



184406

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/02/2018	.	
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The Committee on Appropriations (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

285.710 Compact authorization.—

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

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



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11 ~~2010.~~

12 (3) (a) The Gaming Compact between the Seminole Tribe of
13 Florida and the State of Florida, executed by the Governor and
14 the Tribe on April 7, 2010, was is ratified and approved by
15 chapter 2010-29, Laws of Florida. The Governor shall cooperate
16 with the Tribe in seeking approval of the compact from the
17 United States Secretary of the Interior.

18 (b) The Governor, on behalf of this state, is hereby
19 authorized and directed to execute a new compact with the Tribe
20 as set forth in paragraph (c), and the Legislature hereby
21 signifies in advance its approval and ratification of such
22 compact, provided that it is identical to the compact set forth
23 in paragraph (c) and becomes effective on or before January 1,
24 2019. The Governor shall cooperate with the Tribe in seeking
25 approval of such compact ratified and approved under this
26 paragraph from the Secretary of the Department of the Interior.
27 Upon becoming effective, such compact supersedes the Gaming
28 Compact ratified and approved under paragraph (a), which shall
29 then become null and void.

30 (c) The Legislature hereby approves and ratifies the
31 following Gaming Compact between the State of Florida and the
32 Seminole Tribe of Florida, provided that such compact becomes
33 effective on or before January 1, 2019:

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

37
38 This compact is made and entered into by and between the
39 Seminole Tribe of Florida and the State of Florida, with respect



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40 to the operation of covered games, as defined herein, on the
41 Tribe's Indian lands, as defined by the Indian Gaming Regulatory
42 Act, 25 U.S.C. ss. 2701 et seq.

43
44 PART I

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46 TITLE.—This document shall be referred to as the "Gaming
47 Compact between the Seminole Tribe of Florida and the State of
48 Florida."

49
50 PART II

51
52 LEGISLATIVE FINDINGS.—

53 (1) The Seminole Tribe of Florida is a federally recognized
54 tribal government that possesses sovereign powers and rights of
55 self-government.

56 (2) The State of Florida is a state of the United States of
57 America that possesses the sovereign powers and rights of a
58 state.

59 (3) The State of Florida and the Seminole Tribe of Florida
60 maintain a government-to-government relationship.

61 (4) The United States Supreme Court has long recognized the
62 right of an Indian Tribe to regulate activity on lands within
63 its jurisdiction, but the United States Congress, through the
64 Indian Gaming Regulatory Act, has given states a role in the
65 conduct of tribal gaming in accordance with negotiated tribal-
66 state compacts.

67 (5) Pursuant to the Seminole Tribe Amended Gaming
68 Ordinance, adopted by Resolution No. C-195-06, and approved by



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69 the Chairman of the National Indian Gaming Commission on July
70 10, 2006, hereafter referred to as the "Seminole Tribal Gaming
71 Code," the Seminole Tribe of Florida desires to offer the play
72 of covered games, as defined in Part III, as a means of
73 generating revenues for purposes authorized by the Indian Gaming
74 Regulatory Act, including, without limitation, the support of
75 tribal governmental programs, such as health care, housing,
76 sewer and water projects, police, fire suppression, general
77 assistance for tribal elders, day care for children, economic
78 development, educational opportunities, per capita payments to
79 tribal members, and other typical and valuable governmental
80 services and programs for tribal members.

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

86 (7) It is in the best interests of the Seminole Tribe of
87 Florida and the State of Florida for the state to enter into a
88 compact with the Tribe that recognizes the Tribe's right to
89 offer certain Class III gaming and provides substantial
90 exclusivity of such activities in conjunction with a reasonable
91 revenue sharing arrangement between the Tribe and the state that
92 will entitle the state to significant revenue participation.

93
94 PART III

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

97 (1) "Annual oversight assessment" means the amount owed by



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98 the Tribe to the state for reimbursement for the actual and
99 reasonable costs incurred by the state compliance agency to
100 perform the monitoring functions set forth under the compact.

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

104 (3) "Class III gaming" means the forms of Class III gaming
105 defined in 25 U.S.C. s. 2703(8) and by the regulations of the
106 National Indian Gaming Commission, as of January 1, 2018.

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

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

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

115 (a) Slot machines, which may use spinning reels, video
116 displays, or both, and which machines must meet all of the
117 following requirements:

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

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



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127 authorized to use such payment system.

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

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

139 (b) Banking or banked card games, such as baccarat, chemin
140 de fer, and blackjack or 21.

141 (c) Raffles and drawings.

142 (d) Live table games.

143 (e) Any new game, if expressly authorized by the
144 Legislature pursuant to legislation enacted subsequent to the
145 effective date of this compact and lawfully conducted by any
146 person for any purpose pursuant to such authorization.

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



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156 the conduct of covered games or the technical support or storage
157 of covered game components. The term does not include the
158 Tribe's elected officials, provided that such individuals are
159 not directly involved in the operation, maintenance, or
160 management of covered games or covered games components.

161 (8) "Documents" means books, records, electronic, magnetic,
162 and computer media documents, and other writings and materials,
163 copies of such documents and writings, and information contained
164 in such documents and writings.

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

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

173 (a) Aids a bingo game player by:

174 1. Storing in the memory of the device not more than three
175 bingo faces of tangible bingo cards as defined by s.
176 849.0931(1)(b), Florida Statutes, purchased by a player.

177 2. Comparing the numbers drawn and individually entered
178 into the device by the player to the bingo faces previously
179 stored in the memory of the device.

180 3. Identifying preannounced winning bingo patterns marked
181 or covered on the stored bingo faces.

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

184 (c) Is not capable of monitoring any bingo card face other



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185 than the faces of the tangible bingo card or cards purchased by
186 the player for that game.

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

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

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

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

198 (h) Does not contain more than one player position for
199 playing bingo.

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

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

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

207 (12) "Guaranteed minimum compact term payment" means a
208 minimum total payment for the guarantee payment period of \$3
209 billion, which shall include all revenue share payments during
210 the guarantee payment period.

211 (13) "Guarantee payment period" means the seven-year period
212 beginning July 1, 2018, and ending June 30, 2025.

213 (14) "Guaranteed revenue sharing cycle payment" means the



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214 payments as provided in Part XI.

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

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

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

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

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

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

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

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

241 (h) The display of the video of the horse or greyhound race
242 occupies at least 70 percent of the historic racing machine's



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243 video screen and does not contain and is not linked to more than
244 one video display.

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

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

249 (k) Does not contain more than one player position for
250 placing wagers.

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

252 (m) Awards prizes solely on the results of a previously
253 conducted horse or greyhound race with no additional element of
254 chance.

255 (n) Uses a random number generator to select the race from
256 the central server to be displayed to the player and the numbers
257 or other designations of race entrants that will be used in the
258 various bet types for any "Quick Pick" bets. To prevent an
259 astute player from recognizing the race based on the entrants
260 and thus knowing the results before placing a wager, the
261 entrants of the race may not be identified until after all
262 wagers for that race have been placed.

263 (16) "Indian Gaming Regulatory Act" means the Indian Gaming
264 Regulatory Act, Pub. L. 100-497, Oct. 17, 1988, 102 Stat. 2467,
265 codified at 25 U.S.C. ss. 2701 et seq. and 18 U.S.C. ss. 1166 to
266 1168.

267 (17) "Indian lands" means the lands defined in 25 U.S.C. s.
268 2703(4).

269 (18) "Initial payment period" means the period beginning on
270 the effective date of the compact and ending on June 30, 2018.

271 (19) "Live table games" means dice games, such as craps,



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272 sic-bo and any similar variations thereof, and wheel games, such
273 as roulette, big six, and any similar variations thereof, but
274 not including any game that is authorized as a slot machine,
275 banking or banked card game, raffle, or drawing.

276 (20) "Lottery vending machine" means any of the following
277 four types of machines:

278 (a) A machine that dispenses pre-printed paper instant
279 lottery tickets, but that does not read or reveal the results of
280 the ticket or allow a player to redeem any ticket. The machine,
281 or any machine or device linked to the machine, does not include
282 or make use of video reels or mechanical reels or other video
283 depictions of slot machine or casino game themes or titles for
284 game play, but does not preclude the use of casino game themes
285 or titles on such tickets or signage or advertising displays on
286 the machines.

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

296 (c) A machine that dispenses a paper lottery ticket with
297 numbers selected by the player or randomly by the machine, but
298 does not reveal the winning numbers. Such winning numbers are
299 selected at a subsequent time and different location through a
300 drawing conducted by the state lottery. The machine, or any



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301 machine or device linked to the machine, does not include or
302 make use of video reels or mechanical reels or other video
303 depictions of slot machine or casino game themes or titles for
304 game play. The machine is not used to redeem a winning ticket.
305 This does not preclude the use of casino game themes, titles for
306 signage, or advertising displays on the machine.

307 (d) A point-of-sale system to sell tickets for draw lottery
308 games at gasoline pumps at retail fuel stations, provided the
309 system dispenses a paper lottery receipt after the purchaser
310 uses a credit card or debit card to purchase the ticket;
311 processes transactions through a platform that is certified or
312 otherwise approved by the Florida Lottery; does not directly
313 dispense money or permit payment of winnings at the point-of-
314 sale terminal; and does not include or make use of video reels
315 or mechanical reels or other slot machine or casino game themes
316 or titles.

317 (21) "Monthly payment" means the monthly revenue share
318 payment which the Tribe remits to the state on the 15th day of
319 the month following each month of the revenue sharing cycle.

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

328 (23) "Net win" means the total receipts from the play of
329 all covered games less all prize payouts and free play or



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330 promotional credits issued by the Tribe.

331 (24) "Pari-mutuel wagering activities" means those
332 activities authorized on January 1, 2018, by chapter 550, which
333 do not include any casino-style game or device that include
334 video reels or mechanical reels or other slot machine or casino
335 game themes or titles.

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

339 (26) "Regular payment period" means the period beginning on
340 July 1, 2025, and terminating at the end of the term of this
341 compact.

342 (27) "Revenue share payment" means the periodic payment by
343 the Tribe to the state provided for in Part XI.

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

351 (29) "Rules and regulations" means the rules and
352 regulations promulgated by the commission for implementation of
353 this compact.

354 (30) "State" means the State of Florida.

355 (31) "State compliance agency" means the state agency
356 designated by the Florida Legislature that has the authority to
357 carry out the state's oversight responsibilities under this
358 compact.



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359 (32) "Tribe" means the Seminole Tribe of Florida or any
360 affiliate thereof conducting activities pursuant to this compact
361 under the authority of the Seminole Tribe of Florida.

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PART IV

364

AUTHORIZATION AND LOCATION OF COVERED GAMES.—

366 (1) The Tribe and state agree that the Tribe is authorized
367 to operate covered games on its Indian lands, as defined in the
368 Indian Gaming Regulatory Act, in accordance with the provisions
369 of this compact. Nothing in the compact is intended to prohibit
370 the Tribe from operating slot machines that employ video or
371 mechanical displays of roulette, wheels, or other table game
372 themes. Except for the provisions in subsection (1) of Part XI,
373 nothing in this compact shall limit the Tribe's right to operate
374 any Class II gaming under the Indian Gaming Regulatory Act.

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

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

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

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

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

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

385 (f) Seminole Hard Rock Hotel & Casino-Hollywood in
386 Hollywood, FL.

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



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

392
393 PART V

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395 RULES AND REGULATIONS; MINIMUM REQUIREMENTS FOR
396 OPERATIONS.—

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

411 (2) All facilities shall comply with, and all covered games
412 approved under this compact shall be operated in accordance
413 with, the requirements set forth in this compact, including, but
414 not limited to, the requirements set forth in subsections (3)
415 and (4) and the Tribe's Internal Control Policies and
416 Procedures. In addition, all facilities and all covered games



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417 shall be operated in strict compliance with tribal internal
418 control standards that provide a level of control that equals or
419 exceeds those set forth in the National Indian Gaming
420 Commission's Minimum Internal Control Standards, 25 C.F.R. part
421 542 (2015), even if the 2015 regulations are determined to be
422 invalid or are subsequently withdrawn by the National Indian
423 Gaming Commission. The Tribe may amend or supplement its
424 internal control standards from time to time, provided that such
425 changes continue to provide a level of control that equals or
426 exceeds those set forth in 25 C.F.R. part 542 (2015).

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

430 (4) The Tribe shall continue and maintain its program to
431 combat problem gambling and curtail compulsive gambling and work
432 with the Florida Council on Compulsive Gambling or other
433 organizations dedicated to assisting problem gamblers. The Tribe
434 shall continue to maintain the following safeguards against
435 problem gambling:

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

440 (b) The Tribe shall make printed materials available to
441 patrons, which include contact information for the Florida
442 Council on Compulsive Gambling 24-hour helpline or other hotline
443 dedicated to assisting problem gamblers, and will work with the
444 Florida Council on Compulsive Gambling or other organization
445 dedicated to assisting problem gamblers to provide contact



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446 information for the Florida Council on Compulsive Gambling or
447 other organization dedicated to assisting problem gamblers, and
448 to provide such information on the facility's website. The Tribe
449 shall continue to display within the facilities all literature
450 from the Florida Council on Compulsive Gambling or other
451 organization dedicated to assisting problem gamblers.

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

455 2. The Tribe shall employ its best efforts to exclude
456 patrons on such list from entry into its facilities; provided
457 that nothing in this compact shall create for patrons who are
458 excluded but gain access to the facilities, or any other person,
459 a cause of action or claim against the state, the Tribe or the
460 commission, or any other person, entity, or agency for failing
461 to enforce such exclusion.

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

465 (d) All covered game employees shall receive training on
466 identifying compulsive gamblers and shall be instructed to ask
467 such persons to leave. The facility shall make available signs
468 bearing a toll-free help-line number and educational and
469 informational materials at conspicuous locations and automated
470 teller machines in each facility, which materials aim at the
471 prevention of problem gaming and which specify where patrons may
472 receive counseling or assistance for gambling problems. All
473 covered games employees shall also be screened by the Tribe for
474 compulsive gambling habits. Nothing in this subsection shall



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475 create for patrons, or any other person, a cause of action or
476 claim against the state, the Tribe or the commission, or any
477 other person, entity, or agency for failing to identify a patron
478 or person who is a compulsive gambler or ask that person to
479 leave.

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

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

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

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

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

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



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504 (8) The Tribe shall continue to maintain proactive
505 approaches to prevent improper alcohol sales, drunk driving,
506 underage drinking, and underage gambling. These approaches shall
507 involve intensive staff training, screening and certification,
508 patron education, and the use of security personnel and
509 surveillance equipment in order to enhance patrons' enjoyment of
510 the facilities and provide for patron safety.

511 (a) Staff training includes specialized employee training
512 in nonviolent crisis intervention, driver license verification,
513 and detection of intoxication.

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

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

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

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



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533 the Tribe or the commission, or any other person, entity, or
534 agency for failing to fulfill the requirements of this
535 subsection.

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

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

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

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

552
553 PART VI
554

555 PATRON DISPUTES, WORKERS' COMPENSATION, TORT CLAIMS; PRIZE
556 CLAIMS; LIMITED CONSENT TO SUIT.-

557 (1) All patron disputes involving gaming shall be resolved
558 in accordance with the procedures established in the Seminole
559 Tribal Gaming Code.

560 (2) Tort claims by employees of the Tribe's facilities will
561 be handled pursuant to the provisions of the Tribe's Workers'



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562 Compensation Ordinance, which shall provide workers the same or
563 better protections as provided in state workers' compensation
564 laws.

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

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

576 (5) The Tribe shall have 30 days to respond to a claim made
577 by a patron. If the Tribe fails to respond within 30 days, the
578 patron may file suit against the Tribe. When the Tribe responds
579 to an incident alleged to have caused a patron's injury or
580 illness, the Tribe shall provide a claim form to the patron. The
581 form must include the address for the Tribe's Risk Management
582 Department and provide notice of the Tribe's administrative
583 procedures for addressing patron tort claims, including notice
584 of the relevant deadlines that may bar such claims if the
585 Tribe's administrative procedures are not followed. It is the
586 patron's responsibility to complete the form and forward the
587 form to the Tribe's Risk Management Department within a
588 reasonable period of time, and in a reasonable and timely
589 manner. Nothing herein shall interfere with any claim a patron
590 might have arising under the Federal Tort Claim Act.



