1288 and shall specify in detail the asserting party's contention and
1289 any factual basis for the claim. Representatives of the Tribe
1290 and state shall meet within 30 calendar days after receipt of
1291 notice in an effort to resolve the dispute, unless they mutually
1292 agree to extend this period.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1293 (2) A party asserting noncompliance or seeking an
1294 interpretation of this compact under this part shall be deemed
1295 to have certified that to the best of the party's knowledge,
1296 information, and belief formed after reasonable inquiry, the
1297 claim of noncompliance or the request for interpretation of this
1298 compact is warranted and made in good faith and not for any
1299 improper purpose, such as to harass or to cause unnecessary
1300 delay or the needless incurring of the cost of resolving the
1301 dispute.

1302 (3) If the parties are unable to resolve a dispute through
1303 the process specified in subsections (1) and (2), either party
1304 may call for mediation under the Commercial Mediation Procedures
1305 of the American Arbitration Association or any successor
1306 procedures, provided that such mediation does not last more than
1307 60 calendar days, unless an extension to this time limit is
1308 negotiated by the parties. Only matters arising under the terms
1309 of this compact may be available for resolution through
1310 mediation. If the parties are unable to resolve a dispute
1311 through the process specified in this part, notwithstanding any
1312 other provision of law, either party may bring an action in a
1313 United States District Court having venue regarding a dispute
1314 arising under this compact. If the court declines to exercise
1315 jurisdiction, or federal precedent exists that holds that the
1316 court would not have jurisdiction over such a dispute, either
1317 party may bring the action in the appropriate court of the

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1318 Seventeenth Judicial Circuit in Broward County, Florida. The
1319 parties are entitled to all rights of appeal permitted by law in
1320 the court system in which the action is brought.

1321 (4) For purposes of actions based on disputes between the
1322 state and the Tribe that arise under this compact and the
1323 enforcement of any judgment resulting from such action, the
1324 Tribe and the state each expressly waive the right to assert
1325 sovereign immunity from suit and from enforcement of any ensuing
1326 judgment, and further consent to be sued in federal or state
1327 court, including the right of appeal specified above, as the
1328 case may be, provided that:

1329 (a) The dispute is limited solely to issues arising under
1330 this compact.

1331 (b) There is no claim for monetary damages, except that
1332 payment of any money required by the terms of this compact, as
1333 well as injunctive relief or specific performance enforcing a
1334 provision of this compact requiring the payment of money to the
1335 state may be sought.

1336 (c) Nothing herein shall be construed to constitute a
1337 waiver of the sovereign immunity of the Tribe with respect to
1338 any third party that is made a party or intervenes as a party to
1339 the action. In the event that intervention, joinder, or other
1340 participation by any additional party in any action between the
1341 state and the Tribe would result in the waiver of the Tribe's

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1342 sovereign immunity as to that additional party, the waiver of
1343 the Tribe may be revoked.

1344 (5) The state may not be precluded from pursuing any
1345 mediation or judicial remedy against the Tribe on the grounds
1346 that the state has failed to exhaust its Tribal administrative
1347 remedies.

1348 (6) Notwithstanding any other provision of this part, any
1349 failure of the Tribe to remit the payments pursuant to the terms
1350 of Part XI entitles the state to seek injunctive relief in
1351 federal or state court, at the state's election, to compel the
1352 payments after the dispute resolution process in subsections (1)
1353 and (2) is exhausted.

1354
1355 PART XIV
1356

1357 CONSTRUCTION OF COMPACT; SEVERANCE; FEDERAL APPROVAL.—

1358 (1) Each provision of this compact shall stand separate
1359 and independent of every other provision. In the event that a
1360 federal district court in Florida or other court of competent
1361 jurisdiction shall find any provision of this compact to be
1362 invalid, the remaining provisions shall remain in full force and
1363 effect, provided that severing the invalidated provision does
1364 not undermine the overall intent of the parties in entering into
1365 this compact. However, if subsection (6) of Part III, Part XI,

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1366 or Part XII is held by a court of competent jurisdiction to be
1367 invalid, this compact will become null and void.

1368 (2) It is understood that Part XII, which provides for a
1369 cessation of the payments to the state under Part XI, does not
1370 create any duty on the state but only a remedy for the Tribe if
1371 gaming under state jurisdiction is expanded.

1372 (3) This compact is intended to meet the requirements of
1373 the Indian Gaming Regulatory Act as it reads on the effective
1374 date of this compact, and where reference is made to the Indian
1375 Gaming Regulatory Act, or to an implementing regulation thereof,
1376 the reference is deemed to have been incorporated into this
1377 document. Subsequent changes to the Indian Gaming Regulatory Act
1378 that diminish the rights of the state or Tribe may not be
1379 applied retroactively to alter the terms of this compact, except
1380 to the extent that federal law validly mandates that retroactive
1381 application without the respective consent of the state or the
1382 Tribe. In the event that a subsequent change in the Indian
1383 Gaming Regulatory Act, or to an implementing regulation thereof,
1384 mandates retroactive application without the respective consent
1385 of the state or the Tribe, the parties agree that this compact
1386 is voidable by either party if the subsequent change materially
1387 alters the provisions in the compact relating to the play of
1388 covered games, revenue sharing payments, suspension or reduction
1389 of payments, or exclusivity.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1390 (4) Neither the presence of language that is not included
1391 in this compact, nor the absence in this compact of language
1392 that is present in another state-tribal compact shall be a
1393 factor in construing the terms of this compact.

