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1                   A bill to be entitled  
2     An act relating to gaming; amending and reordering s.  
3     24.103, F.S.; defining the term "point-of-sale  
4     terminal"; amending s. 24.105, F.S.; authorizing the  
5     Department of the Lottery to create a program that  
6     authorizes certain persons to purchase a ticket at a  
7     point-of-sale terminal; authorizing the department to  
8     adopt rules; providing requirements for the rules;  
9     amending s. 24.112, F.S.; authorizing the department,  
10    a retailer operating from one or more locations, or a  
11    vendor approved by the department to use a point-of-  
12    sale terminal to sell a lottery ticket; requiring a  
13    point-of-sale terminal to perform certain functions;  
14    specifying that the point-of-sale terminal may not  
15    reveal winning numbers; prohibiting a point-of-sale  
16    terminal from including or making use of video reels  
17    or mechanical reels or other video depictions of slot  
18    machine or casino game themes or titles for game play;  
19    prohibiting a point-of-sale terminal from being used  
20    to redeem a winning ticket; amending s. 285.710, F.S.;  
21    redefining the term "compact"; ratifying and approving  
22    a specified compact executed by the Governor and the  
23    Seminole Tribe of Florida contingent upon the adoption  
24    of specified amendments to the compact; superseding  
25    the compact approved by the Legislature in 2010,  
26    subject to certain requirements; directing the  
27    Governor to cooperate with the Tribe in seeking  
28    approval of the amended compact from the United States  
29    Secretary of the Interior; directing the Secretary of

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30 the Department of Business and Professional Regulation  
31 to provide written notice of the effective date of the  
32 compact to specified persons under certain  
33 circumstances; specifying the amendments that must be  
34 made to the compact by agreement between the Governor  
35 and the Tribe for the compact to be deemed ratified  
36 and approved; prohibiting the incorporation of  
37 specified amendments into the compact from impacting  
38 or changing the payments required to the state by the  
39 Tribe during specified payment periods; prohibiting  
40 the compact from being amended to prorate or reduce  
41 required payments to the state; requiring specified  
42 provisions of the compact relating to required  
43 payments to the state during the initial payment  
44 period be deleted; expanding the games authorized to  
45 be conducted and the counties in which such games may  
46 be offered; amending s. 285.712, F.S.; correcting a  
47 citation; creating s. 546.11, F.S.; providing a short  
48 title; creating s. 546.12, F.S.; providing legislative  
49 findings and intent; creating s. 546.13, F.S.;  
50 defining terms; creating s. 546.14, F.S.; creating the  
51 Office of Contest Amusements within the Department of  
52 Business and Professional Regulation; requiring that  
53 the office be under the supervision of a senior  
54 manager who is exempt from the Career Service System  
55 and is appointed by the secretary of the department;  
56 providing duties of the office; providing for  
57 rulemaking; creating s. 546.15, F.S.; providing  
58 licensing requirements for contest operators offering

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59 fantasy contests; providing licensing application and  
60 renewal fees; requiring the office to grant or deny a  
61 license within a specified timeframe; providing that a  
62 completed application is deemed approved 120 days  
63 after receipt by the office under certain  
64 circumstances; exempting applications for a contest  
65 operator's license from certain licensure timeframe  
66 requirements; providing requirements for the license  
67 application; providing that specified persons or  
68 entities are not eligible for licensure under certain  
69 circumstances; defining the term "convicted";  
70 authorizing the office to suspend, revoke, or deny a  
71 license under certain circumstances; creating s.  
72 546.16, F.S.; requiring a contest operator to  
73 implement specified consumer protection procedures  
74 under certain circumstances; requiring a contest  
75 operator to annually contract with a third party to  
76 perform an independent audit under certain  
77 circumstances; requiring a contest operator to submit  
78 the audit results to the office by a certain date;  
79 creating s. 546.17, F.S.; requiring contest operators  
80 to keep and maintain certain records for a specified  
81 period; providing a requirement for such records;  
82 requiring that such records be available for audit and  
83 inspection; requiring the department to adopt rules;  
84 creating s. 546.18, F.S.; providing a civil penalty;  
85 providing applicability; exempting fantasy contests  
86 from certain provisions in ch. 849, F.S.; providing a  
87 directive to the Division of Law Revision and

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88 Information; amending s. 550.002, F.S.; redefining the  
89 term "full schedule of live racing or games"; amending  
90 s. 550.01215, F.S.; revising application requirements  
91 for pari-mutuel operating licenses; authorizing a  
92 greyhound racing permitholder to specify certain  
93 intentions on its application; authorizing a greyhound  
94 racing permitholder to receive an operating license to  
95 conduct pari-mutuel wagering activities at another  
96 permitholder's greyhound racing facility; authorizing  
97 a thoroughbred horse racing permitholder to elect not  
98 to conduct live racing under certain circumstances;  
99 authorizing a thoroughbred horse racing permitholder  
100 that elects not to conduct live racing to retain its  
101 permit and requiring the permitholder to specify its  
102 intention not to conduct live racing in future  
103 applications and that it is a pari-mutuel facility;  
104 authorizing such thoroughbred racing permitholder's  
105 facility to remain an eligible facility, to continue  
106 to be eligible for a slot machine license, to be  
107 exempt from certain provisions of chs. 550 and 551,  
108 F.S., to be eligible as a guest track for intertrack  
109 wagering and simulcasting, and to remain eligible for  
110 a cardroom license; requiring, for a specified period,  
111 that such permitholder file with the division an  
112 irrevocable consent authorizing the use of certain  
113 contributions for specified purses and awards;  
114 exempting certain harness horse racing permitholders,  
115 quarter horse racing permitholders, and jai alai  
116 permitholders from specified live racing or live games

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117 requirements; authorizing such permitholders to  
118 specify certain intentions on their applications;  
119 authorizing certain permitholders that elect not to  
120 conduct live racing to retain their permits; providing  
121 that certain facilities of such permitholders that  
122 have been issued a slot machine license remain  
123 eligible facilities, continue to be eligible for a  
124 slot machine license, are exempt from certain  
125 provisions of ch. 551, F.S., are eligible to be guest  
126 tracks or, in certain cases, host tracks for certain  
127 purposes, and remain eligible for a cardroom license;  
128 authorizing the Division of Pari-mutuel Wagering of  
129 the Department of Business and Professional Regulation  
130 to approve changes in racing dates for permitholders  
131 under certain circumstances; providing requirements  
132 for licensure of certain jai alai permitholders;  
133 deleting a provision for conversion of certain  
134 converted permits to jai alai permits; authorizing  
135 certain limited thoroughbred racing permitholders to  
136 apply by a certain date to conduct live performances  
137 during a specified timeframe subject to certain  
138 conditions; amending s. 550.0251, F.S.; requiring the  
139 division to annually report to the Governor and the  
140 Legislature; specifying requirements for the content  
141 of the report; amending s. 550.054, F.S.; requiring  
142 the division to revoke a pari-mutuel wagering  
143 operating permit under certain circumstances;  
144 prohibiting issuance or approval of new pari-mutuel  
145 permits after a specified date; prohibiting certain

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146        revoked permits from being reissued; authorizing a  
147        permitholder to apply to the division to place a  
148        permit in inactive status; revising provisions that  
149        prohibit transfer or assignment of a pari-mutuel  
150        permit; deleting provisions authorizing a jai alai  
151        permitholder to convert such permit to conduct  
152        greyhound racing; deleting a provision requiring the  
153        division to convert such permits under certain  
154        circumstances; deleting provisions for certain  
155        converted permits; amending s. 550.0555, F.S.;  
156        authorizing specified permitholders to relocate under  
157        certain circumstances, subject to certain  
158        restrictions; deleting a provision requiring the  
159        relocation to be necessary to ensure the revenue-  
160        producing capability of the permittee without  
161        deteriorating the revenue-producing capability of any  
162        other pari-mutuel permittee within a certain distance;  
163        revising how certain distances are measured; repealing  
164        s. 550.0745, F.S., relating to the conversion of pari-  
165        mutuel permits to summer jai alai permits; amending s.  
166        550.0951, F.S.; deleting provisions for certain  
167        credits for a greyhound racing permitholder; deleting  
168        a provision requiring a specified license fee to be  
169        deposited with the Chief Financial Officer to the  
170        credit of the Pari-mutuel Wagering Trust Fund;  
171        revising the tax on handle for live greyhound racing  
172        and intertrack wagering if the host track is a  
173        greyhound racing track; repealing s. 550.09511(4),  
174        F.S., relating to a requirement that certain jai alai

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175 permitholders pay to the state the same aggregate  
176 amount of certain fees and taxes as the permitholders  
177 paid during a specified year in which they conducted  
178 at least 100 live performances; amending s. 550.09512,  
179 F.S.; providing for the revocation of certain harness  
180 horse racing permits; specifying that a revoked permit  
181 may not be reissued; amending s. 550.09514, F.S.;  
182 deleting certain provisions that prohibit tax on  
183 handle until a specified amount of tax savings have  
184 resulted; revising purse requirements of a greyhound  
185 racing permitholder that conducts live racing;  
186 amending s. 550.09515, F.S.; providing for the  
187 revocation of certain thoroughbred racing permits;  
188 specifying that a revoked permit may not be reissued;  
189 amending s. 550.1625, F.S.; deleting the requirement  
190 that a greyhound racing permitholder pay the breaks  
191 tax; repealing s. 550.1647, F.S., relating to  
192 unclaimed tickets and breaks held by greyhound racing  
193 permitholders; amending s. 550.1648, F.S.; revising  
194 requirements for a greyhound racing permitholder to  
195 provide a greyhound adoption booth at its facility;  
196 requiring sterilization of greyhounds before adoption;  
197 authorizing the fee for such sterilization to be  
198 included in the cost of adoption; defining the term  
199 "bona fide organization that promotes or encourages  
200 the adoption of greyhounds"; creating s. 550.1752,  
201 F.S.; creating the permit reduction program within the  
202 division; providing a purpose for the program;  
203 providing for funding for the program; requiring the

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204 division to purchase pari-mutuel permits from  
205 permitholders under certain circumstances; requiring  
206 that permitholders who wish to make an offer to sell  
207 meet certain requirements; requiring the division to  
208 adopt a certain form by rule; requiring that the  
209 division establish the value of a pari-mutuel permit  
210 based on the valuation of one or more independent  
211 appraisers; authorizing the division to establish a  
212 value that is lower than the valuation of the  
213 independent appraiser; requiring the division to  
214 accept the offers that best utilize available funding;  
215 prohibiting the department from accepting an offer to  
216 purchase a permit or from executing a contract to  
217 purchase a permit under certain conditions; requiring,  
218 by a specified date, that the division certify an  
219 executed contract to the Chief Financial Officer and  
220 request a distribution to be paid to the permitholder;  
221 limiting such distributions; providing for expiration  
222 of the program; creating s. 550.1753, F.S.; creating  
223 the thoroughbred purse and awards supplement program  
224 within the division as of a specified date; providing  
225 a purpose for the program; providing for funding of  
226 the program; requiring the division, within a  
227 specified timeframe, to certify to the Chief Financial  
228 Officer the amount of the purse and awards supplement  
229 funds to be distributed to eligible thoroughbred  
230 racing permitholders and request distribution of such  
231 funds from the General Revenue Fund to such  
232 permitholders; limiting the amount of distributions in



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233 any given fiscal year; specifying intended uses of the  
234 funds; prohibiting certain thoroughbred horse racing  
235 permitholders from receiving purse and awards  
236 supplements unless they provide a copy of a certain  
237 agreement; specifying percentages of the funds that  
238 must be used for certain purposes; requiring the  
239 division to apportion purse and awards supplement  
240 funds in a specified manner; providing conditions  
241 under which certain limited thoroughbred racing  
242 permitholders may make annual application for and  
243 receive certain funds; providing that funding must be  
244 allocated on a pro rata share basis; providing that  
245 certain funding is conditioned on limited thoroughbred  
246 racing permitholders applying for a limited number of  
247 performances; providing that limited thoroughbred  
248 permitholders under the program are treated as other  
249 thoroughbred permitholders applying for funding after  
250 a certain date; authorizing such funds to be used to  
251 supplement purses and subsidize certain costs;  
252 requiring the division to distribute a specified  
253 percentage of funds to a specified organization for  
254 payment of specified racing awards; authorizing  
255 certain supplemental funds to be returned to  
256 thoroughbred horse racing permitholders to allow them  
257 to distribute special racing awards under certain  
258 circumstances under terms established in a required  
259 written agreement; requiring the division to adopt a  
260 form to apply to receive supplement purse funds under  
261 the program; authorizing the division to adopt rules;

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262 providing for expiration of the program; amending s.  
263 550.2415, F.S.; revising the actions that mark the  
264 commencement of certain administrative actions;  
265 requiring the division to adopt certain rules;  
266 deleting a provision specifying the version of the  
267 Controlled Therapeutic Medication Schedule which must  
268 be used by the division to adopt certain rules;  
269 requiring the division rules to include a penalty  
270 system for the use of certain drugs, medications, and  
271 other foreign substances; requiring the classification  
272 and penalty system included in division rules to  
273 incorporate specified documents; creating s. 550.2416,  
274 F.S.; requiring injuries to racing greyhounds to be  
275 reported within a certain timeframe on a form adopted  
276 by the division; requiring such form to be completed  
277 and signed under oath or affirmation by certain  
278 individuals; providing penalties; specifying  
279 information that must be included on the form;  
280 requiring the division to maintain the forms as public  
281 records for a specified time; specifying disciplinary  
282 action that may be taken against a licensee of the  
283 Department of Business and Professional Regulation who  
284 makes false statements on an injury form or who fails  
285 to report an injury; exempting injuries to certain  
286 animals from reporting requirements; requiring the  
287 division to adopt rules; amending s. 550.26165, F.S.;  
288 conforming a cross-reference; amending s. 550.3345,  
289 F.S.; deleting obsolete provisions; revising  
290 requirements for a permit previously converted from a

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291 quarter horse racing permit to a limited thoroughbred  
292 racing permit; authorizing certain holders of limited  
293 thoroughbred racing permits to apply for and be issued  
294 an operating license for a specified purpose under  
295 certain circumstances; amending s. 550.3551, F.S.;  
296 deleting a provision that limits the number of out-of-  
297 state races on which wagers are accepted by a  
298 greyhound racing permitholder; deleting a provision  
299 requiring certain permitholders to conduct a full  
300 schedule of live racing to receive certain full-card  
301 broadcasts and accept certain wagers; conforming a  
302 cross-reference; amending s. 550.475, F.S.;  
303 prohibiting a permitholder from leasing from certain  
304 pari-mutuel permitholders; amending s. 550.5251, F.S.;  
305 deleting a provision relating to requirements for  
306 thoroughbred permitholders; deleting a provision  
307 prohibiting a thoroughbred racing permitholder from  
308 beginning a race before a specified time; amending s.  
309 550.615, F.S.; revising eligibility requirements for  
310 certain pari-mutuel facilities to qualify to receive  
311 certain broadcasts; providing that certain greyhound  
312 racing permitholders are not required to obtain  
313 certain written consent; deleting requirements that  
314 intertrack wagering be conducted between certain  
315 permitholders; deleting a provision prohibiting  
316 certain intertrack wagering in certain counties;  
317 specifying conditions under which greyhound racing  
318 permitholders may accept wagers; amending s. 550.6308,  
319 F.S.; revising the number of days of thoroughbred

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320 horse sales required for an applicant to obtain a  
321 limited intertrack wagering license; revising  
322 eligibility requirements for such licenses; revising  
323 requirements for such wagering; deleting provisions  
324 requiring a licensee to make certain payments to the  
325 daily pari-mutuel pool; amending s. 551.101, F.S.;  
326 revising the facilities that may possess slot machines  
327 and conduct slot machine gaming; deleting certain  
328 provisions requiring a countywide referendum to  
329 approve slot machines at certain facilities; amending  
330 s. 551.102, F.S.; revising definitions; amending s.  
331 551.104, F.S.; prohibiting the division from issuing a  
332 slot machine license to certain pari-mutuel  
333 permitholders; revising conditions of licensure and  
334 conditions for maintaining authority to conduct slot  
335 machine gaming; exempting a summer thoroughbred racing  
336 permitholder from certain purse requirements;  
337 providing applicability; providing an expiration for a  
338 provision requiring certain slot machine licensees to  
339 remit a certain amount for the payment of purses on  
340 live races; deleting a provision prohibiting the  
341 division from issuing or renewing a license for an  
342 applicant holding a permit under ch. 550, F.S., under  
343 certain circumstances; conforming provisions to  
344 changes made by the act; creating s. 551.1042, F.S.;  
345 prohibiting the transfer of a slot machine license or  
346 relocation of a slot machine facility; providing an  
347 exception; creating s. 551.1043, F.S.; providing  
348 legislative findings; authorizing two additional slot

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349 machine licenses to be awarded and renewed annually to  
350 persons located in specified counties; providing that  
351 no more than one license may be awarded in each of  
352 those counties; authorizing certain persons to apply  
353 for such licenses; providing that certain persons are  
354 ineligible to apply for the additional slot machine  
355 licenses; providing a license application fee;  
356 requiring the deposit of the fee in the Pari-mutuel  
357 Wagering Trust Fund; requiring the Division of Pari-  
358 mutuel Wagering to award the license to the applicant  
359 that best meets the selection criteria; providing  
360 selection criteria; requiring the division to complete  
361 a certain evaluation by a specified date; specifying  
362 grounds for denial of an application; providing that  
363 certain protests be forwarded to the Division of  
364 Administrative Hearings; providing requirements for  
365 appeals; authorizing the Division of Pari-mutuel  
366 Wagering to adopt certain emergency rules; authorizing  
367 the licensee of the additional slot machine license to  
368 operate a cardroom and a specified number of house  
369 banked blackjack table games at its facility under  
370 certain circumstances; providing that such licensee is  
371 subject to specified provisions of ch. 849, F.S., and  
372 exempt from specified provisions of chs. 550 and 551,  
373 F.S.; creating s. 551.1044, F.S.; authorizing  
374 blackjack table games at certain pari-mutuel  
375 facilities; specifying limits on wagers; requiring a  
376 permitholder that offers banked blackjack to pay a tax  
377 to the state; providing that such tax is subject to

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378 certain provisions of ch. 849, F.S.; amending s.  
379 551.106, F.S.; deleting obsolete provisions; revising  
380 the tax rate on slot machine revenues under certain  
381 conditions; revising the taxes to be paid to the  
382 division for deposit into the Pari-mutuel Wagering  
383 Trust Fund; requiring certain funds to be transferred  
384 into the Educational Enhancement Trust Fund and to  
385 specified entities; requiring certain permitholders  
386 and licensees to pay a slot machine guarantee fee if  
387 certain taxes and fees paid to the state during  
388 certain periods fall below a specified amount;  
389 amending s. 551.108, F.S.; providing applicability;  
390 amending s. 551.114, F.S.; revising the areas where a  
391 designated slot machine gaming area may be located;  
392 amending s. 551.116, F.S.; deleting a restriction on  
393 the number of hours per day that slot machine gaming  
394 areas may be open; amending s. 551.121, F.S.;  
395 authorizing the serving of complimentary or reduced-  
396 cost alcoholic beverages to persons playing slot  
397 machines; authorizing the location of an automated  
398 teller machine or similar device within designated  
399 slot machine gaming areas; amending s. 849.086, F.S.;  
400 revising legislative intent; revising definitions;  
401 authorizing the division to establish a reasonable  
402 period to respond to certain requests from a licensed  
403 cardroom; providing that the division must approve  
404 certain requests within 45 days; requiring the  
405 division to review and approve or reject certain  
406 revised internal controls or revised rules within 10

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407 days after submission; revising certain license  
408 renewal requirements; deleting provisions relating to  
409 restrictions on hours of operation; authorizing  
410 certain cardroom operators to offer certain designated  
411 player games; requiring the designated player and  
412 employees of the designated player to be licensed;  
413 requiring the designated player to pay certain fees;  
414 prohibiting cardroom operators from serving as the  
415 designated player in a game and from having a  
416 financial interest in a designated player; authorizing  
417 a cardroom operator to collect a rake, subject to  
418 certain requirements; requiring the dealer button to  
419 be rotated under certain circumstances; prohibiting a  
420 cardroom operator from allowing a designated player to  
421 pay an opposing player under certain circumstances;  
422 prohibiting the rules of the game or of the cardroom  
423 to require a designated player to cover all wagers of  
424 opposing players; prohibiting a cardroom or cardroom  
425 licensee from contracting with or receiving certain  
426 compensation from a player to allow that player to  
427 participate in any game as a designated player;  
428 revising requirements for a cardroom license to be  
429 issued or renewed; requiring a certain written  
430 agreement with a thoroughbred permitholder; providing  
431 contract requirements for the agreement; requiring a  
432 thoroughbred permitholder to remit a percentage of  
433 specified funds to the Florida Thoroughbred Breeders'  
434 Association, Inc., subject to certain requirements;  
435 revising requirements to transfer or reissue certain

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436 cardroom gaming licenses; conforming provisions to  
437 changes made by the act; amending s. 849.0931, F.S.;  
438 authorizing certain veterans' organizations engaged in  
439 charitable, civic, benevolent, or scholastic works or  
440 similar endeavors to conduct bingo using electronic  
441 tickets on specified premises; requiring that  
442 electronic tickets for instant bingo meet a certain  
443 requirement; making the sale of such tickets by  
444 veterans' organizations contingent upon certification  
445 of software by a nationally recognized independent  
446 gaming laboratory; directing the Division of Pari-  
447 mutuel Wagering to revoke certain pari-mutuel permits;  
448 specifying that the revoked permits may not be  
449 reissued; providing a directive to the Division of Law  
450 Revision and Information; providing effective dates;  
451 providing a contingent effective date.

452  
453 Be It Enacted by the Legislature of the State of Florida:

454  
455 Section 1. Section 24.103, Florida Statutes, is reordered  
456 and amended to read:

457 24.103 Definitions.—As used in this act, the term:

458 (1) "Department" means the Department of the Lottery.

459 (6)~~(2)~~ "Secretary" means the secretary of the department.

460 (3) "Person" means any individual, firm, association, joint  
461 adventure, partnership, estate, trust, syndicate, fiduciary,  
462 corporation, or other group or combination and includes an ~~shall~~  
463 ~~include any~~ agency or political subdivision of the state.

464 (4) "Point-of-sale terminal" means an electronic device



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465 used to process credit card, debit card, or other similar charge  
466 card payments at retail locations which is supported by networks  
467 that enable verification, payment, transfer of funds, and  
468 logging of transactions.

469 (2)~~(4)~~ "Major procurement" means a procurement for a  
470 contract for the printing of tickets for use in any lottery  
471 game, consultation services for the startup of the lottery, any  
472 goods or services involving the official recording for lottery  
473 game play purposes of a player's selections in any lottery game  
474 involving player selections, any goods or services involving the  
475 receiving of a player's selection directly from a player in any  
476 lottery game involving player selections, any goods or services  
477 involving the drawing, determination, or generation of winners  
478 in any lottery game, the security report services provided for  
479 in this act, or any goods and services relating to marketing and  
480 promotion which exceed a value of \$25,000.

481 (5) "Retailer" means a person who sells lottery tickets on  
482 behalf of the department pursuant to a contract.

483 (7)~~(6)~~ "Vendor" means a person who provides or proposes to  
484 provide goods or services to the department, but does not  
485 include an employee of the department, a retailer, or a state  
486 agency.

487 Section 2. Present subsections (19) and (20) of section  
488 24.105, Florida Statutes, are redesignated as subsections (20)  
489 and (21), respectively, and a new subsection (19) is added to  
490 that section, to read:

491 24.105 Powers and duties of department.—The department  
492 shall:

493 (19) Have the authority to create a program that allows a

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494 person who is at least 18 years of age to purchase a lottery  
495 ticket at a point-of-sale terminal. The department may adopt  
496 rules to administer the program. Such rules shall include, but  
497 are not limited to, the following:

498 (a) Limiting the dollar amount of lottery tickets that a  
499 person may purchase at point-of-sale terminals;

500 (b) Creating a process to enable a customer to restrict or  
501 prevent his or her own access to lottery tickets; and

502 (c) Ensuring that the program is administered in a manner  
503 that does not breach the exclusivity provisions of any Indian  
504 gaming compact to which this state is a party.

505 Section 3. Section 24.112, Florida Statutes, is amended to  
506 read:

507 24.112 Retailers of lottery tickets; ~~authorization of~~  
508 vending machines; point-of-sale terminals to dispense lottery  
509 ~~tickets.~~-

510 (1) The department shall adopt ~~promulgate~~ rules specifying  
511 the terms and conditions for contracting with retailers who will  
512 best serve the public interest and promote the sale of lottery  
513 tickets.

514 (2) In the selection of retailers, the department shall  
515 consider factors such as financial responsibility, integrity,  
516 reputation, accessibility of the place of business or activity  
517 to the public, security of the premises, the sufficiency of  
518 existing retailers to serve the public convenience, and the  
519 projected volume of the sales for the lottery game involved. In  
520 the consideration of these factors, the department may require  
521 the information it deems necessary of any person applying for  
522 authority to act as a retailer. However, the department may not

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523 establish a limitation upon the number of retailers and shall  
524 make every effort to allow small business participation as  
525 retailers. It is the intent of the Legislature that retailer  
526 selections be based on business considerations and the public  
527 convenience and that retailers be selected without regard to  
528 political affiliation.

529 (3) The department may ~~shall~~ not contract with any person  
530 as a retailer who:

531 (a) Is less than 18 years of age.

532 (b) Is engaged exclusively in the business of selling  
533 lottery tickets; however, this paragraph may ~~shall~~ not preclude  
534 the department from selling lottery tickets.

535 (c) Has been convicted of, or entered a plea of guilty or  
536 nolo contendere to, a felony committed in the preceding 10  
537 years, regardless of adjudication, unless the department  
538 determines that:

539 1. The person has been pardoned or the person's civil  
540 rights have been restored;

541 2. Subsequent to such conviction or entry of plea the  
542 person has engaged in the kind of law-abiding commerce and good  
543 citizenship that would reflect well upon the integrity of the  
544 lottery; or

545 3. If the person is a firm, association, partnership,  
546 trust, corporation, or other entity, the person has terminated  
547 its relationship with the individual whose actions directly  
548 contributed to the person's conviction or entry of plea.