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

597 (7) The insurance carrier shall handle the claim to
598 conclusion. If the patron, Tribe, and insurance carrier are not
599 able to resolve the claim in good faith within one year after
600 the patron provided written notice to the Tribe's Risk
601 Management Department or the facility, the patron may bring a
602 tort claim against the Tribe in any court of competent
603 jurisdiction in the county in which the incident alleged to have
604 caused injury occurred, as provided in this compact, and subject
605 to a four-year statute of limitations, which shall begin to run
606 from the date of the incident of the injury alleged in the
607 claim. A patron's notice of injury to the Tribe pursuant to
608 subsection (4) and the fulfillment of the good faith attempt at
609 resolution pursuant to this part are conditions precedent to
610 filing suit.

611 (8) For tort claims of patrons made pursuant to subsection
612 (4), the Tribe agrees to waive its tribal sovereign immunity to
613 the same extent as the state waives its sovereign immunity, as
614 specified in s. 768.28(1) and (5), Florida Statutes, as such
615 provision may be amended from time to time by the Legislature.
616 In no event shall the Tribe be deemed to have waived its tribal
617 immunity from suit beyond the limits set forth in s. 768.28(5),
618 Florida Statutes. These limitations are intended to include
619 liability for compensatory damages, costs, pre-judgment



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620 interest, and attorney fees if otherwise allowable under state
621 law arising out of any claim brought or asserted against the
622 Tribe, its subordinate governmental and economic units, any
623 Tribal officials, employees, servants, or agents in their
624 official capacities and any entity which is owned, directly or
625 indirectly, by the Tribe. All patron tort claims brought
626 pursuant to this provision shall be brought solely against the
627 Tribe, as the sole party in interest.

628 (9) Notices explaining the procedures and time limitations
629 with respect to making a tort claim shall be prominently
630 displayed in the facilities, posted on the Tribe's website, and
631 provided to any patron for whom the Tribe has notice of the
632 injury or property damage giving rise to the tort claim. Such
633 notices shall explain:

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

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

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

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

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

646 (10) The Tribe shall maintain an insurance policy that
647 shall:

648 (a) Prohibit the insurer or the Tribe from invoking tribal



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649 sovereign immunity for claims up to the limits to which the
650 state has waived sovereign immunity as set forth in s.
651 768.28(5), Florida Statutes, or its successor statute.

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

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

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

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

663
664 PART VII

665
666 ENFORCEMENT OF COMPACT PROVISIONS.—

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

676 (a) Operation of the conduct of covered games is in strict
677 compliance with:



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- 678 1. The Seminole Tribal Gaming Code.
- 679 2. All rules, regulations, procedures, specifications, and
680 standards lawfully adopted by the National Indian Gaming
681 Commission and the commission.
- 682 3. The provisions of this compact, including, but not
683 limited to, the Tribe's standards and rules.
- 684 (b) Reasonable measures are taken to:
- 685 1. Ensure the physical safety of facility patrons,
686 employees, and any other person while in the facility.
- 687 2. Prevent illegal activity at the facilities or with
688 regard to the operation of covered games, including, but not
689 limited to, the maintenance of employee procedures and a
690 surveillance system.
- 691 3. Ensure prompt notification is given, in accordance with
692 applicable law, to appropriate law enforcement authorities of
693 persons who may be involved in illegal acts.
- 694 4. Ensure that the construction and maintenance of the
695 facilities complies with the standards of the Florida Building
696 Code, the provisions of which the Tribe has adopted as the
697 Seminole Tribal Building Code.
- 698 5. Ensure adequate emergency access plans have been
699 prepared to ensure the health and safety of all covered game
700 patrons.
- 701 (2) All licenses for members and employees of the
702 commission shall be issued according to the same standards and
703 terms applicable to facility employees. The commission's
704 officers shall be independent of the Tribal gaming operations,
705 and shall be supervised by and accountable only to the
706 commission. A commission officer shall be available to the



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

724 (3) In order to develop and foster a positive and effective
725 relationship in the enforcement of the provisions of this
726 compact, representatives of the commission and the state
727 compliance agency shall meet at least annually to review past
728 practices and examine methods to improve the regulatory scheme
729 created by this compact. The meetings shall take place at a
730 location mutually agreed upon by the commission and the state
731 compliance agency. The state compliance agency, before or during
732 such meetings, shall disclose to the commission any concerns,
733 suspected activities, or pending matters reasonably believed to
734 constitute violations of the compact by any person,
735 organization, or entity, if such disclosure will not compromise



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736 the interest sought to be protected.

737

738 PART VIII

739

740 STATE MONITORING OF COMPACT.—

741 (1) It is the express intent of the Tribe and the state for
742 the Tribe to regulate its own gaming activities.

743 Notwithstanding, the state shall conduct random inspections as
744 provided for in this part to ensure that the Tribe is operating
745 in accordance with the terms of the compact. The state may
746 secure an annual independent audit of the conduct of covered
747 games subject to this compact and the Tribe shall cooperate with
748 such audit. The audit shall:

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

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

759 (2) A copy of the audit report for the conduct of covered
760 games shall be submitted to the commission and the state
761 compliance agency within 30 calendar days after completion.
762 Representatives of the state compliance agency may, upon
763 request, meet with the Tribe and its auditors to discuss the
764 audit or any matters in connection therewith; provided that such



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765 discussions are limited to covered games information. The annual
766 independent audit shall be performed by an independent firm
767 selected by the state which has experience in auditing casino
768 operations, subject to the consent of the Tribe, which shall not
769 be unreasonably withheld. The Tribe shall pay for the cost of
770 the annual independent audit.

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

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

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

789 (c)1. The state compliance agency may inspect any covered
790 games in operation at the facilities on a random basis, provided
791 that such inspections may not exceed one inspection per facility
792 per calendar month and the inspection may not exceed 16 hours
793 spread over those two consecutive days, unless the state



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794 compliance agency determines that additional inspection hours
795 are needed to address the issues of substantial noncompliance,
796 provided that the state compliance agency provides the Tribe
797 with written notification of the need for additional inspection
798 hours and a written summary of the substantial noncompliance
799 issues that need to be addressed during the additional
800 inspection hours. The total number of hours of random
801 inspections and audit reviews per year may not exceed 1,600
802 hours. Inspection hours shall be calculated on the basis of the
803 actual amount of time spent by the state compliance agency
804 conducting the inspections at a facility, without accounting for
805 a multiple for the number of state compliance agency inspectors
806 or agents engaged in the inspection activities. The purpose of
807 the random inspections is to confirm that the covered games
808 function properly pursuant to the manufacturer's technical
809 standards and are conducted in compliance with the Tribe's
810 Internal Control Policies and Procedures and any other
811 standards, policies, or procedures adopted by the Tribe, the
812 commission, or the National Indian Gaming Commission which
813 govern the play of covered games. The state compliance agency
814 shall provide notice to the commission of such inspection at or
815 before the commencement of a random inspection and a commission
816 agent may accompany the inspection.

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

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



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823 facility.

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

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

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



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852 facility by a commission officer.

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

858 (4) Subject to the provisions herein, the state compliance
859 agency may review and request copies of documents of the
860 facility related to its conduct of covered games during normal
861 business hours unless otherwise allowed by the Tribe. The Tribe
862 may not refuse said inspection and copying of such documents,
863 provided that the inspectors do not require copies of documents
864 in such volume that it unreasonably interferes with the normal
865 functioning of the facilities or covered games. To the extent
866 that the Tribe provides the state with information that the
867 Tribe claims to be confidential and proprietary, or a trade
868 secret, the Tribe shall clearly mark such information with the
869 following designation: "Trade Secret, Confidential, and
870 Proprietary." If the state receives a request under chapter 119
871 that would include such designated information, the state shall
872 promptly notify the Tribe of such a request and the Tribe shall
873 promptly notify the state about its intent to seek judicial
874 protection from disclosure. Upon such notice from the Tribe, the
875 state may not release the requested information until a judicial
876 determination is made. This designation and notification
877 procedure does not excuse the state from complying with the
878 requirements of the state's public records law, but is intended
879 to provide the Tribe the opportunity to seek whatever judicial
880 remedy it deems appropriate. Notwithstanding the foregoing



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881 procedure, the state compliance agency may provide copies of
882 tribal documents to federal law enforcement and other state
883 agencies or state consultants that the state deems reasonably
884 necessary in order to conduct or complete any investigation of
885 suspected criminal activity in connection with the Tribe's
886 covered games or the operation of the facilities or in order to
887 assure the Tribe's compliance with this compact.

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

899 (6) Except as expressly provided in this compact, nothing
900 in this compact shall be deemed to authorize the state to
901 regulate the Tribe's government, including the commission, or to
902 interfere in any way with the Tribe's selection of its
903 governmental officers, including members of the commission.

904
905 PART IX
906

907 JURISDICTION.—The obligations and rights of the state and
908 the Tribe under this compact are contractual in nature and are
909 to be construed in accordance with the laws of the state. This



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910 compact does not alter tribal, federal, or state civil
911 adjudicatory or criminal jurisdiction in any way.

912
913 PART X

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

922
923 PART XI

924
925 PAYMENTS TO THE STATE OF FLORIDA.—

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



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939 (2) The Tribe shall make periodic revenue share payments to
940 the state derived from net win as set forth in this subsection,
941 and any such payments shall be made to the state via electronic
942 funds transfer. Of the amounts paid by the Tribe to the state,
943 three percent shall be distributed to local governments,
944 including both counties and municipalities, in the state
945 affected by the Tribe's operation of covered games. Revenue
946 share payments by the Tribe to the state shall be calculated as
947 follows:

948 (a) During the initial payment period, the Tribe agrees to
949 pay the state a revenue share payment in accordance with this
950 subparagraph.

951 1. 13 percent of all amounts up to \$2 billion of net win
952 received by the Tribe from the operation and play of covered
953 games during each revenue sharing cycle;

954 2. 17.5 percent of all amounts greater than \$2 billion up
955 to and including \$3.5 billion of net win received by the Tribe
956 from the operation and play of covered games during each revenue
957 sharing cycle;

958 3. 20 percent of all amounts greater than \$3.5 billion up
959 to and including \$4 billion of net win received by the Tribe
960 from the operation and play of covered games during each revenue
961 sharing cycle;

962 4. 22.5 percent of all amounts greater than \$4 billion up
963 to and including \$4.5 billion of net win received by the Tribe
964 from the operation and play of covered games during each revenue
965 sharing cycle; or

966 5. 25 percent of all amounts greater than \$4.5 billion of
967 net win received by the Tribe from the operation and play of



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968 covered games during each revenue sharing cycle.

969 (b) During the guarantee payment period, the Tribe agrees
970 to make fixed payments in accordance with this paragraph. In
971 addition, within 90 days after the end of the guarantee payment
972 period, the Tribe shall make an additional payment to the state
973 equal to the amount above \$3 billion, if any, that would have
974 been owed by the Tribe to the state had the percentages set
975 forth in paragraph (c) been applicable during the guarantee
976 payment period.

977 1. A payment of \$325 million during the first revenue
978 sharing cycle;

979 2. A payment of \$350 million during the second revenue
980 sharing cycle;

981 3. A payment of \$375 million during the third revenue
982 sharing cycle;

983 4. A payment of \$425 million during the fourth revenue
984 sharing cycle;

985 5. A payment of \$475 million during the fifth revenue
986 sharing cycle;

987 6. A payment of \$500 million during the sixth revenue
988 sharing cycle; and

989 7. A payment of \$550 million during the seventh revenue
990 sharing cycle.

991 (c) During the regular payment period, the Tribe agrees to
992 pay a revenue share payment, for each revenue sharing cycle, to
993 the state equal to the amount calculated in accordance with this
994 paragraph.

995 1. 13 percent of all amounts up to \$2 billion of net win
996 received by the Tribe from the operation and play of covered



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997 games during each revenue sharing cycle;
998 2. 17.5 percent of all amounts greater than \$2 billion up
999 to and including \$3.5 billion of net win received by the Tribe
1000 from the operation and play of covered games during each revenue
1001 sharing cycle;
1002 3. 20 percent of all amounts greater than \$3.5 billion up
1003 to and including \$4 billion of net win received by the Tribe
1004 from the operation and play of covered games during each revenue
1005 sharing cycle;
1006 4. 22.5 percent of all amounts greater than \$4 billion up
1007 to and including \$4.5 billion of net win received by the Tribe
1008 from the operation and play of covered games during each revenue
1009 sharing cycle; or
1010 5. 25 percent of all amounts greater than \$4.5 billion of
1011 net win received by the Tribe from the operation and play of
1012 covered games during each revenue sharing cycle.
1013 (3) The Tribe shall remit monthly payments as follows:
1014 (a) On or before the 15th day of the month following each
1015 month of the revenue sharing cycle, the Tribe will remit to the
1016 state or its assignee the monthly payment. For purposes of this
1017 section, the monthly payment shall be 8.3333 percent of the
1018 estimated revenue share payment to be paid by the Tribe during
1019 such revenue sharing cycle.
1020 (b) The Tribe shall make available to the state at the time
1021 of the monthly payment the basis for the calculation of the
1022 payment.
1023 (c) The Tribe shall, on a monthly basis, reconcile the
1024 calculation of the estimated revenue share payment based on the
1025 Tribe's unaudited financial statements related to covered games.



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1026 (4) The Tribe shall have an audit conducted as follows:
1027 (a) On or before the 45th day after the third month, sixth
1028 month, ninth month, and twelfth month of each revenue sharing
1029 cycle, provided that the 12-month period does not coincide with
1030 the Tribe's fiscal year end date as indicated in paragraph (c),
1031 the Tribe shall provide the state with an audit report by its
1032 independent auditors as to the annual revenue share calculation.
1033 (b) For each quarter within revenue sharing cycle, the
1034 Tribe shall engage its independent auditors to conduct a review
1035 of the unaudited net revenue from covered games. On or before
1036 the 120th day after the end of the Tribe's fiscal year, the
1037 Tribe shall require its independent auditors to provide an audit
1038 report with respect to net win for covered games and the related
1039 payment of the annual revenue share.
1040 (c) If the twelfth month of the revenue sharing cycle does
1041 not coincide with the Tribe's fiscal year, the Tribe shall
1042 deduct net win from covered games for any of the months outside
1043 of the revenue sharing cycle and include net win from covered
1044 games for those months outside of the Tribe's audit period but
1045 within the revenue sharing cycle, before issuing the audit
1046 report.
1047 (d) No later than 30 calendar days after the day the audit
1048 report is issued, the Tribe shall remit to the state any
1049 underpayment of the annual revenue share, and the state shall
1050 either reimburse to the Tribe any overpayment of the annual
1051 revenue share or authorize the overpayment to be deducted from
1052 the next successive monthly payment or payments.
1053 (5) If, after any change in state law to affirmatively
1054 allow internet or online gaming, or any functionally equivalent



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1055 remote gaming system that permits a person to play from home or
1056 any other location that is remote from a casino or other
1057 commercial gaming facility, but excluding any fantasy contest
1058 conducted pursuant to s. 546.13, the Tribe's net win from the
1059 operation of covered games at all of its facilities combined
1060 drops more than five percent below its net win from the previous
1061 12-month period, the Tribe shall no longer be required to make
1062 payments to the state based on the guaranteed minimum compact
1063 term payment and shall not be required to make the guaranteed
1064 minimum compact term payment. However, the Tribe shall continue
1065 to make payments based on the percentage revenue share amount.
1066 The Tribe shall resume making the guaranteed minimum compact
1067 term payment for any subsequent revenue sharing cycle in which
1068 its net win rises above the level described in this subsection.
1069 This subsection does not apply if:

1070 (a) The decline in net win is due to acts of God, war,
1071 terrorism, fires, floods, or accidents causing damage to or
1072 destruction of one or more of its facilities or property
1073 necessary to operate the facility of facilities; or

1074 (b) The Tribe offers internet or online gaming or any
1075 functionally equivalent remote gaming system that permits a
1076 person to game from home or any other location that is remote
1077 from any of the Tribe's facilities, as authorized by law.