1394 (5) The Tribe and the state shall defend the validity of
1395 this compact.

1396 (6) The parties shall cooperate in seeking approval of
1397 this compact from the Secretary of the Department of the
1398 Interior.

1399
1400 PART XV
1401

1402 NOTICES.—All notices required under this compact shall be
1403 given by certified mail, return receipt requested, commercial
1404 overnight courier service, or personal delivery, to the
1405 Governor, the President of the Senate, the Speaker of the House
1406 of Representatives, and the Chairman and General Counsel of the
1407 Seminole Tribe of Florida.

1408
1409 PART XVI
1410

1411 EFFECTIVE DATE AND TERM.—

1412 (1) This compact, if identical to the version ratified by
1413 the Legislature in s. 285.710(3)(c), Florida Statutes, in 2017,
1414 shall become effective upon its approval as a tribal-state

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1415 compact within the meaning of the Indian Gaming Regulatory Act
1416 either by action of the Secretary of the Department of the
1417 Interior or by operation of law under 25 U.S.C. s. 2710(d)(8)
1418 upon publication of a notice of approval in the Federal Register
1419 under 25 U.S.C. s. 2710(d)(8)(D).

1420 (2) This compact shall have a term of twenty years
1421 beginning on the first day of the month following the month in
1422 which the compact becomes effective under subsection (1).

1423 (3) The Tribe's authorization to offer covered games under
1424 this compact shall automatically terminate twenty years after
1425 the effective date unless renewed by an affirmative act of the
1426 Legislature.

1427
1428 PART XVII

1429
1430 AMENDMENT OF COMPACT AND REFERENCES.—

1431 (1) Amendment of this compact may only be made by written
1432 agreement of the parties, subject to approval by the Secretary
1433 of the Department of the Interior, either by publication of the
1434 notice of approval in the Federal Register or by operation of
1435 law under 25 U.S.C. s. 2710(d)(8).

1436 (2) Legislative ratification is required for any amendment
1437 to the compact that alters the provisions relating to covered
1438 games, the amount of revenue sharing payments, suspension or
1439 reduction in payments, or exclusivity.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1440 (3) Changes in the provisions of tribal ordinances,
1441 regulations, and procedures referenced in this compact may be
1442 made by the Tribe with 30 days' advance notice to the state. If
1443 the state has an objection to any change to the tribal
1444 ordinance, regulation, or procedure which is the subject of the
1445 notice on the ground that its adoption would be a violation of
1446 the Tribe's obligations under this compact, the state may invoke
1447 the dispute resolution provisions provided in Part XIII.

1448
1449 PART XVIII

1450
1451 MISCELLANEOUS.—

1452 (1) Except to the extent expressly provided in this
1453 compact, this compact is not intended to, and shall not be
1454 construed to, create any right on the part of a third party to
1455 bring an action to enforce any of its terms.

1456 (2) If, after the effective date of this compact, the
1457 state enters into a compact with any other Tribe that contains
1458 more favorable terms with respect to the provisions of this
1459 Compact and the Secretary of the Department of the Interior
1460 approves such compact, either by publication of the notice of
1461 approval in the Federal Register or by operation of law under 25
1462 U.S.C. s. 2710(d)(8), upon tribal notice to the state and the
1463 Secretary, this compact shall be deemed amended to contain the
1464 more favorable terms, unless the state objects to the change and

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1465 can demonstrate, in a proceeding commenced under Part XIII, that
1466 the terms in question are not more favorable.

1467 (3) Upon the occurrence of certain events beyond the
1468 Tribe's control, including acts of God, war, terrorism, fires,
1469 floods, or accidents causing damage to or destruction of one or
1470 more of its facilities or property necessary to operate the
1471 facility or facilities, the Tribe's obligation to pay the
1472 guaranteed minimum compact term payment described in Part XI
1473 shall be reduced pro rata to reflect the percentage of the total
1474 net win lost to the Tribe from the impacted facility or
1475 facilities and the net win specified under subsection (2) of
1476 Part XII for purposes of determining whether the Tribe's
1477 payments described in Part XI shall cease, shall be reduced pro
1478 rata to reflect the percentage of the total net win lost to the
1479 Tribe from the impacted facility or facilities. The foregoing
1480 shall not excuse any obligations of the Tribe to make payments
1481 to the state as and when required hereunder or in any related
1482 document or agreement.

1483 (4) The Tribe and the state recognize that opportunities
1484 to engage in gaming in smoke-free or reduced-smoke environments
1485 provides both health and other benefits to patrons, and the
1486 Tribe has instituted a nonsmoking section at its Seminole Hard
1487 Rock Hotel & Casino-Hollywood Facility. As part of its
1488 continuing commitment to this issue, the Tribe shall:

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1489 (a) Install and utilize a ventilation system at all new
1490 construction at its facilities, which system exhausts tobacco
1491 smoke to the extent reasonably feasible under existing state-of-
1492 the-art technology.

