

By Senator Steube

23-00681-18

20181478\_\_

1 A bill to be entitled  
 2 An act relating to quarter horse racing; amending s.  
 3 550.002, F.S.; providing that a quarter horse  
 4 permitholder and an alternative representative  
 5 organization may agree to an alternative schedule of  
 6 performances; creating s. 550.3342, F.S.; establishing  
 7 the requirements for electing an alternative quarter  
 8 horse representative organization; amending s.  
 9 551.104, F.S.; requiring an applicant to include a  
 10 written agreement with an alternative quarter horse  
 11 representative organization, if such organization  
 12 exists, in their application for a slot machine  
 13 license; amending s. 849.086, F.S.; requiring an  
 14 applicant to include a written agreement with an  
 15 alternative quarter horse representative organization,  
 16 if such organization exists, in their application for  
 17 a cardroom license; providing an effective date.  
 18

19 Be It Enacted by the Legislature of the State of Florida:  
 20

21 Section 1. Subsection (11) of section 550.002, Florida  
 22 Statutes, is amended to read:

23 550.002 Definitions.—As used in this chapter, the term:

24 (11) "Full schedule of live racing or games" means:7

25 (a) For a greyhound or jai alai permitholder, the conduct  
 26 of a combination of at least 100 live evening or matinee  
 27 performances during the preceding year.7

28 (b) For a permitholder who has a converted permit or filed  
 29 an application on or before June 1, 1990, ~~for a converted~~

23-00681-18

20181478\_\_

30 ~~permit,~~ the conduct of a combination of at least 100 live  
31 evening and matinee wagering performances during either of the 2  
32 preceding years.~~†~~

33 (c) For a jai alai permitholder who does not operate slot  
34 machines in its pari-mutuel facility, who has conducted at least  
35 100 live performances per year for at least 10 years after  
36 December 31, 1992, and whose handle on live jai alai games  
37 conducted at its pari-mutuel facility has been less than \$4  
38 million per state fiscal year for at least 2 consecutive years  
39 after June 30, 1992, the conduct of a combination of at least 40  
40 live evening or matinee performances during the preceding year.~~†~~

41 (d) For a jai alai permitholder who operates slot machines  
42 in its pari-mutuel facility, the conduct of a combination of at  
43 least 150 performances during the preceding year.~~†~~

44 (e) For a harness permitholder, the conduct of at least 100  
45 live regular wagering performances during the preceding year.~~†~~

46 (f) For a quarter horse permitholder using ~~at~~ its own  
47 facility, unless an alternative schedule of at least 20 live  
48 regular wagering performances is agreed upon by the permitholder  
49 and either the Florida Quarter Horse Racing Association or an  
50 alternate representative organization designated pursuant to s.  
51 550.3342 ~~the horsemen's association representing the majority of~~  
52 ~~the quarter horse owners and trainers at the facility~~ and filed  
53 with the division along with its annual date application, in the  
54 2010-2011 fiscal year, the conduct of at least 20 regular  
55 wagering performances, in the 2011-2012 and 2012-2013 fiscal  
56 years, the conduct of at least 30 live regular wagering  
57 performances, and for every fiscal year after the 2012-2013  
58 fiscal year, the conduct of at least 40 live regular wagering

23-00681-18

20181478\_\_

59 performances.~~†~~

60 (g) For a quarter horse permitholder leasing another  
61 licensed racetrack, the conduct of 160 events at the leased  
62 facility.~~†~~~~and~~

63 (h) For a thoroughbred permitholder, the conduct of at  
64 least 40 live regular wagering performances during the preceding  
65 year.

66 (i) For a permitholder that ~~which~~ is restricted by statute  
67 to certain operating periods within the year when other members  
68 of its same class of permit are authorized to operate throughout  
69 the year, the specified number of live performances which  
70 constitute a full schedule of live racing or games is ~~shall be~~  
71 adjusted pro rata in accordance with the relationship between  
72 its authorized operating period and the full calendar year. ~~and~~  
73 The resulting specified number of live performances ~~shall~~  
74 constitute the full schedule of live games for such permitholder  
75 and all other permitholders of the same class within 100 air  
76 miles of such permitholder. A live performance must consist of  
77 no fewer than eight races or games conducted live for each of a  
78 minimum of three performances each week at the permitholder's  
79 licensed facility under a single admission charge.

80 Section 2. Section 550.3342, Florida Statutes, is created  
81 to read:

82 550.3342 Requirements for electing an alternative quarter  
83 horse representative organization.-

84 (1) In the event more than 50 percent of the total horsemen  
85 who are participating in, or have participated in, quarter horse  
86 racing wish to designate a new representative organization, the  
87 organization:

23-00681-18

20181478\_\_

88           (a) Must be recognized by the American Quarter Horse  
89 Association as the state racing affiliate.

90           (b) Must not be affiliated with or under the control of any  
91 licensee.

92           (c) Must be formed under guidelines approved by the  
93 division.