1078 (6) The annual oversight assessment, which shall not exceed
1079 \$250,000 per year, indexed for inflation as determined by the
1080 Consumer Price Index, shall be determined and paid in quarterly
1081 installments within 30 calendar days after receipt by the Tribe
1082 of an invoice from the state compliance agency. The Tribe
1083 reserves the right to audit the invoices on an annual basis, a



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1084 copy of which will be provided to the state compliance agency,
1085 and any discrepancies found therein shall be reconciled within
1086 45 calendar days after receipt of the audit by the state
1087 compliance agency.

1088 (7) The Tribe shall make an annual donation to the Florida
1089 Council on Compulsive Gaming as an assignee of the state in an
1090 amount not less than \$250,000 per facility.

1091 (8) Except as expressly provided in this part, nothing in
1092 this compact shall be deemed to require the Tribe to make
1093 payments of any kind to the state or any of its agencies.

1094
1095 PART XII
1096

1097 REDUCTION OF TRIBAL PAYMENTS BECAUSE OF LOSS OF EXCLUSIVITY
1098 OR OTHER CHANGES IN STATE LAW.—The intent of this compact is to
1099 provide the Tribe with the right to operate covered games on an
1100 exclusive basis throughout the state, subject to the exceptions
1101 and provisions in this part.

1102 (1) For purposes of this part, the terms "Class III gaming"
1103 or "other casino-style gaming" include, but are not limited to,
1104 slot machines, electronically assisted bingo, electronically
1105 assisted pull-tab games, noncard table games, video lottery
1106 terminals, or any similar games, whether or not such games are
1107 determined through the use of a random number generator. For the
1108 purposes of this part, the terms "Class III gaming" and "other
1109 casino-style gaming" do not include fantasy contests conducted
1110 pursuant to s. 546.13 or designated player games of poker
1111 authorized pursuant to s. 849.086, as those statutes are in
1112 effect on January 1, 2019.



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1113 (a) If, after January 1, 2019, state law is amended,
1114 implemented, or interpreted to allow the operation of Class III
1115 gaming or other casino-style gaming at any location under the
1116 jurisdiction of the state that was not in operation as of
1117 January 1, 2019, or a new form of Class III gaming or other
1118 casino-style gaming that was not in operation as of January 1,
1119 2019, and such gaming is offered to the public as a result of
1120 the amendment, implementation, or interpretation, the Tribe, no
1121 fewer than 30 days after the commencement of such new gaming or
1122 90 days after the state's receipt of written notice from the
1123 Tribe pursuant to paragraph (b), whichever occurs later, may
1124 elect to begin making the affected portion of its payments due
1125 to the state pursuant to subsections (2) and (7) of Part XI,
1126 into an escrow account.

1127 (b) In order to exercise the provisions of paragraph (a),
1128 the Tribe must first notify the state, within 90 days after such
1129 amendment, implementation, or interpretation of state law, of
1130 the Tribe's objections to such action or interpretation and
1131 further specify the basis for the Tribe's contention that such
1132 action or interpretation infringes upon the substantial
1133 exclusivity afforded under this compact. As part of its written
1134 notice, the Tribe must also indicate, if applicable, its
1135 intention to begin making the affected portion of its payments
1136 due to the state into an escrow account.

1137 (c) Upon receipt of written notice from the Tribe, the
1138 state may elect to:

1139 1. Invoke the dispute resolution provisions of Part XIII to
1140 determine whether the Tribe's contention is well-founded. In
1141 such proceeding, the Tribe carries the burden of proof and



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1142 persuasion. The pendency of such proceeding tolls the time
1143 periods set forth in paragraph (1)(a) of Part XII for the
1144 duration of the dispute or litigation; or

1145 2. Seek through enforcement action, legislation, or other
1146 means to stop the conduct of such new games.

1147 (d)1. If, within 15 months following the state's receipt of
1148 written notice from the Tribe, the Tribe's contention is deemed
1149 not to be well-founded at the conclusion of dispute resolution
1150 or new gaming is made illegal and is halted, then all funds
1151 being held in the escrow account shall be released to the state
1152 and all further payments due to the state pursuant to
1153 subsections (2) and (7) of Part XI shall promptly resume.

1154 2. If, after 15 months following the state's receipt of
1155 written notice from the Tribe, the Tribe's contention is deemed
1156 to be well-founded at the conclusion of dispute resolution and
1157 such gaming is not made illegal and halted, then all funds being
1158 held in escrow shall be returned to the Tribe and all further
1159 payments due to the state pursuant to subsections (2) and (7) of
1160 Part XI shall cease or be reduced as provided in subsection (2)
1161 until such gaming is no longer operated, in which event the
1162 payments shall promptly resume.

1163 (2) The following are exceptions to the exclusivity
1164 provisions of subsection (1):

1165 (a) Any Class III gaming authorized by a compact between
1166 the state and any other federally recognized tribe pursuant to
1167 Indian Gaming Regulatory Act, provided that the tribe has land
1168 in federal trust in the state as of January 1, 2018.

1169 (b) The operation of slot machines, which does not include
1170 any game played with tangible playing cards, at:



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1171 1. Each of the four currently operating licensed pari-
1172 mutuel facilities in Broward County and the four currently
1173 operating licensed pari-mutuel facilities in Miami-Dade County,
1174 whether or not currently operating slot machines, provided that
1175 such licenses are not transferred or otherwise used to move or
1176 operate such slot machines at any other location; or

1177 2. Licensed pari-mutuel facilities in counties, other than
1178 Broward County or Miami-Dade County, which have been authorized
1179 by referendum in each of those counties after January 1, 2012,
1180 and on or before September 1, 2018, pursuant to state law as of
1181 January 1, 2019.

1182 (c)1. If state law is amended to allow for the play of any
1183 additional type of Class III or other casino-style gaming at any
1184 of the presently operating licensed pari-mutuel facilities in
1185 Broward and Miami-Dade Counties, the Tribe may be entitled to a
1186 reduction in the revenue sharing payment as described in
1187 subparagraph 2.

1188 2. If the Tribe's annual net win from its facilities
1189 located in Broward County for the 12 month period after the
1190 gaming specified in subparagraph 1. begins to be offered for
1191 public or private use is less than the net revenue base, the
1192 revenue share payments due to the state, pursuant to paragraph
1193 (2) (b) of Part XI, for the next revenue sharing cycle and future
1194 revenue sharing cycles shall be calculated by reducing the
1195 Tribe's payment on revenue generated from its facilities in
1196 Broward County by 50 percent of that reduction in annual net win
1197 from its facilities in Broward County. This paragraph does not
1198 apply if the decline in net win is due to acts of God, war,
1199 terrorism, fires, floods, or accidents causing damage to or



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1200 destruction of one or more of its facilities or property
1201 necessary to operate the facility or facilities.

1202 3. If the Tribe's annual net win from its facilities
1203 located in Broward County subsequently equals or exceeds the net
1204 revenue base, then the Tribe's payments due to the state
1205 pursuant to paragraph (2) (b) of Part XI shall again be
1206 calculated without any reduction, but may be reduced again under
1207 the provisions set forth in subparagraph 2.

1208 (d) If state law is amended to allow the play of Class III
1209 gaming or other casino-style gaming, as defined in this part, at
1210 any location in Miami-Dade County or Broward County under the
1211 jurisdiction of the state that is not presently licensed for the
1212 play of such games at such locations, other than those
1213 facilities set forth in paragraph (c) and this paragraph, and
1214 such games were not in play as of January 1, 2018, and such
1215 gaming begins to be offered for public or private use, the
1216 payments due the state pursuant to subparagraph (c)2., shall be
1217 calculated by excluding the net win from the Tribe's facilities
1218 in Broward County.

1219 (e) The operation of a combined total of not more than 350
1220 historic racing machines, connected to a central server at that
1221 facility, and electronic bingo machines at each pari-mutuel
1222 facility licensed as of January 1, 2018, and not located in
1223 either Broward County or Miami-Dade County.

1224 (f) The operation of pari-mutuel wagering activities at
1225 pari-mutuel facilities licensed by the state.

1226 (g) The operation by the Department of the Lottery of those
1227 types of lottery games authorized under chapter 24 as of January
1228 1, 2018, but not including any player-activated or operated



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1229 machine or device other than a lottery vending machine or any
1230 banked or banking card or table game. However, not more than ten
1231 lottery vending machines may be installed at any facility or
1232 location and no lottery vending machine that dispenses
1233 electronic instant tickets may be installed at any licensed
1234 pari-mutuel facility.

1235 (h) The operation of games of poker, including designated
1236 player games of poker, as authorized by chapter 849 as of
1237 January 1, 2019.

1238 (i) The operation of games permitted by chapters 546 and
1239 849, Florida Statutes, as of January 1, 2019.

1240 (j) The following events shall not trigger any remedy under
1241 this compact and do not affect the exclusivity provisions of
1242 this compact:

1243 1. Any change to the tax rate paid to the state by the
1244 licensed pari-mutuel permitholders for the operation of slot
1245 machines, provided the effective tax rate is not less than 25
1246 percent. If the effective tax rate is less than 25 percent, then
1247 the Tribe shall be relieved of its obligations to make the
1248 guaranteed minimum compact term payment and any further
1249 guaranteed revenue sharing cycle payment, but instead shall make
1250 payments to the state for all future revenue sharing cycles
1251 based on the percentage payments set forth in paragraph (2)(c)
1252 of Part XI, but shall be permitted to exclude all revenue
1253 generated by slot machines at its facilities in Broward County;
1254 and

1255 2. Any change in state law that removes the requirement for
1256 pari-mutuel permitholders to conduct performances of live races
1257 or games in order to operate other authorized gaming activities.



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1258 (3) To the extent that the exclusivity provisions of this
1259 part are breached or otherwise violated and the Tribe's ongoing
1260 payment obligations to the state pursuant to subsections (2) and
1261 (7) of Part XI cease, any outstanding payments that would have
1262 been due the state from the Tribe's facilities before the breach
1263 or violation shall be made within 30 business days after the
1264 breach or violation.

1265 (4) The breach of this part's exclusivity provisions and
1266 the cessation of payments pursuant to subsections (2) and (7) of
1267 Part XI shall not excuse the Tribe from continuing to comply
1268 with all other provisions of this compact, including continuing
1269 to pay the state the annual oversight assessment as set forth in
1270 subsection (6) of Part XI.

1271
1272 PART XIII
1273

1274 DISPUTE RESOLUTION.—In the event that the Tribe or State
1275 believes that the other party has failed to comply with any
1276 requirements of this compact, or in the event of any dispute
1277 hereunder, including, but not limited to, a dispute over the
1278 proper interpretation of the terms and conditions of this
1279 compact, the goal of the parties is to resolve all disputes
1280 amicably and voluntarily whenever possible. In pursuit of this
1281 goal, the following procedures may be invoked:

1282 (1) A party asserting noncompliance or seeking an
1283 interpretation of this compact first shall serve written notice
1284 on the other party. The notice shall identify the specific
1285 compact provision alleged to have been violated or in dispute
1286 and shall specify in detail the asserting party's contention and



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1287 any factual basis for the claim. Representatives of the Tribe
1288 and state shall meet within 30 calendar days after receipt of
1289 notice in an effort to resolve the dispute, unless they mutually
1290 agree to extend this period.

1291 (2) A party asserting noncompliance or seeking an
1292 interpretation of this compact under this part shall be deemed
1293 to have certified that to the best of the party's knowledge,
1294 information, and belief formed after reasonable inquiry, the
1295 claim of noncompliance or the request for interpretation of this
1296 compact is warranted and made in good faith and not for any
1297 improper purpose, such as to harass or to cause unnecessary
1298 delay or the needless incurring of the cost of resolving the
1299 dispute.

1300 (3) If the parties are unable to resolve a dispute through
1301 the process specified in subsections (1) and (2), either party
1302 may call for mediation under the Commercial Mediation Procedures
1303 of the American Arbitration Association or any successor
1304 procedures, provided that such mediation does not last more than
1305 60 calendar days, unless an extension to this time limit is
1306 negotiated by the parties. Only matters arising under the terms
1307 of this compact may be available for resolution through
1308 mediation. If the parties are unable to resolve a dispute
1309 through the process specified in this part, notwithstanding any
1310 other provision of law, either party may bring an action in a
1311 United States District Court having venue regarding a dispute
1312 arising under this compact. If the court declines to exercise
1313 jurisdiction, or federal precedent exists that holds that the
1314 court would not have jurisdiction over such a dispute, either
1315 party may bring the action in the appropriate court of the



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1316 Seventeenth Judicial Circuit in Broward County, Florida. The
1317 parties are entitled to all rights of appeal permitted by law in
1318 the court system in which the action is brought.

1319 (4) For purposes of actions based on disputes between the
1320 state and the Tribe that arise under this compact and the
1321 enforcement of any judgment resulting from such action, the
1322 Tribe and the state each expressly waive the right to assert
1323 sovereign immunity from suit and from enforcement of any ensuing
1324 judgment, and further consent to be sued in federal or state
1325 court, including the right of appeal specified above, as the
1326 case may be, provided that:

1327 (a) The dispute is limited solely to issues arising under
1328 this compact.

1329 (b) There is no claim for monetary damages, except that
1330 payment of any money required by the terms of this compact, as
1331 well as injunctive relief or specific performance enforcing a
1332 provision of this compact requiring the payment of money to the
1333 state may be sought.

1334 (c) Nothing herein shall be construed to constitute a
1335 waiver of the sovereign immunity of the Tribe with respect to
1336 any third party that is made a party or intervenes as a party to
1337 the action. In the event that intervention, joinder, or other
1338 participation by any additional party in any action between the
1339 state and the Tribe would result in the waiver of the Tribe's
1340 sovereign immunity as to that additional party, the waiver of
1341 the Tribe may be revoked.

1342 (5) The state may not be precluded from pursuing any
1343 mediation or judicial remedy against the Tribe on the grounds
1344 that the state has failed to exhaust its Tribal administrative



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1345 remedies.

1346 (6) Notwithstanding any other provision of this part, any
1347 failure of the Tribe to remit the payments pursuant to the terms
1348 of Part XI entitles the state to seek injunctive relief in
1349 federal or state court, at the state's election, to compel the
1350 payments after the dispute resolution process in subsections (1)
1351 and (2) is exhausted.

1352

1353 PART XIV

1354

1355 CONSTRUCTION OF COMPACT; SEVERANCE; FEDERAL APPROVAL.-

1356 (1) Each provision of this compact shall stand separate and
1357 independent of every other provision. In the event that a
1358 federal district court in Florida or other court of competent
1359 jurisdiction shall find any provision of this compact to be
1360 invalid, the remaining provisions shall remain in full force and
1361 effect, provided that severing the invalidated provision does
1362 not undermine the overall intent of the parties in entering into
1363 this compact. However, if subsection (6) of Part III, Part XI,
1364 or Part XII are held by a court of competent jurisdiction to be
1365 invalid, this compact will become null and void.

1366 (2) It is understood that Part XII, which provides for a
1367 cessation of the payments to the state under Part XI, does not
1368 create any duty on the state but only a remedy for the Tribe if
1369 gaming under state jurisdiction is expanded.

1370 (3) This compact is intended to meet the requirements of
1371 the Indian Gaming Regulatory Act as it reads on the effective
1372 date of this compact, and where reference is made to the Indian
1373 Gaming Regulatory Act, or to an implementing regulation thereof,



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

1388 (4) Neither the presence of language that is not included
1389 in this compact, nor the absence in this compact of language
1390 that is present in another state-tribal compact shall be a
1391 factor in construing the terms of this compact.

1392 (5) The Tribe and the state shall defend the validity of
1393 this compact.

1394 (6) The parties shall cooperate in seeking approval of this
1395 compact from the Secretary of the Department of the Interior.