1493 (b) Designate a smoke-free area for slot machines at all
1494 new construction at its facilities.

1495 (c) Install nonsmoking, vented tables for table games
1496 installed in its facilities sufficient to reasonably respond to
1497 demand for such tables.

1498 (d) Designate a nonsmoking area for gaming within all of
1499 its facilities within five years after the effective date of the
1500 compact.

1501 (5) The annual average minimum pay-out of all slot
1502 machines in each facility may not be less than 85 percent.

1503 (6) Nothing in this compact shall alter any of the
1504 existing memoranda of understanding, contracts, or other
1505 agreements entered into between the Tribe and any other federal,
1506 state, or local governmental entity.

1507 (7) The Tribe currently has, as set forth in its Employee
1508 Fair Treatment and Dispute Resolution Policy, and agrees to
1509 maintain, standards that are comparable to the standards
1510 provided in federal laws and state laws forbidding employers
1511 from discrimination in connection with the employment of persons
1512 working at the facilities on the basis of race, color, religion,
1513 national origin, gender, age, disability, or marital status.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1514 Nothing herein shall preclude the Tribe from giving preference
1515 in employment, promotion, seniority, lay-offs, or retention to
1516 members of the Tribe and other federally recognized tribes.

1517 (8) The Tribe shall, with respect to any facility where
1518 covered games are played, adopt and comply with tribal
1519 requirements that meet the same minimum state requirements
1520 applicable to businesses in the state with respect to
1521 environmental and building standards.

1522
1523 PART XIX
1524

1525 EXECUTION.—The Governor of the State of Florida affirms
1526 that he has authority to act for the state in this matter and
1527 that, provided that this compact is identical to the compact
1528 ratified by the Legislature pursuant to s. 285.710(3)(c),
1529 Florida Statutes, no further action by the state or any state
1530 official is necessary for this compact to take effect upon
1531 federal approval by action of the Secretary of the Department of
1532 the Interior or by operation of law under 25 U.S.C. s.
1533 2710(d)(8) by publication of the notice of approval in the
1534 Federal Register. The Governor affirms that he will proceed with
1535 obtaining such federal approval and take all other appropriate
1536 action to effectuate the purposes and intent of this Compact.
1537 The undersigned Chairman of the Tribal Council of the Seminole
1538 Tribe of Florida affirms that he is duly authorized and has the

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1539 authority to execute this Compact on behalf of the Tribe. The
1540 Chairman also affirms that he will assist in obtaining federal
1541 approval and take all other appropriate action to effectuate the
1542 purposes and intent of this Compact.

1543 Section 2. Subsection (4) of section 285.712, Florida
1544 Statutes, is amended to read:

1545 285.712 Tribal-state gaming compacts.—

1546 (4) Upon execution receipt of an ~~act ratifying~~ a tribal-
1547 state compact entered pursuant to s. 285.710(3)(b), the Governor
1548 shall provide a copy to the Secretary of State who shall forward
1549 a copy of the executed compact and the ratifying act to the
1550 United States Secretary of the Interior for his or her review
1551 and approval, in accordance with 25 U.S.C. s. 2710(d)(8)
1552 ~~2710(8)(d)~~.

1553 Section 3. Subsections (9), (11), (13), and (14) of
1554 section 550.054, Florida Statutes, are amended to read:

1555 550.054 Application for permit to conduct pari-mutuel
1556 wagering.—

1557 (9) (a) After a permit has been granted by the division and
1558 has been ratified and approved by the majority of the electors
1559 participating in the election in the county designated in the
1560 permit, the division shall grant to the lawful permitholder,
1561 subject to the conditions of this chapter, a license to conduct
1562 pari-mutuel operations under this chapter, and, except as
1563 provided in s. 550.5251, the division shall fix annually the

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1564 time, place, and number of days during which pari-mutuel
1565 operations may be conducted by the permitholder at the location
1566 fixed in the permit and ratified in the election. After the
1567 first license has been issued to the holder of a ratified permit
1568 for racing in any county, all subsequent annual applications for
1569 a license by that permitholder must be accompanied by proof, in
1570 such form as the division requires, that the ratified
1571 permitholder still possesses all the qualifications prescribed
1572 by this chapter and that the permit has not been recalled at a
1573 later election held in the county.

1574 (b) The division may revoke or suspend any permit or
1575 license issued under this chapter upon a the willful violation
1576 by the permitholder or licensee of any provision of chapter 551,
1577 chapter 849, or this chapter or rules of any rule adopted
1578 pursuant to those chapters under this chapter. With the
1579 exception of the revocation of permits required in paragraphs
1580 (c) and (f) In lieu of suspending or revoking a permit or
1581 license, the division, in lieu of suspending or revoking a
1582 permit or license, may impose a civil penalty against the
1583 permitholder or licensee for a violation of this chapter or
1584 rules adopted pursuant thereto any rule adopted by the division.
1585 The penalty so imposed may not exceed \$1,000 for each count or
1586 separate offense. All penalties imposed and collected must be
1587 deposited with the Chief Financial Officer to the credit of the
1588 General Revenue Fund.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1589 (c)1. The division shall revoke the permit of any
1590 permitholder that fails to make payments due pursuant to chapter
1591 550, chapter 551, or s. 849.086 for more than 24 consecutive
1592 months unless such failure was the direct result of fire,
1593 strike, war, or other disaster or event beyond the
1594 permitholder's control. Financial hardship to the permitholder
1595 does not, in and of itself, constitute just cause for failure to
1596 make payments.