549 (4) The department shall issue a certificate of authority  
550 to each person with whom it contracts as a retailer for purposes  
551 of display pursuant to subsection (6). The issuance of the

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552 certificate may ~~shall~~ not confer upon the retailer any right  
553 apart from that specifically granted in the contract. The  
554 authority to act as a retailer may ~~shall~~ not be assignable or  
555 transferable.

556 (5) A ~~Any~~ contract executed by the department pursuant to  
557 this section shall specify the reasons for any suspension or  
558 termination of the contract by the department, including, but  
559 not limited to:

560 (a) Commission of a violation of this act or rule adopted  
561 pursuant thereto.

562 (b) Failure to accurately account for lottery tickets,  
563 revenues, or prizes as required by the department.

564 (c) Commission of any fraud, deceit, or misrepresentation.

565 (d) Insufficient sale of tickets.

566 (e) Conduct prejudicial to public confidence in the  
567 lottery.

568 (f) Any material change in any matter considered by the  
569 department in executing the contract with the retailer.

570 (6) Each ~~Every~~ retailer shall post and keep conspicuously  
571 displayed in a location on the premises accessible to the public  
572 its certificate of authority and, with respect to each game, a  
573 statement supplied by the department of the estimated odds of  
574 winning a ~~some~~ prize for the game.

575 (7) A ~~No~~ contract with a retailer may not ~~shall~~ authorize  
576 the sale of lottery tickets at more than one location, and a  
577 retailer may sell lottery tickets only at the location stated on  
578 the certificate of authority.

579 (8) With respect to any retailer whose rental payments for  
580 premises are contractually computed, in whole or in part, on the

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581 basis of a percentage of retail sales, and where such  
582 computation of retail sales is not explicitly defined to include  
583 sales of tickets in a state-operated lottery, the compensation  
584 received by the retailer from the department shall be deemed to  
585 be the amount of the retail sale for the purposes of such  
586 contractual compensation.

587 (9) (a) The department may require each ~~every~~ retailer to  
588 post an appropriate bond as determined by the department, using  
589 an insurance company acceptable to the department, in an amount  
590 not to exceed twice the average lottery ticket sales of the  
591 retailer for the period within which the retailer is required to  
592 remit lottery funds to the department. For the first 90 days of  
593 sales of a new retailer, the amount of the bond may not exceed  
594 twice the average estimated lottery ticket sales for the period  
595 within which the retailer is required to remit lottery funds to  
596 the department. This paragraph does ~~shall~~ not apply to lottery  
597 tickets that ~~which~~ are prepaid by the retailer.

598 (b) In lieu of such bond, the department may purchase  
599 blanket bonds covering all or selected retailers or may allow a  
600 retailer to deposit and maintain with the Chief Financial  
601 Officer securities that are interest bearing or accruing and  
602 that, with the exception of those specified in subparagraphs 1.  
603 and 2., are rated in one of the four highest classifications by  
604 an established nationally recognized investment rating service.  
605 Securities eligible under this paragraph shall be limited to:

606 1. Certificates of deposit issued by solvent banks or  
607 savings associations organized and existing under the laws of  
608 this state or under the laws of the United States and having  
609 their principal place of business in this state.

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610 2. United States bonds, notes, and bills for which the full  
611 faith and credit of the government of the United States is  
612 pledged for the payment of principal and interest.

613 3. General obligation bonds and notes of any political  
614 subdivision of the state.

615 4. Corporate bonds of any corporation that is not an  
616 affiliate or subsidiary of the depositor.

617

618 Such securities shall be held in trust and shall have at all  
619 times a market value at least equal to an amount required by the  
620 department.

621 (10) Each ~~Every~~ contract entered into by the department  
622 pursuant to this section shall contain a provision for payment  
623 of liquidated damages to the department for any breach of  
624 contract by the retailer.

625 (11) The department shall establish procedures by which  
626 each retailer shall account for all tickets sold by the retailer  
627 and account for all funds received by the retailer from such  
628 sales. The contract with each retailer shall include provisions  
629 relating to the sale of tickets, payment of moneys to the  
630 department, reports, service charges, and interest and  
631 penalties, if necessary, as the department shall deem  
632 appropriate.

633 (12) ~~No~~ Payment by a retailer to the department for tickets  
634 may not ~~shall~~ be in cash. All such payments shall be in the form  
635 of a check, bank draft, electronic fund transfer, or other  
636 financial instrument authorized by the secretary.

637 (13) Each retailer shall provide accessibility for disabled  
638 persons on habitable grade levels. This subsection does not

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639 apply to a retail location that ~~which~~ has an entrance door  
640 threshold more than 12 inches above ground level. As used in  
641 ~~herein and for purposes of~~ this subsection ~~only~~, the term  
642 "accessibility for disabled persons on habitable grade levels"  
643 means that retailers shall provide ramps, platforms, aisles and  
644 pathway widths, turnaround areas, and parking spaces to the  
645 extent these are required for the retailer's premises by the  
646 particular jurisdiction where the retailer is located.  
647 Accessibility shall be required to only one point of sale of  
648 lottery tickets for each lottery retailer location. The  
649 requirements of this subsection shall be deemed to have been met  
650 if, in lieu of the foregoing, disabled persons can purchase  
651 tickets from the retail location by means of a drive-up window,  
652 provided the hours of access at the drive-up window are not less  
653 than those provided at any other entrance at that lottery  
654 retailer location. Inspections for compliance with this  
655 subsection shall be performed by those enforcement authorities  
656 responsible for enforcement pursuant to s. 553.80 in accordance  
657 with procedures established by those authorities. Those  
658 enforcement authorities shall provide to the Department of the  
659 Lottery a certification of noncompliance for any lottery  
660 retailer not meeting such requirements.

661 (14) The secretary may, after filing with the Department of  
662 State his or her manual signature certified by the secretary  
663 under oath, execute or cause to be executed contracts between  
664 the department and retailers by means of engraving, imprinting,  
665 stamping, or other facsimile signature.

666 (15) A vending machine may be used to dispense online  
667 lottery tickets, instant lottery tickets, or both online and

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668 instant lottery tickets.

669 (a) The vending machine must:

670 1. Dispense a lottery ticket after a purchaser inserts a  
671 coin or currency in the machine.

672 2. Be capable of being electronically deactivated for a  
673 period of 5 minutes or more.

674 3. Be designed to prevent its use for any purpose other  
675 than dispensing a lottery ticket.

676 (b) In order to be authorized to use a vending machine to  
677 dispense lottery tickets, a retailer must:

678 1. Locate the vending machine in the retailer's direct line  
679 of sight to ensure that purchases are only made by persons at  
680 least 18 years of age.

681 2. Ensure that at least one employee is on duty when the  
682 vending machine is available for use. However, if the retailer  
683 has previously violated s. 24.1055, at least two employees must  
684 be on duty when the vending machine is available for use.

685 (c) A vending machine that dispenses a lottery ticket may  
686 dispense change to a purchaser but may not be used to redeem any  
687 type of winning lottery ticket.

688 (d) The vending machine, or any machine or device linked to  
689 the vending machine, may not include or make use of video reels  
690 or mechanical reels or other video depictions of slot machine or  
691 casino game themes or titles for game play. This does not  
692 preclude the use of casino game themes or titles on such tickets  
693 or signage or advertising displays on the machines.

694 (16) The department, a retailer operating from one or more  
695 locations, or a vendor approved by the department may use a  
696 point-of-sale terminal to facilitate the sale of a lottery



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697 ticket.

698 (a) A point-of-sale terminal must:

699 1. Dispense a paper lottery ticket with numbers selected by  
700 the purchaser or selected randomly by the machine after the  
701 purchaser uses a credit card, debit card, or other similar  
702 charge card issued by a bank, savings association, credit union,  
703 or charge card company or issued by a retailer pursuant to part  
704 II of chapter 520 for payment;

705 2. Recognize a valid driver license or use another age  
706 verification process approved by the department to ensure that  
707 only persons at least 18 years of age may purchase a lottery  
708 ticket;

709 3. Process a lottery transaction through a platform that is  
710 certified or otherwise approved by the department; and

711 4. Be in compliance with all applicable department  
712 requirements related to the lottery ticket offered for sale.

713 (b) A point-of-sale terminal does not reveal winning  
714 numbers, which are selected at a subsequent time and different  
715 location through a drawing by the state lottery.

716 (c) A point-of-sale terminal, or any machine or device  
717 linked to the point-of-sale terminal, may not include or make  
718 use of video reels or mechanical reels or other video depictions  
719 of slot machine or casino game themes or titles for game play.  
720 This does not preclude the use of casino game themes or titles  
721 on a lottery ticket or game or on the signage or advertising  
722 displays on the terminal.

723 (d) A point-of-sale terminal may not be used to redeem a  
724 winning ticket.

725 Section 4. Effective upon becoming a law, paragraph (a) of

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726 subsection (1), subsection (3), and present subsections (9),  
727 (11), and (14) of section 285.710, Florida Statutes, are  
728 amended, present subsections (4) through (14) of that section  
729 are redesignated as subsections (5) through (15), respectively,  
730 and a new subsection (4) is added to that section, to read:

731 285.710 Compact authorization.—

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

733 (a) "Compact" means the Gaming Compact between the Seminole  
734 Tribe of Florida and the State of Florida, ~~executed on April 7,~~  
735 ~~2010.~~

736 (3) (a) A ~~The~~ gaming compact between the Seminole Tribe of  
737 Florida and the State of Florida, executed by the Governor and  
738 the Tribe on April 7, 2010, was ~~is~~ ratified and approved by  
739 chapter 2010-29, Laws of Florida. ~~The Governor shall cooperate~~  
740 ~~with the Tribe in seeking approval of the compact from the~~  
741 ~~United States Secretary of the Interior.~~

742 (b) The Gaming Compact between the Seminole Tribe of  
743 Florida and the State of Florida, which was executed by the  
744 Governor and the Tribe on December 7, 2015, shall be deemed  
745 ratified and approved only if amended as specified in subsection  
746 (4).

747 (c) Upon approval or deemed approval by the United States  
748 Department of Interior and publication in the Federal Register,  
749 the amended Gaming Compact supersedes the gaming compact  
750 ratified and approved by chapter 2010-29, Laws of Florida. The  
751 Governor shall cooperate with the Tribe in seeking approval of  
752 the amended Gaming Compact from the United States Secretary of  
753 the Interior. The Secretary of the Department of Business and  
754 Professional Regulation is directed to notify in writing the

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755 Governor, the President of the Senate, the Speaker of the House  
756 of Representatives, and the Division of Law Revision and  
757 Information of the effective date of the compact, amended as  
758 required by this act, which has been published in the Federal  
759 Register by the Department of the Interior within 5 days after  
760 such publication.

761 (4) The compact executed on December 7, 2015, shall be  
762 amended by an agreement between the Governor and the Tribe to:

763 (a) Become effective after it is approved as a tribal-state  
764 compact within the meaning of the Indian Gaming Regulatory Act  
765 by action of the United States Secretary of the Interior or by  
766 operation of law under 25 U.S.C. s. 2710(d)(8), and upon  
767 publication of a notice of approval in the Federal Register  
768 under 25 U.S.C. s. 2710(d)(8)(D);

769 (b) Require that the State of Florida and the Tribe  
770 dismiss, with prejudice, any and all pending motions for  
771 rehearing or any pending appeals arising from *State of Florida*  
772 *v. Seminole Tribe of Florida* (Consolidated Case No. 4:15cv516-  
773 RH/CAS; United States District Court in and for the Northern  
774 District of Florida); and

775 (c) Incorporate the following exceptions to the exclusivity  
776 provided to the Tribe under the gaming compact executed on  
777 December 7, 2015:

778 1. Point-of-sale lottery ticket sales are permitted in  
779 accordance with chapter 24, as amended by this act;

780 2. Fantasy contests conducted in accordance with ss.  
781 546.11-546.18, as created by this act;

782 3. Slot machines operated in accordance with chapter 551,  
783 as amended by this act;

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784 4. The game of blackjack, in accordance with s. 551.1044,  
785 as created by this act;

786 5. Designated player games of poker conducted at cardrooms  
787 in accordance with chapter 849, as amended by this act, and in  
788 compliance with Rule Chapter 61D-11, Florida Administrative  
789 Code;

790 6. Those activities claimed to be violations of the gaming  
791 compact between the Seminole Tribe of Florida and the State of  
792 Florida, executed by the Governor and the Tribe on April 7,  
793 2010, in the legal actions consolidated and heard in State of  
794 Florida v. Seminole Tribe of Florida (Consolidated Case No.  
795 4:15cv516-RH/CAS; United States District Court in and for the  
796 Northern District of Florida); and

797 7. All activities authorized and conducted pursuant to  
798 Florida law, as amended by this act.

799  
800 The incorporation of all such provisions may not impact or  
801 change the payments required to the state under part XI of the  
802 compact during the Guarantee Payment Period and the Regular  
803 Payment Period and may not change or impact the Guaranteed  
804 Minimum Compact Term Payment required to be paid to the state  
805 under the compact or any other payment required to be paid by  
806 the Tribe under the compact. The compact may not be amended to  
807 prorate or reduce any amount required to be paid to the state  
808 during the first fiscal year of the Guaranteed Payment Period or  
809 any other time during which the compact is effective, regardless  
810 of the date on which the compact becomes effective. Part XI of  
811 the compact shall be amended to delete provisions concerning  
812 payments required to be paid to the state during the Initial

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813 Payment Period.

814 (10)~~(9)~~ The moneys paid by the Tribe to the state for the  
815 benefit of exclusivity under the compact ratified by this  
816 section shall be deposited into the General Revenue Fund. Three  
817 percent of the amount paid by the Tribe to the state shall be  
818 designated as the local government share and shall be  
819 distributed as provided in subsections ~~(10)~~ and (11) and (12).

820 (12)~~(11)~~ Upon receipt of the annual audited revenue figures  
821 from the Tribe and completion of the calculations as provided in  
822 subsection (11) ~~(10)~~, the state compliance agency shall certify  
823 the results to the Chief Financial Officer and shall request the  
824 distributions to be paid from the General Revenue Fund within 30  
825 days after authorization of nonoperating budget authority  
826 pursuant to s. 216.181(12).

827 (15)~~(14)~~ Notwithstanding any other provision of state law,  
828 it is not a crime for a person to participate in the games  
829 specified in subsection (14) ~~(13)~~ at a tribal facility operating  
830 under the compact entered into pursuant to this section.

831 Section 5. Subsection (14) of section 285.710, Florida  
832 Statutes, as amended by this act, is amended to read:

833 285.710 Compact authorization.—

834 (14) For the purpose of satisfying the requirement in 25  
835 U.S.C. s. 2710(d)(1)(B) that the gaming activities authorized  
836 under an Indian gaming compact must be permitted in the state  
837 for any purpose by any person, organization, or entity, the  
838 following class III games or other games specified in this  
839 section are hereby authorized to be conducted by the Tribe  
840 pursuant to the compact:

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

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

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

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

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

848 Section 6. Subsection (4) of section 285.712, Florida  
849 Statutes, is amended to read:

850 285.712 Tribal-state gaming compacts.—

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

856 Section 7. Section 546.11, Florida Statutes, is created to  
857 read:

858 546.11 Short title.—Sections 546.11-546.18 may be cited as  
859 the "Fantasy Contest Amusement Act."

860 Section 8. Section 546.12, Florida Statutes, is created to  
861 read:

862 546.12 Legislative intent.—It is the intent of the  
863 Legislature to ensure public confidence in the integrity of  
864 fantasy contests and fantasy contest operators. This act is  
865 designed to strictly regulate the operators of fantasy contests  
866 and individuals who participate in such contests and to adopt  
867 consumer protections related to fantasy contests. Furthermore,  
868 the Legislature finds that fantasy contests, as that term is  
869 defined in s. 546.13, involve the skill of contest participants.

870 Section 9. Section 546.13, Florida Statutes, is created to

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871 read:

872 546.13 Definitions.—As used in ss. 546.11-546.18, the term:

873 (1) "Act" means ss. 546.11-546.18.

874 (2) "Confidential information" means information related to  
875 the playing of fantasy contests by contest participants which is  
876 obtained solely as a result of a person's employment with, or  
877 work as an agent of, a contest operator.

878 (3) "Contest operator" means a person or entity that offers  
879 fantasy contests for a cash prize to members of the public.

880 (4) "Contest participant" means a person who pays an entry  
881 fee for the ability to participate in a fantasy contest offered  
882 by a contest operator.

883 (5) "Entry fee" means the cash or cash equivalent amount  
884 that is required to be paid by a person to a contest operator to  
885 participate in a fantasy contest.

886 (6) "Fantasy contest" means a fantasy or simulation sports  
887 game or contest offered by a contest operator or a noncommercial  
888 contest operator in which a contest participant manages a  
889 fantasy or simulation sports team composed of athletes from a  
890 professional sports organization and which meets the following  
891 conditions:

892 (a) All prizes and awards offered to winning contest  
893 participants are established and made known to the contest  
894 participants in advance of the game or contest and their value  
895 is not determined by the number of contest participants or the  
896 amount of any fees paid by those contest participants.

897 (b) All winning outcomes reflect the relative knowledge and  
898 skill of the contest participants and are determined  
899 predominantly by accumulated statistical results of the

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900 performance of the athletes participating in multiple real-world  
901 sporting or other events. However, a winning outcome may not be  
902 based:

903 1. On the score, point spread, or any performance or  
904 performances of a single real-world team or any combination of  
905 such teams;

906 2. Solely on any single performance of an individual  
907 athlete in a single real-world sporting or other event;

908 3. On a live pari-mutuel event, as the term "pari-mutuel"  
909 is defined in s. 550.002; or

910 4. On the performance of athletes participating in an  
911 amateur sporting event.

912 (7) "Noncommercial contest operator" means a person who  
913 organizes and conducts a fantasy contest in which contest  
914 participants are charged entry fees for the right to  
915 participate; entry fees are collected, maintained, and  
916 distributed by the same person; and all entry fees are returned  
917 to the contest participants in the form of prizes.

918 (8) "Office" means the Office of Contest Amusements created  
919 in s. 546.14.

920 Section 10. Section 546.14, Florida Statutes, is created to  
921 read:

922 546.14 Office of Contest Amusements.—

923 (1) The Office of Contest Amusements is created within the  
924 Department of Business and Professional Regulation. The office  
925 shall operate under the supervision of a senior manager exempt  
926 under s. 110.205 in the Senior Management Service appointed by  
927 the Secretary of Business and Professional Regulation.

928 (2) The duties of the office include, but are not limited



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929 to, administering and enforcing this act and any rules adopted  
930 pursuant to this act. The office may work with department  
931 personnel as needed to assist in fulfilling its duties.

932 (3) The office may:

933 (a) Conduct investigations and monitor the operation and  
934 play of fantasy contests.

935 (b) Review the books, accounts, and records of any current  
936 or former contest operator.

937 (c) Suspend or revoke any license issued under this act,  
938 after a hearing, for any violation of state law or rule.

939 (d) Take testimony, issue summons and subpoenas for any  
940 witness, and issue subpoenas duces tecum in connection with any  
941 matter within its jurisdiction.

942 (e) Monitor and ensure the proper collection and  
943 safeguarding of entry fees and the payment of contest prizes in  
944 accordance with consumer protection procedures adopted pursuant  
945 to s. 546.16.

946 (4) The office may adopt rules to implement and administer  
947 this act.

948 Section 11. Section 546.15, Florida Statutes, is created to  
949 read:

950 546.15 Licensing.—

951 (1) A contest operator that offers fantasy contests for  
952 play by persons in this state must be licensed by the office to  
953 conduct fantasy contests within this state. The initial license  
954 application fee is \$500,000, and the annual license renewal fee  
955 is \$100,000; however, the respective fees may not exceed 10  
956 percent of the difference between the amount of entry fees  
957 collected by a contest operator from the operation of fantasy

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958 contests in this state and the amount of cash or cash  
959 equivalents paid to contest participants in this state. The  
960 office shall require the contest operator to provide written  
961 evidence of the proposed amount of entry fees and cash or cash  
962 equivalents to be paid to contest participants during the annual  
963 license period. Before renewing a license, the contest operator  
964 shall provide written evidence to the office of the actual entry  
965 fees collected and cash or cash equivalents paid to contest  
966 participants during the previous period of licensure. The  
967 contest operator shall remit to the office any difference in  
968 license fee which results from the difference between the  
969 proposed amount of entry fees and cash or cash equivalents paid  
970 to contest participants and the actual amounts collected and  
971 paid.

972 (2) The office shall grant or deny a completed application  
973 within 120 days after receipt. A completed application that is  
974 not acted upon by the office within 120 days after receipt is  
975 deemed approved, and the office shall issue the license.  
976 Applications for a contest operator's license are exempt from  
977 the 90-day licensure timeframe imposed in s. 120.60(1).

978 (3) The application must include:

979 (a) The full name of the applicant.

980 (b) If the applicant is a corporation, the name of the  
981 state in which the applicant is incorporated and the names and  
982 addresses of the officers, directors, and shareholders who hold  
983 15 percent or more equity.

984 (c) If the applicant is a business entity other than a  
985 corporation, the names and addresses of each principal, partner,  
986 or shareholder who holds 15 percent or more equity.

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987 (d) The names and addresses of the ultimate equitable  
988 owners of the corporation or other business entity, if different  
989 from those provided under paragraphs (b) and (c), unless the  
990 securities of the corporation or entity are registered pursuant  
991 to s. 12 of the Securities Exchange Act of 1934, 15 U.S.C. ss.  
992 78a-78kk, and:

993 1. The corporation or entity files with the United States  
994 Securities and Exchange Commission the reports required by s. 13  
995 of that act; or

996 2. The securities of the corporation or entity are  
997 regularly traded on an established securities market in the  
998 United States.

999 (e) The estimated number of fantasy contests to be  
1000 conducted by the applicant annually.

1001 (f) A statement of the assets and liabilities of the  
1002 applicant.

1003 (g) If required by the office, the names and addresses of  
1004 the officers and directors of any creditor of the applicant and  
1005 of stockholders who hold more than 10 percent of the stock of  
1006 the creditor.

1007 (h) For each individual listed in the application pursuant  
1008 to paragraph (a), paragraph (b), paragraph (c) or paragraph (d),  
1009 a full set of fingerprints to be submitted to the office or to a  
1010 vendor, entity, or agency authorized by s. 943.053(13).

1011 1. The office, vendor, entity, or agency shall forward the  
1012 fingerprints to the Department of Law Enforcement for state  
1013 processing, and the Department of Law Enforcement shall forward  
1014 the fingerprints to the Federal Bureau of Investigation for  
1015 national processing.

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1016 2. Fees for state and federal fingerprint processing and  
1017 retention shall be borne by the applicant. The state cost for  
1018 fingerprint processing shall be as provided in s. 943.053(3) (b)  
1019 for records provided to persons or entities other than those  
1020 specified as exceptions therein.

1021 3. Fingerprints submitted to the Department of Law  
1022 Enforcement pursuant to this paragraph shall be retained by the  
1023 Department of Law Enforcement as provided in s. 943.05(2) (g) and  
1024 (h) and, when the Department of Law Enforcement begins  
1025 participation in the program, enrolled in the Federal Bureau of  
1026 Investigation's national retained print arrest notification  
1027 program. Any arrest record identified shall be reported to the  
1028 department.

1029 (i) For each foreign national, such documents as necessary  
1030 to allow the office to conduct criminal history records checks  
1031 in the individual's home country. The applicant must pay the  
1032 full cost of processing fingerprints and required documentation.  
1033 The office also may charge a \$2 handling fee for each set of  
1034 fingerprints submitted.

1035 (4) A person or entity is not eligible for licensure as a  
1036 contest operator or for licensure renewal if an individual  
1037 required to be listed pursuant to paragraph (3) (a), paragraph  
1038 (3) (b), paragraph (3) (c), or paragraph (3) (d) is determined by  
1039 the office, after investigation, not to be of good moral  
1040 character or is found to have been convicted of a felony in this  
1041 state, any offense in another jurisdiction which would be  
1042 considered a felony if committed in this state, or a felony  
1043 under the laws of the United States. As used in this subsection,  
1044 the term "convicted" means having been found guilty, with or

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1045 without adjudication of guilt, as a result of a jury verdict,  
1046 nonjury trial, or entry of a plea of guilty or nolo contendere.

1047 (5) The office may suspend, revoke, or deny the license of  
1048 a contest operator who fails to comply with this act or rules  
1049 adopted pursuant to this act.

1050 Section 12. Section 546.16, Florida Statutes, is created to  
1051 read:

1052 546.16 Consumer protection.—

1053 (1) A contest operator that charges an entry fee to contest  
1054 participants shall implement procedures for fantasy contests  
1055 which:

1056 (a) Prevent employees of the contest operator, and  
1057 relatives living in the same household as such employees, from  
1058 competing in a fantasy contest in which a cash prize is awarded.

1059 (b) Prohibit the contest operator from being a contest  
1060 participant in a fantasy contest that he or she offers.

1061 (c) Prevent employees or agents of the contest operator  
1062 from sharing with a third party confidential information that  
1063 could affect fantasy contest play until the information has been  
1064 made publicly available.

1065 (d) Verify that contest participants are 18 years of age or  
1066 older.

1067 (e) Restrict an individual who is a player, a game  
1068 official, or another participant in a real-world game or  
1069 competition from participating in a fantasy contest that is  
1070 determined, in whole or in part, on the performance of that  
1071 individual, the individual's real-world team, or the accumulated  
1072 statistical results of the sport or competition in which he or  
1073 she is a player, game official, or other participant.

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1074 (f) Allow individuals to restrict or prevent their own  
1075 access to such a fantasy contest and take reasonable steps to  
1076 prevent those individuals from entering a fantasy contest.

1077 (g) Limit the number of entries a single contest  
1078 participant may submit to each fantasy contest and take  
1079 reasonable steps to prevent participants from submitting more  
1080 than the allowable number of entries.