94           (d) Must be elected by a majority of the horsemen who are  
95 participating in, or have participated in, quarter horse racing  
96 at Florida quarter horse racetracks that follow the American  
97 Quarter Horse Association's quarter horse racing guidelines.

98           Section 3. Paragraph (a) of subsection (10) of section  
99 551.104, Florida Statutes, is amended to read:

100           551.104 License to conduct slot machine gaming.—

101           (10) (a)1. No slot machine license or renewal thereof shall  
102 be issued to an applicant holding a permit under chapter 550 to  
103 conduct pari-mutuel wagering meets of thoroughbred racing unless  
104 the applicant has on file with the division a binding written  
105 agreement between the applicant and the Florida Horsemen's  
106 Benevolent and Protective Association, Inc., governing the  
107 payment of purses on live thoroughbred races conducted at the  
108 licensee's pari-mutuel facility. In addition, no slot machine  
109 license or renewal thereof shall be issued to such an applicant  
110 unless the applicant has on file with the division a binding  
111 written agreement between the applicant and the Florida  
112 Thoroughbred Breeders' Association, Inc., governing the payment  
113 of breeders', stallion, and special racing awards on live  
114 thoroughbred races conducted at the licensee's pari-mutuel  
115 facility. The agreement governing purses and the agreement  
116 governing awards may direct the payment of such purses and

23-00681-18

20181478\_\_

117 awards from revenues generated by any wagering or gaming the  
118 applicant is authorized to conduct under Florida law. All purses  
119 and awards shall be subject to the terms of chapter 550. All  
120 sums for breeders', stallion, and special racing awards shall be  
121 remitted monthly to the Florida Thoroughbred Breeders'  
122 Association, Inc., for the payment of awards subject to the  
123 administrative fee authorized in s. 550.2625(3).

124 2. No slot machine license or renewal thereof shall be  
125 issued by the division to an applicant holding a permit under  
126 chapter 550 to conduct pari-mutuel wagering meets of quarter  
127 horse racing unless the applicant includes with their  
128 application has on file with the division a binding written  
129 agreement governing the payment of purses on live quarter horse  
130 racers to be conducted at the applicant's pari-mutuel facility  
131 for the licensure period applied for. Such agreement must be  
132 between either the applicant and the Florida Quarter Horse  
133 Racing Association or the applicant and an alternative  
134 representative organization designated pursuant to s. 550.3342.  
135 Such agreement ~~the association representing a majority of the~~  
136 ~~horse owners and trainers at the applicant's eligible facility,~~  
137 ~~governing the payment of purses on live quarter horse races~~  
138 ~~conducted at the licensee's pari-mutuel facility. The agreement~~  
139 ~~governing purses~~ may direct the payment of such purses from  
140 revenues generated by any wagering or gaming the applicant is  
141 authorized to conduct under Florida law. All purses are ~~shall be~~  
142 subject to the terms of chapter 550.

143 Section 4. Paragraph (d) of subsection (13) of section  
144 849.086, Florida Statutes, is amended to read:

145 849.086 Cardrooms authorized.—

23-00681-18

20181478\_\_

146 (13) TAXES AND OTHER PAYMENTS.—

147 (d)1. Each greyhound and jai alai permitholder that  
148 operates a cardroom facility shall use at least 4 percent of  
149 such permitholder's cardroom monthly gross receipts to  
150 supplement greyhound purses or jai alai prize money,  
151 respectively, during the permitholder's next ensuing pari-mutuel  
152 meet.

153 2. Each thoroughbred and harness horse racing permitholder  
154 that operates a cardroom facility shall use at least 50 percent  
155 of such permitholder's cardroom monthly net proceeds as follows:  
156 47 percent to supplement purses and 3 percent to supplement  
157 breeders' awards during the permitholder's next ensuing racing  
158 meet.

159 3. No cardroom license or renewal thereof shall be issued  
160 by the division to an applicant holding a permit under chapter  
161 550 to conduct pari-mutuel wagering meets of quarter horse  
162 racing unless the applicant includes with their application ~~has~~  
163 ~~on file with the division~~ a binding written agreement governing  
164 the payment of purses on live quarter horse races to be  
165 conducted at the applicant's pari-mutuel facility for the  
166 licensure period applied for. Such agreement must either be  
167 between the applicant and the Florida Quarter Horse Racing  
168 Association or the applicant and an alternative representative  
169 organization designated pursuant to s. 550.3342. Such agreement  
170 ~~the association representing a majority of the horse owners and~~  
171 ~~trainers at the applicant's eligible facility, governing the~~  
172 ~~payment of purses on live quarter horse races conducted at the~~  
173 ~~licensee's pari-mutuel facility.~~ The agreement governing purses  
174 may direct the payment of such purses from revenues generated by

23-00681-18

20181478\_\_

175 any wagering or gaming the applicant is authorized to conduct  
176 under Florida law. All purses are ~~shall be~~ subject to the terms  
177 of chapter 550.

178 Section 5. This act shall take effect July 1, 2018.