1396

1397 PART XV

1398

1399 NOTICES.—All notices required under this compact shall be
1400 given by certified mail, return receipt requested, commercial
1401 overnight courier service, or personal delivery, to the
1402 Governor, the President of the Senate, the Speaker of the House



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1403 of Representatives, and the Chairman and General Counsel of the
1404 Seminole Tribe of Florida.

1405

1406 PART XVI

1407

1408 EFFECTIVE DATE AND TERM.—

1409 (1) This compact, if identical to the version ratified by
1410 the Legislature in s. 285.710(3)(c), Florida Statutes, in 2018,
1411 shall become effective upon its approval as a tribal-state
1412 compact within the meaning of the Indian Gaming Regulatory Act
1413 either by action of the Secretary of the Department of the
1414 Interior or by operation of law under 25 U.S.C. s. 2710(d)(8)
1415 upon publication of a notice of approval in the Federal Register
1416 under 25 U.S.C. s. 2710(d)(8)(D).

1417 (2) This compact shall have a term of twenty-two years
1418 beginning on the first day of the month following the month in
1419 which the compact becomes effective under subsection (1).

1420 (3) The Tribe's authorization to offer covered games under
1421 this compact shall automatically terminate twenty-two years
1422 after the effective date unless renewed by an affirmative act of
1423 the Legislature.

1424

1425 PART XVII

1426

1427 AMENDMENT OF COMPACT AND REFERENCES.—

1428 (1) Amendment of this compact may only be made by written
1429 agreement of the parties, subject to approval by the Secretary
1430 of the Department of the Interior, either by publication of the
1431 notice of approval in the Federal Register or by operation of



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1432 law under 25 U.S.C. s. 2710(d)(8).

1433 (2) Legislative ratification is required for any amendment
1434 to the compact that alters the provisions relating to covered
1435 games, the amount of revenue sharing payments, suspension or
1436 reduction in payments, or exclusivity.

1437 (3) Changes in the provisions of tribal ordinances,
1438 regulations, and procedures referenced in this compact may be
1439 made by the Tribe with 30 days' advance notice to the state. If
1440 the state has an objection to any change to the tribal
1441 ordinance, regulation, or procedure which is the subject of the
1442 notice on the ground that its adoption would be a violation of
1443 the Tribe's obligations under this compact, the state may invoke
1444 the dispute resolution provisions provided in Part XIII.

1445

1446 PART XVIII

1447

1448 MISCELLANEOUS.—

1449 (1) Except to the extent expressly provided in this
1450 compact, this compact is not intended to, and shall not be
1451 construed to, create any right on the part of a third party to
1452 bring an action to enforce any of its terms.

1453 (2) If, after the effective date of this compact, the state
1454 enters into a compact with any other Tribe that contains more
1455 favorable terms with respect to the provisions of this Compact
1456 and the Secretary of the Department of the Interior approves
1457 such compact, either by publication of the notice of approval in
1458 the Federal Register or by operation of law under 25 U.S.C. s.
1459 2710(d)(8), upon tribal notice to the state and the Secretary,
1460 this compact shall be deemed amended to contain the more



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1461 favorable terms, unless the state objects to the change and can
1462 demonstrate, in a proceeding commenced under Part XIII, that the
1463 terms in question are not more favorable.

1464 (3) Upon the occurrence of certain events beyond the
1465 Tribe's control, including acts of God, war, terrorism, fires,
1466 floods, or accidents causing damage to or destruction of one or
1467 more of its facilities or property necessary to operate the
1468 facility or facilities, the Tribe's obligation to pay the
1469 guaranteed minimum compact term payment described in Part XI
1470 shall be reduced pro rata to reflect the percentage of the total
1471 net win lost to the Tribe from the impacted facility or
1472 facilities and the net win specified under subsection (2) of
1473 Part XII for purposes of determining whether the Tribe's
1474 payments described in Part XI shall cease, shall be reduced pro
1475 rata to reflect the percentage of the total net win lost to the
1476 Tribe from the impacted facility or facilities. The foregoing
1477 shall not excuse any obligations of the Tribe to make payments
1478 to the state as and when required hereunder or in any related
1479 document or agreement.

1480 (4) The Tribe and the state recognize that opportunities to
1481 engage in gaming in smoke-free or reduced-smoke environments
1482 provides both health and other benefits to patrons, and the
1483 Tribe has instituted a nonsmoking section at its Seminole Hard
1484 Rock Hotel & Casino-Hollywood Facility. As part of its
1485 continuing commitment to this issue, the Tribe shall:

1486 (a) Install and utilize a ventilation system at all new
1487 construction at its facilities, which system exhausts tobacco
1488 smoke to the extent reasonably feasible under existing state-of-
1489 the-art technology.



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1490 (b) Designate a smoke-free area for slot machines at all
1491 new construction at its facilities.

1492 (c) Install nonsmoking, vented tables for table games
1493 installed in its facilities sufficient to reasonably respond to
1494 demand for such tables.

1495 (d) Designate a nonsmoking area for gaming within all of
1496 its facilities within five years after the effective date of the
1497 compact.

1498 (5) The annual average minimum pay-out of all slot machines
1499 in each facility may not be less than 85 percent.

1500 (6) Nothing in this compact shall alter any of the existing
1501 memoranda of understanding, contracts, or other agreements
1502 entered into between the Tribe and any other federal, state, or
1503 local governmental entity.

1504 (7) The Tribe currently has, as set forth in its Employee
1505 Fair Treatment and Dispute Resolution Policy, and agrees to
1506 maintain, standards that are comparable to the standards
1507 provided in federal laws and state laws forbidding employers
1508 from discrimination in connection with the employment of persons
1509 working at the facilities on the basis of race, color, religion,
1510 national origin, gender, age, disability, or marital status.
1511 Nothing herein shall preclude the Tribe from giving preference
1512 in employment, promotion, seniority, lay-offs, or retention to
1513 members of the Tribe and other federally recognized tribes.

1514 (8) The Tribe shall, with respect to any facility where
1515 covered games are played, adopt and comply with tribal
1516 requirements that meet the same minimum state requirements
1517 applicable to businesses in the state with respect to
1518 environmental and building standards.



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PART XIX

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

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

285.712 Tribal-state gaming compacts.—

(4) Upon execution receipt of an act ratifying a tribal-state compact entered pursuant to s. 285.710(3)(b), the Governor shall provide a copy to the Secretary of State who shall forward a copy of the executed compact and the ratifying act to the United States Secretary of the Interior for his or her review



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1548 and approval, in accordance with 25 U.S.C. s. 2710(d)(8)
1549 2710(8)(d).

1550 Section 3. Section 546.13, Florida Statutes, is created to
1551 read:

1552 546.13 Fantasy contests and fantasy contest operators.-

1553 (1) DEFINITIONS.-As used in this section, the term:

1554 (a) "Entry fee" means cash or a cash equivalent that is
1555 required to be paid by a participant in order to participate in
1556 a fantasy contest.

1557 (b) "Fantasy contest" means a fantasy or simulated game or
1558 contest in which:

1559 1. The value of all prizes and awards offered to winning
1560 participants is established and made known to the participants
1561 in advance of the contest and is unrelated to the number of
1562 participants in the contest;

1563 2. All winning outcomes reflect the relative knowledge and
1564 skill of the participants and are determined predominantly by
1565 accumulated statistical results of the performance of
1566 individuals, including athletes in the case of sporting events;

1567 3. No winning outcome is based on the score, point spread,
1568 or any performance or performances of any single actual team or
1569 combination of such teams, solely on any single performance of
1570 an individual athlete or player in any single actual event, or
1571 on the performances of participants in collegiate, high school,
1572 or youth sporting events.

1573 4. No casino graphics, themes, or titles, including, but
1574 not limited to, depictions of slot machine-style symbols, cards,
1575 craps, roulette, or lotto, are displayed or depicted.

1576 (c) "Fantasy contest operator" means a person or an entity,



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1577 including any employee or agent, that offers or conducts a
1578 fantasy contest with an entry fee for a cash prize or award and
1579 that is not a participant in the fantasy contest.

1580 (2) EXEMPTIONS.—The Department of Business and Professional
1581 Regulation may not regulate and the offenses established in s.
1582 849.01, s. 849.08, s. 849.09, s. 849.11, s. 849.14, and s.
1583 849.25 do not include or apply to a fantasy contest operated or
1584 conducted by a:

1585 (a) Fantasy contest operator.

1586 (b) Natural person who is a participant in the fantasy
1587 contest, serves as the commissioner of not more than 10 fantasy
1588 contests in a calendar year, and distributes all entry fees for
1589 the fantasy contest as prizes or awards to the participants in
1590 that fantasy contest.

1591 Section 4. Subsections (1) and (3) of section 550.01215,
1592 Florida Statutes, are amended to read:

1593 550.01215 License application; periods of operation; bond,
1594 conversion of permit.—

1595 (1) Each permitholder shall annually, during the period
1596 between December 15 and January 4, file in writing with the
1597 division its application for an operating a license to conduct
1598 pari-mutuel wagering during the next state fiscal year,
1599 including intertrack and simulcast race wagering for greyhound
1600 racing permitholders, jai alai permitholders, harness horse
1601 racing permitholders, and quarter horse racing permitholders
1602 that do not ~~to~~ conduct live performances ~~during the next state~~
1603 fiscal year. Each application for live performances must ~~shall~~
1604 specify the number, dates, and starting times of all live
1605 performances ~~that~~ ~~which~~ the permitholder intends to conduct. It



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1606 must ~~shall~~ also specify which performances will be conducted as
1607 charity or scholarship performances.

1608 (a) In addition, Each application for an operating a
1609 license also must ~~shall~~ include:~~7~~

1610 1. For each permitholder, whether the permitholder intends
1611 to accept wagers on intertrack or simulcast events.

1612 2. For each permitholder that elects ~~which elects~~ to
1613 operate a cardroom, the dates and periods of operation the
1614 permitholder intends to operate the cardroom. ~~or~~

1615 3. For each thoroughbred racing permitholder that ~~which~~
1616 elects to receive or rebroadcast out-of-state races after 7
1617 p.m., the dates for all performances which the permitholder
1618 intends to conduct.

1619 (b) A greyhound racing permitholder that conducted a full
1620 schedule of live racing for a period of at least 10 consecutive
1621 state fiscal years after the 1996-1997 state fiscal year, or
1622 that converted its permit to a permit to conduct greyhound
1623 racing after the 1996-1997 state fiscal year, irrevocably may
1624 elect not to conduct live racing if the election is made within
1625 36 months after the effective date of this act. A greyhound
1626 racing permitholder that makes such election retains its permit;
1627 is a pari-mutuel facility as defined in s. 550.002(23); if such
1628 permitholder has been issued a slot machine license, the
1629 facility where such permit is located remains an eligible
1630 facility as defined in s. 551.102(4), continues to be eligible
1631 for a slot machine license, and is exempt from ss. 551.104(3)
1632 and (4)(c)1. and 551.114(2) and (4); is eligible, but not
1633 required, to be a guest track for purposes of intertrack
1634 wagering and simulcasting pursuant to ss. 550.3551, 550.615, and



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1635 550.6305; and remains eligible for a cardroom license
1636 notwithstanding any requirement in s. 849.086 for the conduct of
1637 live performances. A greyhound racing permitholder may receive
1638 an operating license to conduct pari-mutuel wagering activities
1639 at another permitholder's greyhound racing facility pursuant to
1640 s. 550.475.

1641 (c) A jai alai permitholder, harness horse racing
1642 permitholder or a quarter horse racing permitholder that has
1643 conducted live racing or games for at least 5 years irrevocably
1644 may elect not to conduct live racing or games if the election is
1645 made within 36 months after the effective date of this act. A
1646 permitholder that makes such election retains its permit; is a
1647 pari-mutuel facility as defined in s. 550.002(23); if such
1648 permitholder has been issued a slot machine license, the
1649 facility where such permit is located remains an eligible
1650 facility as defined in s. 551.102(4), continues to be eligible
1651 for a slot machine license, and is exempt from ss. 551.104(3)
1652 and (4)(c)1. and 551.114(2) and (4); is eligible, but not
1653 required, to be a guest track and, if the permitholder is a
1654 harness horse racing permitholder, to be a host track for
1655 purposes of intertrack wagering and simulcasting pursuant to ss.
1656 550.3551, 550.615, 550.625, and 550.6305; and remains eligible
1657 for a cardroom license notwithstanding any requirement in s.
1658 849.086 to conduct live performances.

1659 (d) Permitholders ~~may shall be entitled to~~ amend their
1660 applications through February 28.

1661 (3) The division shall issue each license no later than
1662 March 15. Each permitholder shall operate all performances at
1663 the date and time specified on its license. The division shall



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1664 have the authority to approve minor changes in racing dates
1665 after a license has been issued. The division may approve
1666 changes in racing dates after a license has been issued when
1667 there is no objection from any operating permitholder located
1668 within 50 miles of the permitholder requesting the changes in
1669 operating dates. In the event of an objection, the division
1670 shall approve or disapprove the change in operating dates based
1671 upon the impact on operating permitholders located within 50
1672 miles of the permitholder requesting the change in operating
1673 dates. In making the determination to change racing dates, the
1674 division shall take into consideration the impact of such
1675 changes on state revenues. Notwithstanding any other provision
1676 of law, and for the 2018-2019 fiscal year only, the division may
1677 approve changes in racing dates for permitholders if the request
1678 for such changes is received before May 31, 2018.

1679 Section 5. Subsections (9), (13), (14), and paragraph (a)
1680 of subsection (11) of section 550.054, Florida Statutes, are
1681 amended to read:

1682 550.054 Application for permit to conduct pari-mutuel
1683 wagering.—

1684 (9) (a) After a permit has been granted by the division and
1685 has been ratified and approved by the majority of the electors
1686 participating in the election in the county designated in the
1687 permit, the division shall grant to the lawful permitholder,
1688 subject to the conditions of this chapter, a license to conduct
1689 pari-mutuel operations under this chapter, and, except as
1690 provided in s. 550.5251, the division shall fix annually the
1691 time, place, and number of days during which pari-mutuel
1692 operations may be conducted by the permitholder at the location



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1693 fixed in the permit and ratified in the election. After the
1694 first license has been issued to the holder of a ratified permit
1695 for racing in any county, all subsequent annual applications for
1696 a license by that permitholder must be accompanied by proof, in
1697 such form as the division requires, that the ratified
1698 permitholder still possesses all the qualifications prescribed
1699 by this chapter and that the permit has not been recalled at a
1700 later election held in the county.

1701 (b) The division may revoke or suspend any permit or
1702 license issued under this chapter upon a the willful violation
1703 by the permitholder or licensee of any provision of chapter 551,
1704 chapter 849, or this chapter or rules of any rule adopted
1705 pursuant to those chapters. With the exception of the revocation
1706 of permits required in paragraphs (c) and (e) under this
1707 chapter. In lieu of suspending or revoking a permit or license,
1708 the division, in lieu of suspending or revoking a permit or
1709 license, may impose a civil penalty against the permitholder or
1710 licensee for a violation of this chapter or rules adopted
1711 pursuant thereto any rule adopted by the division. The penalty
1712 so imposed may not exceed \$1,000 for each count or separate
1713 offense. All penalties imposed and collected must be deposited
1714 with the Chief Financial Officer to the credit of the General
1715 Revenue Fund.

1716 (c)1. The division shall revoke the permit of any
1717 permitholder that fails to make payments due pursuant to chapter
1718 550, chapter 551, or s. 849.086 for more than 24 consecutive
1719 months unless such failure was the direct result of fire,
1720 strike, war, or other disaster or event beyond the
1721 permitholder's control. Financial hardship to the permitholder



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1722 does not, in and of itself, constitute just cause for failure to
1723 make payments.

1724 2. The division shall revoke the permit of any permit holder
1725 that has not obtained an operating license in accordance with s.
1726 550.01215 for a period of more than 24 consecutive months after
1727 June 30, 2012. The division shall revoke the permit upon
1728 adequate notice to the permit holder. Financial hardship to the
1729 permit holder does not, in and of itself, constitute just cause
1730 for failure to operate.