1081 (h) Segregate contest participants' funds from operational  
1082 funds or maintain a reserve in the form of cash, cash  
1083 equivalents, payment processor reserves, payment processor  
1084 receivables, an irrevocable letter of credit, a bond, or a  
1085 combination thereof in the total amount of deposits in contest  
1086 participants' accounts for the benefit and protection of  
1087 authorized contest participants' funds held in fantasy contest  
1088 accounts.

1089 (2) A contest operator that offers fantasy contests in this  
1090 state which require contest participants to pay an entry fee  
1091 shall annually contract with a third party to perform an  
1092 independent audit, consistent with the standards established by  
1093 the American Institute of Certified Public Accountants, to  
1094 ensure compliance with this act. The contest operator shall  
1095 submit the results of the independent audit to the office no  
1096 later than 90 days after the end of each annual licensing  
1097 period.

1098 Section 13. Section 546.17, Florida Statutes, is created to  
1099 read:

1100 546.17 Records and reports.—Each contest operator shall  
1101 keep and maintain daily records of its operations and shall  
1102 maintain such records for at least 3 years. The records must

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1103 sufficiently detail all financial transactions to determine  
1104 compliance with the requirements of this act and must be  
1105 available for audit and inspection by the office or other law  
1106 enforcement agencies during the contest operator's regular  
1107 business hours. The office shall adopt rules to implement this  
1108 subsection.

1109 Section 14. Section 546.18, Florida Statutes, is created to  
1110 read:

1111 546.18 Penalties; applicability; exemption.-

1112 (1) (a) A contest operator, or an employee or agent thereof,  
1113 who violates this act is subject to a civil penalty, not to  
1114 exceed \$5,000 for each violation and not to exceed \$100,000 in  
1115 the aggregate, which shall accrue to the state. An action to  
1116 recover such penalties may be brought by the office or the  
1117 Department of Legal Affairs in the circuit courts in the name  
1118 and on behalf of the state.

1119 (b) The penalty provisions established in this subsection  
1120 do not apply to violations committed by a contest operator which  
1121 occurred prior to the issuance of a license under this act if  
1122 the contest operator applies for a license within 90 days after  
1123 the effective date of this section and receives a license within  
1124 240 days after the effective date of this section.

1125 (2) Fantasy contests conducted by a contest operator or  
1126 noncommercial contest operator in accordance with this act are  
1127 not subject to s. 849.01, s. 849.08, s. 849.09, s. 849.11, s.  
1128 849.14, or s. 849.25.

1129 Section 15. The Division of Law Revision and Information is  
1130 directed to replace the phrase "the effective date of this  
1131 section" wherever it occurs in s. 546.18, Florida Statutes, with

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1132 the date that section becomes effective.

1133 Section 16. Subsection (11) of section 550.002, Florida  
1134 Statutes, is amended to read:

1135 550.002 Definitions.—As used in this chapter, the term:

1136 (11) (a) “Full schedule of live racing or games” means: ~~7~~

1137 1. For a greyhound racing permitholder or jai alai  
1138 permitholder, the conduct of a combination of at least 100 live  
1139 ~~evening or matinee performances during the preceding year.~~ 7 for  
1140 a permitholder who has a converted permit or filed an  
1141 application on or before June 1, 1990, for a converted permit,  
1142 the conduct of a combination of at least 100 live evening and  
1143 matinee wagering performances during either of the 2 preceding  
1144 years;

1145 2. For a jai alai permitholder that ~~who~~ does not possess a  
1146 ~~operate~~ slot machine license ~~machines~~ in its pari-mutuel  
1147 facility, ~~who~~ has conducted at least 100 live performances per  
1148 year for at least 10 years after December 31, 1992, and has had  
1149 ~~whose~~ handle on live jai alai games conducted at its pari-mutuel  
1150 facility which was ~~has been~~ less than \$4 million per state  
1151 fiscal year for at least 2 consecutive years after June 30,  
1152 1992, the conduct of ~~a combination of~~ at least 40 live evening  
1153 ~~or matinee~~ performances during the preceding year. 7

1154 3. For a jai alai permitholder that possesses a ~~who~~  
1155 ~~operates~~ slot machine license ~~machines~~ in its pari-mutuel  
1156 facility, the conduct of ~~a combination of~~ at least 150  
1157 performances during the preceding year. 7

1158 4. For a jai alai permitholder that does not possess a slot  
1159 machine license, the conduct of at least 58 live performances  
1160 during the preceding year, unless the permitholder meets the



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1161 requirements of subparagraph 2.

1162 5. For a harness horse racing permitholder, the conduct of  
1163 at least 100 live regular wagering performances during the  
1164 preceding year.~~†~~

1165 6. For a quarter horse racing permitholder at its facility,  
1166 unless an alternative schedule of at least 20 live regular  
1167 wagering performances each year is agreed upon by the  
1168 permitholder and either the Florida Quarter Horse Racing  
1169 Association or the horsemen's association representing the  
1170 majority of the quarter horse owners and trainers at the  
1171 facility and filed ~~with the division along~~ with its annual  
1172 operating license ~~date~~ application:~~†~~

1173 a. In the 2010-2011 fiscal year, the conduct of at least 20  
1174 regular wagering performances.~~†~~

1175 b. In the 2011-2012 and 2012-2013 fiscal years, the conduct  
1176 of at least 30 live regular wagering performances.~~†~~ ~~and~~

1177 c. For every fiscal year after the 2012-2013 fiscal year,  
1178 the conduct of at least 40 live regular wagering performances.~~†~~

1179 7. For a quarter horse racing permitholder leasing another  
1180 licensed racetrack, the conduct of 160 events at the leased  
1181 facility during the preceding year.~~†~~ ~~and~~

1182 8. For a thoroughbred racing permitholder, the conduct of  
1183 at least 40 live regular wagering performances during the  
1184 preceding year.

1185 ~~(b) For a permitholder which is restricted by statute to~~  
1186 ~~certain operating periods within the year when other members of~~  
1187 ~~its same class of permit are authorized to operate throughout~~  
1188 ~~the year, the specified number of live performances which~~  
1189 ~~constitute a full schedule of live racing or games shall be~~

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1190 ~~adjusted pro rata in accordance with the relationship between~~  
1191 ~~its authorized operating period and the full calendar year and~~  
1192 ~~the resulting specified number of live performances shall~~  
1193 ~~constitute the full schedule of live games for such permitholder~~  
1194 ~~and all other permitholders of the same class within 100 air~~  
1195 ~~miles of such permitholder.~~ A live performance must consist of  
1196 no fewer than eight races or games conducted live for each of a  
1197 minimum of three performances each week at the permitholder's  
1198 licensed facility under a single admission charge.

1199 Section 17. Subsections (1), (3), and (6) of section  
1200 550.01215, Florida Statutes, are amended, and subsection (7) is  
1201 added to that section, to read:

1202 550.01215 License application; periods of operation; bond,  
1203 conversion of permit.—

1204 (1) Each permitholder shall annually, during the period  
1205 between December 15 and January 4, file in writing with the  
1206 division its application for an operating a license to conduct  
1207 pari-mutuel wagering during the next fiscal year, including  
1208 intertrack and simulcast race wagering for greyhound racing  
1209 permitholders, jai alai permitholders, harness horse racing  
1210 permitholders, quarter horse racing permitholders, and  
1211 thoroughbred horse racing permitholders that do not ~~to~~ conduct  
1212 live performances during the next state fiscal year. Each  
1213 application for live performances must ~~shall~~ specify the number,  
1214 dates, and starting times of all live performances that ~~which~~  
1215 the permitholder intends to conduct. It must ~~shall~~ also specify  
1216 which performances will be conducted as charity or scholarship  
1217 performances.

1218 (a) ~~In addition,~~ Each application for an operating a

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1219 license also must ~~shall~~ include:<sup>7</sup>

1220 1. For each permitholder, whether the permitholder intends  
1221 to accept wagers on intertrack or simulcast events. As a  
1222 condition on the ability to accept wagers on intertrack or  
1223 simulcast events, each permitholder accepting wagers on  
1224 intertrack or simulcast events must make available for wagering  
1225 to its patrons all available live races conducted by  
1226 thoroughbred horse permitholders.

1227 2. For each permitholder that elects ~~which elects~~ to  
1228 operate a cardroom, the dates and periods of operation the  
1229 permitholder intends to operate the cardroom. ~~or~~

1230 3. For each thoroughbred racing permitholder that ~~which~~  
1231 elects to receive or rebroadcast out-of-state races after 7  
1232 p.m., the dates for all performances which the permitholder  
1233 intends to conduct.

1234 (b) A greyhound racing permitholder that conducted a full  
1235 schedule of live racing for a period of at least 10 consecutive  
1236 state fiscal years after the 1996-1997 state fiscal year, or  
1237 that converted its permit to a permit to conduct greyhound  
1238 racing after the 1996-1997 state fiscal year, may specify in its  
1239 application for an operating license that it does not intend to  
1240 conduct live racing, or that it intends to conduct less than a  
1241 full schedule of live racing, in the next state fiscal year. A  
1242 greyhound racing permitholder may receive an operating license  
1243 to conduct pari-mutuel wagering activities at another  
1244 permitholder's greyhound racing facility pursuant to s. 550.475.

1245 (c)1. A thoroughbred horse racing permitholder that has  
1246 conducted live racing for at least 5 years may elect not to  
1247 conduct live racing, if such election is made within 30 days

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1248 after the effective date of this act. A thoroughbred horse  
1249 racing permitholder that makes such election may retain such  
1250 permit, must specify in future applications for an operating  
1251 license that it does not intend to conduct live racing, and is a  
1252 pari-mutuel facility as defined in s. 550.002(23).

1253 2. If a thoroughbred horse racing permitholder makes such  
1254 election and if such permitholder holds a slot machine license  
1255 when such election is made, the facility where such permit is  
1256 located:

1257 a. Remains an eligible facility pursuant to s. 551.102(4),  
1258 and continues to be eligible for a slot machine license;

1259 b. Is exempt from ss. 550.5251, 551.104(3) and (4)(c)1.,  
1260 and 551.114(2) and (4);

1261 c. Is eligible, but not required, to be a guest track for  
1262 purposes of intertrack wagering and simulcasting; and

1263 d. Remains eligible for a cardroom license, notwithstanding  
1264 any requirement for the conduct of live racing pursuant to s.  
1265 849.086.

1266 3. A thoroughbred horse racing permitholder that makes such  
1267 election shall comply with all contracts regarding contributions  
1268 by such permitholder to thoroughbred horse purse supplements or  
1269 breeders' awards entered into before the effective date of this  
1270 act pursuant to s. 551.104(10)(a). At the time of such election,  
1271 such permitholder shall file with the division an irrevocable  
1272 consent that such contributions shall be allowed to be used for  
1273 purposes and awards on live races at other thoroughbred horse  
1274 racing facilities in this state. This subparagraph and s.  
1275 551.104(10)(a) shall not apply after December 31, 2020, to a  
1276 thoroughbred horse racing permitholder that made such election.

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1277 (d) Any harness horse racing permitholder and any quarter  
1278 horse racing permitholder that has held an operating license for  
1279 at least 5 years is exempt from the live racing requirements of  
1280 this subsection and may specify in its annual application for an  
1281 operating license that it does not intend to conduct live  
1282 racing, or that it intends to conduct less than a full schedule  
1283 of live racing, in the next state fiscal year.

1284 (e) A jai alai permitholder that has held an operating  
1285 license for at least 5 years is exempt from the live jai alai  
1286 requirements of this subsection and may specify in its annual  
1287 application for an operating license that it does not intend to  
1288 conduct live jai alai, or that it intends to conduct less than a  
1289 full schedule of live jai alai, in the next state fiscal year.

1290  
1291 A permitholder described in paragraph (b), paragraph (d), or  
1292 paragraph (e) may retain its permit; is a pari-mutuel facility  
1293 as defined in s. 550.002(23); if such permitholder has been  
1294 issued a slot machine license, the facility where such permit is  
1295 located remains an eligible facility as defined in s.  
1296 551.102(4), continues to be eligible for a slot machine license,  
1297 and is exempt from ss. 551.104(3) and (4)(c)1. and 551.114(2)  
1298 and (4); is eligible, but not required, to be a guest track and,  
1299 if the permitholder is a harness horse racing permitholder, a  
1300 host track for purposes of intertrack wagering and simulcasting  
1301 pursuant to ss. 550.3551, 550.615, 550.625, and 550.6305; and,  
1302 if such permitholder has been issued a cardroom license, remains  
1303 eligible for a cardroom license notwithstanding any requirement  
1304 for the conduct of live racing performances contained in s.  
1305 849.086.

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1306        (f) Permitholders ~~may shall be entitled to~~ amend their  
1307 applications through February 28.

1308        (3) The division shall issue each license no later than  
1309 March 15. Each permitholder shall operate all performances at  
1310 the date and time specified on its license. The division shall  
1311 have the authority to approve minor changes in racing dates  
1312 after a license has been issued. The division may approve  
1313 changes in racing dates after a license has been issued when  
1314 there is no objection from any operating permitholder located  
1315 within 50 miles of the permitholder requesting the changes in  
1316 operating dates. In the event of an objection, the division  
1317 shall approve or disapprove the change in operating dates based  
1318 upon the impact on operating permitholders located within 50  
1319 miles of the permitholder requesting the change in operating  
1320 dates. In making the determination to change racing dates, the  
1321 division shall take into consideration the impact of such  
1322 changes on state revenues. Notwithstanding any other provision  
1323 of law, and for the 2017-2018 fiscal year only, the division may  
1324 approve changes in racing dates for permitholders if the request  
1325 for such changes is received before August 31, 2017.

1326        (6) A summer jai alai permitholder may apply for an  
1327 operating license to operate a jai alai fronton only during the  
1328 summer season beginning May 1 and ending November 30 of each  
1329 year on such dates as may be selected by the permitholder. Such  
1330 permitholder is subject to the same taxes, rules, and provisions  
1331 of this chapter which apply to the operation of winter jai alai  
1332 frontons. A summer jai alai permitholder is not eligible for  
1333 licensure to operate a slot machine facility. A summer jai alai  
1334 permitholder and a winter jai alai permitholder may not operate

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1335 on the same days or in competition with each other. This  
1336 subsection does not prevent a summer jai alai licensee from  
1337 leasing the facilities of a winter jai alai licensee for the  
1338 operation of a summer meet ~~Any permit which was converted from a~~  
1339 ~~jai alai permit to a greyhound permit may be converted to a jai~~  
1340 ~~alai permit at any time if the permitholder never conducted~~  
1341 ~~greyhound racing or if the permitholder has not conducted~~  
1342 ~~greyhound racing for a period of 12 consecutive months.~~

1343 (7) In addition to seeking a license under any other  
1344 provision of this section, if any of the following conditions  
1345 exist on February 1 of any year, the holder of a limited  
1346 thoroughbred racing permit under s. 550.3345 which did not file  
1347 an application for live performances between December 15 and  
1348 January 31 may apply to conduct live performances, and such  
1349 application must be filed before March 31, with the resulting  
1350 license issued no later than April 15:

1351 (a) All thoroughbred racing permitholders with slot machine  
1352 licenses have not collectively sought pari-mutuel wagering  
1353 licenses for at least 160 performances and a minimum of 1,760  
1354 races in the next state fiscal year.

1355 (b) All thoroughbred racing permitholders have not  
1356 collectively sought pari-mutuel wagering licenses for at least  
1357 200 performances or a minimum of 1,760 races in the next state  
1358 fiscal year.

1359 (c) All thoroughbred racing permitholders did not  
1360 collectively run at least 1,760 races in the previous state  
1361 fiscal year.

1362 Section 18. Subsection (1) of section 550.0251, Florida  
1363 Statutes, is amended to read:

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1364           550.0251 The powers and duties of the Division of Pari-  
1365 mutuel Wagering of the Department of Business and Professional  
1366 Regulation.—The division shall administer this chapter and  
1367 regulate the pari-mutuel industry under this chapter and the  
1368 rules adopted pursuant thereto, and:

1369           (1) The division shall make an annual report for the prior  
1370 fiscal year to the Governor, the President of the Senate, and  
1371 the Speaker of the House of Representatives. The report shall  
1372 include, at a minimum:

1373           (a) Recent events in the gaming industry, including pending  
1374 litigation involving permitholders; pending permitholder,  
1375 facility, cardroom, slot, or operating license applications; and  
1376 new and pending rules.

1377           (b) Actions of the department relating to the  
1378 implementation and administration of this chapter, and chapters  
1379 551 and 849.

1380           (c) The state revenues and expenses associated with each  
1381 form of authorized gaming. Revenues and expenses associated with  
1382 pari-mutuel wagering must be further delineated by the class of  
1383 license.

1384           (d) The performance of each pari-mutuel wagering licensee,  
1385 cardroom licensee, and slot machine licensee.

1386           (e) A summary of disciplinary actions taken by the  
1387 department.

1388           (f) Any suggestions to more effectively achieve ~~showing its~~  
1389 ~~own actions, receipts derived under the provisions of this~~  
1390 ~~chapter, the practical effects of the application of this~~  
1391 ~~chapter, and any suggestions it may approve for the more~~  
1392 ~~effectual accomplishments of the purposes of this chapter.~~



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1393 Section 19. Paragraphs (a) and (b) of subsection (9) of  
1394 section 550.054, Florida Statutes, are amended, and paragraphs  
1395 (c) through (g) are added to that subsection, and paragraph (a)  
1396 of subsection (11) and subsections (13) and (14) of that section  
1397 are amended, to read:

1398 550.054 Application for permit to conduct pari-mutuel  
1399 wagering.—

1400 (9) (a) After a permit has been granted by the division and  
1401 has been ratified and approved by the majority of the electors  
1402 participating in the election in the county designated in the  
1403 permit, the division shall grant to the lawful permitholder,  
1404 subject to the conditions of this chapter, a license to conduct  
1405 pari-mutuel operations under this chapter, and, ~~except as~~  
1406 ~~provided in s. 550.5251,~~ the division shall fix annually the  
1407 time, place, and number of days during which pari-mutuel  
1408 operations may be conducted by the permitholder at the location  
1409 fixed in the permit and ratified in the election. After the  
1410 first license has been issued to the holder of a ratified permit  
1411 for racing in any county, all subsequent annual applications for  
1412 a license by that permitholder must be accompanied by proof, in  
1413 such form as the division requires, that the ratified  
1414 permitholder still possesses all the qualifications prescribed  
1415 by this chapter and that the permit has not been recalled at a  
1416 later election held in the county.

1417 (b) The division may revoke or suspend any permit or  
1418 license issued under this chapter upon a ~~the~~ willful violation  
1419 by the permitholder or licensee ~~of any provision~~ of this  
1420 chapter, chapter 551, s. 849.086, or rules ~~of any rule~~ adopted  
1421 pursuant thereto ~~under this chapter.~~ With the exception of the

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1422 revocation of permits required in paragraphs (c), (d), (f), and  
1423 (g), ~~In lieu of suspending or revoking a permit or license,~~ the  
1424 division may, in lieu of suspending or revoking a permit or  
1425 license, impose a civil penalty against the permitholder or  
1426 licensee for a violation of this chapter, chapter 551, s.  
1427 849.086, or rules adopted pursuant thereto ~~any rule adopted by~~  
1428 ~~the division.~~ The penalty so imposed may not exceed \$1,000 for  
1429 each count or separate offense. All penalties imposed and  
1430 collected must be deposited with the Chief Financial Officer to  
1431 the credit of the General Revenue Fund.

1432 (c) Unless a failure to obtain an operating license and to  
1433 operate was the direct result of fire, strike, war, or other  
1434 disaster or event beyond the permitholder's control, the  
1435 division shall revoke the permit of any permitholder that has  
1436 not obtained an operating license in accordance with s.  
1437 550.01215 for a period of more than 24 consecutive months after  
1438 June 30, 2012. The division shall revoke the permit upon  
1439 adequate notice to the permitholder. Financial hardship to the  
1440 permitholder does not, in and of itself, constitute just cause  
1441 for failure to operate.

1442 (d) The division shall revoke the permit of any  
1443 permitholder that fails to make payments that are due pursuant  
1444 to s. 550.0951 for more than 24 consecutive months unless such  
1445 failure to pay the tax due on handle was the direct result of  
1446 fire, strike, war, or other disaster or event beyond the  
1447 permitholder's control. Financial hardship to the permitholder  
1448 does not, in and of itself, constitute just cause for failure to  
1449 pay tax on handle.

1450 (e) Notwithstanding any other law, a new permit to conduct

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1451 pari-mutuel wagering may not be approved or issued 30 days after  
1452 the effective date of this act.

1453 (f) A permit revoked under this subsection is void and may  
1454 not be reissued.

1455 (g) A permitholder may apply to the division to place the  
1456 permit into inactive status for a period of 12 months pursuant  
1457 to division rule. The division, upon good cause shown by the  
1458 permitholder, may renew inactive status for a period of up to 12  
1459 months, but a permit may not be in inactive status for a period  
1460 of more than 24 consecutive months. Holders of permits in  
1461 inactive status are not eligible for licensure for pari-mutuel  
1462 wagering, slot machines, or cardrooms.

1463 (11) (a) A permit granted under this chapter may not be  
1464 transferred or assigned except upon written approval by the  
1465 division pursuant to s. 550.1815, ~~except that the holder of any~~  
1466 ~~permit that has been converted to a jai alai permit may lease or~~  
1467 ~~build anywhere within the county in which its permit is located.~~

1468 (13) ~~(a)~~ Notwithstanding any provision ~~provisions~~ of this  
1469 chapter or chapter 551, a pari-mutuel ~~no thoroughbred horse~~  
1470 ~~racetrack~~ permit or license issued under this chapter or chapter  
1471 551 may not shall be transferred, or reissued when such  
1472 reissuance is in the nature of a transfer so as to permit or  
1473 authorize a licensee to change the location of a pari-mutuel  
1474 facility, cardroom, or slot machine facility, except through the  
1475 relocation of the pari-mutuel permit pursuant to s. 550.0555.  
1476 ~~thoroughbred horse racetrack except upon proof in such form as~~  
1477 ~~the division may prescribe that a referendum election has been~~  
1478 ~~held:~~

1479 ~~1. If the proposed new location is within the same county~~

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1480 ~~as the already licensed location, in the county where the~~  
1481 ~~licensee desires to conduct the race meeting and that a majority~~  
1482 ~~of the electors voting on that question in such election voted~~  
1483 ~~in favor of the transfer of such license.~~

1484 ~~2. If the proposed new location is not within the same~~  
1485 ~~county as the already licensed location, in the county where the~~  
1486 ~~licensee desires to conduct the race meeting and in the county~~  
1487 ~~where the licensee is already licensed to conduct the race~~  
1488 ~~meeting and that a majority of the electors voting on that~~  
1489 ~~question in each such election voted in favor of the transfer of~~  
1490 ~~such license.~~

1491 ~~(b) Each referendum held under the provisions of this~~  
1492 ~~subsection shall be held in accordance with the electoral~~  
1493 ~~procedures for ratification of permits, as provided in s.~~  
1494 ~~550.0651. The expense of each such referendum shall be borne by~~  
1495 ~~the licensee requesting the transfer.~~

1496 ~~(14) (a) Any holder of a permit to conduct jai alai may~~  
1497 ~~apply to the division to convert such permit to a permit to~~  
1498 ~~conduct greyhound racing in lieu of jai alai if:~~

1499 ~~1. Such permit is located in a county in which the division~~  
1500 ~~has issued only two pari-mutuel permits pursuant to this~~  
1501 ~~section;~~

1502 ~~2. Such permit was not previously converted from any other~~  
1503 ~~class of permit; and~~

1504 ~~3. The holder of the permit has not conducted jai alai~~  
1505 ~~games during a period of 10 years immediately preceding his or~~  
1506 ~~her application for conversion under this subsection.~~

1507 ~~(b) The division, upon application from the holder of a jai~~  
1508 ~~alai permit meeting all conditions of this section, shall~~

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1509 ~~convert the permit and shall issue to the permit holder a permit~~  
1510 ~~to conduct greyhound racing. A permit holder of a permit~~  
1511 ~~converted under this section shall be required to apply for and~~  
1512 ~~conduct a full schedule of live racing each fiscal year to be~~  
1513 ~~eligible for any tax credit provided by this chapter. The holder~~  
1514 ~~of a permit converted pursuant to this subsection or any holder~~  
1515 ~~of a permit to conduct greyhound racing located in a county in~~  
1516 ~~which it is the only permit issued pursuant to this section who~~  
1517 ~~operates at a leased facility pursuant to s. 550.475 may move~~  
1518 ~~the location for which the permit has been issued to another~~  
1519 ~~location within a 30-mile radius of the location fixed in the~~  
1520 ~~permit issued in that county, provided the move does not cross~~  
1521 ~~the county boundary and such location is approved under the~~  
1522 ~~zoning regulations of the county or municipality in which the~~  
1523 ~~permit is located, and upon such relocation may use the permit~~  
1524 ~~for the conduct of pari-mutuel wagering and the operation of a~~  
1525 ~~cardroom. The provisions of s. 550.6305(9)(d) and (f) shall~~  
1526 ~~apply to any permit converted under this subsection and shall~~  
1527 ~~continue to apply to any permit which was previously included~~  
1528 ~~under and subject to such provisions before a conversion~~  
1529 ~~pursuant to this section occurred.~~

1530 Section 20. Section 550.0555, Florida Statutes, is amended  
1531 to read:

1532 550.0555 Permitholder Greyhound dogracing permits;  
1533 relocation within a county; conditions.—

1534 (1) It is the finding of the Legislature that pari-mutuel  
1535 wagering on greyhound dogracing provides substantial revenues to  
1536 the state. It is the further finding that, in some cases, this  
1537 revenue-producing ability is hindered due to the lack of

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1538 provisions allowing the relocation of existing dogracing  
1539 operations. It is therefore declared that state revenues derived  
1540 from greyhound dogracing will continue to be jeopardized if  
1541 provisions allowing the relocation of such greyhound racing  
1542 permits are not implemented. This enactment is made pursuant to,  
1543 and for the purpose of, implementing such provisions.

