

By Senator Baxley

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1 A bill to be entitled
2 An act relating to gaming machines or devices;
3 amending s. 546.10, F.S.; providing civil penalties;
4 amending s. 849.16, F.S.; revising the definition of
5 the term "slot machine or device"; providing an
6 effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

9
10 Section 1. Subsection (10) is added to section 546.10,
11 Florida Statutes, to read:

12 546.10 Amusement games or machines.—

13 (10) A person who violates this section in a manner that
14 infringes upon exclusivity provided to a federally recognized
15 tribal government pursuant to a gaming compact with the state is
16 liable to the tribal government for minimum damages in the
17 amount of \$10,000 per amusement game or machine operated in
18 violation of this section and reasonable attorney fees.

19 Section 2. Subsection (1) of section 849.16, Florida
20 Statutes, is amended to read:

21 849.16 Machines or devices which come within provisions of
22 law defined.—

23 (1) As used in this chapter, the term "slot machine or
24 device" means any machine or device or system or network of
25 devices that is adapted for use in such a way that, upon
26 activation, which may be achieved by, but is not limited to, the
27 insertion of any piece of money, coin, account number, code, or
28 other object or information, such device or system is directly
29 or indirectly caused to operate or may be operated and if the

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30 user, whether by application of skill or by reason of any
31 element of chance or any other outcome unpredictable by the
32 user, regardless of whether the machine or device or system or
33 network of devices includes a preview of the outcome or whether
34 the outcome is known, displayed, or capable of being known or
35 displayed to the user, may:

36 (a) Receive or become entitled to receive any piece of
37 money, credit, allowance, or thing of value; ~~or~~ any check,
38 slug, token, or memorandum, whether of value or otherwise, which
39 may be exchanged for any money, credit, allowance, or thing of
40 value or which may be given in trade; or the opportunity to
41 purchase a subsequently displayed outcome that may have a
42 monetary value, regardless of whether such value is equal to,
43 greater than, or less than the cost of purchasing such outcome;
44 or

45 (b) Secure additional chances or rights to use such
46 machine, apparatus, or device, even though the device or system
47 may be available for free play or, in addition to any element of
48 chance or unpredictable outcome of such operation, may also
49 sell, deliver, or present some merchandise, indication of
50 weight, entertainment, or other thing of value. The term "slot
51 machine or device" includes, but is not limited to, devices
52 regulated as slot machines pursuant to chapter 551. A machine or
53 device or system or network of devices that meets the definition
54 of "class III gaming" under the federal Indian Gaming Regulatory
55 Act of 1988, 25 U.S.C. s. 2703, is considered a "slot machine or
56 device" for purposes of this chapter.

57 Section 3. This act shall take effect July 1, 2018.