1731 (d) A new permit to conduct pari-mutuel wagering may not be
1732 approved or issued after January 1, 2018.

1733 (e) A permit revoked under this subsection is void and may
1734 not be reissued.

1735 (11) (a) A permit granted under this chapter may not be
1736 transferred or assigned except upon written approval by the
1737 division pursuant to s. 550.1815, ~~except that the holder of any~~
1738 ~~permit that has been converted to a jai alai permit may lease or~~
1739 ~~build anywhere within the county in which its permit is located.~~

1740 (13) ~~(a)~~ Notwithstanding any provisions of this chapter or
1741 chapter 551, a pari-mutuel ~~no thoroughbred horse racing~~ permit
1742 or license issued under this chapter ~~may not~~ shall be
1743 transferred, or reissued when such reissuance is in the nature
1744 of a transfer so as to permit or authorize a licensee to change
1745 the location of a pari-mutuel facility, or a cardroom or slot
1746 machine facility, except through the relocation of the pari-
1747 mutuel permit pursuant to s. 550.0555 ~~thoroughbred horse~~
1748 racetrack ~~except upon proof in such form as the division may~~
1749 prescribe that a referendum election has been held:

1750 1. ~~If the proposed new location is within the same county~~



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1751 ~~as the already licensed location, in the county where the~~
1752 ~~licensee desires to conduct the race meeting and that a majority~~
1753 ~~of the electors voting on that question in such election voted~~
1754 ~~in favor of the transfer of such license.~~

1755 ~~2. If the proposed new location is not within the same~~
1756 ~~county as the already licensed location, in the county where the~~
1757 ~~licensee desires to conduct the race meeting and in the county~~
1758 ~~where the licensee is already licensed to conduct the race~~
1759 ~~meeting and that a majority of the electors voting on that~~
1760 ~~question in each such election voted in favor of the transfer of~~
1761 ~~such license.~~

1762 ~~(b) Each referendum held under the provisions of this~~
1763 ~~subsection shall be held in accordance with the electoral~~
1764 ~~procedures for ratification of permits, as provided in s.~~
1765 ~~550.0651. The expense of each such referendum shall be borne by~~
1766 ~~the licensee requesting the transfer.~~

1767 ~~(14)(a) Notwithstanding any other provision of law, a pari-~~
1768 ~~mutuel permit, cardroom, or slot machine facility may not be~~
1769 ~~relocated, and a pari-mutuel permit may not be converted to~~
1770 ~~another class of permit. Any holder of a permit to conduct jai~~
1771 ~~alai may apply to the division to convert such permit to a~~
1772 ~~permit to conduct greyhound racing in lieu of jai alai if:~~

1773 ~~1. Such permit is located in a county in which the division~~
1774 ~~has issued only two pari-mutuel permits pursuant to this~~
1775 ~~section;~~

1776 ~~2. Such permit was not previously converted from any other~~
1777 ~~class of permit; and~~

1778 ~~3. The holder of the permit has not conducted jai alai~~
1779 ~~games during a period of 10 years immediately preceding his or~~



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1780 ~~her application for conversion under this subsection.~~
1781 ~~(b) The division, upon application from the holder of a jai~~
1782 ~~alai permit meeting all conditions of this section, shall~~
1783 ~~convert the permit and shall issue to the permitholder a permit~~
1784 ~~to conduct greyhound racing. A permitholder of a permit~~
1785 ~~converted under this section shall be required to apply for and~~
1786 ~~conduct a full schedule of live racing each fiscal year to be~~
1787 ~~eligible for any tax credit provided by this chapter. The holder~~
1788 ~~of a permit converted pursuant to this subsection or any holder~~
1789 ~~of a permit to conduct greyhound racing located in a county in~~
1790 ~~which it is the only permit issued pursuant to this section who~~
1791 ~~operates at a leased facility pursuant to s. 550.475 may move~~
1792 ~~the location for which the permit has been issued to another~~
1793 ~~location within a 30-mile radius of the location fixed in the~~
1794 ~~permit issued in that county, provided the move does not cross~~
1795 ~~the county boundary and such location is approved under the~~
1796 ~~zoning regulations of the county or municipality in which the~~
1797 ~~permit is located, and upon such relocation may use the permit~~
1798 ~~for the conduct of pari-mutuel wagering and the operation of a~~
1799 ~~cardroom. The provisions of s. 550.6305(9) (d) and (f) shall~~
1800 ~~apply to any permit converted under this subsection and shall~~
1801 ~~continue to apply to any permit which was previously included~~
1802 ~~under and subject to such provisions before a conversion~~
1803 ~~pursuant to this section occurred.~~
1804 Section 6. Section 550.0745, Florida Statutes, is repealed.
1805 Section 7. Subsection (3) of section 550.09512, Florida
1806 Statutes, is amended to read:
1807 550.09512 Harness horse taxes; abandoned interest in a
1808 permit for nonpayment of taxes.-



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1809 (3)~~(a)~~ The division shall revoke the permit of a harness
1810 horse racing permitholder who does not pay tax on handle for
1811 live harness horse performances for a full schedule of live
1812 races for more than 24 consecutive months ~~during any 2~~
1813 ~~consecutive state fiscal years shall be void and shall escheat~~
1814 ~~to and become the property of the state~~ unless such failure to
1815 operate and pay tax on handle was the direct result of fire,
1816 strike, war, or other disaster or event beyond the ability of
1817 the permitholder to control. Financial hardship to the
1818 permitholder does ~~shall~~ not, in and of itself, constitute just
1819 cause for failure to operate and pay tax on handle. A permit
1820 revoked under this subsection is void and may not be reissued.

1821 ~~(b) In order to maximize the tax revenues to the state, the~~
1822 ~~division shall reissue an escheated harness horse permit to a~~
1823 ~~qualified applicant pursuant to the provisions of this chapter~~
1824 ~~as for the issuance of an initial permit. However, the~~
1825 ~~provisions of this chapter relating to referendum requirements~~
1826 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
1827 ~~escheated harness horse permit. As specified in the application~~
1828 ~~and upon approval by the division of an application for the~~
1829 ~~permit, the new permitholder shall be authorized to operate a~~
1830 ~~harness horse facility anywhere in the same county in which the~~
1831 ~~escheated permit was authorized to be operated, notwithstanding~~
1832 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

1833 Section 8. Subsections (3) and (7) of section 550.09515,
1834 Florida Statutes, are amended to read:

1835 550.09515 Thoroughbred horse taxes; abandoned interest in a
1836 permit for nonpayment of taxes.-

1837 (3)~~(a)~~ The division shall revoke the permit of a



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1838 thoroughbred racing horse permitholder that ~~who~~ does not pay tax
1839 on handle for live thoroughbred horse performances for a full
1840 schedule of live races for more than 24 consecutive months
1841 ~~during any 2 consecutive state fiscal years shall be void and~~
1842 ~~shall escheat to and become the property of the state unless~~
1843 such failure to operate and pay tax on handle was the direct
1844 result of fire, strike, war, or other disaster or event beyond
1845 the ability of the permitholder to control. Financial hardship
1846 to the permitholder does ~~shall~~ not, in and of itself, constitute
1847 just cause for failure to operate and pay tax on handle. A
1848 permit revoked under this subsection is void and may not be
1849 reissued.

1850 ~~(b) In order to maximize the tax revenues to the state, the~~
1851 ~~division shall reissue an escheated thoroughbred horse permit to~~
1852 ~~a qualified applicant pursuant to the provisions of this chapter~~
1853 ~~as for the issuance of an initial permit. However, the~~
1854 ~~provisions of this chapter relating to referendum requirements~~
1855 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
1856 ~~escheated thoroughbred horse permit. As specified in the~~
1857 ~~application and upon approval by the division of an application~~
1858 ~~for the permit, the new permitholder shall be authorized to~~
1859 ~~operate a thoroughbred horse facility anywhere in the same~~
1860 ~~county in which the escheated permit was authorized to be~~
1861 ~~operated, notwithstanding the provisions of s. 550.054(2)~~
1862 ~~relating to mileage limitations.~~

1863 ~~(7) If a thoroughbred permitholder fails to operate all~~
1864 ~~performances on its 2001-2002 license, failure to pay tax on~~
1865 ~~handle for a full schedule of live races for those performances~~
1866 ~~in the 2001-2002 fiscal year does not constitute failure to pay~~



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1867 ~~taxes on handle for a full schedule of live races in a fiscal~~
1868 ~~year for the purposes of subsection (3). This subsection may not~~
1869 ~~be construed as forgiving a thoroughbred permitholder from~~
1870 ~~paying taxes on performances conducted at its facility pursuant~~
1871 ~~to its 2001-2002 license other than for failure to operate all~~
1872 ~~performances on its 2001-2002 license. This subsection expires~~
1873 ~~July 1, 2003.~~

1874 Section 9. Section 550.3345, Florida Statutes, is amended
1875 to read:

1876 550.3345 ~~Conversion of quarter horse permit to a Limited~~
1877 ~~thoroughbred racing permit.-~~

1878 (1) In recognition of the important and long-standing
1879 economic contribution of the thoroughbred horse breeding
1880 industry to this state and the state's vested interest in
1881 promoting the continued viability of this agricultural activity,
1882 the state intends to provide a limited opportunity for the
1883 conduct of live thoroughbred horse racing with the net revenues
1884 from such racing dedicated to the enhancement of thoroughbred
1885 purses and breeders', stallion, and special racing awards under
1886 this chapter; the general promotion of the thoroughbred horse
1887 breeding industry; and the care in this state of thoroughbred
1888 horses retired from racing.

1889 (2) A limited thoroughbred racing permit previously
1890 converted from ~~Notwithstanding any other provision of law, the~~
1891 ~~holder of a quarter horse racing permit pursuant to chapter~~
1892 2010-29, Laws of Florida, issued under s. 550.334 may only be
1893 held by, within 1 year after the effective date of this section,
1894 ~~apply to the division for a transfer of the quarter horse racing~~
1895 ~~permit to a not-for-profit corporation formed under state law to~~



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1896 serve the purposes of the state as provided in subsection (1).
1897 The board of directors of the not-for-profit corporation must be
1898 composed ~~comprised~~ of 11 members, 4 of whom shall be designated
1899 by the applicant, 4 of whom shall be designated by the Florida
1900 Thoroughbred Breeders' Association, and 3 of whom shall be
1901 designated by the other 8 directors, with at least 1 of these 3
1902 members being an authorized representative of another
1903 thoroughbred racing permitholder in this state. A limited
1904 thoroughbred racing ~~The not-for-profit corporation shall submit~~
1905 ~~an application to the division for review and approval of the~~
1906 ~~transfer in accordance with s. 550.054. Upon approval of the~~
1907 ~~transfer by the division, and notwithstanding any other~~
1908 ~~provision of law to the contrary, the not-for-profit corporation~~
1909 ~~may, within 1 year after its receipt of the permit, request that~~
1910 ~~the division convert the quarter horse racing permit to a permit~~
1911 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~
1912 ~~thoroughbred racing. Neither the transfer of the quarter horse~~
1913 ~~racing permit nor its conversion to a limited thoroughbred~~
1914 ~~permit shall be subject to the mileage limitation or the~~
1915 ~~ratification election as set forth under s. 550.054(2) or s.~~
1916 ~~550.0651. Upon receipt of the request for such conversion, the~~
1917 ~~division shall timely issue a converted permit. The converted~~
1918 permit and the not-for-profit corporation are ~~shall be~~ subject
1919 to the following requirements:

1920 (a) All net revenues derived by the not-for-profit
1921 corporation under the thoroughbred ~~horse~~ racing permit, after
1922 the funding of operating expenses and capital improvements,
1923 shall be dedicated to the enhancement of thoroughbred purses and
1924 breeders', stallion, and special racing awards under this



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1925 chapter; the general promotion of the thoroughbred horse
1926 breeding industry; and the care in this state of thoroughbred
1927 horses retired from racing.

1928 (b) From December 1 through April 30, ~~no~~ live thoroughbred
1929 racing may not be conducted under the permit on any day during
1930 which another thoroughbred racing permitholder is conducting
1931 live thoroughbred racing within 125 air miles of the not-for-
1932 profit corporation's pari-mutuel facility unless the other
1933 thoroughbred racing permitholder gives its written consent.

1934 (c) ~~After the conversion of the quarter horse racing permit~~
1935 ~~and the~~ issuance of its initial license to conduct pari-mutuel
1936 wagering meets of thoroughbred racing, the not-for-profit
1937 corporation shall annually apply to the division for a license
1938 pursuant to s. 550.5251.

1939 (d) Racing under the permit may take place only at the
1940 location for which the original quarter horse racing permit was
1941 issued, which may be leased by the not-for-profit corporation
1942 for that purpose; ~~however, the not-for-profit corporation may,~~
1943 ~~without the conduct of any ratification election pursuant to s.~~
1944 ~~550.054(13) or s. 550.0651, move the location of the permit to~~
1945 ~~another location in the same county provided that such~~
1946 ~~relocation is approved under the zoning and land use regulations~~
1947 ~~of the applicable county or municipality.~~

1948 (e) A limited thoroughbred racing ~~no~~ permit may not be
1949 transferred ~~converted under this section is eligible for~~
1950 ~~transfer~~ to another person or entity.

1951 (3) Unless otherwise provided in this section, ~~after~~
1952 ~~conversion,~~ the permit and the not-for-profit corporation shall
1953 be treated under the laws of this state as a thoroughbred racing



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1954 permit and as a thoroughbred racing permitholder, respectively,
1955 with the exception of ss. 550.054(9)(c) and 550.09515(3) ~~§~~
1956 ~~550.09515(3)~~.

1957 Section 10. Subsections (1), (4), and (5) of section
1958 550.6308, Florida Statutes, are amended to read:

1959 550.6308 Limited intertrack wagering license.—In
1960 recognition of the economic importance of the thoroughbred
1961 breeding industry to this state, its positive impact on tourism,
1962 and of the importance of a permanent thoroughbred sales facility
1963 as a key focal point for the activities of the industry, a
1964 limited license to conduct intertrack wagering is established to
1965 ensure the continued viability and public interest in
1966 thoroughbred breeding in Florida.

1967 (1) Upon application to the division on or before January
1968 31 of each year, any person that is licensed to conduct public
1969 sales of thoroughbred horses pursuant to s. 535.01 and, that has
1970 conducted at least 8 ~~15~~ days of thoroughbred horse sales at a
1971 permanent sales facility in this state for at least 3
1972 consecutive years, ~~and that has conducted at least 1 day of~~
1973 ~~nonwagering thoroughbred racing in this state, with a purse~~
1974 ~~structure of at least \$250,000 per year for 2 consecutive years~~
1975 before such application, shall be issued a license, subject to
1976 the conditions set forth in this section, to conduct intertrack
1977 wagering at such a permanent sales facility ~~during the following~~
1978 ~~periods:~~

- 1979 ~~(a) Up to 21 days in connection with thoroughbred sales;~~
1980 ~~(b) Between November 1 and May 8;~~
1981 ~~(c) Between May 9 and October 31 at such times and on such~~
1982 ~~days as any thoroughbred, jai alai, or a greyhound permitholder~~



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1983 ~~in the same county is not conducting live performances; provided~~
1984 ~~that any such permitholder may waive this requirement, in whole~~
1985 ~~or in part, and allow the licensee under this section to conduct~~
1986 ~~intertrack wagering during one or more of the permitholder's~~
1987 ~~live performances; and~~

1988 ~~(d) During the weekend of the Kentucky Derby, the~~
1989 ~~Preakness, the Belmont, and a Breeders' Cup Meet that is~~
1990 ~~conducted before November 1 and after May 8.~~

1991
1992 Only ~~No more than~~ one such license may be issued, and no such
1993 license may be issued for a facility located within 50 miles of
1994 any for-profit thoroughbred permitholder's track.