1597 2. The division shall revoke the permit of any
1598 permitholder that has not obtained an operating license in
1599 accordance with s. 550.01215 for a period of more than 24
1600 consecutive months after June 30, 2012. The division shall
1601 revoke the permit upon adequate notice to the permitholder.
1602 Financial hardship to the permitholder does not, in and of
1603 itself, constitute just cause for failure to operate.

1604 (d) A new permit to conduct pari-mutuel wagering may not
1605 be approved or issued after January 1, 2017.

1606 (e) A permit revoked under this subsection is void and may
1607 not be reissued.

1608 (11) (a) A permit granted under this chapter may not be
1609 transferred or assigned except upon written approval by the
1610 division pursuant to s. 550.1815, ~~except that the holder of any~~
1611 ~~permit that has been converted to a jai alai permit may lease or~~
1612 ~~build anywhere within the county in which its permit is located.~~

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1613 (13) ~~(a)~~ Notwithstanding any provision ~~provisions~~ of this
1614 chapter or chapter 551, a pari-mutuel ~~no thoroughbred horse~~
1615 ~~racetrack~~ permit or license issued under this chapter may not ~~shall~~
1616 be transferred, ~~or reissued when such reissuance is in the~~
1617 ~~nature of a transfer so as to permit or authorize a licensee to~~
1618 ~~change the location of a thoroughbred horse racetrack except~~
1619 ~~upon proof in such form as the division may prescribe that a~~
1620 ~~referendum election has been held:~~

1621 1. ~~If the proposed new location is within the same county~~
1622 ~~as the already licensed location, in the county where the~~
1623 ~~licensee desires to conduct the race meeting and that a majority~~
1624 ~~of the electors voting on that question in such election voted~~
1625 ~~in favor of the transfer of such license.~~

1626 2. ~~If the proposed new location is not within the same~~
1627 ~~county as the already licensed location, in the county where the~~
1628 ~~licensee desires to conduct the race meeting and in the county~~
1629 ~~where the licensee is already licensed to conduct the race~~
1630 ~~meeting and that a majority of the electors voting on that~~
1631 ~~question in each such election voted in favor of the transfer of~~
1632 ~~such license.~~

1633 ~~(b)~~ ~~Each referendum held under the provisions of this~~
1634 ~~subsection shall be held in accordance with the electoral~~
1635 ~~procedures for ratification of permits, as provided in s.~~
1636 ~~550.0651. The expense of each such referendum shall be borne by~~
1637 ~~the licensee requesting the transfer.~~

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1638 (14) ~~(a)~~ Notwithstanding any other provision of law, a
1639 pari-mutuel permit, cardroom, or slot machine facility may not
1640 be relocated, and a pari-mutuel permit may not be converted to
1641 another class of permit. Any holder of a permit to conduct jai
1642 alai may apply to the division to convert such permit to a
1643 permit to conduct greyhound racing in lieu of jai alai if:

1644 1. ~~Such permit is located in a county in which the~~
1645 ~~division has issued only two pari-mutuel permits pursuant to~~
1646 ~~this section;~~

1647 2. ~~Such permit was not previously converted from any other~~
1648 ~~class of permit; and~~

1649 3. ~~The holder of the permit has not conducted jai alai~~
1650 ~~games during a period of 10 years immediately preceding his or~~
1651 ~~her application for conversion under this subsection.~~

1652 ~~(b) The division, upon application from the holder of a~~
1653 ~~jai alai permit meeting all conditions of this section, shall~~
1654 ~~convert the permit and shall issue to the permitholder a permit~~
1655 ~~to conduct greyhound racing. A permitholder of a permit~~
1656 ~~converted under this section shall be required to apply for and~~
1657 ~~conduct a full schedule of live racing each fiscal year to be~~
1658 ~~eligible for any tax credit provided by this chapter. The holder~~
1659 ~~of a permit converted pursuant to this subsection or any holder~~
1660 ~~of a permit to conduct greyhound racing located in a county in~~
1661 ~~which it is the only permit issued pursuant to this section who~~
1662 ~~operates at a leased facility pursuant to s. 550.475 may move~~

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1663 ~~the location for which the permit has been issued to another~~
1664 ~~location within a 30-mile radius of the location fixed in the~~
1665 ~~permit issued in that county, provided the move does not cross~~
1666 ~~the county boundary and such location is approved under the~~
1667 ~~zoning regulations of the county or municipality in which the~~
1668 ~~permit is located, and upon such relocation may use the permit~~
1669 ~~for the conduct of pari-mutuel wagering and the operation of a~~
1670 ~~cardroom. The provisions of s. 550.6305(9)(d) and (f) shall~~
1671 ~~apply to any permit converted under this subsection and shall~~
1672 ~~continue to apply to any permit which was previously included~~
1673 ~~under and subject to such provisions before a conversion~~
1674 ~~pursuant to this section occurred.~~