1544 (2) The following permitholders are ~~Any holder of a valid~~  
1545 ~~outstanding permit for greyhound dogracing in a county in which~~  
1546 ~~there is only one dogracing permit issued, as well as any holder~~  
1547 ~~of a valid outstanding permit for jai alai in a county where~~  
1548 ~~only one jai alai permit is issued, is~~ authorized, without the  
1549 necessity of an additional county referendum required under s.  
1550 550.0651, to move the location for which the permit has been  
1551 issued to another location within a 30-mile radius of the  
1552 location fixed in the permit issued in that county, provided the  
1553 move does not cross the county boundary, that such relocation is  
1554 approved under the zoning regulations of the county or  
1555 municipality in which the permit is to be located as a planned  
1556 development use, consistent with the comprehensive plan, and  
1557 that such move is approved by the department after it is  
1558 determined that the new location is an existing pari-mutuel  
1559 facility that has held an operating license for at least 5  
1560 consecutive years since 2010 or is at least 10 miles from an  
1561 existing pari-mutuel facility and, if within a county with three  
1562 or more pari-mutuel permits, is at least 10 miles from the  
1563 waters of the Atlantic Ocean:

1564 (a) Any holder of a valid outstanding greyhound racing  
1565 permit that was previously converted from a jai alai permit;

1566 (b) Any holder of a valid outstanding greyhound racing

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1567 permit in a county in which there is only one greyhound racing  
1568 permit issued; and

1569 (c) Any holder of a valid outstanding jai alai permit in a  
1570 county in which there is only one jai alai permit issued. at a  
1571 proceeding pursuant to chapter 120 in the county affected that  
1572 the move is necessary to ensure the revenue-producing capability  
1573 of the permittee without deteriorating the revenue-producing  
1574 capability of any other pari-mutuel permittee within 50 miles;  
1575

1576 The distances distance shall be measured on a straight line from  
1577 the nearest property line of one racing plant or jai alai  
1578 fronton to the nearest property line of the other and the  
1579 nearest mean high tide line of the Atlantic Ocean.

1580 Section 21. Section 550.0745, Florida Statutes, is  
1581 repealed.

1582 Section 22. Section 550.0951, Florida Statutes, is amended  
1583 to read:

1584 550.0951 Payment of daily license fee and taxes;  
1585 penalties.—

1586 (1)(a) DAILY LICENSE FEE.—Each person engaged in the  
1587 business of conducting race meetings or jai alai games under  
1588 this chapter, hereinafter referred to as the "permitholder,"  
1589 "licensee," or "permittee," shall pay to the division, for the  
1590 use of the division, a daily license fee on each live or  
1591 simulcast pari-mutuel event of \$100 for each horserace, and \$80  
1592 for each greyhound race, dograce and \$40 for each jai alai game,  
1593 any of which is conducted at a racetrack or fronton licensed  
1594 under this chapter. A In addition to the tax exemption specified  
1595 in s. 550.09514(1) of \$360,000 or \$500,000 per greyhound

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1596 ~~permitholder per state fiscal year, each greyhound permitholder~~  
1597 ~~shall receive in the current state fiscal year a tax credit~~  
1598 ~~equal to the number of live greyhound races conducted in the~~  
1599 ~~previous state fiscal year times the daily license fee specified~~  
1600 ~~for each dograce in this subsection applicable for the previous~~  
1601 ~~state fiscal year. This tax credit and the exemption in s.~~  
1602 ~~550.09514(1) shall be applicable to any tax imposed by this~~  
1603 ~~chapter or the daily license fees imposed by this chapter except~~  
1604 ~~during any charity or scholarship performances conducted~~  
1605 ~~pursuant to s. 550.0351. Each permitholder may not be required~~  
1606 ~~to shall pay daily license fees in excess of not to exceed \$500~~  
1607 ~~per day on any simulcast races or games on which such~~  
1608 ~~permitholder accepts wagers, regardless of the number of out-of-~~  
1609 ~~state events taken or the number of out-of-state locations from~~  
1610 ~~which such events are taken. This license fee shall be deposited~~  
1611 ~~with the Chief Financial Officer to the credit of the Pari-~~  
1612 ~~mutuel Wagering Trust Fund.~~

1613 ~~(b) Each permitholder that cannot utilize the full amount~~  
1614 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~  
1615 ~~550.09514(1) or the daily license fee credit provided in this~~  
1616 ~~section may, after notifying the division in writing, elect once~~  
1617 ~~per state fiscal year on a form provided by the division to~~  
1618 ~~transfer such exemption or credit or any portion thereof to any~~  
1619 ~~greyhound permitholder which acts as a host track to such~~  
1620 ~~permitholder for the purpose of intertrack wagering. Once an~~  
1621 ~~election to transfer such exemption or credit is filed with the~~  
1622 ~~division, it shall not be rescinded. The division shall~~  
1623 ~~disapprove the transfer when the amount of the exemption or~~  
1624 ~~credit or portion thereof is unavailable to the transferring~~



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1625 ~~permitholder or when the permitholder who is entitled to~~  
1626 ~~transfer the exemption or credit or who is entitled to receive~~  
1627 ~~the exemption or credit owes taxes to the state pursuant to a~~  
1628 ~~deficiency letter or administrative complaint issued by the~~  
1629 ~~division. Upon approval of the transfer by the division, the~~  
1630 ~~transferred tax exemption or credit shall be effective for the~~  
1631 ~~first performance of the next payment period as specified in~~  
1632 ~~subsection (5). The exemption or credit transferred to such host~~  
1633 ~~track may be applied by such host track against any taxes~~  
1634 ~~imposed by this chapter or daily license fees imposed by this~~  
1635 ~~chapter. The greyhound permitholder host track to which such~~  
1636 ~~exemption or credit is transferred shall reimburse such~~  
1637 ~~permitholder the exact monetary value of such transferred~~  
1638 ~~exemption or credit as actually applied against the taxes and~~  
1639 ~~daily license fees of the host track. The division shall ensure~~  
1640 ~~that all transfers of exemption or credit are made in accordance~~  
1641 ~~with this subsection and shall have the authority to adopt rules~~  
1642 ~~to ensure the implementation of this section.~~

1643 (2) ADMISSION TAX.—

1644 (a) An admission tax equal to 15 percent of the admission  
1645 charge for entrance to the permitholder's facility and  
1646 grandstand area, or 10 cents, whichever is greater, is imposed  
1647 on each person attending a horserace, greyhound race ~~dograce~~, or  
1648 jai alai game. The permitholder is ~~shall be~~ responsible for  
1649 collecting the admission tax.

1650 (b) The ~~No~~ admission tax imposed under this chapter and ~~or~~  
1651 chapter 212 may not ~~shall~~ be imposed on any free passes or  
1652 complimentary cards issued to persons for which there is no cost  
1653 to the person for admission to pari-mutuel events.

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1654 (c) A permitholder may issue tax-free passes to its  
1655 officers, officials, and employees and to ~~or~~ other persons  
1656 actually engaged in working at the racetrack, including  
1657 accredited media ~~press~~ representatives such as reporters and  
1658 editors, and may also issue tax-free passes to other  
1659 permitholders for the use of their officers and officials. The  
1660 permitholder shall file with the division a list of all persons  
1661 to whom tax-free passes are issued under this paragraph.

1662 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on  
1663 contributions to pari-mutuel pools, the aggregate of which is  
1664 hereinafter referred to as "handle," on races or games conducted  
1665 by the permitholder. The tax is imposed daily and is based on  
1666 the total contributions to all pari-mutuel pools conducted  
1667 during the daily performance. If a permitholder conducts more  
1668 than one performance daily, the tax is imposed on each  
1669 performance separately.

1670 (a) The tax on handle for quarter horse racing is 1.0  
1671 percent of the handle.

1672 (b)1. The tax on handle for greyhound racing ~~dogracing~~ is  
1673 1.28 ~~5.5~~ percent of the handle, ~~except that for live charity~~  
1674 ~~performances held pursuant to s. 550.0351, and for intertrack~~  
1675 ~~wagering on such charity performances at a guest greyhound track~~  
1676 ~~within the market area of the host, the tax is 7.6 percent of~~  
1677 ~~the handle.~~

1678 2. The tax on handle for jai alai is 7.1 percent of the  
1679 handle.

1680 (c)1. The tax on handle for intertrack wagering is:  
1681 a. If the host track is a horse track, 2.0 percent of the  
1682 handle.

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1683           **b.** If the host track is a harness horse racetrack ~~track~~,  
 1684 3.3 percent of the handle.

1685           **c.** If the host track is a greyhound racing ~~harness~~ track,  
 1686 1.28 ~~5.5~~ percent of the handle, to be remitted by the guest  
 1687 track. ~~if the host track is a dog track, and~~

1688           **d.** If the host track is a jai alai fronton, 7.1 percent of  
 1689 the handle ~~if the host track is a jai alai fronton~~.

1690           **e.** ~~The tax on handle for intertrack wagering is 0.5 percent~~  
 1691 If the host track and the guest track are thoroughbred racing  
 1692 permitholders or if the guest track is located outside the  
 1693 market area of a the host track that is not a greyhound racing  
 1694 track and within the market area of a thoroughbred racing  
 1695 permitholder currently conducting a live race meet, 0.5 percent  
 1696 of the handle.

1697           **f.** ~~The tax on handle~~ For intertrack wagering on  
 1698 rebroadcasts of simulcast thoroughbred horseraces, is ~~is~~ 2.4  
 1699 percent of the handle and ~~1.5 percent of the handle~~ for  
 1700 intertrack wagering on rebroadcasts of simulcast harness  
 1701 horseraces, 1.5 percent of the handle.

1702           **2.** The tax shall be deposited into the Pari-mutuel Wagering  
 1703 Trust Fund.

1704           **3.2.** ~~The tax on handle for intertrack wagers accepted by~~  
 1705 any greyhound racing ~~dog~~ track located in an area of the state  
 1706 in which there are only three permitholders, all of which are  
 1707 greyhound racing permitholders, located in three contiguous  
 1708 counties, from any greyhound racing permitholder also located  
 1709 within such area or any greyhound racing ~~dog~~ track or jai alai  
 1710 fronton located as specified in s. 550.615(7) ~~s. 550.615(6) or~~  
 1711 ~~(9)~~, on races or games received from any jai alai ~~the same class~~

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1712 ~~of~~ permitholder located within the same market area is 1.28 ~~3.9~~  
1713 percent of the handle if the host facility is a greyhound racing  
1714 permitholder. ~~and~~, If the host facility is a jai alai  
1715 permitholder, the tax is rate shall be 6.1 percent of the handle  
1716 until ~~except that it shall be 2.3 percent on handle at~~ such time  
1717 as the total tax on intertrack handle paid to the division by  
1718 the permitholder during the current state fiscal year exceeds  
1719 the total ~~tax on intertrack handle~~ paid to the division by the  
1720 permitholder during the 1992-1993 state fiscal year, in which  
1721 case the tax is 2.3 percent of the handle.

1722 (d) Notwithstanding any other provision of this chapter, in  
1723 order to protect the Florida jai alai industry, effective July  
1724 1, 2000, a jai alai permitholder may not be taxed on live handle  
1725 at a rate higher than 2 percent.

1726 (4) BREAKS TAX.—Effective October 1, 1996, each  
1727 permitholder conducting jai alai performances shall pay a tax  
1728 equal to the breaks. As used in this subsection, the term  
1729 "breaks" means the money that remains in each pari-mutuel pool  
1730 after funds are ~~The "breaks" represents that portion of each~~  
1731 ~~pari-mutuel pool which is not~~ redistributed to the contributors  
1732 and commissions are ~~or~~ withheld by the permitholder ~~as~~  
1733 ~~commission.~~

1734 (5) PAYMENT AND DISPOSITION OF FEES AND TAXES.—Payments  
1735 imposed by this section shall be paid to the division. The  
1736 division shall deposit such payments ~~these sums~~ with the Chief  
1737 Financial Officer, to the credit of the Pari-mutuel Wagering  
1738 Trust Fund, hereby established. The permitholder shall remit to  
1739 the division payment for the daily license fee, the admission  
1740 tax, the tax on handle, and the breaks tax. Such payments must

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1741 ~~shall~~ be remitted by 3 p.m. on Wednesday of each week for taxes  
1742 imposed and collected for the preceding week ending on Sunday.  
1743 Beginning on July 1, 2012, such payments must ~~shall~~ be remitted  
1744 by 3 p.m. on the 5th day of each calendar month for taxes  
1745 imposed and collected for the preceding calendar month. If the  
1746 5th day of the calendar month falls on a weekend, payments must  
1747 ~~shall~~ be remitted by 3 p.m. the first Monday following the  
1748 weekend. Permitholders shall file a report under oath by the 5th  
1749 day of each calendar month for all taxes remitted during the  
1750 preceding calendar month. Such payments must ~~shall~~ be  
1751 accompanied by a report under oath showing the total of all  
1752 admissions, the pari-mutuel wagering activities for the  
1753 preceding calendar month, and any ~~such~~ other information ~~as may~~  
1754 ~~be~~ prescribed by the division.

1755 (6) PENALTIES.—

1756 (a) The failure of any permitholder to make payments as  
1757 prescribed in subsection (5) is a violation of this section, and  
1758 the ~~permitholder may be subjected by the division~~ may impose ~~to~~  
1759 a civil penalty against the permitholder of up to \$1,000 for  
1760 each day the tax payment is not remitted. All penalties imposed  
1761 and collected shall be deposited in the General Revenue Fund. If  
1762 a permitholder fails to pay penalties imposed by order of the  
1763 division under this subsection, the division may suspend or  
1764 revoke the license of the permitholder, cancel the permit of the  
1765 permitholder, or deny issuance of any further license or permit  
1766 to the permitholder.

1767 (b) In addition to the civil penalty prescribed in  
1768 paragraph (a), any willful or wanton failure by any permitholder  
1769 to make payments of the daily license fee, admission tax, tax on

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1770 handle, or breaks tax constitutes sufficient grounds for the  
1771 division to suspend or revoke the license of the permitholder,  
1772 to cancel the permit of the permitholder, or to deny issuance of  
1773 any further license or permit to the permitholder.

1774 Section 23. Subsection (4) of section 550.09511, Florida  
1775 Statutes, is repealed.

1776 Section 24. Section 550.09512, Florida Statutes, is amended  
1777 to read:

1778 550.09512 Harness horse racing taxes; abandoned interest in  
1779 a permit for nonpayment of taxes.—

1780 (1) Pari-mutuel wagering at harness horse racetracks in  
1781 this state is an important business enterprise, and taxes  
1782 derived therefrom constitute a part of the tax structure which  
1783 funds operation of the state. Harness horse racing permitholders  
1784 should pay their fair share of these taxes to the state. This  
1785 business interest should not be taxed to such an extent as to  
1786 cause any racetrack which is operated under sound business  
1787 principles to be forced out of business. Due to the need to  
1788 protect the public health, safety, and welfare, the gaming laws  
1789 of the state provide for the harness horse racing industry to be  
1790 highly regulated and taxed. The state recognizes that there  
1791 exist identifiable differences between harness horse racing  
1792 permitholders based upon their ability to operate under such  
1793 regulation and tax system.

1794 (2) (a) The tax on handle for live harness horse racing  
1795 performances is 0.5 percent of handle per performance.

1796 (b) For purposes of this section, the term "handle" shall  
1797 have the same meaning as in s. 550.0951, and does ~~shall~~ not  
1798 include handle from intertrack wagering.

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1799           (3)~~(a)~~ The division shall revoke the permit of a harness  
1800 horse racing permitholder that ~~who~~ does not pay the tax due on  
1801 handle for live harness horse racing performances for a full  
1802 schedule of live races for more than 24 consecutive months  
1803 ~~during any 2 consecutive state fiscal years shall be void and~~  
1804 ~~shall escheat to and become the property of the state unless~~  
1805 such failure to operate and pay tax on handle was the direct  
1806 result of fire, strike, war, or other disaster or event beyond  
1807 the ability of the permitholder to control. Financial hardship  
1808 to the permitholder does ~~shall~~ not, in and of itself, constitute  
1809 just cause for failure to operate and pay tax on handle. A  
1810 permit revoked under this subsection is void and may not be  
1811 reissued.

1812           ~~(b) In order to maximize the tax revenues to the state, the~~  
1813 ~~division shall reissue an escheated harness horse permit to a~~  
1814 ~~qualified applicant pursuant to the provisions of this chapter~~  
1815 ~~as for the issuance of an initial permit. However, the~~  
1816 ~~provisions of this chapter relating to referendum requirements~~  
1817 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~  
1818 ~~escheated harness horse permit. As specified in the application~~  
1819 ~~and upon approval by the division of an application for the~~  
1820 ~~permit, the new permitholder shall be authorized to operate a~~  
1821 ~~harness horse facility anywhere in the same county in which the~~  
1822 ~~escheated permit was authorized to be operated, notwithstanding~~  
1823 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

1824           (4) In the event that a court of competent jurisdiction  
1825 determines any of the provisions of this section to be  
1826 unconstitutional, it is the intent of the Legislature that the  
1827 provisions contained in this section shall be null and void and

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1828 that the provisions of s. 550.0951 shall apply to all harness  
1829 horse racing permitholders beginning on the date of such  
1830 judicial determination. To this end, the Legislature declares  
1831 that it would not have enacted any of the provisions of this  
1832 section individually and, to that end, expressly finds them not  
1833 to be severable.

1834 Section 25. Section 550.09514, Florida Statutes, is amended  
1835 to read:

1836 550.09514 Greyhound racing ~~dogracing taxes~~; purse  
1837 requirements.-

1838 ~~(1) Wagering on greyhound racing is subject to a tax on~~  
1839 ~~handle for live greyhound racing as specified in s. 550.0951(3).~~  
1840 ~~However, each permitholder shall pay no tax on handle until such~~  
1841 ~~time as this subsection has resulted in a tax savings per state~~  
1842 ~~fiscal year of \$360,000. Thereafter, each permitholder shall pay~~  
1843 ~~the tax as specified in s. 550.0951(3) on all handle for the~~  
1844 ~~remainder of the permitholder's current race meet. For the three~~  
1845 ~~permitholders that conducted a full schedule of live racing in~~  
1846 ~~1995, and are closest to another state that authorizes greyhound~~  
1847 ~~pari-mutuel wagering, the maximum tax savings per state fiscal~~  
1848 ~~year shall be \$500,000. The provisions of this subsection~~  
1849 ~~relating to tax exemptions shall not apply to any charity or~~  
1850 ~~scholarship performances conducted pursuant to s. 550.0351.~~

1851 (1) (a) (2) (a) The division shall determine for each  
1852 greyhound racing permitholder the annual purse percentage rate  
1853 of live handle for the state fiscal year 1993-1994 by dividing  
1854 total purses paid on live handle by the permitholder, exclusive  
1855 of payments made from outside sources, during the 1993-1994  
1856 state fiscal year by the permitholder's live handle for the



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1857 1993-1994 state fiscal year. A greyhound racing ~~Each~~  
1858 ~~permitholder~~ conducting live racing during a fiscal year shall  
1859 pay as purses for such live races conducted during its current  
1860 race meet a percentage of its live handle not less than the  
1861 percentage determined under this paragraph, exclusive of  
1862 payments made by outside sources, for its 1993-1994 state fiscal  
1863 year.

1864 (b) Except as otherwise set forth herein, in addition to  
1865 the minimum purse percentage required by paragraph (a), each  
1866 greyhound racing permitholder conducting live racing during a  
1867 fiscal year shall pay as purses an annual amount of \$60 for each  
1868 live race conducted ~~equal to 75 percent of the daily license~~  
1869 ~~fees paid by the greyhound racing each permitholder in for the~~  
1870 preceding 1994-1995 fiscal year. ~~These~~ This purse supplement  
1871 ~~shall be disbursed weekly during the permitholder's race meet in~~  
1872 ~~an amount determined by dividing the annual purse supplement by~~  
1873 ~~the number of performances approved for the permitholder~~  
1874 ~~pursuant to its annual license and multiplying that amount by~~  
1875 ~~the number of performances conducted each week. For the~~  
1876 ~~greyhound permitholders in the county where there are two~~  
1877 ~~greyhound permitholders located as specified in s. 550.615(6),~~  
1878 ~~such permitholders shall pay in the aggregate an amount equal to~~  
1879 ~~75 percent of the daily license fees paid by such permitholders~~  
1880 ~~for the 1994-1995 fiscal year. These permitholders shall be~~  
1881 ~~jointly and severally liable for such purse payments. The~~  
1882 ~~additional purses provided by this paragraph must be used~~  
1883 ~~exclusively for purses other than stakes~~ and disbursed weekly  
1884 during the permitholder's race meet. The division shall conduct  
1885 audits necessary to ensure compliance with this section.

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1886 (c)1. Each greyhound racing permitholder, when conducting  
1887 at least three live performances during any week, shall pay  
1888 purses in that week on wagers it accepts as a guest track on  
1889 intertrack and simulcast greyhound races at the same rate as it  
1890 pays on live races. Each greyhound racing permitholder, when  
1891 conducting at least three live performances during any week,  
1892 shall pay purses in that week, at the same rate as it pays on  
1893 live races, on wagers accepted on greyhound races at a guest  
1894 track that ~~which~~ is not conducting live racing and is located  
1895 within the same market area as the greyhound racing permitholder  
1896 conducting at least three live performances during any week.

1897 2. Each host greyhound racing permitholder shall pay purses  
1898 on its simulcast and intertrack broadcasts of greyhound races to  
1899 guest facilities that are located outside its market area in an  
1900 amount equal to one quarter of an amount determined by  
1901 subtracting the transmission costs of sending the simulcast or  
1902 intertrack broadcasts from an amount determined by adding the  
1903 fees received for greyhound simulcast races plus 3 percent of  
1904 the greyhound intertrack handle at guest facilities that are  
1905 located outside the market area of the host and that paid  
1906 contractual fees to the host for such broadcasts of greyhound  
1907 races.

1908 (d) The division shall require sufficient documentation  
1909 from each greyhound racing permitholder regarding purses paid on  
1910 live racing to assure that the annual purse percentage rates  
1911 paid by each greyhound racing permitholder conducting ~~on the~~  
1912 live races are not reduced below those paid during the 1993-1994  
1913 state fiscal year. The division shall require sufficient  
1914 documentation from each greyhound racing permitholder to assure

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1915 that the purses paid by each permitholder on the greyhound  
1916 intertrack and simulcast broadcasts are in compliance with the  
1917 requirements of paragraph (c).

1918 (e) In addition to the purse requirements of paragraphs  
1919 (a)-(c), each greyhound racing permitholder conducting live  
1920 aces shall pay as purses an amount equal to one-third of the  
1921 amount of the tax reduction on live and simulcast handle  
1922 applicable to such permitholder as a result of the reductions in  
1923 tax rates provided by s. 6, chapter 2000-354, Laws of Florida  
1924 ~~this act through the amendments to s. 550.0951(3)~~. With respect  
1925 to intertrack wagering when the host and guest tracks are  
1926 greyhound racing permitholders not within the same market area,  
1927 an amount equal to the tax reduction applicable to the guest  
1928 track handle as a result of the reduction in tax rate provided  
1929 by s. 6, chapter 2000-354, Laws of Florida, ~~this act through the~~  
1930 ~~amendment to s. 550.0951(3)~~ shall be distributed to the guest  
1931 track, one-third of which amount shall be paid as purses at the  
1932 guest track. However, if the guest track is a greyhound racing  
1933 permitholder within the market area of the host or if the guest  
1934 track is not a greyhound racing permitholder, an amount equal to  
1935 such tax reduction applicable to the guest track handle shall be  
1936 retained by the host track, one-third of which amount shall be  
1937 paid as purses at the host track. These purse funds shall be  
1938 disbursed in the week received if the permitholder conducts at  
1939 least one live performance during that week. If the permitholder  
1940 does not conduct at least one live performance during the week  
1941 in which the purse funds are received, the purse funds shall be  
1942 disbursed weekly during the permitholder's next race meet in an  
1943 amount determined by dividing the purse amount by the number of

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1944 performances approved for the permitholder pursuant to its  
1945 annual license, and multiplying that amount by the number of  
1946 performances conducted each week. The division shall conduct  
1947 audits necessary to ensure compliance with this paragraph.

1948 (f) Each greyhound racing permitholder conducting live  
1949 racing shall, during the permitholder's race meet, supply kennel  
1950 operators and the Division of Pari-Mutuel Wagering with a weekly  
1951 report showing purses paid on live greyhound races and all  
1952 greyhound intertrack and simulcast broadcasts, including both as  
1953 a guest and a host together with the handle or commission  
1954 calculations on which such purses were paid and the transmission  
1955 costs of sending the simulcast or intertrack broadcasts, so that  
1956 the kennel operators may determine statutory and contractual  
1957 compliance.

1958 (g) Each greyhound racing permitholder conducting live  
1959 racing shall make direct payment of purses to the greyhound  
1960 owners who have filed with such permitholder appropriate federal  
1961 taxpayer identification information based on the percentage  
1962 amount agreed upon between the kennel operator and the greyhound  
1963 owner.

1964 (h) At the request of a majority of kennel operators under  
1965 contract with a greyhound racing permitholder conducting live  
1966 racing, the permitholder shall make deductions from purses paid  
1967 to each kennel operator electing such deduction and shall make a  
1968 direct payment of such deductions to the local association of  
1969 greyhound kennel operators formed by a majority of kennel  
1970 operators under contract with the permitholder. The amount of  
1971 the deduction shall be at least 1 percent of purses, as  
1972 determined by the local association of greyhound kennel

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1973 operators. ~~No~~ Deductions may not be taken pursuant to this  
1974 paragraph without a kennel operator's specific approval before  
1975 or after May 24, 1998 ~~the effective date of this act.~~

1976 ~~(2)-(3) As used in~~ For the purpose of this section, the term  
1977 "live handle" means the handle from wagers placed at the  
1978 permitholder's establishment on the live greyhound races  
1979 conducted at the permitholder's establishment.