1995 ~~(4) Intertrack wagering under this section may be conducted~~
1996 ~~only on thoroughbred horse racing, except that intertrack~~
1997 ~~wagering may be conducted on any class of pari-mutuel race or~~
1998 ~~game conducted by any class of permitholders licensed under this~~
1999 ~~chapter if all thoroughbred, jai alai, and greyhound~~
2000 ~~permitholders in the same county as the licensee under this~~
2001 ~~section give their consent.~~

2002 ~~(4)(5)~~ The licensee shall be considered a guest track under
2003 this chapter. The licensee shall pay 2.5 percent of the total
2004 contributions to the daily pari-mutuel pool on wagers accepted
2005 at the licensee's facility on greyhound races or jai alai games
2006 to the thoroughbred permitholder that is conducting live races
2007 for purses to be paid during its current racing meet. If more
2008 than one thoroughbred permitholder is conducting live races on a
2009 day during which the licensee is conducting intertrack wagering
2010 on greyhound races or jai alai games, the licensee shall
2011 allocate these funds between the operating thoroughbred



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2012 ~~permitholders on a pro rata basis based on the total live handle~~
2013 ~~at the operating permitholders' facilities.~~

2014 Section 11. Subsections (4), (10), and (11) of section
2015 551.102, Florida Statutes, are amended to read:

2016 551.102 Definitions.—As used in this chapter, the term:

2017 (4) "Eligible facility" means any licensed pari-mutuel
2018 ~~facility located in Miami Dade County or Broward County existing~~
2019 ~~at the time of adoption of s. 23, Art. X of the State~~
2020 ~~Constitution that has conducted live racing or games during~~
2021 ~~calendar years 2002 and 2003 and has been approved by a majority~~
2022 ~~of voters in a countywide referendum to have slot machines at~~
2023 ~~such facility in the respective county; any licensed pari-mutuel~~
2024 ~~facility located within a county as defined in s. 125.011,~~
2025 ~~provided such facility has conducted live racing for 2~~
2026 ~~consecutive calendar years immediately preceding its application~~
2027 ~~for a slot machine license, pays the required license fee, and~~
2028 ~~meets the other requirements of this chapter; or any licensed~~
2029 ~~pari-mutuel facility in any other county in which a majority of~~
2030 ~~voters have approved slot machines at such facilities in a~~
2031 ~~countywide referendum held pursuant to a statutory or~~
2032 ~~constitutional authorization after the effective date of this~~
2033 ~~section in the respective county, provided such facility has~~
2034 ~~conducted a full schedule of live racing for 2 consecutive~~
2035 ~~calendar years immediately preceding its application for a slot~~
2036 ~~machine license, pays the required licensed fee, and meets the~~
2037 ~~other requirements of this chapter.~~

2038 (10) "Slot machine license" means a license issued by the
2039 division authorizing a pari-mutuel permitholder to place and
2040 operate slot machines as provided in ~~by~~ s. 23, Art. X of the



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2041 ~~State Constitution, the provisions of this chapter,~~ and by
2042 division rule rules.

2043 (11) "Slot machine licensee" means a pari-mutuel
2044 permitholder which ~~who~~ holds a license issued by the division
2045 pursuant to this chapter which ~~that~~ authorizes such person to
2046 possess a slot machine ~~within facilities specified in s. 23,~~
2047 ~~Art. X of the State Constitution~~ and allows slot machine gaming.

2048 Section 12. Subsections (1) and (2) and paragraph (c) of
2049 subsection (4) of section 551.104, Florida Statutes, are amended
2050 to read:

2051 551.104 License to conduct slot machine gaming.-

2052 (1) Upon application, and ~~and~~ a finding by the division after
2053 investigation that the application is complete and that the
2054 applicant is qualified, and payment of the initial license fee,
2055 the division may issue a license to conduct slot machine gaming
2056 in the designated slot machine gaming area of the eligible
2057 facility. Once licensed, slot machine gaming may be conducted
2058 subject to ~~the requirements of~~ this chapter and rules adopted
2059 pursuant thereto. The division may not issue a slot machine
2060 license to any pari-mutuel permitholder that includes, or
2061 previously included within its ownership group, an ultimate
2062 equitable owner that was also an ultimate equitable owner of a
2063 pari-mutuel permitholder whose permit was voluntarily or
2064 involuntarily surrendered, suspended, or revoked by the division
2065 within 10 years before the date of the permitholder's filing of
2066 an application for a slot machine license.

2067 (2) An application may be approved by the division only
2068 after:

2069 (a) The voters of the county where the applicant's facility



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2070 is located have authorized by referendum slot machines within
2071 pari-mutuel facilities located in: that county as specified in
2072 s. 23, Art. X of the State Constitution

2073 1. Miami-Dade County or Broward County existing at the time
2074 of adoption of s. 23, Art. X of the State Constitution which
2075 conducted live racing or games during calendar years 2002 and
2076 2003, if such permitholder pays the required license fee and
2077 meets the other requirements of this chapter.

2078 2. A county as defined in s. 125.011, provided such
2079 facility has conducted live racing for 2 consecutive calendar
2080 years immediately preceding its application for a slot machine
2081 license, pays the required license fee, and meets the other
2082 requirements of this chapter.

2083 3. Any other county, provided:

2084 a. Such facility has conducted a full schedule of live
2085 racing or games, as defined in s. 550.002(11), for 2 consecutive
2086 calendar years immediately preceding its application for a slot
2087 machine license, pays the required license fee, and meets the
2088 other requirements of this chapter, and such referendum was
2089 conducted after January 1, 2012, and on or before September 1,
2090 2018; or

2091 b. Such facility is located on or contiguous with property
2092 of the qualified project of a public-private partnership between
2093 the permitholder and a responsible public entity in accordance
2094 with s. 255.065 and for which a comprehensive agreement has been
2095 executed pursuant to s. 255.065 (7), has conducted a full
2096 schedule of live racing or games, as defined in s. 550.002(11),
2097 for 2 consecutive calendar years immediately preceding its
2098 application, pays the required license fee and meets the other



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2099 requirements of this chapter, and such referendum is conducted
2100 after the effective date of this act and on or before September
2101 1, 2018.

2102 (b) The applicant, for a facility described in subparagraph
2103 (a)3., irrevocably surrenders to the division one greyhound
2104 racing permit or one jai alai permit issued pursuant to chapter
2105 550 and, after surrendering such permit, continues to hold the
2106 permit authorizing pari-mutuel wagering activities at the
2107 location at which the applicant intends to operate slot machine
2108 gaming. For a permit to be qualified for surrender by an
2109 applicant under this paragraph, the holder of such greyhound
2110 racing permit or jai alai permit, including any previous owner
2111 of such permit, must have conducted a full schedule of live
2112 racing or games, as defined in s. 550.002(11), under such permit
2113 for not less than the 5 state fiscal years immediately prior to
2114 state fiscal year 2018-2019. Upon the surrender of such
2115 greyhound racing permit or jai alai permit, the surrendered
2116 permit is void and may not be reissued.

2117 (4) As a condition of licensure and to maintain continued
2118 authority for the conduct of slot machine gaming, a ~~the~~ slot
2119 machine licensee shall:

2120 (c)1. Conduct no less ~~fewer~~ than a full schedule of live
2121 racing or games as defined in s. 550.002(11), unless conducting
2122 less than a full schedule of live racing or games pursuant to s.
2123 550.01215(1) (b) or (c). A permitholder's responsibility to
2124 conduct a full schedule ~~such number~~ of live races or games, as
2125 defined in s. 550.002(11), shall be reduced by the number of
2126 races or games that could not be conducted due to the direct
2127 result of fire, war, hurricane, or other disaster or event



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2128 beyond the control of the permitholder. A permitholder may
2129 conduct live races or games at another pari-mutuel facility
2130 pursuant to s. 550.475 if such permitholder has operated its
2131 live races or games by lease for at least 5 consecutive years
2132 immediately prior to the permitholder's application for a slot
2133 machine license.

2134 2.a. If not licensed to conduct a full schedule of live
2135 racing or games, as defined in s. 550.002(11), pursuant to s.
2136 550.01215(1)(b) or (c), remit each month to each qualified
2137 thoroughbred permitholder, by electronic funds transfer, an
2138 amount equal to one-twelfth of the lesser of \$1.5 million or
2139 2.75 percent of its slot machine revenues from the previous
2140 state fiscal year, divided by the total number of qualified
2141 thoroughbred permitholders for the applicable state fiscal year.
2142 Qualified thoroughbred permitholders shall use such payments
2143 exclusively for purses and awards for live thoroughbred horse
2144 races held at the qualified thoroughbred permitholder's racing
2145 facility. For the purposes of this subparagraph, the term
2146 "qualified thoroughbred permitholder" means a thoroughbred
2147 permitholder conducting, in the applicable state fiscal year, no
2148 less than a full schedule of live racing or games, as defined in
2149 s. 550.002(11), and no fewer live thoroughbred horse racing
2150 performances than such permitholder conducted in state fiscal
2151 year 2017-2018. The term does not include a permitholder whose
2152 permit was issued pursuant to s. 550.3345 or a permitholder
2153 leasing at another thoroughbred permitholder's facility pursuant
2154 to s. 550.475.

2155 b. The division shall notify each slot machine licensee
2156 required to remit such payments, not later than 15 days after



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2157 issuing the slot machine license, of the qualified thoroughbred
2158 permitholders to which such payments must be paid. Each
2159 qualified thoroughbred permitholder shall provide each slot
2160 machine licensee required to remit payments pursuant to this
2161 subparagraph with written instructions for transmitting such
2162 electronic payments. Such payments shall be remitted to each
2163 qualified thoroughbred permitholder on the fifth day of each
2164 calendar month. If the fifth day of the calendar month falls on
2165 a weekend, such payment shall be remitted on the first Monday
2166 following the weekend.

2167 c. A qualified thoroughbred permitholder receiving funds
2168 under this subparagraph shall remit, within 10 days after
2169 receipt, 10 percent of those funds to the Florida Thoroughbred
2170 Breeders' Association, Inc., for the payment of breeders',
2171 stallion, and special racing awards, subject to the fee
2172 authorized in s. 550.2625(3).

2173 Section 13. Subsections (3) and (5) of section 551.106,
2174 Florida Statutes, are redesignated as subsections (4) and (6),
2175 respectively, a new subsection (3) is added to that section, and
2176 subsections (1), (2), and present subsection (4) of that section
2177 are amended, to read:

2178 551.106 License fee; tax rate; penalties.—

2179 (1) LICENSE FEE.—

2180 ~~(a)~~ Upon submission of the initial application for a slot
2181 machine license, and annually thereafter, on the anniversary
2182 date of the issuance of the initial license, the licensee must
2183 pay to the division a nonrefundable license fee of ~~\$3 million~~
2184 ~~for the succeeding 12 months of licensure. In the 2010-2011~~
2185 ~~fiscal year, the licensee must pay the division a nonrefundable~~



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2186 ~~license fee of \$2.5 million for the succeeding 12 months of~~
2187 ~~licensure. In the 2011-2012 fiscal year and for every fiscal~~
2188 ~~year thereafter, the licensee must pay the division a~~
2189 ~~nonrefundable license fee of \$2 million for the succeeding 12~~
2190 ~~months of licensure. The license fee must ~~shall~~ be deposited~~
2191 ~~into the Pari-mutuel Wagering Trust Fund of the Department of~~
2192 ~~Business and Professional Regulation to be used by the division~~
2193 ~~and the Department of Law Enforcement for investigations,~~
2194 ~~regulation of slot machine gaming, and enforcement of slot~~
2195 ~~machine gaming provisions under this chapter. These payments~~
2196 ~~must ~~shall~~ be accounted for separately from taxes or fees paid~~
2197 ~~pursuant to the provisions of chapter 550.~~

2198 ~~(b) Prior to January 1, 2007, the division shall evaluate~~
2199 ~~the license fee and shall make recommendations to the President~~
2200 ~~of the Senate and the Speaker of the House of Representatives~~
2201 ~~regarding the optimum level of slot machine license fees in~~
2202 ~~order to adequately support the slot machine regulatory program.~~

2203 (2) TAX ON SLOT MACHINE REVENUES.—

2204 (a) 1. The tax rate on slot machine revenues at each
2205 facility ~~is shall be~~ 35 percent. Effective January 1, 2019, the
2206 tax rate on slot machine revenues at each facility is 30
2207 percent. Effective July 1, 2020, the tax rate on slot machine
2208 revenues at each facility is 25 percent.

2209 2.a. If, during any state fiscal year, the aggregate amount
2210 of tax paid to the state by ~~all~~ slot machine licensees in
2211 Broward and Miami-Dade Counties is less than the aggregate
2212 amount of tax paid to the state by ~~all slot machine~~ licensees in
2213 those counties in the 2017-2018 2008-2009 fiscal year, each slot
2214 machine licensee shall pay to the state within 45 days after the



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2215 ~~end of the state fiscal year a surcharge equal to its pro rata~~
2216 ~~share of an amount equal to the difference between the aggregate~~
2217 ~~amount of tax paid to the state by all slot machine licensees in~~
2218 ~~the 2008-2009 fiscal year and the amount of tax paid during the~~
2219 ~~fiscal year.~~

2220 b. The amount of the surcharge to be paid by each such
2221 licensee must be calculated by dividing the aggregate amount of
2222 slot machine taxes paid to the state by all such slot machine
2223 licensees in the 2017-2018 fiscal year by the aggregate amount
2224 of slot machine taxes paid by all such licensees during the
2225 applicable state fiscal year, multiplying the result by the
2226 amount of slot machine taxes paid by the licensee during the
2227 applicable state fiscal year, and then subtracting from that
2228 product the amount of slot machine taxes paid by the licensee
2229 during the applicable state fiscal year. However, the sum of the
2230 taxes paid by a licensee pursuant to subparagraph 1. and any
2231 surcharge due from the licensee may not exceed 35 percent of the
2232 slot machine revenue of that licensee in the applicable state
2233 fiscal year ~~Each licensee's pro rata share shall be an amount~~
2234 ~~determined by dividing the number 1 by the number of facilities~~
2235 ~~licensed to operate slot machines during the applicable fiscal~~
2236 ~~year, regardless of whether the facility is operating such~~
2237 ~~machines.~~

2238 (b) The slot machine revenue tax imposed by this section on
2239 facilities licensed pursuant to s. 551.104(2)(a)1., 2., or 3.a.
2240 must shall be paid to the division for deposit into the Pari-
2241 mutuel Wagering Trust Fund for immediate transfer by the Chief
2242 Financial Officer for deposit into the Educational Enhancement
2243 Trust Fund of the Department of Education. Any interest earnings



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2244 on the tax revenues must ~~shall~~ also be transferred to the
2245 Educational Enhancement Trust Fund. The slot machine revenue tax
2246 imposed by this section on facilities licensed pursuant to s.
2247 551.104(2)(a)3.b. must be paid to the division for deposit into
2248 the Pari-mutuel Wagering Trust Fund. The division must transfer
2249 90 percent of such funds to be deposited by the Chief Financial
2250 Officer into the Educational Enhancement Trust Fund of the
2251 Department of Education and must transfer 10 percent of such
2252 funds to the responsible public entity for the public-private
2253 partnership of the slot machine licensee pursuant to ss.
2254 551.104(2)(a)3.b. and 255.065.

2255 (c)1. Funds transferred to the Educational Enhancement
2256 Trust Fund under paragraph (b) must ~~shall~~ be used to supplement
2257 public education funding statewide. Funds transferred to a
2258 responsible public entity pursuant to paragraph (b) must be used
2259 in accordance with s. 255.065 to finance the qualifying project
2260 of such entity and the slot machine licensee, which established
2261 the licensee's eligibility for initial licensure pursuant to s.
2262 551.104(2)(a)3.b.

2263 2. If necessary to comply with any covenant established
2264 pursuant to s. 1013.68(4), s. 1013.70(1), or s. 1013.737(3),
2265 funds transferred to the Educational Enhancement Trust Fund
2266 under paragraph (b) must ~~shall~~ first be available to pay debt
2267 service on lottery bonds issued to fund school construction in
2268 the event lottery revenues are insufficient for such purpose or
2269 to satisfy debt service reserve requirements established in
2270 connection with lottery bonds. Moneys available pursuant to this
2271 subparagraph are subject to annual appropriation by the
2272 Legislature.