1675 Section 4. Section 550.0555, Florida Statutes, is
1676 repealed.

1677 Section 5. Section 550.0745, Florida Statutes, is
1678 repealed.

1679 Section 6. Subsection (3) of section 550.09512, Florida
1680 Statutes, is amended to read:

1681 550.09512 Harness horse taxes; abandoned interest in a
1682 permit for nonpayment of taxes.—

1683 (3)~~(a)~~ The division shall revoke the permit of a harness
1684 horse racing permitholder who does not pay tax on handle for
1685 live harness horse performances for a full schedule of live
1686 races for more than 24 consecutive months ~~during any 2~~
1687 ~~consecutive state fiscal years shall be void and shall escheat~~

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1688 ~~to and become the property of the state unless such failure to~~
1689 ~~operate and pay tax on handle was the direct result of fire,~~
1690 ~~strike, war, or other disaster or event beyond the ability of~~
1691 ~~the permitholder to control. Financial hardship to the~~
1692 ~~permitholder does ~~shall~~ not, in and of itself, constitute just~~
1693 ~~cause for failure to operate and pay tax on handle. A permit~~
1694 ~~revoked under this subsection is void and may not be reissued.~~

1695 ~~(b) In order to maximize the tax revenues to the state,~~
1696 ~~the division shall reissue an escheated harness horse permit to~~
1697 ~~a qualified applicant pursuant to the provisions of this chapter~~
1698 ~~as for the issuance of an initial permit. However, the~~
1699 ~~provisions of this chapter relating to referendum requirements~~
1700 ~~for a pari mutuel permit shall not apply to the reissuance of an~~
1701 ~~escheated harness horse permit. As specified in the application~~
1702 ~~and upon approval by the division of an application for the~~
1703 ~~permit, the new permitholder shall be authorized to operate a~~
1704 ~~harness horse facility anywhere in the same county in which the~~
1705 ~~escheated permit was authorized to be operated, notwithstanding~~
1706 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

1707 Section 7. Subsections (3) and (7) of section 550.09515,
1708 Florida Statutes, are amended to read:

1709 550.09515 Thoroughbred horse taxes; abandoned interest in
1710 a permit for nonpayment of taxes.-

1711 (3)~~(a)~~ The division shall revoke the permit of a
1712 thoroughbred racing horse permitholder that ~~who~~ does not pay tax

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1713 on handle for live thoroughbred horse performances for a full
1714 schedule of live races for more than 24 consecutive months
1715 ~~during any 2 consecutive state fiscal years shall be void and~~
1716 ~~shall escheat to and become the property of the state unless~~
1717 such failure to operate and pay tax on handle was the direct
1718 result of fire, strike, war, or other disaster or event beyond
1719 the ability of the permitholder to control. Financial hardship
1720 to the permitholder does ~~shall~~ not, in and of itself, constitute
1721 just cause for failure to operate and pay tax on handle. A
1722 permit revoked under this subsection is void and may not be
1723 reissued.

1724 ~~(b) In order to maximize the tax revenues to the state,~~
1725 ~~the division shall reissue an escheated thoroughbred horse~~
1726 ~~permit to a qualified applicant pursuant to the provisions of~~
1727 ~~this chapter as for the issuance of an initial permit. However,~~
1728 ~~the provisions of this chapter relating to referendum~~
1729 ~~requirements for a pari-mutuel permit shall not apply to the~~
1730 ~~reissuance of an escheated thoroughbred horse permit. As~~
1731 ~~specified in the application and upon approval by the division~~
1732 ~~of an application for the permit, the new permitholder shall be~~
1733 ~~authorized to operate a thoroughbred horse facility anywhere in~~
1734 ~~the same county in which the escheated permit was authorized to~~
1735 ~~be operated, notwithstanding the provisions of s. 550.054(2)~~
1736 ~~relating to mileage limitations.~~

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1737 ~~(7) If a thoroughbred permitholder fails to operate all~~
1738 ~~performances on its 2001-2002 license, failure to pay tax on~~
1739 ~~handle for a full schedule of live races for those performances~~
1740 ~~in the 2001-2002 fiscal year does not constitute failure to pay~~
1741 ~~taxes on handle for a full schedule of live races in a fiscal~~
1742 ~~year for the purposes of subsection (3). This subsection may not~~
1743 ~~be construed as forgiving a thoroughbred permitholder from~~
1744 ~~paying taxes on performances conducted at its facility pursuant~~
1745 ~~to its 2001-2002 license other than for failure to operate all~~
1746 ~~performances on its 2001-2002 license. This subsection expires~~
1747 ~~July 1, 2003.~~

1748 Section 8. Section 550.3345, Florida Statutes, is amended
1749 to read:

1750 550.3345 ~~Conversion of quarter horse permit to a Limited~~
1751 ~~thoroughbred racing permit.-~~

1752 (1) In recognition of the important and long-standing
1753 economic contribution of the thoroughbred horse breeding
1754 industry to this state and the state's vested interest in
1755 promoting the continued viability of this agricultural activity,
1756 the state intends to provide a limited opportunity for the
1757 conduct of live thoroughbred horse racing with the net revenues
1758 from such racing dedicated to the enhancement of thoroughbred
1759 purses and breeders', stallion, and special racing awards under
1760 this chapter; the general promotion of the thoroughbred horse

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1761 breeding industry; and the care in this state of thoroughbred
1762 horses retired from racing.