1980 Section 26. Section 550.09515, Florida Statutes, is amended  
1981 to read:

1982 550.09515 Thoroughbred racing ~~horse~~ taxes; abandoned  
1983 interest in a permit for nonpayment of taxes.—

1984 (1) Pari-mutuel wagering at thoroughbred horse racetracks  
1985 in this state is an important business enterprise, and taxes  
1986 derived therefrom constitute a part of the tax structure which  
1987 funds operation of the state. Thoroughbred horse permitholders  
1988 should pay their fair share of these taxes to the state. This  
1989 business interest should not be taxed to such an extent as to  
1990 cause any racetrack which is operated under sound business  
1991 principles to be forced out of business. Due to the need to  
1992 protect the public health, safety, and welfare, the gaming laws  
1993 of the state provide for the thoroughbred horse industry to be  
1994 highly regulated and taxed. The state recognizes that there  
1995 exist identifiable differences between thoroughbred horse  
1996 permitholders based upon their ability to operate under such  
1997 regulation and tax system and at different periods during the  
1998 year.

1999 (2) (a) The tax on handle for live thoroughbred horserace  
2000 performances shall be 0.5 percent.

2001 (b) For purposes of this section, the term "handle" shall

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2002 have the same meaning as in s. 550.0951, and does ~~shall~~ not  
2003 include handle from intertrack wagering.

2004 (3)~~(a)~~ The division shall revoke the permit of a  
2005 thoroughbred racing ~~horse~~ permitholder that ~~who~~ does not pay the  
2006 tax due on handle for live thoroughbred horse performances for a  
2007 full schedule of live races for more than 24 consecutive months  
2008 ~~during any 2 consecutive state fiscal years shall be void and~~  
2009 ~~shall escheat to and become the property of the state unless~~  
2010 such failure to operate and pay tax on handle was the direct  
2011 result of fire, strike, war, or other disaster or event beyond  
2012 the ability of the permitholder to control. Financial hardship  
2013 to the permitholder does ~~shall~~ not, in and of itself, constitute  
2014 just cause for failure to operate and pay tax on handle. A  
2015 permit revoked under this subsection is void and may not be  
2016 reissued.

2017 ~~(b) In order to maximize the tax revenues to the state, the~~  
2018 ~~division shall reissue an escheated thoroughbred horse permit to~~  
2019 ~~a qualified applicant pursuant to the provisions of this chapter~~  
2020 ~~as for the issuance of an initial permit. However, the~~  
2021 ~~provisions of this chapter relating to referendum requirements~~  
2022 ~~for a pari mutuel permit shall not apply to the reissuance of an~~  
2023 ~~escheated thoroughbred horse permit. As specified in the~~  
2024 ~~application and upon approval by the division of an application~~  
2025 ~~for the permit, the new permitholder shall be authorized to~~  
2026 ~~operate a thoroughbred horse facility anywhere in the same~~  
2027 ~~county in which the escheated permit was authorized to be~~  
2028 ~~operated, notwithstanding the provisions of s. 550.054(2)~~  
2029 ~~relating to mileage limitations.~~

2030 (4) In the event that a court of competent jurisdiction

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2031 determines any of the provisions of this section to be  
2032 unconstitutional, it is the intent of the Legislature that the  
2033 provisions contained in this section shall be null and void and  
2034 that the provisions of s. 550.0951 shall apply to all  
2035 thoroughbred racing ~~horse~~ permitholders beginning on the date of  
2036 such judicial determination. To this end, the Legislature  
2037 declares that it would not have enacted any of the provisions of  
2038 this section individually and, to that end, expressly finds them  
2039 not to be severable.

2040 (5) Notwithstanding the provisions of s. 550.0951(3)(c),  
2041 the tax on handle for intertrack wagering on rebroadcasts of  
2042 simulcast horseraces is 2.4 percent of the handle; provided  
2043 however, that if the guest track is a thoroughbred track located  
2044 more than 35 miles from the host track, the host track shall pay  
2045 a tax of .5 percent of the handle, and additionally the host  
2046 track shall pay to the guest track 1.9 percent of the handle to  
2047 be used by the guest track solely for purses. The tax shall be  
2048 deposited into the Pari-mutuel Wagering Trust Fund.

2049 (6) A credit equal to the amount of contributions made by a  
2050 thoroughbred racing permitholder during the taxable year  
2051 directly to the Jockeys' Guild or its health and welfare fund to  
2052 be used to provide health and welfare benefits for active,  
2053 disabled, and retired Florida jockeys and their dependents  
2054 pursuant to reasonable rules of eligibility established by the  
2055 Jockeys' Guild is allowed against taxes on live handle due for a  
2056 taxable year under this section. A thoroughbred racing  
2057 permitholder may not receive a credit greater than an amount  
2058 equal to 1 percent of its paid taxes for the previous taxable  
2059 year.

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2060 (7) If a thoroughbred racing permitholder fails to operate  
2061 all performances on its 2001-2002 license, failure to pay tax on  
2062 handle for a full schedule of live races for those performances  
2063 in the 2001-2002 fiscal year does not constitute failure to pay  
2064 taxes on handle for a full schedule of live races in a fiscal  
2065 year for the purposes of subsection (3). This subsection may not  
2066 be construed as forgiving a thoroughbred racing permitholder  
2067 from paying taxes on performances conducted at its facility  
2068 pursuant to its 2001-2002 license other than for failure to  
2069 operate all performances on its 2001-2002 license. This  
2070 subsection expires July 1, 2003.

2071 Section 27. Section 550.1625, Florida Statutes, is amended  
2072 to read:

2073 550.1625 Greyhound racing ~~dogracing~~; taxes.-

2074 (1) The operation of a greyhound racing ~~dog~~ track and  
2075 legalized pari-mutuel betting at greyhound racing ~~dog~~ tracks in  
2076 this state is a privilege and is an operation that requires  
2077 strict supervision and regulation in the best interests of the  
2078 state. Pari-mutuel wagering at greyhound racing ~~dog~~ tracks in  
2079 this state is a substantial business, and taxes derived  
2080 therefrom constitute part of the tax structures of the state and  
2081 the counties. The operators of greyhound racing ~~dog~~ tracks  
2082 should pay their fair share of taxes to the state; at the same  
2083 time, this substantial business interest should not be taxed to  
2084 such an extent as to cause a track that is operated under sound  
2085 business principles to be forced out of business.

2086 (2) A permitholder that conducts a greyhound race ~~dograce~~  
2087 meet under this chapter must pay the daily license fee, the  
2088 admission tax, ~~the breaks tax,~~ and the tax on pari-mutuel handle



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2089 as provided in s. 550.0951 and is subject to all penalties and  
2090 sanctions provided in s. 550.0951(6).

2091 Section 28. Section 550.1647, Florida Statutes, is  
2092 repealed.

2093 Section 29. Section 550.1648, Florida Statutes, is amended  
2094 to read:

2095 550.1648 Greyhound adoptions.—

2096 ~~(1) A greyhound racing~~ Each dogracing permitholder that  
2097 conducts live racing at ~~operating~~ a greyhound racing dogracing  
2098 facility in this state shall provide for a greyhound adoption  
2099 booth to be located at the facility.

2100 (1) (a) The greyhound adoption booth must be operated on  
2101 weekends by personnel or volunteers from a bona fide  
2102 organization that promotes or encourages the adoption of  
2103 greyhounds pursuant to s. 550.1647. Such bona fide organization,  
2104 as a condition of adoption, must provide sterilization of  
2105 greyhounds by a licensed veterinarian before relinquishing  
2106 custody of the greyhound to the adopter. The fee for  
2107 sterilization may be included in the cost of adoption. As used  
2108 in this section, the term "weekend" includes the hours during  
2109 which live greyhound racing is conducted on Friday, Saturday, or  
2110 Sunday, and the term "bona fide organization that promotes or  
2111 encourages the adoption of greyhounds" means an organization  
2112 that provides evidence of compliance with chapter 496 and  
2113 possesses a valid exemption from federal taxation issued by the  
2114 Internal Revenue Service. Information pamphlets and application  
2115 forms shall be provided to the public upon request.

2116 (b) In addition, The kennel operator or owner shall notify  
2117 the permitholder that a greyhound is available for adoption and

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2118 the permitholder shall provide information concerning the  
2119 adoption of a greyhound in each race program and shall post  
2120 adoption information at conspicuous locations throughout the  
2121 greyhound racing ~~dogracing~~ facility. Any greyhound that is  
2122 participating in a race and that will be available for future  
2123 adoption must be noted in the race program. The permitholder  
2124 shall allow greyhounds to be walked through the track facility  
2125 to publicize the greyhound adoption program.

2126 (2) In addition to the charity days authorized under s.  
2127 550.0351, a greyhound racing permitholder may fund the greyhound  
2128 adoption program by holding a charity racing day designated as  
2129 "Greyhound Adopt-A-Pet Day." All profits derived from the  
2130 operation of the charity day must be placed into a fund used to  
2131 support activities at the racing facility which promote the  
2132 adoption of greyhounds. The division may adopt rules for  
2133 administering the fund. ~~Proceeds from the charity day authorized~~  
2134 ~~in this subsection may not be used as a source of funds for the~~  
2135 ~~purposes set forth in s. 550.1647.~~

2136 (3) (a) Upon a violation of this section by a permitholder  
2137 or licensee, the division may impose a penalty as provided in s.  
2138 550.0251(10) and require the permitholder to take corrective  
2139 action.

2140 (b) A penalty imposed under s. 550.0251(10) does not  
2141 exclude a prosecution for cruelty to animals or for any other  
2142 criminal act.

2143 Section 30. Section 550.1752, Florida Statutes, is created  
2144 to read:

2145 550.1752 Permit reduction program.—

2146 (1) The permit reduction program is created in the Division

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2147 of Pari-mutuel Wagering for the purpose of purchasing and  
2148 cancelling active pari-mutuel permits. The program shall be  
2149 funded from revenue share payments made by the Seminole Tribe of  
2150 Florida under the compact ratified by s. 285.710(3).

2151 (2) The division shall purchase pari-mutuel permits from  
2152 pari-mutuel permitholders when sufficient moneys are available  
2153 for such purchases. A pari-mutuel permitholder may not submit an  
2154 offer to sell a permit unless it is actively conducting pari-  
2155 mutuel racing or jai alai as required by law and satisfies all  
2156 applicable requirements for the permit. The division shall adopt  
2157 by rule the form to be used by a pari-mutuel permitholder for an  
2158 offer to sell a permit and shall establish a schedule for the  
2159 consideration of offers.

2160 (3) The division shall establish the value of a pari-mutuel  
2161 permit based upon the valuation of one or more independent  
2162 appraisers selected by the division. The valuation of a permit  
2163 must be based on the permit's fair market value and may not  
2164 include the value of the real estate or personal property. The  
2165 division may establish a value for the permit that is lower than  
2166 the amount determined by an independent appraiser but may not  
2167 establish a higher value.

2168 (4) The division must accept the offer or offers that best  
2169 utilize available funding; however, the division may also accept  
2170 the offers that it determines are most likely to reduce the  
2171 incidence of gaming in this state. The division may not accept  
2172 an offer to purchase a permit or execute a contract to purchase  
2173 a permit if the sum of the purchase price for the permit under  
2174 the offer or the contract and the total of the purchase prices  
2175 under all previously executed contracts for the purchase of

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2176 permits exceeds \$20 million.

2177 (5) Following the execution of a contract between a  
2178 permitholder and the state for the acquisition of a permit owned  
2179 by a permitholder, and not less than 30 days after the  
2180 authorization of the nonoperating budget authority pursuant to  
2181 s. 216.181(12) required to pay the purchase price for such  
2182 permit, the division shall certify the executed contract to the  
2183 Chief Financial Officer and shall request the distribution to be  
2184 paid from the General Revenue Fund to the permitholder for the  
2185 closing of the purchase. The total of all such distributions for  
2186 all permit purchases may not exceed \$20 million in all fiscal  
2187 years. Immediately after the closing of a purchase, the division  
2188 shall cancel any permit purchased under this section.

2189 (6) This section expires on July 1, 2019, unless reenacted  
2190 by the Legislature.

2191 Section 31. Section 550.1753, Florida Statutes, is created  
2192 to read:

2193 550.1753 Thoroughbred purse and awards supplement program.—

2194 (1) The thoroughbred purse and awards supplement program is  
2195 created in the division for the purpose of maintaining an active  
2196 and viable live thoroughbred racing, owning, and breeding  
2197 industry in this state. The program shall be funded from revenue  
2198 share payments made by the Seminole Tribe of Florida under the  
2199 compact ratified by s. 285.710(3).

2200 (2) Beginning July 1, 2019, after the funds paid by the  
2201 Seminole Tribe of Florida to the state during each state fiscal  
2202 year exceed \$20 million, and not less than 30 days after the  
2203 authorization of the nonoperating budget authority pursuant to  
2204 s. 216.181(12) needed to pay purse and awards supplement funds,

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2205 the division shall certify to the Chief Financial Officer the  
2206 amount of the purse and awards supplement funds to be  
2207 distributed to each eligible thoroughbred racing permitholder  
2208 and to the Florida Thoroughbred Breeders' Association, Inc.,  
2209 pursuant to subsection (3) and shall request the distribution  
2210 from the General Revenue Fund to be paid to each thoroughbred  
2211 racing permitholder and to the Florida Thoroughbred Breeders'  
2212 Association, Inc. The total of all such distributions for all  
2213 thoroughbred racing permitholders may not exceed \$20 million in  
2214 any fiscal year.

2215 (3) (a) Purse and awards supplement funds are intended to  
2216 enhance the purses and awards currently available on  
2217 thoroughbred horse racing in this state. Such funds also may be  
2218 used both to supplement thoroughbred horse racing purses and  
2219 awards and to subsidize the operating costs of and capital  
2220 improvements at permitted thoroughbred horse racing facilities  
2221 eligible for funding under this section, in accordance with an  
2222 agreement with the association representing a majority of the  
2223 thoroughbred horse owners and trainers conducting racing at each  
2224 such thoroughbred horse racing permitholder's facility.

2225 (b) A thoroughbred horse racing permitholder may not  
2226 receive purse and awards supplements under this section unless  
2227 it provides the division with a copy of an agreement between the  
2228 thoroughbred horse racing permitholder and the horsemen's  
2229 association representing the majority of the thoroughbred  
2230 racehorse owners and trainers racing at the thoroughbred horse  
2231 racing permitholder's facility for purses to be paid during its  
2232 upcoming meet. Ninety percent of all purse and awards supplement  
2233 funds must be devoted to purses and ten percent must be devoted

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2234 to breeders', stallion, and special racing awards under this  
2235 chapter.

2236 (c) The division shall apportion the purse and awards  
2237 supplement funds as follows:

2238 1. The first \$10 million shall be allocated to a  
2239 thoroughbred horse racing permitholder that has conducted a full  
2240 schedule of live racing for 15 consecutive years after June 30,  
2241 2000, has never operated at a facility in which slot machines  
2242 are located, and has never held a slot machine license, as long  
2243 as the thoroughbred horse racing permitholder uses the  
2244 allocation for thoroughbred horse racing purses and awards and  
2245 operations at the thoroughbred horse racing permitholder's  
2246 facility, with at least 50 percent of such funds allocated to  
2247 thoroughbred horse racing purses. If more than one thoroughbred  
2248 horse racing permitholder is eligible to participate in this  
2249 allocation, the funds shall be allocated on a pro rata basis  
2250 based on the number of live race days to be conducted by those  
2251 eligible thoroughbred horse racing permitholders pursuant to  
2252 their annual racing licenses.

2253 2. The balance of the funds shall be allocated on a pro  
2254 rata basis based on the number of live race days to be conducted  
2255 by thoroughbred horse racing permitholders pursuant to their  
2256 annual racing licenses.

2257 3. If a thoroughbred horse racing permitholder fails to  
2258 conduct a live race day, the permitholder must return the unused  
2259 purse and awards supplement funds allocated for that day, and  
2260 the division shall reapportion the allocation of purse and  
2261 awards supplement funds to the remaining race days to be  
2262 conducted by that thoroughbred horse racing permitholder.

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2263 (d)1. In the event a limited thoroughbred racing  
2264 permitholder receives a license as a result of the conditions  
2265 set forth in s. 550.01215(7), it shall be allocated in its first  
2266 year of licensure a pro rata share as if it were licensed for an  
2267 additional 50 percent of its licensed racing days and may apply  
2268 in the next 2 state fiscal years for racing days and receive  
2269 funding under this section at the additional 50 percent rate  
2270 described in subparagraph (c)2. Funding under this paragraph is  
2271 conditioned upon the limited thoroughbred racing permitholder  
2272 applying for no more performances than are necessary to make up  
2273 the deficiency in the racing levels set forth in s.  
2274 550.01215(7), with funding in the following 2 years conditioned  
2275 upon applying for no more than this same number of performances  
2276 or the number of performances necessary to make up the  
2277 deficiency in the racing levels specified above at that point,  
2278 whichever is greater.

2279 2. After three years of funding at the rate set forth in  
2280 this paragraph, the limited thoroughbred permitholder shall be  
2281 treated as other thoroughbred permitholders applying for funding  
2282 under this section.

2283 3. Notwithstanding paragraph (a), funds received under this  
2284 paragraph may be used both to supplement purses and to subsidize  
2285 operating costs and capital improvements for the pari-mutuel  
2286 facility.

2287 (e) The division shall distribute 10 percent of all purse  
2288 and awards supplement funds to the Florida Thoroughbred  
2289 Breeders' Association, Inc., for the payment of breeders',  
2290 stallion, and special racing awards, subject to s. 550.2625(3).  
2291 Supplement funds received by the association may be returned at

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2292 its discretion to thoroughbred horse racing permitholders for  
2293 special racing awards to be distributed by the permitholders to  
2294 owners of thoroughbred horses participating in prescribed  
2295 thoroughbred stakes races, nonstakes races, or both, all in  
2296 accordance with a written agreement establishing the rate,  
2297 procedure, and eligibility requirements for such awards for the  
2298 upcoming state fiscal year, entered into by the permitholder and  
2299 the Florida Thoroughbred Breeders' Association, Inc., on or  
2300 before June 30 of each year.

2301 (f) The division shall adopt by rule the form to be used by  
2302 a permitholder for applying for to receive purse and awards  
2303 supplement funds.

2304 (4) The division may adopt rules necessary to implement  
2305 this section.

2306 (5) This section expires June 30, 2036.

2307 Section 32. Subsections (4) and (5) and paragraphs (a) and  
2308 (c) of subsection (7) of section 550.2415, Florida Statutes, are  
2309 amended to read:

2310 550.2415 Racing of animals under certain conditions  
2311 prohibited; penalties; exceptions.—

2312 (4) A prosecution pursuant to this section for a violation  
2313 of this section must begin within 90 days after the violation  
2314 was committed. Filing Service of an administrative complaint by  
2315 the division or a notice of violation by the stewards marks the  
2316 commencement of administrative action.

2317 (5) The division shall adopt rules related to the testing  
2318 of racing animals which must include chain of custody procedures  
2319 and ~~implement~~ a split sample ~~split-sample~~ procedure for testing  
2320 animals under this section. The split sample procedure shall



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2321 require drawing of at least two samples the first of which shall  
2322 be tested by the state's testing laboratory and the second of  
2323 which shall be retained in a separate secure location for  
2324 testing at a later date in accordance with rules adopted by the  
2325 division. The division shall only authorize testing by  
2326 laboratories accredited by the Racing Medication and Testing  
2327 Consortium.

2328 (a) The division shall notify the owner or trainer, the  
2329 stewards, and the appropriate horsemen's association of all drug  
2330 test results. If a drug test result is positive, and upon  
2331 request by the affected trainer or owner of the animal from  
2332 which the sample was obtained, the division shall send the split  
2333 sample to an approved independent laboratory for analysis. The  
2334 division shall establish standards and rules for uniform  
2335 enforcement and shall maintain a list of at least five approved  
2336 independent laboratories for an owner or trainer to select from  
2337 if a drug test result is positive.

2338 (b) If the division laboratory's findings are not confirmed  
2339 by the independent laboratory, no further administrative or  
2340 disciplinary action under this section may be pursued.

2341 (c) If the independent laboratory confirms the division  
2342 laboratory's positive result, the division may commence  
2343 administrative proceedings as prescribed in this chapter and  
2344 consistent with chapter 120. For purposes of this subsection,  
2345 the department shall in good faith attempt to obtain a  
2346 sufficient quantity of the test fluid to allow both a primary  
2347 test and a secondary test to be made.

2348 (d) For the testing of a racing greyhound, if there is an  
2349 insufficient quantity of the secondary (split) sample for

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2350 confirmation of the division laboratory's positive result, the  
2351 division may commence administrative proceedings as prescribed  
2352 in this chapter and consistent with chapter 120.

2353 (e) For the testing of a racehorse, if there is an  
2354 insufficient quantity of the secondary (split) sample for  
2355 confirmation of the division laboratory's positive result, the  
2356 division may not take further action on the matter against the  
2357 owner or trainer, and any resulting license suspension must be  
2358 immediately lifted.

2359 (f) The division shall require its laboratory and the  
2360 independent laboratories to annually participate in an  
2361 externally administered quality assurance program designed to  
2362 assess testing proficiency in the detection and appropriate  
2363 quantification of medications, drugs, and naturally occurring  
2364 substances that may be administered to racing animals. The  
2365 administrator of the quality assurance program shall report its  
2366 results and findings to the division and the Department of  
2367 Agriculture and Consumer Services.

2368 (7) (a) In order to protect the safety and welfare of racing  
2369 animals and the integrity of the races in which the animals  
2370 participate, the division shall adopt rules establishing the  
2371 conditions of use and maximum concentrations of medications,  
2372 drugs, and naturally occurring substances identified in the  
2373 Controlled Therapeutic Medication Schedule, Version 2.1, revised  
2374 April 17, 2014, adopted by the Association of Racing  
2375 Commissioners International, Inc. Controlled therapeutic  
2376 medications include only the specific medications and  
2377 concentrations allowed in biological samples which have been  
2378 approved by the Association of Racing Commissioners

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2379 International, Inc., as controlled therapeutic medications.

2380 (c) The division rules must include a classification and  
2381 penalty system for the use of drugs, medications, and other  
2382 foreign substances which incorporates the Uniform Classification  
2383 Guidelines for Foreign Substances, Recommended Penalty  
2384 Guidelines, and the Multiple Medication Violation Penalty System  
2385 adopted and a ~~corresponding penalty schedule for violations~~  
2386 ~~which incorporates the Uniform Classification Guidelines for~~  
2387 ~~Foreign Substances, Version 8.0, revised December 2014,~~ by the  
2388 Association of Racing Commissioners International, Inc. The  
2389 division shall adopt laboratory screening limits approved by the  
2390 Association of Racing Commissioners International, Inc., for  
2391 drugs and medications that are not included as controlled  
2392 therapeutic medications, the presence of which in a sample may  
2393 result in a violation of this section.

2394 Section 33. Section 550.2416, Florida Statutes, is created  
2395 to read:

2396 550.2416 Reporting of racing greyhound injuries.—

2397 (1) An injury to a racing greyhound which occurs while the  
2398 greyhound is located in this state must be reported on a form  
2399 adopted by the division within 7 days after the date on which  
2400 the injury occurred or is believed to have occurred. The  
2401 division may adopt rules defining the term "injury."

2402 (2) The form shall be completed and signed under oath or  
2403 affirmation by the:

2404 (a) Racetrack veterinarian or director of racing, if the  
2405 injury occurred at the racetrack facility; or

2406 (b) Owner, trainer, or kennel operator who had knowledge of  
2407 the injury, if the injury occurred at a location other than the

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2408 racetrack facility, including during transportation.

2409 (3) The division may fine, suspend, or revoke the license  
2410 of any individual who knowingly violates this section.

2411 (4) The form must include the following:

2412 (a) The greyhound's registered name, right-ear and left-ear  
2413 tattoo numbers, and, if any, the microchip manufacturer and  
2414 number.

2415 (b) The name, business address, and telephone number of the  
2416 greyhound owner, the trainer, and the kennel operator.

2417 (c) The color, weight, and sex of the greyhound.

2418 (d) The specific type and bodily location of the injury,  
2419 the cause of the injury, and the estimated recovery time from  
2420 the injury.

2421 (e) If the injury occurred when the greyhound was racing:

2422 1. The racetrack where the injury occurred;  
2423 2. The distance, grade, race, and post position of the  
2424 greyhound when the injury occurred; and

2425 3. The weather conditions, time, and track conditions when  
2426 the injury occurred.

2427 (f) If the injury occurred when the greyhound was not  
2428 racing:

2429 1. The location where the injury occurred, including, but  
2430 not limited to, a kennel, a training facility, or a  
2431 transportation vehicle; and

2432 2. The circumstances surrounding the injury.

2433 (g) Other information that the division determines is  
2434 necessary to identify injuries to racing greyhounds in this  
2435 state.

2436 (5) An injury form created pursuant to this section must be

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2437 maintained as a public record by the division for at least 7  
2438 years after the date it was received.

2439 (6) A licensee of the department who knowingly makes a  
2440 false statement concerning an injury or fails to report an  
2441 injury is subject to disciplinary action under this chapter or  
2442 chapters 455 and 474.

2443 (7) This section does not apply to injuries to a service  
2444 animal, personal pet, or greyhound that has been adopted as a  
2445 pet.

2446 (8) The division shall adopt rules to implement this  
2447 section.