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2273 (3) SLOT MACHINE GUARANTEE FEE; SURCHARGE.-

2274 (a) If a permitholder located within a county that has
2275 conducted a successful slot machine referendum after January 1,
2276 2012, does not pay at least \$10 million in total slot machine
2277 taxes and license fees to the state in state fiscal year 2018-
2278 2019, the permitholder shall pay to the state within 45 days
2279 after the end of the state fiscal year a surcharge equal to the
2280 difference between the aggregate amount of slot machine taxes
2281 and license fees paid to the state in the fiscal year and \$10
2282 million, regardless of whether the permitholder or licensee
2283 operated slot machines during the fiscal year.

2284 (b) If a permitholder located within a county that has
2285 conducted a successful slot machine referendum after January 1,
2286 2012, does not pay at least \$20 million in total slot machine
2287 taxes and license fees to the state in state fiscal year 2019-
2288 2020 and any subsequent state fiscal year, the permitholder
2289 shall pay to the state within 45 days after the end of the state
2290 fiscal year a surcharge equal to the difference between the
2291 aggregate amount of slot machine taxes and license fees paid to
2292 the state in the fiscal year and \$20 million, regardless of
2293 whether the permitholder or licensee operated slot machines
2294 during the fiscal year.

2295 (5)~~(4)~~ TO PAY TAX; PENALTIES.-A slot machine licensee who
2296 fails to make tax and any applicable surcharge payments as
2297 required under this section is subject to an administrative
2298 penalty of up to \$10,000 for each day the tax payment is not
2299 remitted. All administrative penalties imposed and collected
2300 must ~~shall~~ be deposited into the Pari-mutuel Wagering Trust Fund
2301 of the Department of Business and Professional Regulation. If



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2302 any slot machine licensee fails to pay penalties imposed by
2303 order of the division under this subsection, the division may
2304 deny, suspend, revoke, or refuse to renew the license of the
2305 permitholder or slot machine licensee.

2306 Section 14. Subsections (1), (2), and (4) of section
2307 551.114, Florida Statutes, are amended to read:

2308 551.114 Slot machine gaming areas.—

2309 (1) (a) A slot machine licensee whose initial license was
2310 issued before January 1, 2018, may make available for play up
2311 to:

2312 1. 1,600 ~~2,000~~ slot machines within the property of the
2313 facilities of the slot machine licensee, if the licensee made
2314 available for play 1,250 or more slot machines during state
2315 fiscal year 2016-2017.

2316 2. 1,200 slot machines within the property of the
2317 facilities of the slot machine licensee, if the licensee made
2318 available for play 1,000 or more slot machines, but less than
2319 1,250 slot machines, during state fiscal year 2016-2017.

2320 3. 1,000 slot machines within the property of the
2321 facilities of the slot machine licensee, if the licensee made
2322 available for play less than 1,000 slot machines during state
2323 fiscal year 2016-2017.

2324 (b)1. A slot machine licensee whose initial license was
2325 issued on or after January 1, 2018, may make available for play
2326 up to 750 slot machines within the property of the facilities of
2327 the slot machine licensee; provided however, the total number of
2328 slot machines which may be made available for play by all slot
2329 machine licensees whose initial license was issued after January
2330 1, 2018, may not exceed 6,000 slot machines.



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2331 2. If the total number of slot machines which all licensees
2332 whose initial license was issued on or after January 1, 2018,
2333 would exceed 6,000 slot machines if each such licensee were to
2334 operate 750 slot machines, the maximum number of slot machines
2335 each such licensee may make available for play may not exceed
2336 6,000 divided by the number of licensees whose initial license
2337 was issued after January 1, 2018.

2338 (2) If such races or games are available to the slot
2339 machine licensee, the slot machine licensee shall display pari-
2340 mutuel races or games within the designated slot machine gaming
2341 areas and offer patrons within the designated slot machine
2342 gaming areas the ability to engage in pari-mutuel wagering on
2343 any live, intertrack, and simulcast races conducted or offered
2344 to patrons of the licensed facility.

2345 (4) Designated slot machine gaming areas shall ~~may~~ be
2346 located anywhere within the property described in a slot machine
2347 licensee's pari-mutuel permit within the current live gaming
2348 facility or in an existing building that must be contiguous and
2349 connected to the live gaming facility. If a designated slot
2350 machine gaming area is to be located in a building that is to be
2351 constructed, that new building must be contiguous and connected
2352 to the live gaming facility.

2353 Section 15. Section 551.116, Florida Statutes, is amended
2354 to read:

2355 551.116 Days and hours of operation.—Slot machine gaming
2356 areas may be open 24 hours per day, 7 days a week daily
2357 ~~throughout the year. The slot machine gaming areas may be open a~~
2358 ~~cumulative amount of 18 hours per day on Monday through Friday~~
2359 ~~and 24 hours per day on Saturday and Sunday and on those~~



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2360 ~~holidays specified in s. 110.117(1).~~

2361 Section 16. Present subsections (9) through (17) of section
2362 849.086, Florida Statutes, are redesignated as subsections (10)
2363 through (18), respectively, a new subsection (9) is added to
2364 that section, subsections (1) and (2) of that section are
2365 amended, paragraph (g) is added to subsection (4) of that
2366 section, and paragraph (b) of subsection (5), paragraphs (a),
2367 (b), and (c) of subsection (7), paragraph (a) of subsection (8),
2368 present subsection (12), and paragraphs (d) and (h) of present
2369 subsection (13) are amended, to read:

2370 849.086 Cardrooms authorized.—

2371 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
2372 to provide additional entertainment choices for the residents of
2373 and visitors to the state, promote tourism in the state, provide
2374 revenues to support the continuation of live pari-mutuel
2375 activity, and provide additional state revenues through the
2376 authorization of the playing of certain games in the state at
2377 facilities known as cardrooms which are to be located at
2378 licensed pari-mutuel facilities. To ensure the public confidence
2379 in the integrity of authorized cardroom operations, this act is
2380 designed to strictly regulate the facilities, persons, and
2381 procedures related to cardroom operations. Furthermore, the
2382 Legislature finds that authorized games of poker and dominoes ~~as~~
2383 ~~herein defined~~ are considered to be pari-mutuel style games and
2384 not casino gaming because the participants play against each
2385 other instead of against the house.

2386 (2) DEFINITIONS.—As used in this section:

2387 (a) "Authorized game" means a game or series of games of
2388 poker, including designated player games, played in conformance



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2389 with this section and in a manner consistent with the rules and
2390 requirements specified in the 1974 edition of Hoyle's Modern
2391 Encyclopedia of Card Games: Rules of All the Basic Games and
2392 Popular Variations and including three card poker, or dominoes
2393 played in conformance with this section ~~or dominoes which are~~
2394 ~~played in a nonbanking manner.~~

2395 (b) "Banking game" means a game in which the house is a
2396 participant in the game, taking on players, paying winners, and
2397 collecting from losers ~~or in which the cardroom establishes a~~
2398 ~~bank against which participants play.~~ A designated player game
2399 is not a banking game.

2400 (c) "Cardroom" means a facility where authorized games are
2401 played for money or anything of value and to which the public is
2402 invited to participate in such games and charged a fee for
2403 participation by the operator of such facility. Authorized games
2404 and cardrooms do not constitute casino gaming operations if
2405 conducted at an eligible facility.

2406 (d) "Cardroom management company" means any individual not
2407 an employee of the cardroom operator, any proprietorship,
2408 partnership, corporation, or other entity that enters into an
2409 agreement with a cardroom operator to manage, operate, or
2410 otherwise control the daily operation of a cardroom.

2411 (e) "Cardroom distributor" means any business that
2412 distributes cardroom paraphernalia such as card tables, betting
2413 chips, chip holders, dominoes, dominoes tables, drop boxes,
2414 banking supplies, playing cards, card shufflers, and other
2415 associated equipment to authorized cardrooms.

2416 (f) "Cardroom operator" means a licensed pari-mutuel
2417 permitholder that ~~which~~ holds a valid permit and license issued



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2418 by the division pursuant to chapter 550 and which also holds a
2419 valid cardroom license issued by the division pursuant to this
2420 section which authorizes such person to operate a cardroom and
2421 to conduct authorized games in such cardroom.

2422 (g) "Designated player" means the player identified for
2423 each game by a button that rotates clockwise before each hand
2424 begins as the player in the dealer position and seated at a
2425 traditional player position in a designated player game who pays
2426 winning players and collects from losing players.

2427 (h) "Designated player game" means a game in which the
2428 players compare their cards only to the cards of the designated
2429 player or to a combination of cards held by the designated
2430 player and cards common and available for play by all players.

2431 (i)~~(g)~~ "Division" means the Division of Pari-mutuel
2432 Wagering of the Department of Business and Professional
2433 Regulation.

2434 (j)~~(h)~~ "Dominoes" means a game of dominoes typically played
2435 with a set of 28 flat rectangular blocks, called "bones," which
2436 are marked on one side and divided into two equal parts, with
2437 zero to six dots, called "pips," in each part. The term also
2438 includes larger sets of blocks that contain a correspondingly
2439 higher number of pips. The term also means the set of blocks
2440 used to play the game.

2441 (k)~~(i)~~ "Gross receipts" means the total amount of money
2442 received by a cardroom from any person for participation in
2443 authorized games.

2444 (l)~~(j)~~ "House" means the cardroom operator and all
2445 employees of the cardroom operator.

2446 (m)~~(k)~~ "Net proceeds" means the total amount of gross



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2447 receipts received by a cardroom operator from cardroom
2448 operations less direct operating expenses related to cardroom
2449 operations, including labor costs, admission taxes only if a
2450 separate admission fee is charged for entry to the cardroom
2451 facility, gross receipts taxes imposed on cardroom operators by
2452 this section, the annual cardroom license fees imposed by this
2453 section on each table operated at a cardroom, and reasonable
2454 promotional costs excluding officer and director compensation,
2455 interest on capital debt, legal fees, real estate taxes, bad
2456 debts, contributions or donations, or overhead and depreciation
2457 expenses not directly related to the operation of the cardrooms.

2458 (n)~~(l)~~ "Rake" means a set fee or percentage of the pot
2459 assessed by a cardroom operator for providing the services of a
2460 dealer, table, or location for playing the authorized game.

2461 (o)~~(m)~~ "Tournament" means a series of games that have more
2462 than one betting round involving one or more tables and where
2463 the winners or others receive a prize or cash award.

2464 (4) AUTHORITY OF DIVISION.—The Division of Pari-mutuel
2465 Wagering of the Department of Business and Professional
2466 Regulation shall administer this section and regulate the
2467 operation of cardrooms under this section and the rules adopted
2468 pursuant thereto, and is hereby authorized to:

2469 (g) Establish a reasonable period to respond to requests
2470 from a licensed cardroom; provided however, the division has a
2471 maximum of 45 days to approve:

2472 1. A cardroom's internal controls or provide the cardroom
2473 with a list of deficiencies as to the internal controls.

2474 2. Rules for a new authorized game submitted by a licensed
2475 cardroom or provide the cardroom with a list of deficiencies as



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2476 to those rules.

2477

2478 No later than 10 days after the submission of revised internal
2479 controls or revised rules addressing the deficiencies identified
2480 by the division, the division must review and approve or reject
2481 the revised internal controls or revised rules.

2482 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
2483 operate a cardroom in this state unless such person holds a
2484 valid cardroom license issued pursuant to this section.

2485 (b) After the initial cardroom license is granted, the
2486 application for the annual license renewal shall be made in
2487 conjunction with the applicant's annual application for its
2488 pari-mutuel license. If a permitholder has operated a cardroom
2489 during any of the 3 previous fiscal years and fails to include a
2490 renewal request for the operation of the cardroom in its annual
2491 application for license renewal, the permitholder may amend its
2492 annual application to include operation of the cardroom. ~~In~~
2493 ~~order for a cardroom license to be renewed the applicant must~~
2494 ~~have requested, as part of its pari-mutuel annual license~~
2495 ~~application, to conduct at least 90 percent of the total number~~
2496 ~~of live performances conducted by such permitholder during~~
2497 ~~either the state fiscal year in which its initial cardroom~~
2498 ~~license was issued or the state fiscal year immediately prior~~
2499 ~~thereto if the permitholder ran at least a full schedule of live~~
2500 ~~racing or games in the prior year. If the application is for a~~
2501 ~~harness permitholder cardroom, the applicant must have requested~~
2502 ~~authorization to conduct a minimum of 140 live performances~~
2503 ~~during the state fiscal year immediately prior thereto. If more~~
2504 ~~than one permitholder is operating at a facility, each~~



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2505 permitholder must have applied for a license to conduct a full
2506 schedule of live racing.

2507 (7) CONDITIONS FOR OPERATING A CARDROOM.—

2508 (a) A cardroom may be operated only at the location
2509 specified on the cardroom license issued by the division, and
2510 such location may only be the location at which the pari-mutuel
2511 permitholder is authorized to conduct pari-mutuel wagering
2512 activities pursuant to such permitholder's valid pari-mutuel
2513 permit or as otherwise authorized by law. ~~Cardroom operations~~
2514 ~~may not be allowed beyond the hours provided in paragraph (b)~~
2515 ~~regardless of the number of cardroom licenses issued for~~
2516 ~~permitholders operating at the pari-mutuel facility.~~

2517 (b) Any cardroom operator may operate a cardroom at the
2518 pari-mutuel facility daily throughout the year, if the
2519 permitholder meets the requirements under paragraph (5) (b). The
2520 cardroom may be open ~~a cumulative amount of 18 hours per day on~~
2521 ~~Monday through Friday and 24 hours per day on Saturday and~~
2522 ~~Sunday and on the holidays specified in s. 110.117(1).~~

2523 (c) A cardroom operator must at all times employ and
2524 provide a nonplaying live dealer at ~~for~~ each table on which
2525 authorized ~~card~~ games ~~which traditionally use a dealer~~ are
2526 conducted ~~at the cardroom~~. Such dealers may not have a
2527 participatory interest in any game other than the dealing of
2528 cards and may not have an interest in the outcome of the game.
2529 The providing of such dealers by a licensee does not constitute
2530 the conducting of a banking game by the cardroom operator.

2531 (8) METHOD OF WAGERS; LIMITATION.—

2532 (a) ~~No~~ Wagering may not be conducted using money or other
2533 negotiable currency. Games may only be played utilizing a



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2534 wagering system whereby all players' money is first converted by
2535 the house to tokens or chips that may ~~which shall~~ be used for
2536 wagering only at that specific cardroom.

2537 (9) DESIGNATED PLAYER GAMES AUTHORIZED.—

2538 (a) A cardroom operator may offer designated player games
2539 consisting of players making wagers against the designated
2540 player. However, not more than 50 percent of the total licensed
2541 tables in a cardroom may offer designated player games. The
2542 designated player must be licensed pursuant to paragraph (6) (b).
2543 Employees of a designated player also must be licensed, and the
2544 designated player shall pay, in addition to the business
2545 occupational fee established pursuant to paragraph (6) (i), an
2546 employee occupational license fee that may not exceed \$500 per
2547 employee for any 12-month period.

2548 (b) A cardroom operator may not serve as a designated
2549 player in any game. The cardroom operator may not have a
2550 financial interest in a designated player in any game. A
2551 cardroom operator may collect a rake in accordance with the rake
2552 structure posted at the table.

2553 (c) If there are multiple designated players at a table,
2554 the dealer button shall be rotated in a clockwise rotation after
2555 each hand.

2556 (d) A cardroom operator may not allow a designated player
2557 to pay an opposing player who holds a lower-ranked hand.

2558 (e) A designated player may not be required by the rules of
2559 a game or by the rules of a cardroom to cover more than 10 times
2560 the maximum wager for players participating in any one game.

2561 (f) The cardroom, or any cardroom licensee, may not
2562 contract with, or receive compensation other than a posted table



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2563 rake from, any player to participate in any game to serve as a
2564 designated player.