1763 (2) A limited thoroughbred racing permit previously
1764 converted from ~~Notwithstanding any other provision of law, the~~
1765 ~~holder of a quarter horse racing permit pursuant to chapter~~
1766 2010-29, Laws of Florida, issued under s. 550.334 may only be
1767 held by, ~~within 1 year after the effective date of this section,~~
1768 ~~apply to the division for a transfer of the quarter horse racing~~
1769 ~~permit to a not-for-profit corporation formed under state law to~~
1770 ~~serve the purposes of the state as provided in subsection (1).~~
1771 The board of directors of the not-for-profit corporation must be
1772 composed ~~comprised~~ of 11 members, 4 of whom shall be designated
1773 by the applicant, 4 of whom shall be designated by the Florida
1774 Thoroughbred Breeders' Association, and 3 of whom shall be
1775 designated by the other 8 directors, with at least 1 of these 3
1776 members being an authorized representative of another
1777 thoroughbred racing permitholder in this state. A limited
1778 thoroughbred racing ~~The not-for-profit corporation shall submit~~
1779 ~~an application to the division for review and approval of the~~
1780 ~~transfer in accordance with s. 550.054. Upon approval of the~~
1781 ~~transfer by the division, and notwithstanding any other~~
1782 ~~provision of law to the contrary, the not-for-profit corporation~~
1783 ~~may, within 1 year after its receipt of the permit, request that~~
1784 ~~the division convert the quarter horse racing permit to a permit~~
1785 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1786 ~~thoroughbred racing. Neither the transfer of the quarter horse~~
1787 ~~racing permit nor its conversion to a limited thoroughbred~~
1788 ~~permit shall be subject to the mileage limitation or the~~
1789 ~~ratification election as set forth under s. 550.054(2) or s.~~
1790 ~~550.0651. Upon receipt of the request for such conversion, the~~
1791 ~~division shall timely issue a converted permit. The converted~~
1792 ~~permit and the not-for-profit corporation are shall be subject~~
1793 ~~to the following requirements:~~

1794 (a) All net revenues derived by the not-for-profit
1795 corporation under the thoroughbred ~~horse~~ racing permit, after
1796 the funding of operating expenses and capital improvements,
1797 shall be dedicated to the enhancement of thoroughbred purses and
1798 breeders', stallion, and special racing awards under this
1799 chapter; the general promotion of the thoroughbred horse
1800 breeding industry; and the care in this state of thoroughbred
1801 horses retired from racing.

1802 (b) From December 1 through April 30, ~~no~~ live thoroughbred
1803 racing may not be conducted under the permit on any day during
1804 which another thoroughbred racing permitholder is conducting
1805 live thoroughbred racing within 125 air miles of the not-for-
1806 profit corporation's pari-mutuel facility unless the other
1807 thoroughbred racing permitholder gives its written consent.

1808 (c) ~~After the conversion of the quarter horse racing~~
1809 ~~permit and the~~ issuance of its initial license to conduct pari-
1810 mutuel wagering meets of thoroughbred racing, the not-for-profit

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1811 corporation shall annually apply to the division for a license
1812 pursuant to s. 550.5251.

1813 (d) Racing under the permit may take place only at the
1814 location for which the original quarter horse racing permit was
1815 issued, which may be leased by the not-for-profit corporation
1816 for that purpose; ~~however, the not-for-profit corporation may,~~
1817 ~~without the conduct of any ratification election pursuant to s.~~
1818 ~~550.054(13) or s. 550.0651, move the location of the permit to~~
1819 ~~another location in the same county provided that such~~
1820 ~~relocation is approved under the zoning and land use regulations~~
1821 ~~of the applicable county or municipality.~~

1822 (e) A limited thoroughbred racing ~~no~~ permit may not be
1823 transferred ~~converted under this section is eligible for~~
1824 ~~transfer~~ to another person or entity.

1825 (3) Unless otherwise provided in this section, ~~after~~
1826 ~~conversion,~~ the permit and the not-for-profit corporation shall
1827 be treated under the laws of this state as a thoroughbred racing
1828 permit and as a thoroughbred racing permitholder, respectively,
1829 with the exception of ss. 550.054(9)(c) and s. 550.09515(3).

