



787194

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
01/15/2018	.	
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The Committee on Regulated Industries (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 156 - 290

and insert:

racine permitholders, jai alai permitholders, harness horse racing permitholders, quarter horse racing permitholders, and thoroughbred horse racing permitholders that do not ~~to~~ conduct live performances during the next state fiscal year. Each application for live performances must ~~shall~~ specify the number, dates, and starting times of all live performances that ~~which~~



787194

11 the permitholder intends to conduct. It must ~~shall~~ also specify
12 which performances will be conducted as charity or scholarship
13 performances.

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

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

18 2. For each permitholder that elects ~~which elects~~ to
19 operate a cardroom, the dates and periods of operation the
20 permitholder intends to operate the cardroom. ~~or,~~

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

25 (b) A greyhound racing permitholder that conducted a full
26 schedule of live racing for a period of at least 10 consecutive
27 state fiscal years after the 1996-1997 state fiscal year, or
28 that converted its permit to a permit to conduct greyhound
29 racing after the 1996-1997 state fiscal year, irrevocably may
30 elect not to conduct live racing if the election is made within
31 2 years after the effective date of this act. A greyhound racing
32 permitholder may retain its permit; is a pari-mutuel facility as
33 defined in s. 550.002(23); if such permitholder has been issued
34 a slot machine license, the facility where such permit is
35 located remains an eligible facility as defined in s.
36 551.102(4), continues to be eligible for a slot machine license,
37 and is exempt from ss. 551.104(3) and (4)(c)1. and 551.114(2)
38 and (4); is eligible, but not required, to be a guest track for
39 purposes of intertrack wagering and simulcasting pursuant to ss.



787194

40 550.3551, 550.615, and 550.6305; and, if such permitholder has
41 been issued a cardroom license, remains eligible for a cardroom
42 license notwithstanding any requirement in s. 849.086 for the
43 conduct of live racing. A greyhound racing permitholder may
44 receive an operating license to conduct pari-mutuel wagering
45 activities at another permitholder's greyhound racing facility
46 pursuant to s. 550.475.

47 (c)1. A thoroughbred horse racing permitholder that has
48 conducted live racing for at least 5 years irrevocably may elect
49 not to conduct live racing if the election is made within 30
50 days after the effective date of this act. A thoroughbred horse
51 racing permitholder that makes such election may retain such
52 permit, must specify in future applications for an operating
53 license that it does not intend to conduct live racing, and is a
54 pari-mutuel facility as defined in s. 550.002(23).

55 2. If a thoroughbred horse racing permitholder makes such
56 election and if such permitholder holds a slot machine license
57 when such election is made, the facility where such permit is
58 located:

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

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

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

65 d. Remains eligible for a cardroom license, notwithstanding
66 any requirement in s. 849.086 for the conduct of live racing.

67 3. A thoroughbred horse racing permitholder that makes such
68 election shall comply with all contracts regarding contributions



787194

69 by such permitholder to thoroughbred horse purse supplements or
70 breeders' awards entered into before the effective date of this
71 act pursuant to s. 551.104(10) (a). At the time of such election,
72 such permitholder shall file with the division an irrevocable
73 consent that such contributions shall be allowed to be used for
74 purses and awards on live races at other thoroughbred horse
75 racing facilities in this state. This subparagraph and s.
76 551.104(10) (a) do not apply after December 31, 2020, to a
77 thoroughbred horse racing permitholder that made such election.

78 (d) A jai alai permitholder, harness horse racing
79 permitholder, or a quarter horse racing permitholder that has
80 conducted live racing or games for at least 5 years irrevocably
81 may elect not to conduct live racing or games if the election is
82 made within 2 years after the effective date of this act. A
83 permitholder that makes such election may retain its permit; is
84 a pari-mutuel facility as defined in s. 550.002(23); if such
85 permitholder has been issued a slot machine license, the
86 facility where such permit is located remains an eligible
87 facility as defined in s. 551.102(4), continues to be eligible
88 for a slot machine license, and is exempt from ss. 551.104(3)
89 and (4) (c)1. and 551.114(2) and (4); is eligible, but not
90 required, to be a guest track and, if the permitholder is a
91 harness horse racing permitholder, to be a host track for
92 purposes of intertrack wagering and simulcasting pursuant to ss.
93 550.3551, 550.615, 550.625, and 550.6305; and, if such
94 permitholder has been issued a cardroom license, remains
95 eligible for a cardroom license notwithstanding any requirement
96 in s. 849.086 to conduct live racing or games.