2448 Section 34. Subsection (1) of section 550.26165, Florida  
2449 Statutes, is amended to read:

2450 550.26165 Breeders' awards.—

2451 (1) The purpose of this section is to encourage the  
2452 agricultural activity of breeding and training racehorses in  
2453 this state. Moneys dedicated in this chapter for use as  
2454 breeders' awards and stallion awards are to be used for awards  
2455 to breeders of registered Florida-bred horses winning horseraces  
2456 and for similar awards to the owners of stallions who sired  
2457 Florida-bred horses winning stakes races, if the stallions are  
2458 registered as Florida stallions standing in this state. Such  
2459 awards shall be given at a uniform rate to all winners of the  
2460 awards, may ~~shall~~ not be greater than 20 percent of the  
2461 announced gross purse, and may ~~shall~~ not be less than 15 percent  
2462 of the announced gross purse if funds are available. In  
2463 addition, at least ~~no less than~~ 17 percent, but not ~~not~~ more  
2464 than 40 percent, as determined by the Florida Thoroughbred  
2465 Breeders' Association, of the moneys dedicated in this chapter

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2466 for use as breeders' awards and stallion awards for  
2467 thoroughbreds shall be returned pro rata to the permitholders  
2468 that generated the moneys for special racing awards to be  
2469 distributed by the permitholders to owners of thoroughbred  
2470 horses participating in prescribed thoroughbred stakes races,  
2471 nonstakes races, or both, all in accordance with a written  
2472 agreement establishing the rate, procedure, and eligibility  
2473 requirements for such awards entered into by the permitholder,  
2474 the Florida Thoroughbred Breeders' Association, and the Florida  
2475 Horsemen's Benevolent and Protective Association, Inc., except  
2476 that the plan for the distribution by any permitholder located  
2477 in the area described in s. 550.615(7) ~~s. 550.615(9)~~ shall be  
2478 agreed upon by that permitholder, the Florida Thoroughbred  
2479 Breeders' Association, and the association representing a  
2480 majority of the thoroughbred racehorse owners and trainers at  
2481 that location. Awards for thoroughbred races are to be paid  
2482 through the Florida Thoroughbred Breeders' Association, and  
2483 awards for standardbred races are to be paid through the Florida  
2484 Standardbred Breeders and Owners Association. Among other  
2485 sources specified in this chapter, moneys for thoroughbred  
2486 breeders' awards will come from the 0.955 percent of handle for  
2487 thoroughbred races conducted, received, broadcast, or simulcast  
2488 under this chapter as provided in s. 550.2625(3). The moneys for  
2489 quarter horse and harness breeders' awards will come from the  
2490 breaks and uncashed tickets on live quarter horse and harness  
2491 horse racing performances and 1 percent of handle on intertrack  
2492 wagering. The funds for these breeders' awards shall be paid to  
2493 the respective breeders' associations by the permitholders  
2494 conducting the races.

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2495 Section 35. Section 550.3345, Florida Statutes, is amended  
2496 to read:

2497 550.3345 ~~Conversion of quarter horse permit to a~~ Limited  
2498 thoroughbred racing permit.-

2499 (1) In recognition of the important and long-standing  
2500 economic contribution of the thoroughbred horse breeding  
2501 industry to this state and the state's vested interest in  
2502 promoting the continued viability of this agricultural activity,  
2503 the state intends to provide a limited opportunity for the  
2504 conduct of live thoroughbred horse racing with the net revenues  
2505 from such racing dedicated to the enhancement of thoroughbred  
2506 purses and breeders', stallion, and special racing awards under  
2507 this chapter; the general promotion of the thoroughbred horse  
2508 breeding industry; and the care in this state of thoroughbred  
2509 horses retired from racing.

2510 (2) A limited thoroughbred racing permit previously  
2511 converted from ~~Notwithstanding any other provision of law, the~~  
2512 ~~holder of a quarter horse racing permit pursuant to chapter~~  
2513 2010-29, Laws of Florida, issued under s. 550.334 may only be  
2514 held by, ~~within 1 year after the effective date of this section,~~  
2515 ~~apply to the division for a transfer of the quarter horse racing~~  
2516 ~~permit to~~ a not-for-profit corporation formed under state law to  
2517 serve the purposes of the state as provided in subsection (1).  
2518 The board of directors of the not-for-profit corporation must be  
2519 composed ~~comprised~~ of 11 members, 4 of whom shall be designated  
2520 by the applicant, 4 of whom shall be designated by the Florida  
2521 Thoroughbred Breeders' Association, and 3 of whom shall be  
2522 designated by the other 8 directors, with at least 1 of these 3  
2523 members being an authorized representative of another

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2524 thoroughbred racing permitholder in this state. A limited  
2525 thoroughbred racing ~~The not-for-profit corporation shall submit~~  
2526 ~~an application to the division for review and approval of the~~  
2527 ~~transfer in accordance with s. 550.054. Upon approval of the~~  
2528 ~~transfer by the division, and notwithstanding any other~~  
2529 ~~provision of law to the contrary, the not-for-profit corporation~~  
2530 ~~may, within 1 year after its receipt of the permit, request that~~  
2531 ~~the division convert the quarter horse racing permit to a permit~~  
2532 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~  
2533 ~~thoroughbred racing. Neither the transfer of the quarter horse~~  
2534 ~~racing permit nor its conversion to a limited thoroughbred~~  
2535 ~~permit shall be subject to the mileage limitation or the~~  
2536 ~~ratification election as set forth under s. 550.054(2) or s.~~  
2537 ~~550.0651. Upon receipt of the request for such conversion, the~~  
2538 ~~division shall timely issue a converted permit. The converted~~  
2539 ~~permit and the not-for-profit corporation are ~~shall be~~ subject~~  
2540 ~~to the following requirements:~~

2541 (a) All net revenues derived by the not-for-profit  
2542 corporation under the thoroughbred ~~horse~~ racing permit, after  
2543 the funding of operating expenses and capital improvements,  
2544 shall be dedicated to the enhancement of thoroughbred purses and  
2545 breeders', stallion, and special racing awards under this  
2546 chapter; the general promotion of the thoroughbred horse  
2547 breeding industry; and the care in this state of thoroughbred  
2548 horses retired from racing.

2549 (b) From December 1 through April 30, ~~no~~ live thoroughbred  
2550 racing may not be conducted under the permit on any day during  
2551 which another thoroughbred racing permitholder is conducting  
2552 live thoroughbred racing within 125 air miles of the not-for-



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2553 profit corporation's pari-mutuel facility unless the other  
2554 thoroughbred racing permitholder gives its written consent.

2555 (c) After ~~the conversion of the quarter horse racing permit~~  
2556 ~~and~~ the issuance of its initial license to conduct pari-mutuel  
2557 wagering meets of thoroughbred racing, the not-for-profit  
2558 corporation shall annually apply to the division for a license  
2559 pursuant to s. 550.01215(7) ~~s. 550.5251~~.

2560 (d) Racing under the permit may take place ~~only~~ at the  
2561 location for which the original quarter horse racing permit was  
2562 issued, which may be leased, notwithstanding s. 550.475, by the  
2563 not-for-profit corporation for that purpose; however, the not-  
2564 for-profit corporation may, without the conduct of any  
2565 ratification election pursuant to ~~s. 550.054(13)~~ or s. 550.0651,  
2566 move the location of the permit to another location in the same  
2567 county or counties, if a permit is situated in such a manner  
2568 that it is located in more than one county, provided that such  
2569 relocation is approved under the zoning and land use regulations  
2570 of the applicable county or municipality.

2571 (e) A limited thoroughbred racing ~~no~~ permit may not be  
2572 transferred ~~converted under this section is eligible for~~  
2573 ~~transfer~~ to another person or entity.

2574 (3) Unless otherwise provided in this section, ~~after~~  
2575 ~~conversion~~, the permit and the not-for-profit corporation shall  
2576 be treated under the laws of this state as a thoroughbred racing  
2577 permit and as a thoroughbred racing permitholder, respectively,  
2578 with the exception of ss. 550.054(9)(c) and (d) and ~~s.~~  
2579 550.09515(3).

2580 (4) Notwithstanding any other law, the holder of a limited  
2581 thoroughbred racing permit under this section which is not

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2582 licensed to conduct a full schedule of live racing may, at any  
2583 time, apply for and be issued an operating license under this  
2584 chapter to receive broadcasts of horseraces and conduct  
2585 intertrack wagering on such races as a guest track.

2586 Section 36. Subsection (6) of section 550.3551, Florida  
2587 Statutes, is amended to read:

2588 550.3551 Transmission of racing and jai alai information;  
2589 commingling of pari-mutuel pools.-

2590 (6) (a) ~~A maximum of 20 percent of the total number of races~~  
2591 ~~on which wagers are accepted by a greyhound permitholder not~~  
2592 ~~located as specified in s. 550.615(6) may be received from~~  
2593 ~~locations outside this state.~~ A permitholder may not conduct  
2594 fewer than eight live races or games on any authorized race day  
2595 except as provided in this subsection. A thoroughbred racing  
2596 permitholder may not conduct fewer than eight live races on any  
2597 race day without the written approval of the Florida  
2598 Thoroughbred Breeders' Association and the Florida Horsemen's  
2599 Benevolent and Protective Association, Inc., unless it is  
2600 determined by the department that another entity represents a  
2601 majority of the thoroughbred racehorse owners and trainers in  
2602 the state. A harness horse racing permitholder may conduct fewer  
2603 than eight live races on any authorized race day, except that  
2604 such permitholder must conduct a full schedule of live racing  
2605 during its race meet consisting of at least eight live races per  
2606 authorized race day for at least 100 days. ~~Any harness horse~~  
2607 ~~permitholder that during the preceding racing season conducted a~~  
2608 ~~full schedule of live racing may, at any time during its current~~  
2609 ~~race meet, receive full-card broadcasts of harness horse races~~  
2610 ~~conducted at harness racetracks outside this state at the~~

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2611 ~~harness track of the permitholder and accept wagers on such~~  
2612 ~~harness races.~~ With specific authorization from the division for  
2613 special racing events, a permitholder may conduct fewer than  
2614 eight live races or games when the permitholder also broadcasts  
2615 out-of-state races or games. The division may not grant more  
2616 than two such exceptions a year for a permitholder in any 12-  
2617 month period, and those two exceptions may not be consecutive.

2618 (b) Notwithstanding any other provision of this chapter,  
2619 any harness horse racing permitholder accepting broadcasts of  
2620 out-of-state harness horse races when such permitholder is not  
2621 conducting live races must make the out-of-state signal  
2622 available to all permitholders eligible to conduct intertrack  
2623 wagering and shall pay to guest tracks located as specified in  
2624 ~~ss. 550.615(6) and s.~~ 550.6305(9) (d) 50 percent of the net  
2625 proceeds after taxes and fees to the out-of-state host track on  
2626 harness horse race wagers which they accept. A harness horse  
2627 racing permitholder shall be required to pay into its purse  
2628 account 50 percent of the net income retained by the  
2629 permitholder on account of wagering on the out-of-state  
2630 broadcasts received pursuant to this subsection. Nine-tenths of  
2631 a percent of all harness horse race wagering proceeds on the  
2632 broadcasts received pursuant to this subsection shall be paid to  
2633 the Florida Standardbred Breeders and Owners Association under  
2634 the provisions of s. 550.2625(4) for the purposes provided  
2635 therein.

2636 Section 37. Section 550.475, Florida Statutes, is amended  
2637 to read:

2638 550.475 Lease of pari-mutuel facilities by pari-mutuel  
2639 permitholders.—Holders of valid pari-mutuel permits for the

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2640 conduct of any jai alai games, dogracing, or thoroughbred and  
2641 standardbred horse racing in this state are entitled to lease  
2642 any and all of their facilities to any other holder of a same  
2643 class, valid pari-mutuel permit for jai alai games, dogracing,  
2644 or thoroughbred or standardbred horse racing, when they are  
2645 located within a 35-mile radius of each other, and such lessee  
2646 is entitled to a permit and license to operate its race meet or  
2647 jai alai games at the leased premises. A permitholder may not  
2648 lease facilities from a pari-mutuel permitholder that is not  
2649 conducting a full schedule of live racing.

2650 Section 38. Section 550.5251, Florida Statutes, is amended  
2651 to read:

2652 550.5251 Florida thoroughbred racing; certain permits;  
2653 operating days.—

2654 ~~(1) Each thoroughbred permitholder shall annually, during~~  
2655 ~~the period commencing December 15 of each year and ending~~  
2656 ~~January 4 of the following year, file in writing with the~~  
2657 ~~division its application to conduct one or more thoroughbred~~  
2658 ~~racing meetings during the thoroughbred racing season commencing~~  
2659 ~~on the following July 1. Each application shall specify the~~  
2660 ~~number and dates of all performances that the permitholder~~  
2661 ~~intends to conduct during that thoroughbred racing season. On or~~  
2662 ~~before March 15 of each year, the division shall issue a license~~  
2663 ~~authorizing each permitholder to conduct performances on the~~  
2664 ~~dates specified in its application. Up to February 28 of each~~  
2665 ~~year, each permitholder may request and shall be granted changes~~  
2666 ~~in its authorized performances; but thereafter, as a condition~~  
2667 ~~precedent to the validity of its license and its right to retain~~  
2668 ~~its permit, each permitholder must operate the full number of~~

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2669 ~~days authorized on each of the dates set forth in its license.~~

2670 ~~(2) A thoroughbred racing permitholder may not begin any~~  
2671 ~~race later than 7 p.m. Any thoroughbred permitholder in a county~~  
2672 ~~in which the authority for cardrooms has been approved by the~~  
2673 ~~board of county commissioners may operate a cardroom and, when~~  
2674 ~~conducting live races during its current race meet, may receive~~  
2675 ~~and rebroadcast out-of-state races after the hour of 7 p.m. on~~  
2676 ~~any day during which the permitholder conducts live races.~~

2677 ~~(1)(3)(a)~~ Each licensed thoroughbred permitholder in this  
2678 state must run an average of one race per racing day in which  
2679 horses bred in this state and duly registered with the Florida  
2680 Thoroughbred Breeders' Association have preference as entries  
2681 over non-Florida-bred horses, unless otherwise agreed to in  
2682 writing by the permitholder, the Florida Thoroughbred Breeders'  
2683 Association, and the association representing a majority of the  
2684 thoroughbred racehorse owners and trainers at that location. All  
2685 licensed thoroughbred racetracks shall write the conditions for  
2686 such races in which Florida-bred horses are preferred so as to  
2687 assure that all Florida-bred horses available for racing at such  
2688 tracks are given full opportunity to run in the class of races  
2689 for which they are qualified. The opportunity of running must be  
2690 afforded to each class of horses in the proportion that the  
2691 number of horses in this class bears to the total number of  
2692 Florida-bred horses available. A track is not required to write  
2693 conditions for a race to accommodate a class of horses for which  
2694 a race would otherwise not be run at the track during its meet.

2695 ~~(2)(b)~~ Each licensed thoroughbred permitholder in this  
2696 state may run one additional race per racing day composed  
2697 exclusively of Arabian horses registered with the Arabian Horse

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2698 Registry of America. Any licensed thoroughbred permitholder that  
2699 elects to run one additional race per racing day composed  
2700 exclusively of Arabian horses registered with the Arabian Horse  
2701 Registry of America is not required to provide stables for the  
2702 Arabian horses racing under this subsection ~~paragraph~~.

2703 (3) ~~(e)~~ Each licensed thoroughbred permitholder in this  
2704 state may run up to three additional races per racing day  
2705 composed exclusively of quarter horses registered with the  
2706 American Quarter Horse Association.

2707 Section 39. Subsections (2), (4), (6), and (7) of section  
2708 550.615, Florida Statutes, are amended, present subsections (8),  
2709 (9), and (10) of that section are redesignated as subsections  
2710 (6), (7), and (8), respectively, present subsection (9) of that  
2711 section is amended, and a new subsection (9) is added to that  
2712 section, to read:

2713 550.615 Intertrack wagering.—

2714 (2) A ~~Any~~ track or fronton licensed under this chapter  
2715 which has conducted a full schedule of live racing or games for  
2716 at least 5 consecutive calendar years since 2010 ~~in the~~  
2717 ~~preceding year conducted a full schedule of live racing~~ is  
2718 qualified to, at any time, receive broadcasts of any class of  
2719 pari-mutuel race or game and accept wagers on such races or  
2720 games conducted by any class of permitholders licensed under  
2721 this chapter.

2722 (4) An ~~In no event shall any~~ intertrack wager may not be  
2723 accepted on the same class of live races or games of any  
2724 permitholder without the written consent of such operating  
2725 permitholders conducting the same class of live races or games  
2726 if the guest track is within the market area of such operating

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2727 permitholder. A greyhound racing permitholder licensed under  
2728 this chapter which accepts intertrack wagers on live greyhound  
2729 signals is not required to obtain the written consent required  
2730 by this subsection from any operating greyhound racing  
2731 permitholder within its market area.

2732 ~~(6) Notwithstanding the provisions of subsection (3), in~~  
2733 ~~any area of the state where there are three or more horserace~~  
2734 ~~permitholders within 25 miles of each other, intertrack wagering~~  
2735 ~~between permitholders in said area of the state shall only be~~  
2736 ~~authorized under the following conditions: Any permitholder,~~  
2737 ~~other than a thoroughbred permitholder, may accept intertrack~~  
2738 ~~wagers on races or games conducted live by a permitholder of the~~  
2739 ~~same class or any harness permitholder located within such area~~  
2740 ~~and any harness permitholder may accept wagers on games~~  
2741 ~~conducted live by any jai alai permitholder located within its~~  
2742 ~~market area and from a jai alai permitholder located within the~~  
2743 ~~area specified in this subsection when no jai alai permitholder~~  
2744 ~~located within its market area is conducting live jai alai~~  
2745 ~~performances; any greyhound or jai alai permitholder may receive~~  
2746 ~~broadcasts of and accept wagers on any permitholder of the other~~  
2747 ~~class provided that a permitholder, other than the host track,~~  
2748 ~~of such other class is not operating a contemporaneous live~~  
2749 ~~performance within the market area.~~

2750 ~~(7) In any county of the state where there are only two~~  
2751 ~~permits, one for dogracing and one for jai alai, no intertrack~~  
2752 ~~wager may be taken during the period of time when a permitholder~~  
2753 ~~is not licensed to conduct live races or games without the~~  
2754 ~~written consent of the other permitholder that is conducting~~  
2755 ~~live races or games. However, if neither permitholder is~~

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2756 ~~conducting live races or games, either permitholder may accept~~  
2757 ~~intertrack wagers on horseraces or on the same class of races or~~  
2758 ~~games, or on both horseraces and the same class of races or~~  
2759 ~~games as is authorized by its permit.~~

2760 (7)~~(9)~~ In any two contiguous counties of the state in which  
2761 there are located only four active permits, one for thoroughbred  
2762 horse racing, two for greyhound racing ~~dogracing~~, and one for  
2763 jai alai games, an ~~no~~ intertrack wager may not be accepted on  
2764 the same class of live races or games of any permitholder  
2765 without the written consent of such operating permitholders  
2766 conducting the same class of live races or games if the guest  
2767 track is within the market area of such operating permitholder.

2768 (9) A greyhound racing permitholder that is eligible to  
2769 receive broadcasts pursuant to subsection (2) and is operating  
2770 pursuant to a current year operating license that specifies that  
2771 no live performances will be conducted may accept wagers on live  
2772 races conducted at out-of-state greyhound tracks only on the  
2773 days when the permitholder receives all live races that any  
2774 greyhound host track in this state makes available.

2775 Section 40. Subsections (1), (4), and (5) of section  
2776 550.6308, Florida Statutes, are amended to read:

2777 550.6308 Limited intertrack wagering license.—In  
2778 recognition of the economic importance of the thoroughbred  
2779 breeding industry to this state, its positive impact on tourism,  
2780 and of the importance of a permanent thoroughbred sales facility  
2781 as a key focal point for the activities of the industry, a  
2782 limited license to conduct intertrack wagering is established to  
2783 ensure the continued viability and public interest in  
2784 thoroughbred breeding in Florida.



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2785 (1) Upon application to the division on or before January  
2786 31 of each year, any person that is licensed to conduct public  
2787 sales of thoroughbred horses pursuant to s. 535.01 and, that has  
2788 conducted at least 8 ~~15~~ days of thoroughbred horse sales at a  
2789 permanent sales facility in this state for at least 3  
2790 consecutive years, ~~and that has conducted at least 1 day of~~  
2791 ~~nonwagering thoroughbred racing in this state, with a purse~~  
2792 ~~structure of at least \$250,000 per year for 2 consecutive years~~  
2793 before such application, shall be issued a license, subject to  
2794 the conditions set forth in this section, to conduct intertrack  
2795 wagering at such a permanent sales facility ~~during the following~~  
2796 ~~periods:~~

2797 ~~(a) Up to 21 days in connection with thoroughbred sales;~~

2798 ~~(b) Between November 1 and May 8;~~

2799 ~~(c) Between May 9 and October 31 at such times and on such~~  
2800 ~~days as any thoroughbred, jai alai, or a greyhound permitholder~~  
2801 ~~in the same county is not conducting live performances; provided~~  
2802 ~~that any such permitholder may waive this requirement, in whole~~  
2803 ~~or in part, and allow the licensee under this section to conduct~~  
2804 ~~intertrack wagering during one or more of the permitholder's~~  
2805 ~~live performances; and~~

2806 ~~(d) During the weekend of the Kentucky Derby, the~~  
2807 ~~Preakness, the Belmont, and a Breeders' Cup Meet that is~~  
2808 ~~conducted before November 1 and after May 8.~~

2809  
2810 Only ~~No more than~~ one such license may be issued, and no such  
2811 license may be issued for a facility located within 50 miles of  
2812 any for-profit thoroughbred permitholder's track.

2813 ~~(4) Intertrack wagering under this section may be conducted~~

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2814 ~~only on thoroughbred horse racing, except that intertrack~~  
2815 ~~wagering may be conducted on any class of pari-mutuel race or~~  
2816 ~~game conducted by any class of permitholders licensed under this~~  
2817 ~~chapter if all thoroughbred, jai alai, and greyhound~~  
2818 ~~permitholders in the same county as the licensee under this~~  
2819 ~~section give their consent.~~

2820 ~~(4)-(5) The licensee shall be considered a guest track under~~  
2821 ~~this chapter. The licensee shall pay 2.5 percent of the total~~  
2822 ~~contributions to the daily pari-mutuel pool on wagers accepted~~  
2823 ~~at the licensee's facility on greyhound races or jai alai games~~  
2824 ~~to the thoroughbred permitholder that is conducting live races~~  
2825 ~~for purses to be paid during its current racing meet. If more~~  
2826 ~~than one thoroughbred permitholder is conducting live races on a~~  
2827 ~~day during which the licensee is conducting intertrack wagering~~  
2828 ~~on greyhound races or jai alai games, the licensee shall~~  
2829 ~~allocate these funds between the operating thoroughbred~~  
2830 ~~permitholders on a pro rata basis based on the total live handle~~  
2831 ~~at the operating permitholders' facilities.~~

2832 Section 41. Section 551.101, Florida Statutes, is amended  
2833 to read:

2834 551.101 Slot machine gaming authorized.—A Any licensed  
2835 eligible pari-mutuel facility located in Miami-Dade County or  
2836 Broward County existing at the time of adoption of s. 23, Art. X  
2837 of the State Constitution that has conducted live racing or  
2838 games during calendar years 2002 and 2003 may possess slot  
2839 machines and conduct slot machine gaming at the location where  
2840 the pari-mutuel permitholder is authorized to conduct pari-  
2841 mutuel wagering activities pursuant to such permitholder's valid  
2842 pari-mutuel permit or at the location where a licensee is

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2843 authorized to conduct slot machine gaming pursuant to s.  
2844 551.1043 ~~provided that a majority of voters in a countywide~~  
2845 ~~referendum have approved slot machines at such facility in the~~  
2846 ~~respective county.~~ Notwithstanding any other ~~provision of law,~~  
2847 it is not a crime for a person to participate in slot machine  
2848 gaming at a pari-mutuel facility licensed to possess slot  
2849 machines and conduct slot machine gaming or to participate in  
2850 slot machine gaming described in this chapter.

2851 Section 42. Subsections (4), (10), and (11) of section  
2852 551.102, Florida Statutes, are amended to read:

2853 551.102 Definitions.—As used in this chapter, the term:

2854 (4) "Eligible facility" means any licensed pari-mutuel  
2855 facility or any facility authorized to conduct slot machine  
2856 gaming pursuant to s. 551.1043, which meets the requirements of  
2857 s. 551.104(2) located in Miami Dade County or Broward County  
2858 ~~existing at the time of adoption of s. 23, Art. X of the State~~  
2859 ~~Constitution that has conducted live racing or games during~~  
2860 ~~calendar years 2002 and 2003 and has been approved by a majority~~  
2861 ~~of voters in a countywide referendum to have slot machines at~~  
2862 ~~such facility in the respective county; any licensed pari-mutuel~~  
2863 ~~facility located within a county as defined in s. 125.011,~~  
2864 ~~provided such facility has conducted live racing for 2~~  
2865 ~~consecutive calendar years immediately preceding its application~~  
2866 ~~for a slot machine license, pays the required license fee, and~~  
2867 ~~meets the other requirements of this chapter; or any licensed~~  
2868 ~~pari-mutuel facility in any other county in which a majority of~~  
2869 ~~voters have approved slot machines at such facilities in a~~  
2870 ~~countywide referendum held pursuant to a statutory or~~  
2871 ~~constitutional authorization after the effective date of this~~

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2872 ~~section in the respective county, provided such facility has~~  
2873 ~~conducted a full schedule of live racing for 2 consecutive~~  
2874 ~~calendar years immediately preceding its application for a slot~~  
2875 ~~machine license, pays the required licensed fee, and meets the~~  
2876 ~~other requirements of this chapter.~~

2877 (10) "Slot machine license" means a license issued by the  
2878 division authorizing a pari-mutuel permitholder or a licensee  
2879 authorized pursuant to s. 551.1043 to place and operate slot  
2880 machines as provided in ~~by~~ s. 23, Art. X of the State  
2881 Constitution, ~~the provisions of this chapter,~~ and by division  
2882 rule rules.

2883 (11) "Slot machine licensee" means a pari-mutuel  
2884 permitholder or a licensee authorized pursuant to s. 551.1043  
2885 which ~~who~~ holds a license issued by the division pursuant to  
2886 this chapter which ~~that~~ authorizes such person to possess a slot  
2887 machine ~~within facilities specified in s. 23, Art. X of the~~  
2888 ~~State Constitution~~ and allows slot machine gaming.