2565 (13)~~(12)~~ PROHIBITED ACTIVITIES.—

2566 (a) A ~~No~~ person licensed to operate a cardroom may not
2567 conduct any banking game or any game not specifically authorized
2568 by this section.

2569 (b) A ~~No~~ person who is younger than ~~under~~ 18 years of age
2570 may not be permitted to hold a cardroom or employee license, ~~or~~
2571 to engage in any game conducted therein.

2572 (c) With the exception of mechanical card shufflers, ~~No~~
2573 electronic or mechanical devices, ~~except mechanical card~~
2574 ~~shufflers,~~ may not be used to conduct any authorized game in a
2575 cardroom.

2576 (d) ~~No~~ Cards, game components, or game implements may not
2577 be used in playing an authorized game unless they have ~~such has~~
2578 been furnished or provided to the players by the cardroom
2579 operator.

2580 (14)~~(13)~~ TAXES AND OTHER PAYMENTS.—

2581 (d)1. Each ~~greyhound and jai alai~~ permitholder that
2582 operates a cardroom facility shall use at least 4 percent of
2583 such permitholder's cardroom monthly gross receipts to
2584 supplement ~~greyhound~~ purses and awards or jai alai prize money,
2585 respectively, during the permitholder's next ensuing pari-mutuel
2586 meet.

2587 2.a. Any permitholder with a cardroom license and
2588 conducting less than a full schedule of live racing or games, as
2589 defined in s. 550.002(11), pursuant to s. 550.01215(1)(b) or (c)
2590 shall remit each month to each qualified thoroughbred
2591 permitholder, by electronic funds transfer, an amount equal to 4



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2592 percent of its monthly cardroom gross receipts divided by the
2593 total number of qualified thoroughbred permitholders for a
2594 license year. Qualified thoroughbred permitholders shall use
2595 such payments exclusively for purses and awards for live
2596 thoroughbred horse races held at the qualified thoroughbred
2597 permitholder's racing facility. For the purposes of this
2598 subparagraph, the term "qualified thoroughbred permitholder"
2599 means a thoroughbred permitholder conducting, in the applicable
2600 state fiscal year, no less than a full schedule of live racing
2601 or games, as defined in s. 550.002(11), and no fewer live
2602 thoroughbred horse racing performances than such permitholder
2603 conducted in state fiscal year 2017-2018. The term does not
2604 include a permitholder whose permit was issued pursuant to s.
2605 550.3345 or a permitholder leasing at another thoroughbred
2606 permitholder's facility pursuant to s. 550.475.

2607 b. The division shall notify each cardroom licensee
2608 required to remit such payments, not later than 15 days after
2609 issuing the cardroom license, of the qualified thoroughbred
2610 permitholders to which such payments must be paid. Each
2611 qualified thoroughbred permitholder shall provide each cardroom
2612 licensee required to remit payments pursuant to this
2613 subparagraph with written instructions for transmitting such
2614 electronic payments. Such payments shall be remitted to each
2615 qualified thoroughbred permitholder on the fifth day of each
2616 calendar month and shall be based upon the preceding month's
2617 cardroom activities. If the fifth day of the calendar month
2618 falls on a weekend, such payment shall be remitted on the first
2619 Monday following the weekend.

2620 c. A qualified thoroughbred permitholder receiving funds



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2621 under this subparagraph shall remit, within 10 days after
2622 receipt, 10 percent of those funds to the Florida Thoroughbred
2623 Breeders' Association, Inc., for the payment of breeders',
2624 stallion, and special racing awards, subject to the fee
2625 authorized in s. 550.2625(3).

2626 3. Each thoroughbred and harness horse racing permitholder
2627 that operates a cardroom facility shall use at least 50 percent
2628 of such permitholder's cardroom monthly net proceeds as follows:
2629 47 percent to supplement purses and 3 percent to supplement
2630 breeders' awards during the permitholder's next ensuing racing
2631 meet.

2632 ~~3. No cardroom license or renewal thereof shall be issued~~
2633 ~~to an applicant holding a permit under chapter 550 to conduct~~
2634 ~~pari-mutuel wagering meets of quarter horse racing unless the~~
2635 ~~applicant has on file with the division a binding written~~
2636 ~~agreement between the applicant and the Florida Quarter Horse~~
2637 ~~Racing Association or the association representing a majority of~~
2638 ~~the horse owners and trainers at the applicant's eligible~~
2639 ~~facility, governing the payment of purses on live quarter horse~~
2640 ~~races conducted at the licensee's pari-mutuel facility. The~~
2641 ~~agreement governing purses may direct the payment of such purses~~
2642 ~~from revenues generated by any wagering or gaming the applicant~~
2643 ~~is authorized to conduct under Florida law. All purses shall be~~
2644 ~~subject to the terms of chapter 550.~~

2645 (h) One-quarter of the moneys deposited into the Pari-
2646 mutuel Wagering Trust Fund pursuant to paragraph (g) shall, by
2647 October 1 of each year, be distributed to the local government
2648 that approved the cardroom under subsection (17) ~~(16)~~; however,
2649 if two or more pari-mutuel racetracks are located within the



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2650 same incorporated municipality, the cardroom funds shall be
2651 distributed to the municipality. If a pari-mutuel facility is
2652 situated in such a manner that it is located in more than one
2653 county, the site of the cardroom facility shall determine the
2654 location for purposes of disbursement of tax revenues under this
2655 paragraph. The division shall, by September 1 of each year,
2656 determine: the amount of taxes deposited into the Pari-mutuel
2657 Wagering Trust Fund pursuant to this section from each cardroom
2658 licensee; the location by county of each cardroom; whether the
2659 cardroom is located in the unincorporated area of the county or
2660 within an incorporated municipality; and, the total amount to be
2661 distributed to each eligible county and municipality.

2662 Section 17. Subsection (1) of section 849.16, Florida
2663 Statutes, is amended to read:

2664 849.16 Machines or devices which come within provisions of
2665 law defined.—

2666 (1) As used in this chapter, the term "slot machine or
2667 device" means any machine or device or system or network of
2668 devices that is adapted for use in such a way that, upon
2669 activation, which may be achieved by, but is not limited to, the
2670 insertion of any piece of money, coin, account number, code, or
2671 other object or information, such device or system is directly
2672 or indirectly caused to operate or may be operated and if the
2673 user, whether by application of skill or by reason of any
2674 element of chance or any other outcome unpredictable by the
2675 user, regardless of whether the machine or device or system or
2676 networks of devices includes a preview of the outcome or whether
2677 the outcome is known, displayed, or capable of being known or
2678 displayed to the user, may:



2679 (a) Receive or become entitled to receive any piece of
2680 money, credit, allowance, or thing of value; ~~or~~ any check,
2681 slug, token, or memorandum, whether of value or otherwise, which
2682 may be exchanged for any money, credit, allowance, or thing of
2683 value or which may be given in trade; or the opportunity to
2684 purchase a subsequently displayed outcome that may have a
2685 monetary value, regardless of whether such value is equal to,
2686 greater than, or less than the cost of purchasing such outcome;
2687 or

2688 (b) Secure additional chances or rights to use such
2689 machine, apparatus, or device, even though the device or system
2690 may be available for free play or, in addition to any element of
2691 chance or unpredictable outcome of such operation, may also
2692 sell, deliver, or present some merchandise, indication of
2693 weight, entertainment, or other thing of value. The term "slot
2694 machine or device" includes, but is not limited to, devices
2695 regulated as slot machines pursuant to chapter 551.

2696 Section 18. The Division of Law Revision and Information is
2697 directed to replace the phrase "the effective date of this act"
2698 wherever it appears in this act with the date this act becomes a
2699 law.

2700 Section 19. This act shall take effect upon becoming a law.

2701
2702 ===== T I T L E A M E N D M E N T =====

2703 And the title is amended as follows:

2704 Delete everything before the enacting clause
2705 and insert:

2706 A bill to be entitled

2707 An act relating to gaming; amending s. 285.710, F.S.;



2708 authorizing and directing the Governor, in cooperation
2709 with the Seminole Tribe of Florida, to execute a new
2710 compact in the form provided; signifying the
2711 Legislature's approval and ratification of such
2712 compact that does not materially alter from the
2713 approved form; providing terms and conditions for the
2714 gaming compact; defining terms; authorizing the Tribe
2715 to operate covered games on its lands in accordance
2716 with the compact and at specified facilities;
2717 prohibiting specified games; providing requirements
2718 for resolution of patron disputes involving gaming,
2719 tort claims, and employee disputes; providing
2720 requirements for regulation and enforcement of the
2721 compact; requiring the state to conduct random
2722 inspections of tribal facilities; authorizing the
2723 state to conduct an independent audit; requiring the
2724 Tribe and commission to comply with specified
2725 licensing and hearing requirements; requiring the
2726 Tribe to make specified revenue share payments to the
2727 state, with reductions authorized under certain
2728 circumstances; requiring the Tribe to pay an annual
2729 oversight assessment and annual donation to the
2730 Florida Council on Compulsive Gaming; specifying that
2731 certain events do not trigger any remedy under the
2732 compact or affect the exclusivity provisions of the
2733 compact; providing for dispute resolution between the
2734 Tribe and the state; providing construction; providing
2735 requirements for notice under the compact; providing
2736 an effective date and termination of the compact;



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2737 providing for execution of the compact; amending s.
2738 285.712, F.S.; requiring the Governor to provide a
2739 copy of the executed compact to specified parties and
2740 direct the Secretary of State to forward a copy to the
2741 Secretary of the Interior; creating s. 546.13, F.S.;
2742 defining terms; exempting a fantasy contest from
2743 certain regulations; amending s. 550.01215, F.S.;
2744 revising application requirements for a pari-mutuel
2745 operating license; authorizing certain greyhound
2746 racing permitholders elect not to conduct live racing
2747 if such election is made within a specified period of
2748 time; providing that a greyhound racing permitholder
2749 that has been issued a slot machine license remains an
2750 eligible facility, continues to be eligible for a slot
2751 machine license, is exempt from certain provisions of
2752 ch. 551, F.S., is eligible to be a guest track for
2753 certain purposes, and remains eligible for a cardroom
2754 license; authorizing a greyhound racing permitholder
2755 to receive an operating license to conduct pari-mutuel
2756 wagering activities at another permitholder's
2757 greyhound racing facility; authorizing certain jai
2758 alai permitholders, harness horse racing
2759 permitholders, and quarter horse racing permitholders
2760 to elect not to conduct live racing or games if the
2761 election is made by a specified date; specifying that
2762 such permitholder may retain its permit and remains a
2763 pari-mutuel facility; specifying that, if such
2764 permitholder has been issued a slot machine license,
2765 the permitholder's facility remains an eligible



2766 facility, continues to be eligible for a slot machine
2767 license, is exempt from certain provisions of chs. 550
2768 and 551, F.S., is eligible to be a guest track, and if
2769 the permitholder is a harness horse racing
2770 permitholder, a host track for intertrack wagering and
2771 simulcasting, and remains eligible for a cardroom
2772 license; authorizing a harness horse racing
2773 permitholder to be a host track for purposes of
2774 intertrack wagering and simulcasting; authorizing the
2775 division to approve a change in racing dates for a
2776 permitholder if the request for a change is received
2777 before a specified date and under certain
2778 circumstances; amending s. 550.054, F.S.; requiring
2779 the Division of Pari-Mutuel Wagering to revoke a
2780 permit to conduct pari-mutuel wagering for a
2781 permitholder that fails to make specified payments or
2782 obtain an operating license; prohibiting the issuance
2783 of new permits; deleting provisions related to the
2784 conversion of permits; repealing s. 550.0745, F.S.,
2785 relating to conversion of a pari-mutuel permit to a
2786 summer jai alai permit; amending ss. 550.09512 and
2787 550.09515, F.S.; requiring the division to revoke the
2788 permit of a harness horse or thoroughbred racing
2789 permitholder, respectively, who does not pay tax on
2790 handle for a specified period of time; deleting
2791 provisions relating to the reissuance of escheated
2792 permits; amending s. 550.3345, F.S.; revising
2793 provisions relating to a limited thoroughbred racing
2794 permit previously converted from a quarter horse



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2795 racing permit; amending s. 550.6308, F.S.; revising
2796 the number of days of thoroughbred horse sales
2797 required for an applicant to obtain a limited
2798 intertrack wagering license; revising eligibility
2799 requirements for such licenses; revising requirements
2800 for such wagering; deleting provisions requiring a
2801 licensee to make certain payments to the daily pari-
2802 mutuel pool; amending s. 551.102, F.S.; revising
2803 definitions; amending s. 551.104, F.S.; revising
2804 conditions of licensure and conditions for maintaining
2805 authority to conduct slot machine gaming; requiring
2806 certain permitholders to remit certain revenues to
2807 qualified thoroughbred permitholders; requiring
2808 qualified thoroughbred permitholders to use such
2809 payments for certain purposes; defining the term
2810 "qualified thoroughbred permitholder"; providing a
2811 process for remitting such payments; requiring
2812 qualified thoroughbred permitholders receiving such
2813 funds to remit a specified percentage of the funds to
2814 a specified association; amending s. 551.106, F.S.;
2815 deleting obsolete provisions; revising the tax rate on
2816 slot machine revenue effective on specified dates;
2817 providing a formula to calculate a surcharge amount;
2818 prohibiting the surcharge from exceeding a certain
2819 amount; revising where slot machine revenue tax
2820 payments must be deposited; requiring that certain
2821 funds be used for specific purposes; requiring certain
2822 permitholders and licensees to pay a slot machine
2823 guarantee fee if certain taxes and fees paid to the



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2824 state during certain periods fall below a specified
2825 amount; amending s. 551.114, F.S.; revising the
2826 maximum number of slot machines slot machine licensees
2827 may make available for play; revising the areas where
2828 a designated slot machine gaming area may be located;
2829 amending s. 551.116, F.S.; deleting a restriction on
2830 the number of hours per day that slot machine gaming
2831 areas may be open; amending s. 849.086, F.S.; revising
2832 legislative intent; revising definitions; authorizing
2833 the division to establish a reasonable period to
2834 respond to certain requests from a licensed cardroom;
2835 providing that the division must approve certain
2836 requests within 45 days; requiring the division to
2837 review and approve or reject certain revised internal
2838 controls or revised rules within 10 days after
2839 submission; deleting provisions relating to the
2840 renewal of a cardroom license; deleting provisions
2841 relating to restrictions on hours of operation; making
2842 technical changes; authorizing certain cardroom
2843 operators to offer a certain number of certain
2844 designated player games; requiring the designated
2845 player and employees of the designated player to be
2846 licensed; requiring the designated player to pay
2847 certain fees; prohibiting a cardroom operator from
2848 serving as the designated player in a game and from
2849 having a financial interest in a designated player;
2850 authorizing a cardroom operator to collect a rake,
2851 subject to certain requirements; requiring the dealer
2852 button to be rotated under certain circumstances;



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2853 prohibiting a cardroom operator from allowing a
2854 designated player to pay an opposing player under
2855 certain circumstances; prohibiting the rules of the
2856 game or of the cardroom to require a designated player
2857 to cover more than 10 times the maximum wager for
2858 players participating in any one game; prohibiting a
2859 cardroom or cardroom licensee from contracting with or
2860 receiving certain compensation from a player to allow
2861 that player to participate in any game as a designated
2862 player; requiring certain permitholders with a
2863 cardroom license to remit a certain amount of its
2864 monthly gross receipts to qualified thoroughbred
2865 permitholders; requiring qualified thoroughbred
2866 holders to use such payments for certain purposes;
2867 defining the term "qualified thoroughbred
2868 permitholder"; providing a process for remitting such
2869 payments; requiring qualified thoroughbred
2870 permitholders receiving such funds to remit a
2871 specified percentage of the funds to a specified
2872 association; deleting a provision relating to the
2873 renewal or issuance of a cardroom license to a quarter
2874 horse racing permitholder; conforming a cross-
2875 reference; amending s. 849.16, F.S.; revising the
2876 definition of the term "slot machine or device";
2877 providing a directive to the Division of Law Revision
2878 and Information; providing an effective date.