1830 Section 9. Subsection (4) of section 551.102, Florida
1831 Statutes, is amended to read:

1832 551.102 Definitions.—As used in this chapter, the term:

1833 (4) "Eligible facility" means any licensed pari-mutuel
1834 facility located in Miami-Dade County or Broward County existing
1835 at the time of adoption of s. 23, Art. X of the State

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1836 Constitution that has conducted live racing or games during
1837 calendar years 2002 and 2003 and has been approved by a majority
1838 of voters in a countywide referendum to have slot machines at
1839 such facility in the respective county; or any licensed pari-
1840 mutuel facility located within a county as defined in s.
1841 125.011, provided such facility has conducted live racing for 2
1842 consecutive calendar years immediately preceding its application
1843 for a slot machine license, pays the required license fee, and
1844 meets the other requirements of this chapter; ~~or any licensed~~
1845 ~~pari-mutuel facility in any other county in which a majority of~~
1846 ~~voters have approved slot machines at such facilities in a~~
1847 ~~countywide referendum held pursuant to a statutory or~~
1848 ~~constitutional authorization after the effective date of this~~
1849 ~~section in the respective county, provided such facility has~~
1850 ~~conducted a full schedule of live racing for 2 consecutive~~
1851 ~~calendar years immediately preceding its application for a slot~~
1852 ~~machine license, pays the required licensed fee, and meets the~~
1853 ~~other requirements of this chapter.~~

1854 Section 10. Subsection (1) of section 551.104, Florida
1855 Statutes, is amended to read:

1856 551.104 License to conduct slot machine gaming.—

1857 (1) Upon application and a finding by the division after
1858 investigation that the application is complete and the applicant
1859 is qualified and payment of the initial license fee, the
1860 division may issue a license to conduct slot machine gaming in

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1861 the designated slot machine gaming area of the eligible
1862 facility. Once licensed, slot machine gaming may be conducted
1863 subject to the requirements of this chapter and rules adopted
1864 pursuant thereto. Notwithstanding any other provision of law,
1865 the division may not issue an initial license to conduct slot
1866 machine gaming after January 1, 2017, or otherwise authorize the
1867 conduct of slot machine gaming at any facility or location which
1868 was not conducting slot machine gaming as of January 1, 2017.

1869 Section 11. Paragraphs (a) and (b) of subsection (2),
1870 paragraph (d) of subsection (7), subsection (12), paragraph (c)
1871 of subsection (14), and paragraph (a) of subsection (17) of
1872 section 849.086, Florida Statutes, are amended to read:

1873 849.086 Cardrooms authorized.—

1874 (2) DEFINITIONS.—As used in this section:

1875 (a) "Authorized game" means a game or series of games of
1876 traditional poker or dominoes which are played in a pari-mutuel,
1877 nonbanking manner, where all players at the table play against
1878 all other players at the table and contribute to a common pot of
1879 winnings collected by the winner, and which are played in a
1880 manner consistent with the rules and requirements set forth in
1881 the 1974 edition of Hoyle's Modern Encyclopedia of Card Games.

1882 (b) "Banking game" means a game in which the house is a
1883 participant in the game, taking on players, paying winners, and
1884 collecting from losers, or a game in which any person or party

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1885 serves as the cardroom establishes a bank against which
1886 participants play.

1887 (7) CONDITIONS FOR OPERATING A CARDROOM.—

1888 (d) A cardroom operator may award giveaways, jackpots, and
1889 prizes to a player who holds certain combinations of cards
1890 specified by the cardroom operator, provided that the award of
1891 such giveaway, jackpot, or prize does not constitute a
1892 prohibited activity under subsection (12).

1893 (12) PROHIBITED ACTIVITIES.—

1894 (a) ~~No person licensed to operate a cardroom may conduct~~
1895 ~~any banking game or~~ Any game not specifically authorized by this
1896 section is prohibited. Prohibited games include, but are not
1897 limited to:

1898 1. Any game in which the cardroom or any other person or
1899 party serves as a bank or banker against which players play.

1900 2. Any game in which players compete against a designated
1901 player instead of competing against all players at the table.

1902 3. Any game in which the number of cards or ranking of
1903 hands does not conform to the rules and requirements for
1904 traditional poker as set forth in the 1974 edition of Hoyle's
1905 Modern Encyclopedia of Card Games.

1906 4. Any other game conducted in a manner that is not
1907 consistent with the provisions of this section.

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1908 (b) ~~No person~~ Persons under 18 years of age may not be
1909 permitted to hold a cardroom or employee license, or engage in
1910 any game conducted therein.

1911 (c) ~~No~~ Electronic or mechanical devices, except mechanical
1912 card shufflers, may not be used to conduct any authorized game
1913 in a cardroom.

1914 (d) ~~No~~ Cards, game components, or game implements may not
1915 be used in playing an authorized game unless such has been
1916 furnished or provided to the players by the cardroom operator.

1917 (14) SUSPENSION, REVOCATION, OR DENIAL OF LICENSE; FINE.—

1918 (c) ~~Notwithstanding any other provision of this section,~~
1919 The division may impose an administrative fine not to exceed
1920 \$1,000 for each violation against any person who has violated or
1921 failed to comply with the provisions of this section or any
1922 rules adopted pursuant thereto. The division may revoke the
1923 license of any person who violates the provisions of subsection
1924 (12) on or after August 1, 2017.