2889 Section 43. Subsections (1) and (2), paragraph (c) of  
2890 subsection (4), and paragraphs (a) and (c) of subsection (10) of  
2891 section 551.104, Florida Statutes, are amended to read:

2892 551.104 License to conduct slot machine gaming.-

2893 (1) Upon application, ~~and~~ a finding by the division, and after  
2894 investigation, and that the application is complete and that the  
2895 applicant is qualified, and payment of the initial license fee,  
2896 the division may issue a license to conduct slot machine gaming  
2897 in the designated slot machine gaming area of the eligible  
2898 facility. Once licensed, slot machine gaming may be conducted  
2899 subject to ~~the requirements of~~ this chapter and rules adopted  
2900 pursuant thereto. The division may not issue a slot machine

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2901 license to any pari-mutuel permitholder that includes, or  
2902 previously included within its ownership group, an ultimate  
2903 equitable owner that was also an ultimate equitable owner of a  
2904 pari-mutuel permitholder whose permit was voluntarily or  
2905 involuntarily surrendered, suspended, or revoked by the division  
2906 within 10 years before the date of permitholder's filing of an  
2907 application for a slot machine license.

2908 (2) An application may be approved by the division only if:

2909 (a) The facility at which the applicant seeks to operate  
2910 slot machines is:

2911 1. A licensed pari-mutuel facility located in Miami-Dade  
2912 County or Broward County existing at the time of adoption of s.  
2913 23, Art. X of the State Constitution which conducted live racing  
2914 or games during calendar years 2002 and 2003, if such  
2915 permitholder pays the required license fee and meets the other  
2916 requirements of this chapter, including a facility that  
2917 relocates pursuant to s. 550.0555;

2918 2. A licensed pari-mutuel facility in any county in which a  
2919 majority of voters have approved slot machines in a countywide  
2920 referendum, if such permitholder has conducted a full schedule  
2921 of live racing or games as defined in s. 550.002(11) for 2  
2922 consecutive calendar years immediately preceding its initial  
2923 application for a slot machine license, pays the required  
2924 license fee, and meets the other requirements of this chapter;

2925 3. A facility at which a licensee is authorized to conduct  
2926 slot machine gaming pursuant to s. 551.1043, if such licensee  
2927 pays the required license fee and meets the other requirements  
2928 of this chapter; or

2929 4. A licensed pari-mutuel facility, except for a pari-

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2930 mutuel facility described in subparagraph 1., located on or  
2931 contiguous with property of the qualified project of a public-  
2932 private partnership consummated between the permitholder and a  
2933 responsible public entity in accordance with s. 255.065 in a  
2934 county in which the referendum required pursuant to paragraph  
2935 (b) is conducted on or after January 1, 2018, and concurrently  
2936 with a general election, if such permitholder has conducted a  
2937 full schedule of live racing or games as defined in s.  
2938 550.002(11) for 2 consecutive calendar years immediately  
2939 preceding its initial application for a slot machine license;  
2940 provided that a license may be issued under this subparagraph  
2941 only after a comprehensive agreement has been executed pursuant  
2942 to s. 255.065(7).

2943 (b) after The voters of the county where the applicant's  
2944 facility is located have authorized by referendum slot machines  
2945 within pari-mutuel facilities in that county ~~as specified in s.~~  
2946 ~~23, Art. X of the State Constitution.~~

2947 (4) As a condition of licensure and to maintain continued  
2948 authority for the conduct of slot machine gaming, a ~~the~~ slot  
2949 machine licensee shall:

2950 (c) 1. Conduct no less ~~fewer~~ than a full schedule of live  
2951 racing or games as defined in s. 550.002(11), unless conducting  
2952 less than a full schedule of live racing or games pursuant to s.  
2953 550.01215(1)(b)-(e). A permitholder's responsibility to conduct  
2954 a full schedule ~~such number~~ of live races or games as defined in  
2955 s. 550.002(11) shall be reduced by the number of races or games  
2956 that could not be conducted due to the direct result of fire,  
2957 war, hurricane, or other disaster or event beyond the control of  
2958 the permitholder. A permitholder may conduct live races or games

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2959 at another pari-mutuel facility pursuant to s. 550.475 if such  
2960 permitholder has operated its live races or games by lease for  
2961 at least 5 consecutive years immediately prior to the  
2962 permitholder's application for a slot machine license.

2963 2. If not licensed to conduct a full schedule of live  
2964 racing or games, as defined in s. 550.002(11), pursuant to s.  
2965 550.01215(1)(b)-(e), remit for the payment of purses and awards  
2966 on live races an amount equal to the lesser of \$2 million or 3  
2967 percent of its slot machine revenues from the previous state  
2968 fiscal year to a slot machine licensee licensed to conduct not  
2969 fewer than 160 days of thoroughbred racing. A slot machine  
2970 licensee receiving funds under this subparagraph shall remit,  
2971 within 10 days of receipt, 10 percent of those funds to the  
2972 Florida Thoroughbred Breeders' Association, Inc., for the  
2973 payment of breeders', stallion, and special racing awards,  
2974 subject to the fee authorized in s. 550.2625(3). If no slot  
2975 machine licensee is licensed for at least 160 days of live  
2976 thoroughbred racing, no payments for purses are required. A slot  
2977 machine licensee that conducts no live racing and is making  
2978 purse and awards supplement payments due under agreements  
2979 entered pursuant to paragraph (10)(a) prior to the effective  
2980 date of this act may offset the total amount paid under such  
2981 agreements for purses and awards on or after July 1, 2017,  
2982 against any amount due under this subparagraph until the amount  
2983 paid and the amount due equal zero. This subparagraph expires  
2984 July 1, 2036.

2985 (10)(a) ~~1-~~ A ~~No~~ slot machine license or renewal thereof may  
2986 not ~~shall~~ be issued to an applicant holding a permit under  
2987 chapter 550 to conduct pari-mutuel wagering meets of

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2988 thoroughbred racing unless the applicant has on file with the  
2989 division a binding written agreement between the applicant and  
2990 the Florida Horsemen's Benevolent and Protective Association,  
2991 Inc., governing the payment of purses on live thoroughbred races  
2992 conducted at the licensee's pari-mutuel facility. In addition, a  
2993 ~~ne~~ slot machine license or renewal thereof may not ~~shall~~ be  
2994 issued to such an applicant unless the applicant has on file  
2995 with the division a binding written agreement between the  
2996 applicant and the Florida Thoroughbred Breeders' Association,  
2997 Inc., governing the payment of breeders', stallion, and special  
2998 racing awards on live thoroughbred races conducted at the  
2999 licensee's pari-mutuel facility. The agreement governing purses  
3000 and the agreement governing awards may direct the payment of  
3001 such purses and awards from revenues generated by any wagering  
3002 or gaming the applicant is authorized to conduct under Florida  
3003 law. All purses and awards are ~~shall be~~ subject to the terms of  
3004 chapter 550. All sums for breeders', stallion, and special  
3005 racing awards shall be remitted monthly to the Florida  
3006 Thoroughbred Breeders' Association, Inc., for the payment of  
3007 awards subject to the administrative fee authorized in s.  
3008 550.2625(3). This paragraph does not apply to a summer  
3009 thoroughbred racing permitholder.

3010 ~~2. No slot machine license or renewal thereof shall be~~  
3011 ~~issued to an applicant holding a permit under chapter 550 to~~  
3012 ~~conduct pari-mutuel wagering meets of quarter horse racing~~  
3013 ~~unless the applicant has on file with the division a binding~~  
3014 ~~written agreement between the applicant and the Florida Quarter~~  
3015 ~~Horse Racing Association or the association representing a~~  
3016 ~~majority of the horse owners and trainers at the applicant's~~



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3017 ~~eligible facility, governing the payment of purses on live~~  
3018 ~~quarter horse races conducted at the licensee's pari-mutuel~~  
3019 ~~facility. The agreement governing purses may direct the payment~~  
3020 ~~of such purses from revenues generated by any wagering or gaming~~  
3021 ~~the applicant is authorized to conduct under Florida law. All~~  
3022 ~~purses shall be subject to the terms of chapter 550.~~

3023 (c)1. If an agreement required under paragraph (a) cannot  
3024 be reached prior to the initial issuance of the slot machine  
3025 license, either party may request arbitration or, in the case of  
3026 a renewal, if an agreement required under paragraph (a) is not  
3027 in place 120 days prior to the scheduled expiration date of the  
3028 slot machine license, the applicant shall immediately ask the  
3029 American Arbitration Association to furnish a list of 11  
3030 arbitrators, each of whom shall have at least 5 years of  
3031 commercial arbitration experience and no financial interest in  
3032 or prior relationship with any of the parties or their  
3033 affiliated or related entities or principals. Each required  
3034 party to the agreement shall select a single arbitrator from the  
3035 list provided by the American Arbitration Association within 10  
3036 days of receipt, and the individuals so selected shall choose  
3037 one additional arbitrator from the list within the next 10 days.

3038 2. If an agreement required under paragraph (a) is not in  
3039 place 60 days after the request under subparagraph 1. in the  
3040 case of an initial slot machine license or, in the case of a  
3041 renewal, 60 days prior to the scheduled expiration date of the  
3042 slot machine license, the matter shall be immediately submitted  
3043 to mandatory binding arbitration to resolve the disagreement  
3044 between the parties. The three arbitrators selected pursuant to  
3045 subparagraph 1. shall constitute the panel that shall arbitrate

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3046 the dispute between the parties pursuant to the American  
3047 Arbitration Association Commercial Arbitration Rules and chapter  
3048 682.

3049 3. At the conclusion of the proceedings, which shall be no  
3050 later than 90 days after the request under subparagraph 1. in  
3051 the case of an initial slot machine license or, in the case of a  
3052 renewal, 30 days prior to the scheduled expiration date of the  
3053 slot machine license, the arbitration panel shall present to the  
3054 parties a proposed agreement that the majority of the panel  
3055 believes equitably balances the rights, interests, obligations,  
3056 and reasonable expectations of the parties. The parties shall  
3057 immediately enter into such agreement, which shall satisfy the  
3058 requirements of paragraph (a) and permit issuance of the pending  
3059 annual slot machine license or renewal. The agreement produced  
3060 by the arbitration panel under this subparagraph shall be  
3061 effective until the last day of the license or renewal period or  
3062 until the parties enter into a different agreement. Each party  
3063 shall pay its respective costs of arbitration and shall pay one-  
3064 half of the costs of the arbitration panel, unless the parties  
3065 otherwise agree. If the agreement produced by the arbitration  
3066 panel under this subparagraph remains in place 120 days prior to  
3067 the scheduled issuance of the next annual license renewal, then  
3068 the arbitration process established in this paragraph will begin  
3069 again.

3070 4. In the event that ~~neither of~~ the agreements required  
3071 under paragraph (a) ~~subparagraph (a)1. or the agreement required~~  
3072 ~~under subparagraph (a)2.~~ are not in place by the deadlines  
3073 established in this paragraph, arbitration regarding each  
3074 agreement will proceed independently, with separate lists of

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3075 arbitrators, arbitration panels, arbitration proceedings, and  
3076 resulting agreements.

3077         5. With respect to the agreements required under paragraph  
3078 (a) governing the payment of purses, the arbitration and  
3079 resulting agreement called for under this paragraph shall be  
3080 limited to the payment of purses from slot machine revenues  
3081 only.

3082         Section 44. Section 551.1042, Florida Statutes, is created  
3083 to read:

3084         551.1042 Transfer or relocation of slot machine license  
3085 prohibited.—A slot machine license issued under this chapter may  
3086 not be transferred or reissued when such reissuance is in the  
3087 nature of a transfer so as to permit or authorize a licensee to  
3088 change the location of a slot machine facility, except through  
3089 the relocation of the pari-mutuel permit pursuant to s.  
3090 550.0555.

3091         Section 45. Section 551.1043, Florida Statutes, is created  
3092 to read:

3093         551.1043 Slot machine license to enhance live pari-mutuel  
3094 activity.—In recognition of the important and long-standing  
3095 economic contribution of the pari-mutuel industry to this state  
3096 and the state's vested interest in the revenue generated from  
3097 that industry and in the interest of promoting the continued  
3098 viability of the important statewide agricultural activities  
3099 that the industry supports, the Legislature finds that it is in  
3100 the state's interest to provide a limited opportunity for the  
3101 establishment of two additional slot machine licenses to be  
3102 awarded and renewed annually and located within Broward County  
3103 or a county as defined in s. 125.011.

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3104 (1) (a) Within 120 days after the effective date of this  
3105 act, any person who is not a slot machine licensee may apply to  
3106 the division pursuant to s. 551.104(1) for one of the two slot  
3107 machine licenses created by this section to be located in  
3108 Broward County or a county as defined in s. 125.011. No more  
3109 than one of such licenses may be awarded in each of those  
3110 counties. An applicant shall submit an application to the  
3111 division which satisfies the requirements of s. 550.054(3). Any  
3112 person prohibited from holding any horseracing or dogracing  
3113 permit or jai alai fronton permit pursuant to s. 550.1815 is  
3114 ineligible to apply for the additional slot machine license  
3115 created by this section.

3116 (b) The application shall be accompanied by a nonrefundable  
3117 license application fee of \$2 million. The license application  
3118 fee shall be deposited into the Pari-mutuel Wagering Trust Fund  
3119 of the Department of Business and Professional Regulation to be  
3120 used by the division and the Department of Law Enforcement for  
3121 investigations, the regulation of slot machine gaming, and the  
3122 enforcement of slot machine gaming under this chapter. In the  
3123 event of a successful award, the license application fee shall  
3124 be credited toward the license application fee required by s.  
3125 551.106.

3126 (2) If there is more than one applicant for an additional  
3127 slot machine license, the division shall award such license to  
3128 the applicant that receives the highest score based on the  
3129 following criteria:

3130 (a) The amount of slot machine revenues the applicant will  
3131 agree to dedicate to the enhancement of pari-mutuel purses and  
3132 breeders', stallion, and special racing or player awards to be

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3133 awarded to pari-mutuel activities conducted pursuant to chapter  
3134 550, in addition to those required pursuant to ss.  
3135 551.104(4)(c)2. and 849.086(14)(d)2.;

3136 (b) The amount of slot machine revenues the applicant will  
3137 agree to dedicate to the general promotion of the state's pari-  
3138 mutuel industry;

3139 (c) The amount of slot machine revenues the applicant will  
3140 agree to dedicate to care provided in this state to injured or  
3141 retired animals, jockeys, or jai alai players;

3142 (d) The projected amount by which the proposed slot machine  
3143 facility will increase tourism, generate jobs, provide revenue  
3144 to the local economy, and provide revenue to the state. The  
3145 applicant and its partners shall document their previous  
3146 experience in constructing premier facilities with high-quality  
3147 amenities which complement a local tourism industry;

3148 (e) The financial history of the applicant and its  
3149 partners, including, but not limited to, any capital investments  
3150 in slot machine gaming and pari-mutuel facilities, and its bona  
3151 fide plan for future community involvement and financial  
3152 investment;

3153 (f) The history of investment by the applicant and its  
3154 partners in the communities in which its previous developments  
3155 have been located;

3156 (g) The ability to purchase and maintain a surety bond in  
3157 an amount established by the division to represent the projected  
3158 annual state revenues expected to be generated by the proposed  
3159 slot machine facility;

3160 (h) The ability to demonstrate the financial wherewithal to  
3161 adequately capitalize, develop, construct, maintain, and operate

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3162 a proposed slot machine facility. The applicant must demonstrate  
3163 the ability to commit at least \$100 million for hard costs  
3164 related to construction and development of the facility,  
3165 exclusive of the purchase price and costs associated with the  
3166 acquisition of real property and any impact fees. The applicant  
3167 must also demonstrate the ability to meet any projected secured  
3168 and unsecured debt obligations and to complete construction  
3169 within 2 years after receiving the award of the slot machine  
3170 license;

3171 (i) The ability to implement a program to train and employ  
3172 residents of South Florida to work at the facility and contract  
3173 with local business owners for goods and services; and

3174 (j) The ability of the applicant to generate, with its  
3175 partners, substantial gross gaming revenue following the award  
3176 of gaming licenses through a competitive process.

3177  
3178 The division shall award additional points in the evaluation of  
3179 the applications for proposed projects located within a half  
3180 mile of two forms of public transportation in a designated  
3181 community redevelopment area or district.

3182 (3) (a) Notwithstanding the timeframes established in s.  
3183 120.60, the division shall complete its evaluations at least 120  
3184 days after the submission of applications and shall notice its  
3185 intent to award each of the licenses within that timeframe.  
3186 Within 30 days after the submission of an application, the  
3187 division shall issue, if necessary, requests for additional  
3188 information or notices of deficiency to the applicant, who must  
3189 respond within 15 days. Failure to timely and sufficiently  
3190 respond to such requests or to correct identified deficiencies

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3191 is grounds for denial of the application.

3192 (b) Any protest of an intent to award a license shall be  
3193 forwarded to the Division of Administrative Hearings, which  
3194 shall conduct an administrative hearing on the matter before an  
3195 administrative law judge at least 30 days after the notice of  
3196 intent to award. The administrative law judge shall issue a  
3197 proposed recommended order at least 30 days after the completion  
3198 of the final hearing. The division shall issue a final order at  
3199 least 15 days after receipt of the proposed recommended order.

3200 (c) Any appeal of a license denial shall be made to the  
3201 First District Court of Appeal and must be accompanied by the  
3202 posting of a supersedeas bond in favor of the state in an amount  
3203 determined by the division to be equal to the amount of  
3204 projected annual slot machine revenue expected to be generated  
3205 for the state by the successful licensee which shall be payable  
3206 to the state if the state prevails in the appeal.

3207 (4) The division is authorized to adopt emergency rules  
3208 pursuant to s. 120.54 to implement this section. The Legislature  
3209 finds that such emergency rulemaking power is necessary for the  
3210 preservation of the rights and welfare of the people in order to  
3211 provide additional funds to benefit the public. The Legislature  
3212 further finds that the unique nature of the competitive award of  
3213 the slot machine licenses under this section requires that the  
3214 department respond as quickly as is practicable to implement  
3215 this section. Therefore, in adopting such emergency rules, the  
3216 division is exempt from s. 120.54(4)(a). Emergency rules adopted  
3217 under this section are exempt from s. 120.54(4)(c) and shall  
3218 remain in effect until replaced by other emergency rules or by  
3219 rules adopted pursuant to chapter 120.

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3220 (5) A licensee authorized pursuant to this section to  
3221 conduct slot machine gaming is:

3222 (a) Authorized to operate a cardroom pursuant to s.  
3223 849.086, notwithstanding that the licensee does not have a pari-  
3224 mutuel permit and does not have an operating license, pursuant  
3225 to chapter 550;

3226 (b) Authorized to operate up to 25 house banked blackjack  
3227 table games at its facility pursuant to s. 551.1044(2) and is  
3228 subject to s. 551.1044(3), notwithstanding that the licensee  
3229 does not have a pari-mutuel permit and does not have an  
3230 operating license, pursuant to chapter 550;

3231 (c) Exempt from compliance with chapter 550; and

3232 (d) Exempt from s. 551.104(3), (4)(b) and (c)1., (5), and  
3233 (10) and from s. 551.114(4).

3234 Section 46. Section 551.1044, Florida Statutes, is created  
3235 to read:

3236 551.1044 House banked blackjack table games authorized.—

3237 (1) The pari-mutuel permitholder of each of the following  
3238 pari-mutuel wagering facilities may operate up to 25 house  
3239 banked blackjack table games at the permitholder's facility:

3240 (a) A licensed pari-mutuel facility where live racing or  
3241 games were conducted during calendar years 2002 and 2003,  
3242 located in Miami-Dade County or Broward County, and authorized  
3243 for slot machine licensure pursuant to s. 23, Art. X of the  
3244 State Constitution; and

3245 (b) A licensed pari-mutuel facility where a full schedule  
3246 of live horseracing has been conducted for 2 consecutive  
3247 calendar years immediately preceding its initial application for  
3248 a slot machine license which is located within a county as



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3249 defined in s. 125.011.

3250 (2) Wagers on authorized house banked blackjack table games  
3251 may not exceed \$100 for each initial two-card wager. Subsequent  
3252 wagers on splits or double downs are allowed but may not exceed  
3253 the initial two-card wager. Single side bets of not more than \$5  
3254 are also allowed.

3255 (3) Each pari-mutuel permitholder offering house banked  
3256 blackjack pursuant to this section shall pay a tax to the state  
3257 of 25 percent of the blackjack operator's monthly gross  
3258 receipts. All provisions of s. 849.086(14), except s.  
3259 849.086(14) (a) or (b), apply to taxes owed pursuant to this  
3260 section.

3261 Section 47. Subsections (1) and (2) and present subsection  
3262 (4) of section 551.106, Florida Statutes, are amended,  
3263 subsections (3) and (5) of that section are redesignated as new  
3264 subsection (4) and subsection (6), respectively, and a new  
3265 subsection (3) is added to that section, to read:

3266 551.106 License fee; tax rate; penalties.—

3267 (1) LICENSE FEE.—

3268 ~~(a) Upon submission of the initial application for a slot~~  
3269 ~~machine license, and annually thereafter, on the anniversary~~  
3270 ~~date of the issuance of the initial license, the licensee must~~  
3271 ~~pay to the division a nonrefundable license fee of \$3 million~~  
3272 ~~for the succeeding 12 months of licensure. In the 2010-2011~~  
3273 ~~fiscal year, the licensee must pay the division a nonrefundable~~  
3274 ~~license fee of \$2.5 million for the succeeding 12 months of~~  
3275 ~~licensure. In the 2011-2012 fiscal year and for every fiscal~~  
3276 ~~year thereafter, the licensee must pay the division a~~  
3277 ~~nonrefundable license fee of \$2 million for the succeeding 12~~

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3278 months of licensure. The license fee shall be deposited into the  
3279 Pari-mutuel Wagering Trust Fund of the Department of Business  
3280 and Professional Regulation to be used by the division and the  
3281 Department of Law Enforcement for investigations, regulation of  
3282 slot machine gaming, and enforcement of slot machine gaming  
3283 provisions under this chapter. These payments shall be accounted  
3284 for separately from taxes or fees paid pursuant to the  
3285 provisions of chapter 550.

3286 ~~(b) Prior to January 1, 2007, the division shall evaluate~~  
3287 ~~the license fee and shall make recommendations to the President~~  
3288 ~~of the Senate and the Speaker of the House of Representatives~~  
3289 ~~regarding the optimum level of slot machine license fees in~~  
3290 ~~order to adequately support the slot machine regulatory program.~~

3291 (2) TAX ON SLOT MACHINE REVENUES.—

3292 (a) 1. The tax rate on slot machine revenues at each  
3293 facility ~~is shall be~~ 35 percent. Effective January 1, 2018, the  
3294 tax rate on slot machine revenues at each facility is 30  
3295 percent. Effective July 1, 2019, the tax rate on slot machine  
3296 revenues at each facility is 25 percent.

3297 2.a. If, during any state fiscal year, the aggregate amount  
3298 of tax paid to the state by ~~all~~ slot machine licensees in  
3299 Broward and Miami-Dade Counties which were licensed before  
3300 January 1, 2017, is less than the aggregate amount of tax paid  
3301 to the state by ~~all slot machine~~ licensees in those counties  
3302 that were licensed before January 1, 2017, in the 2017-2018  
3303 2008-2009 fiscal year, each slot machine licensee that was  
3304 licensed before January 1, 2017, shall pay to the state within  
3305 45 days after the end of the state fiscal year a surcharge ~~equal~~  
3306 ~~to its pro rata share of an amount equal to the difference~~

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3307 ~~between the aggregate amount of tax paid to the state by all~~  
3308 ~~slot machine licensees in the 2008-2009 fiscal year and the~~  
3309 ~~amount of tax paid during the fiscal year.~~

3310 b. The amount of the surcharge to be paid by each such  
3311 licensee shall be calculated by dividing the aggregate amount of  
3312 slot machine taxes paid to the state by all such slot machine  
3313 licensees in the 2017-2018 fiscal year by the aggregate amount  
3314 of slot machine taxes paid by all such licensees during the  
3315 applicable state fiscal year, multiplying the result by the  
3316 amount of slot machine taxes paid by the licensee during the  
3317 applicable state fiscal year, and then subtracting from that  
3318 product the amount of slot machine taxes paid by the licensee  
3319 during the applicable state fiscal year. However, the sum of the  
3320 taxes paid by a licensee pursuant to subparagraph 1. and any  
3321 surcharge due from the licensee may not exceed 35 percent of the  
3322 slot machine revenue of that licensee in the applicable state  
3323 fiscal year. Each licensee's pro rata share shall be an amount  
3324 ~~determined by dividing the number 1 by the number of facilities~~  
3325 ~~licensed to operate slot machines during the applicable fiscal~~  
3326 ~~year, regardless of whether the facility is operating such~~  
3327 ~~machines.~~

3328 (b) The slot machine revenue tax imposed by this section on  
3329 facilities licensed pursuant to s. 551.104(2)(a)1.-3. shall be  
3330 paid to the division for deposit into the Pari-mutuel Wagering  
3331 Trust Fund for immediate transfer by the Chief Financial Officer  
3332 for deposit into the Educational Enhancement Trust Fund of the  
3333 Department of Education. Any interest earnings on the tax  
3334 revenues shall also be transferred to the Educational  
3335 Enhancement Trust Fund. The slot machine revenue tax imposed by

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3336 this section on facilities licensed pursuant to s.  
3337 551.104(2) (a)4. shall be paid to the division for deposit into  
3338 the Pari-mutuel Wagering Trust Fund. The division shall transfer  
3339 90 percent of such funds to be deposited by the Chief Financial  
3340 Officer into the Educational Enhancement Trust Fund of the  
3341 Department of Education and shall transfer 10 percent of such  
3342 funds to the responsible public entity for the public-private  
3343 partnership of the slot machine licensee pursuant to ss.  
3344 551.104(2) (a)4. and 255.065.

3345 (c)1. Funds transferred to the Educational Enhancement  
3346 Trust Fund under paragraph (b) shall be used to supplement  
3347 public education funding statewide. Funds transferred to a  
3348 responsible public entity pursuant to paragraph (b) shall be  
3349 used in accordance with s. 255.065 to finance the qualifying  
3350 project of such entity and the slot machine licensee which  
3351 established the licensee's eligibility for initial licensure  
3352 pursuant to s. 551.104(2) (a)4.