97 (e) Permitholders ~~may~~ shall be entitled to amend their



787194

98 applications through February 28.

99 (3) The division shall issue each license no later than
100 March 15. Each permitholder shall operate all performances at
101 the date and time specified on its license. The division shall
102 have the authority to approve minor changes in racing dates
103 after a license has been issued. The division may approve
104 changes in racing dates after a license has been issued when
105 there is no objection from any operating permitholder located
106 within 50 miles of the permitholder requesting the changes in
107 operating dates. In the event of an objection, the division
108 shall approve or disapprove the change in operating dates based
109 upon the impact on operating permitholders located within 50
110 miles of the permitholder requesting the change in operating
111 dates. In making the determination to change racing dates, the
112 division shall take into consideration the impact of such
113 changes on state revenues. Notwithstanding any other provision
114 of law, and for the 2018-2019 fiscal year only, the division may
115 approve changes in racing dates for permitholders if the request
116 for such changes is received before May 31, 2018.

117 Section 3. Paragraph (c) of subsection (4) of section
118 551.104, Florida Statutes, is amended to read:

119 551.104 License to conduct slot machine gaming.-

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

123 (c)1. Conduct no less ~~fewer~~ than a full schedule of live
124 racing or games as defined in s. 550.002(11), unless conducting
125 less than a full schedule of live racing or games pursuant to s.
126 550.01215(1) (b) or (c). A permitholder's responsibility to



787194

127 conduct a full schedule ~~such number~~ of live races or games, as
128 defined in s. 550.002(11), shall be reduced by the number of
129 races or games that could not be conducted due to the direct
130 result of fire, war, hurricane, or other disaster or event
131 beyond the control of the permitholder. A permitholder may
132 conduct live races or games at another pari-mutuel facility
133 pursuant to s. 550.475 if such permitholder has operated its
134 live races or games by lease for at least 5 consecutive years
135 immediately prior to the permitholder's application for a slot
136 machine license.

137 2. If not licensed to conduct a full schedule of live
138 racing or games, as defined in s. 550.002(11), pursuant to s.
139 550.01215(1) (b) or (c), remit for the payment of purses and
140 awards on live races an amount equal to the lesser of \$1.5
141 million or 3 percent of its slot machine revenues from the
142 previous

143
144 ===== T I T L E A M E N D M E N T =====

145 And the title is amended as follows:

146 Delete lines 7 - 42

147 and insert:

148 permitholder to elect not to conduct live racing if
149 the election is made by a specified date; providing
150 that a greyhound racing permitholder that has been
151 issued a slot machine license remains an eligible
152 facility, continues to be eligible for a slot machine
153 license, is exempt from certain provisions of ch. 551,
154 F.S., is eligible to be a guest track for certain
155 purposes, and remains eligible for a cardroom license;



787194

156 authorizing a greyhound racing permitholder to receive
157 an operating license to conduct pari-mutuel wagering
158 activities at another permitholder's greyhound racing
159 facility; authorizing a thoroughbred horse racing
160 permitholder to elect not to conduct live racing under
161 certain circumstances; authorizing a thoroughbred
162 horse racing permitholder that elects not to conduct
163 live racing to retain its permit and requiring the
164 permitholder to specify its intention not to conduct
165 live racing in future applications and that it is a
166 pari-mutuel facility; authorizing such thoroughbred
167 horse racing permitholder's facility to remain an
168 eligible facility, to continue to be eligible for a
169 slot machine license, to be exempt from certain
170 provisions of chs. 550 and 551, F.S., to be eligible
171 as a guest track for intertrack wagering and
172 simulcasting, and to remain eligible for a cardroom
173 license; requiring that such permitholder comply with
174 all contracts regarding distributions to thoroughbred
175 horse purse supplements or breeders' awards entered
176 into before a specified date; requiring, for a
177 specified period, that such permitholder file with the
178 division an irrevocable consent authorizing the use of
179 certain contributions for specified purses and awards;
180 authorizing jai alai permitholders, harness horse
181 racing permitholders, and quarter horse racing
182 permitholders to elect not to conduct live racing or
183 games under certain circumstances; authorizing a
184 permitholder that elects not to conduct live racing or



787194

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games to retain its permit and