1925 (17) CHANGE OF LOCATION; REFERENDUM.—

1926 (a) Notwithstanding any provisions of this section, no
1927 cardroom gaming license issued under this section shall be
1928 transferred, or reissued when such reissuance is in the nature
1929 of a transfer, so as to permit or authorize a licensee to change
1930 the location of the cardroom except upon proof in such form as
1931 the division may prescribe that a referendum election has been
1932 held:

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1933 1. If the proposed new location is within the same county
1934 as the already licensed location, in the county where the
1935 licensee desires to conduct cardroom gaming and that a majority
1936 of the electors voting on the question in such election voted in
1937 favor of the transfer of such license. ~~However, the division~~
1938 ~~shall transfer, without requirement of a referendum election,~~
1939 ~~the cardroom license of any permit holder that relocated its~~
1940 ~~permit pursuant to s. 550.0555.~~

1941 2. If the proposed new location is not within the same
1942 county as the already licensed location, in the county where the
1943 licensee desires to conduct cardroom gaming and that a majority
1944 of the electors voting on that question in each such election
1945 voted in favor of the transfer of such license.

1946 Section 12. All cardroom games involving designated
1947 players or a bank of any kind are illegal and prohibited under
1948 s. 849.086, Florida Statutes. Any past or future action or
1949 inaction by the Division of Pari-Mutuel Wagering considered by
1950 any party or construed by a tribunal to constitute permission
1951 from the state, either for a licensed cardroom to conduct a
1952 banking game for purposes of s. 849.086 or for a licensed
1953 cardroom to conduct a banking or banked card game for purposes
1954 of the Gaming Compact between the Seminole Tribe of Florida and
1955 the State of Florida executed pursuant to s. 285.710(3)(b),
1956 Florida Statutes, exceeds the division's delegated legislative
1957 authority, is contrary to will of the Legislature as expressed

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1958 | in the plain words of the Florida Statutes, and does not
1959 | represent state action for purposes of the Gaming Compact
1960 | executed pursuant to s. 285.710(3)(b), Florida Statutes.

1961 | Section 13. This act shall take effect July 1, 2017.

1962 |
1963 | -----

1964 | **T I T L E A M E N D M E N T**

1965 | Remove everything before the enacting clause and insert:

1966 | A bill to be entitled
1967 | An act relating to gaming; amending s. 285.710, F.S.;
1968 | authorizing and directing the Governor, in cooperation
1969 | with the Seminole Tribe of Florida, to execute a new
1970 | compact in the form provided; signifying the
1971 | Legislature's approval and ratification of such
1972 | compact that does not materially alter from the
1973 | approved form; providing terms and conditions for the
1974 | gaming compact; providing definitions; authorizing the
1975 | Tribe to operate covered games on its lands in
1976 | accordance with the compact and at specified
1977 | facilities; prohibiting specified games; providing
1978 | requirements for resolution of patron disputes
1979 | involving gaming, tort claims, and employee disputes;
1980 | providing requirements for regulation and enforcement
1981 | of the compact; requiring the state to conduct random
1982 | inspections of tribal facilities; authorizing the

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

1983 state to conduct an independent audit; requiring the
1984 Tribe and commission to comply with specified
1985 licensing and hearing requirements; requiring the
1986 Tribe to make specified revenue share payments to the
1987 state, with reductions authorized under certain
1988 circumstances; requiring the Tribe to pay an annual
1989 oversight assessment and annual donation to the
1990 Florida Council on Compulsive Gaming; providing for
1991 dispute resolution between the Tribe and the state;
1992 providing an effective date and termination of the
1993 compact; providing for execution of the compact;
1994 amending s. 285.712, F.S.; requiring the Governor to
1995 provide a copy of the executed compact to specified
1996 parties and direct the Secretary of State to forward a
1997 copy to the Secretary of the Interior; amending s.
1998 550.054, F.S.; requiring the Division of Pari-Mutuel
1999 Wagering to revoke a permit to conduct pari-mutuel
2000 wagering for a permitholder that fails to make
2001 specified payments or obtain an operating license;
2002 prohibiting the issuance of new permits; deleting
2003 provisions related to the conversion of permits;
2004 repealing s. 550.0555, F.S., relating to relocation of
2005 a greyhound dogracing permit within the same county;
2006 repealing s. 550.0745, F.S., relating to conversion of
2007 a pari-mutuel permit to a summer jai alai permit;

837981

Approved For Filing: 3/31/2017 11:40:40 AM

Amendment No.

2008 | amending ss. 550.09512 and 550.09515, F.S.; requiring
2009 | the division to revoke the permit of a harness horse
2010 | or thoroughbred racing permitholder, respectively, who
2011 | does not pay tax on handle for a specified period of
2012 | time; deleting provisions relating to the reissuance
2013 | of escheated permits; amending s. 550.3345, F.S.;
2014 | revising provisions relating to a limited thoroughbred
2015 | racing permit previously converted from a quarter
2016 | horse racing permit; amending s. 551.102, F.S.;
2017 | revising the definition of the term "eligible
2018 | facility"; amending s. 551.104, F.S.; prohibiting the
2019 | division from issuing a license to conduct or
2020 | authorizing slot machine gaming after a specified
2021 | date; amending s. 849.086, F.S.; revising definitions;
2022 | prohibiting specified cardroom games; authorizing the
2023 | division to revoke a cardroom license after a certain
2024 | date for specified actions; correcting a cross-
2025 | reference; providing action by the division construed
2026 | to constitute permission by the state to conduct
2027 | certain cardroom games is not state action; providing
2028 | an effective date.

837981

Approved For Filing: 3/31/2017 11:40:40 AM