3353 2. If necessary to comply with any covenant established  
3354 pursuant to s. 1013.68(4), s. 1013.70(1), or s. 1013.737(3),  
3355 funds transferred to the Educational Enhancement Trust Fund  
3356 under paragraph (b) shall first be available to pay debt service  
3357 on lottery bonds issued to fund school construction in the event  
3358 lottery revenues are insufficient for such purpose or to satisfy  
3359 debt service reserve requirements established in connection with  
3360 lottery bonds. Moneys available pursuant to this subparagraph  
3361 are subject to annual appropriation by the Legislature.

3362 (3) SLOT MACHINE GUARANTEE FEE; SURCHARGE.-

3363 (a) If a permit holder located within a county that has  
3364 conducted a successful slot machine referendum after January 1,

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3365 2012, or a holder of a slot machine license awarded pursuant to  
3366 s. 551.1043 does not pay at least \$11 million in total slot  
3367 machine taxes and license fees to the state in state fiscal year  
3368 2018-2019, the permitholder shall pay to the state within 45  
3369 days after the end of the state fiscal year a surcharge equal to  
3370 the difference between the aggregate amount of slot machine  
3371 taxes and license fees paid to the state in the fiscal year and  
3372 \$11 million, regardless of whether the permitholder or licensee  
3373 operated slot machines during the fiscal year.

3374 (b) If a permitholder located within a county that has  
3375 conducted a successful slot machine referendum after January 1,  
3376 2012, or a holder of a slot machine license awarded pursuant to  
3377 s. 551.1043 does not pay at least \$21 million in total slot  
3378 machine taxes and license fees to the state in state fiscal year  
3379 2019-2020 and any subsequent state fiscal year, the permitholder  
3380 shall pay to the state within 45 days after the end of the state  
3381 fiscal year a surcharge equal to the difference between the  
3382 aggregate amount of slot machine taxes and license fees paid to  
3383 the state in the fiscal year and \$21 million, regardless of  
3384 whether the permitholder or licensee operated slot machines  
3385 during the fiscal year.

3386 (5)-(4) TO PAY TAX; PENALTIES.-A slot machine licensee or  
3387 pari-mutuel permitholder who fails to make tax and any  
3388 applicable surcharge payments as required under this section is  
3389 subject to an administrative penalty of up to \$10,000 for each  
3390 day the tax payment is not remitted. All administrative  
3391 penalties imposed and collected shall be deposited into the  
3392 Pari-mutuel Wagering Trust Fund of the Department of Business  
3393 and Professional Regulation. If any slot machine licensee or

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3394 pari-mutuel permitholder fails to pay penalties imposed by order  
3395 of the division under this subsection, the division may deny,  
3396 suspend, revoke, or refuse to renew the license of the  
3397 permitholder or slot machine licensee.

3398 Section 48. Subsection (2) of section 551.108, Florida  
3399 Statutes, is amended to read:

3400 551.108 Prohibited relationships.—

3401 (2) A manufacturer or distributor of slot machines may not  
3402 enter into any contract with a slot machine licensee that  
3403 provides for any revenue sharing of any kind or nature that is  
3404 directly or indirectly calculated on the basis of a percentage  
3405 of slot machine revenues. Any maneuver, shift, or device whereby  
3406 this subsection is violated is a violation of this chapter and  
3407 renders any such agreement void. This subsection does not apply  
3408 to contracts related to a progressive system used in conjunction  
3409 with slot machines.

3410 Section 49. Subsections (2) and (4) of section 551.114,  
3411 Florida Statutes, are amended to read:

3412 551.114 Slot machine gaming areas.—

3413 (2) If such races or games are available to the slot  
3414 machine licensee, the slot machine licensee shall display pari-  
3415 mutuel races or games within the designated slot machine gaming  
3416 areas and offer patrons within the designated slot machine  
3417 gaming areas the ability to engage in pari-mutuel wagering on  
3418 any live, intertrack, and simulcast races conducted or offered  
3419 to patrons of the licensed facility.

3420 (4) Designated slot machine gaming areas shall ~~may~~ be  
3421 located anywhere within the property described in a slot machine  
3422 licensee's pari-mutuel permit ~~within the current live gaming~~

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3423 ~~facility or in an existing building that must be contiguous and~~  
3424 ~~connected to the live gaming facility. If a designated slot~~  
3425 ~~machine gaming area is to be located in a building that is to be~~  
3426 ~~constructed, that new building must be contiguous and connected~~  
3427 ~~to the live gaming facility.~~

3428 Section 50. Section 551.116, Florida Statutes, is amended  
3429 to read:

3430 551.116 Days and hours of operation.—Slot machine gaming  
3431 areas may be open 24 hours per day, 7 days a week daily  
3432 throughout the year. ~~The slot machine gaming areas may be open a~~  
3433 ~~cumulative amount of 18 hours per day on Monday through Friday~~  
3434 ~~and 24 hours per day on Saturday and Sunday and on those~~  
3435 ~~holidays specified in s. 110.117(1).~~

3436 Section 51. Subsections (1) and (3) of section 551.121,  
3437 Florida Statutes, are amended to read:

3438 551.121 Prohibited activities and devices; exceptions.—

3439 (1) Complimentary or reduced-cost alcoholic beverages may  
3440 ~~not~~ be served to a person ~~persons~~ playing a slot machine.  
3441 ~~Alcoholic beverages served to persons playing a slot machine~~  
3442 ~~shall cost at least the same amount as alcoholic beverages~~  
3443 ~~served to the general public at a bar within the facility.~~

3444 (3) A slot machine licensee may ~~not~~ allow any automated  
3445 teller machine or similar device designed to provide credit or  
3446 dispense cash to be located within the designated slot machine  
3447 gaming areas of a facility of a slot machine licensee.

3448 Section 52. Present subsections (9) through (17) of section  
3449 849.086, Florida Statutes, are redesignated as subsections (10)  
3450 through (18), respectively, and a new subsection (9) is added to  
3451 that section, subsections (1) and (2) of that section are

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3452 amended, paragraph (g) is added to subsection (4) of that  
3453 section, and paragraph (b) of subsection (5), paragraphs (a),  
3454 (b), and (c) of subsection (7), paragraphs (a) and (b) of  
3455 subsection (8), present subsection (12), paragraphs (d) and (h)  
3456 of present subsection (13), and present subsection (17) of  
3457 section 849.086, Florida Statutes, are amended, to read:

3458 849.086 Cardrooms authorized.—

3459 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature  
3460 to provide additional entertainment choices for the residents of  
3461 and visitors to the state, promote tourism in the state, provide  
3462 revenues to support the continuation of live pari-mutuel  
3463 activity, and provide additional state revenues through the  
3464 authorization of the playing of certain games in the state at  
3465 facilities known as cardrooms which are to be located at  
3466 licensed pari-mutuel facilities. To ensure the public confidence  
3467 in the integrity of authorized cardroom operations, this act is  
3468 designed to strictly regulate the facilities, persons, and  
3469 procedures related to cardroom operations. Furthermore, the  
3470 Legislature finds that authorized games of poker and dominoes ~~as~~  
3471 ~~herein defined~~ are considered to be pari-mutuel style games and  
3472 not casino gaming because the participants play against each  
3473 other instead of against the house.

3474 (2) DEFINITIONS.—As used in this section:

3475 (a) "Authorized game" means a game or series of games of  
3476 poker or dominoes which are played in conformance with this  
3477 section ~~a nonbanking manner.~~

3478 (b) "Banking game" means a game in which the house is a  
3479 participant in the game, taking on players, paying winners, and  
3480 collecting from losers ~~or in which the cardroom establishes a~~



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3481 ~~bank against which participants play. A designated player game~~  
3482 is not a banking game.

3483 (c) "Cardroom" means a facility where authorized games are  
3484 played for money or anything of value and to which the public is  
3485 invited to participate in such games and charged a fee for  
3486 participation by the operator of such facility. Authorized games  
3487 and cardrooms do not constitute casino gaming operations if  
3488 conducted at an eligible facility.

3489 (d) "Cardroom management company" means any individual not  
3490 an employee of the cardroom operator, any proprietorship,  
3491 partnership, corporation, or other entity that enters into an  
3492 agreement with a cardroom operator to manage, operate, or  
3493 otherwise control the daily operation of a cardroom.

3494 (e) "Cardroom distributor" means any business that  
3495 distributes cardroom paraphernalia such as card tables, betting  
3496 chips, chip holders, dominoes, dominoes tables, drop boxes,  
3497 banking supplies, playing cards, card shufflers, and other  
3498 associated equipment to authorized cardrooms.

3499 (f) "Cardroom operator" means a licensed pari-mutuel  
3500 permitholder that ~~which~~ holds a valid permit and license issued  
3501 by the division pursuant to chapter 550 and which also holds a  
3502 valid cardroom license issued by the division pursuant to this  
3503 section which authorizes such person to operate a cardroom and  
3504 to conduct authorized games in such cardroom.

3505 (g) "Designated player" means the player identified as the  
3506 player in the dealer position and seated at a traditional player  
3507 position in a designated player game who pays winning players  
3508 and collects from losing players.

3509 (h) "Designated player game" means a game in which the

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3510 players compare their cards only to the cards of the designated  
3511 player or to a combination of cards held by the designated  
3512 player and cards common and available for play by all players.

3513 (i)~~(g)~~ "Division" means the Division of Pari-mutuel  
3514 Wagering of the Department of Business and Professional  
3515 Regulation.

3516 (j)~~(h)~~ "Dominoes" means a game of dominoes typically played  
3517 with a set of 28 flat rectangular blocks, called "bones," which  
3518 are marked on one side and divided into two equal parts, with  
3519 zero to six dots, called "pips," in each part. The term also  
3520 includes larger sets of blocks that contain a correspondingly  
3521 higher number of pips. The term also means the set of blocks  
3522 used to play the game.

3523 (k)~~(i)~~ "Gross receipts" means the total amount of money  
3524 received by a cardroom from any person for participation in  
3525 authorized games.

3526 (l)~~(j)~~ "House" means the cardroom operator and all  
3527 employees of the cardroom operator.

3528 (m)~~(k)~~ "Net proceeds" means the total amount of gross  
3529 receipts received by a cardroom operator from cardroom  
3530 operations less direct operating expenses related to cardroom  
3531 operations, including labor costs, admission taxes only if a  
3532 separate admission fee is charged for entry to the cardroom  
3533 facility, gross receipts taxes imposed on cardroom operators by  
3534 this section, the annual cardroom license fees imposed by this  
3535 section on each table operated at a cardroom, and reasonable  
3536 promotional costs excluding officer and director compensation,  
3537 interest on capital debt, legal fees, real estate taxes, bad  
3538 debts, contributions or donations, or overhead and depreciation

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3539 expenses not directly related to the operation of the cardrooms.

3540 (n)~~(l)~~ "Rake" means a set fee or percentage of the pot  
3541 assessed by a cardroom operator for providing the services of a  
3542 dealer, table, or location for playing the authorized game.

3543 (o)~~(m)~~ "Tournament" means a series of games that have more  
3544 than one betting round involving one or more tables and where  
3545 the winners or others receive a prize or cash award.

3546 (4) AUTHORITY OF DIVISION.—The Division of Pari-mutuel  
3547 Wagering of the Department of Business and Professional  
3548 Regulation shall administer this section and regulate the  
3549 operation of cardrooms under this section and the rules adopted  
3550 pursuant thereto, and is hereby authorized to:

3551 (g) Establish a reasonable period to respond to requests  
3552 from a licensed cardroom; provided however, the division has a  
3553 maximum of 45 days to approve:

3554 1. A cardroom's internal controls or provide the cardroom  
3555 with a list of deficiencies as to the internal controls.

3556 2. Rules for a new authorized game submitted by a licensed  
3557 cardroom or provide the cardroom with a list of deficiencies as  
3558 to those rules.

3559  
3560 Not later than 10 days after the submission of revised internal  
3561 controls or revised rules addressing the deficiencies identified  
3562 by the division, the division must review and approve or reject  
3563 the revised internal controls or revised rules.

3564 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may  
3565 operate a cardroom in this state unless such person holds a  
3566 valid cardroom license issued pursuant to this section.

3567 (b) After the initial cardroom license is granted, the

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3568 application for the annual license renewal shall be made in  
3569 conjunction with the applicant's annual application for its  
3570 pari-mutuel license. ~~If a permitholder has operated a cardroom  
3571 during any of the 3 previous fiscal years and fails to include a  
3572 renewal request for the operation of the cardroom in its annual  
3573 application for license renewal, the permitholder may amend its  
3574 annual application to include operation of the cardroom. In  
3575 order for a cardroom license to be renewed the applicant must  
3576 have requested, as part of its pari mutuel annual license  
3577 application, to conduct at least 90 percent of the total number  
3578 of live performances conducted by such permitholder during  
3579 either the state fiscal year in which its initial cardroom  
3580 license was issued or the state fiscal year immediately prior  
3581 thereto if the permitholder ran at least a full schedule of live  
3582 racing or games in the prior year. If the application is for a  
3583 harness permitholder cardroom, the applicant must have requested  
3584 authorization to conduct a minimum of 140 live performances  
3585 during the state fiscal year immediately prior thereto. If more  
3586 than one permitholder is operating at a facility, each  
3587 permitholder must have applied for a license to conduct a full  
3588 schedule of live racing.~~

3589 (7) CONDITIONS FOR OPERATING A CARDROOM.—

3590 (a) A cardroom may be operated only at the location  
3591 specified on the cardroom license issued by the division, and  
3592 such location may only be the location at which the pari-mutuel  
3593 permitholder is authorized to conduct pari-mutuel wagering  
3594 activities pursuant to such permitholder's valid pari-mutuel  
3595 permit or as otherwise authorized by law. ~~Cardroom operations  
3596 may not be allowed beyond the hours provided in paragraph (b)~~

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3597 ~~regardless of the number of cardroom licenses issued for~~  
3598 ~~permitholders operating at the pari-mutuel facility.~~

3599 (b) Any cardroom operator may operate a cardroom at the  
3600 pari-mutuel facility daily throughout the year, if the  
3601 permitholder meets the requirements under paragraph (5) (b). The  
3602 cardroom may be open ~~a cumulative amount of 18 hours per day on~~  
3603 ~~Monday through Friday and 24 hours per day on Saturday and~~  
3604 ~~Sunday and on the holidays specified in s. 110.117(1).~~

3605 (c) A cardroom operator must at all times employ and  
3606 provide a nonplaying live dealer at ~~for~~ each table on which  
3607 authorized ~~card games which traditionally use a dealer~~ are  
3608 conducted, except for designated player games at the cardroom.  
3609 Such dealers may not have a participatory interest in any game  
3610 other than the dealing of cards and may not have an interest in  
3611 the outcome of the game. The providing of such dealers by a  
3612 licensee does not constitute the conducting of a banking game by  
3613 the cardroom operator.

3614 (8) METHOD OF WAGERS; LIMITATION.—

3615 (a) ~~No~~ Wagering may not be conducted using money or other  
3616 negotiable currency. Games may only be played utilizing a  
3617 wagering system whereby all players' money is first converted by  
3618 the house to tokens or chips that may ~~which shall~~ be used for  
3619 wagering only at that specific cardroom.

3620 (b) The cardroom operator may limit the amount wagered in  
3621 any game or series of games.

3622 (9) DESIGNATED PLAYER GAMES AUTHORIZED.—

3623 (a) A cardroom operator may offer designated player games  
3624 consisting of players making wagers against the designated  
3625 player. The designated player must be licensed pursuant to

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3626 paragraph (6) (b). Employees of a designated player also must be  
3627 licensed, and the designated player shall pay, in addition to  
3628 the business occupational fee established pursuant to paragraph  
3629 (6) (i), an employee occupational license fee which may not  
3630 exceed \$500 per employee for any 12-month period.

3631 (b) A cardroom operator may not serve as a designated  
3632 player in any game. The cardroom operator may not have a  
3633 financial interest in a designated player in any game. A  
3634 cardroom operator may collect a rake in accordance with the rake  
3635 structure posted at the table.

3636 (c) If there are multiple designated players at a table,  
3637 the dealer button shall be rotated in a clockwise rotation after  
3638 each hand.

3639 (d) A cardroom operator may not allow a designated player  
3640 to pay an opposing player who holds a lower ranked hand.

3641 (e) A designated player may not be required by the rules of  
3642 a game or by the rules of a cardroom to cover all wagers posted  
3643 by the opposing players.

3644 (f) The cardroom, or any cardroom licensee, may not  
3645 contract with, or receive compensation other than a posted table  
3646 rake from, any player to participate in any game to serve as a  
3647 designated player.

3648 (13) ~~(12)~~ PROHIBITED ACTIVITIES.-

3649 (a) A ~~Ne~~ person licensed to operate a cardroom may not  
3650 conduct any banking game or any game not specifically authorized  
3651 by this section.

3652 (b) A ~~Ne~~ person who is younger than ~~under~~ 18 years of age  
3653 may not be permitted to hold a cardroom or employee license, or  
3654 to engage in any game conducted therein.

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3655 (c) With the exception of mechanical card shufflers, ~~No~~  
3656 electronic or mechanical devices, ~~except mechanical card~~  
3657 ~~shufflers,~~ may not be used to conduct any authorized game in a  
3658 cardroom.

3659 (d) ~~No~~ Cards, game components, or game implements may not  
3660 be used in playing an authorized game unless they have ~~such has~~  
3661 been furnished or provided to the players by the cardroom  
3662 operator.

3663 (14) ~~(13)~~ TAXES AND OTHER PAYMENTS.—

3664 (d)1. Each ~~greyhound and jai alai~~ permitholder that  
3665 operates a cardroom facility shall use at least 4 percent of  
3666 such permitholder's cardroom monthly gross receipts to  
3667 supplement ~~greyhound~~ purses and awards or jai alai prize money,  
3668 respectively, during the permitholder's next ensuing pari-mutuel  
3669 meet.

3670 2. A cardroom license or renewal thereof may not be issued  
3671 to a permitholder conducting less than a full schedule of live  
3672 racing or games as defined in s. 550.002(11) unless the  
3673 applicant has on file with the division a binding written  
3674 contract with a thoroughbred permitholder that is licensed to  
3675 conduct live racing and that does not possess a slot machine  
3676 license. This contract must provide that the permitholder will  
3677 pay an amount equal to 4 percent of its monthly cardroom gross  
3678 receipts to the thoroughbred permitholder conducting the live  
3679 racing for exclusive use as purses and awards during the current  
3680 or ensuing live racing meet of the thoroughbred permitholder. A  
3681 thoroughbred permitholder receiving funds under this  
3682 subparagraph shall remit, within 10 days of receipt, 10 percent  
3683 of those funds to the Florida Thoroughbred Breeders'

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3684 Association, Inc., for the payment of breeders', stallion, and  
3685 special racing awards, subject to the fee authorized in s.  
3686 550.2625(3). If there is not a thoroughbred permitholder that  
3687 does not possess a slot machine license, payments for purses are  
3688 not required, and the cardroom licensee shall retain such funds  
3689 for its use ~~Each thoroughbred and harness horse racing~~  
3690 ~~permitholder that operates a cardroom facility shall use at~~  
3691 ~~least 50 percent of such permitholder's cardroom monthly net~~  
3692 ~~proceeds as follows: 47 percent to supplement purses and 3~~  
3693 ~~percent to supplement breeders' awards during the permitholder's~~  
3694 ~~next ensuing racing meet.~~

3695 ~~3. No cardroom license or renewal thereof shall be issued~~  
3696 ~~to an applicant holding a permit under chapter 550 to conduct~~  
3697 ~~pari-mutuel wagering meets of quarter horse racing unless the~~  
3698 ~~applicant has on file with the division a binding written~~  
3699 ~~agreement between the applicant and the Florida Quarter Horse~~  
3700 ~~Racing Association or the association representing a majority of~~  
3701 ~~the horse owners and trainers at the applicant's eligible~~  
3702 ~~facility, governing the payment of purses on live quarter horse~~  
3703 ~~races conducted at the licensee's pari-mutuel facility. The~~  
3704 ~~agreement governing purses may direct the payment of such purses~~  
3705 ~~from revenues generated by any wagering or gaming the applicant~~  
3706 ~~is authorized to conduct under Florida law. All purses shall be~~  
3707 ~~subject to the terms of chapter 550.~~

3708 ~~(h) One-quarter of the moneys deposited into the Pari-~~  
3709 ~~mutuel Wagering Trust Fund pursuant to paragraph (g) shall, by~~  
3710 ~~October 1 of each year, be distributed to the local government~~  
3711 ~~that approved the cardroom under subsection (17) ~~(16)~~; however,~~  
3712 ~~if two or more pari-mutuel racetracks are located within the~~



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3713 same incorporated municipality, the cardroom funds shall be  
3714 distributed to the municipality. If a pari-mutuel facility is  
3715 situated in such a manner that it is located in more than one  
3716 county, the site of the cardroom facility shall determine the  
3717 location for purposes of disbursement of tax revenues under this  
3718 paragraph. The division shall, by September 1 of each year,  
3719 determine: the amount of taxes deposited into the Pari-mutuel  
3720 Wagering Trust Fund pursuant to this section from each cardroom  
3721 licensee; the location by county of each cardroom; whether the  
3722 cardroom is located in the unincorporated area of the county or  
3723 within an incorporated municipality; and, the total amount to be  
3724 distributed to each eligible county and municipality.

3725 ~~(18)(17) CHANGE OF LOCATION; REFERENDUM.-~~

3726 ~~(a) Notwithstanding any provisions of this section, a no~~  
3727 ~~cardroom gaming license issued under this section may not shall~~  
3728 ~~be transferred, or reissued when such reissuance is in the~~  
3729 ~~nature of a transfer, so as to permit or authorize a licensee to~~  
3730 ~~change the location of the cardroom except through the~~  
3731 ~~relocation of the pari-mutuel permit pursuant to s. 550.0555 or~~  
3732 ~~s. 550.3345 upon proof in such form as the division may~~  
3733 ~~prescribe that a referendum election has been held:~~

3734 ~~1. If the proposed new location is within the same county~~  
3735 ~~as the already licensed location, in the county where the~~  
3736 ~~licensee desires to conduct cardroom gaming and that a majority~~  
3737 ~~of the electors voting on the question in such election voted in~~  
3738 ~~favor of the transfer of such license. However, the division~~  
3739 ~~shall transfer, without requirement of a referendum election,~~  
3740 ~~the cardroom license of any permit holder that relocated its~~  
3741 ~~permit pursuant to s. 550.0555.~~

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3742 ~~2. If the proposed new location is not within the same~~  
3743 ~~county as the already licensed location, in the county where the~~  
3744 ~~licensee desires to conduct cardroom gaming and that a majority~~  
3745 ~~of the electors voting on that question in each such election~~  
3746 ~~voted in favor of the transfer of such license.~~

3747 ~~(b) The expense of each referendum held under the~~  
3748 ~~provisions of this subsection shall be borne by the licensee~~  
3749 ~~requesting the transfer.~~

3750 Section 53. Paragraph (c) is added to subsection (2) of  
3751 section 849.0931, Florida Statutes, and subsection (14) of that  
3752 section is republished, to read:

3753 849.0931 Bingo authorized; conditions for conduct;  
3754 permitted uses of proceeds; limitations.—

3755 (2)

3756 (c) Veterans' organizations engaged in charitable, civic,  
3757 benevolent, or scholastic works or other similar endeavors,  
3758 which organizations have been in existence for 3 years or more,  
3759 may conduct instant bingo in accordance with the requirements of  
3760 this section using electronic tickets in lieu of or together  
3761 with instant bingo paper tickets, only on the following  
3762 premises:

3763 1. Property owned by the veterans' organization.

3764 2. Property owned by the veterans' organization that will  
3765 benefit from the proceeds.

3766 3. Property leased for a period of not less than 1 year by  
3767 a veterans' organization, providing the lease or rental  
3768 agreement does not provide for the payment of a percentage of  
3769 the proceeds generated at such premises to the lessor or any  
3770 other party and providing the rental rate for such premises does

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3771 not exceed the rental rates charged for similar premises in the  
3772 same locale.

3773

3774 Electronic tickets for instant bingo must be nontransparent  
3775 until the electronic ticket is opened by the player in  
3776 electronic form and may only be sold or distributed in this  
3777 state by veterans' organizations after the software for such  
3778 tickets has been independently analyzed and certified to be  
3779 compliant with this section by a nationally recognized  
3780 independent gaming laboratory.

3781 (14) Any organization or other person who willfully and  
3782 knowingly violates any provision of this section commits a  
3783 misdemeanor of the first degree, punishable as provided in s.  
3784 775.082 or s. 775.083. For a second or subsequent offense, the  
3785 organization or other person commits a felony of the third  
3786 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
3787 775.084.

3788 Section 54. The Division of Pari-mutuel Wagering of the  
3789 Department of Business and Professional Regulation shall revoke  
3790 any permit to conduct pari-mutuel wagering if a permit holder has  
3791 not conducted live events within the 24 months preceding the  
3792 effective date of this act, unless the permit was issued under  
3793 s. 550.3345, Florida Statutes, or the permit was issued less  
3794 than 24 months preceding the effective date of this act. A  
3795 permit revoked under this section may not be reissued.

3796 Section 55. The Division of Law Revision and Information is  
3797 directed to replace the phrase "the effective date of this act"  
3798 wherever it occurs in this act with the date the act becomes  
3799 effective, in accordance with the notice received from the

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3800 Secretary of the Department of Business and Professional  
3801 Regulation pursuant to s. 285.710(3), Florida Statutes.

3802       Section 56. Except as otherwise expressly provided in this  
3803 act, and except for this section, which shall take effect upon  
3804 this act becoming a law, this act shall take effect only if the  
3805 Gaming Compact between the Seminole Tribe of Florida and the  
3806 State of Florida executed by the Governor and the Seminole Tribe  
3807 of Florida on December 7, 2015, under the Indian Gaming  
3808 Regulatory Act of 1988, is amended as required by this act, and  
3809 is approved or deemed approved and not voided by the United  
3810 States Department of the Interior, and shall take effect on the  
3811 date that notice of the effective date of the amended compact is  
3812 published in the Federal Register.