

By Senator Perry

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1 A bill to be entitled
2 An act relating to lottery games; creating s. 24.1056,
3 F.S.; prohibiting the use of personal electronic
4 devices to play, store, redeem, sell, or purchase
5 lottery tickets or games; providing exceptions;
6 defining the term "personal electronic device";
7 providing criminal penalties; amending s. 24.107,
8 F.S.; requiring the Department of the Lottery to
9 include a specified warning in advertisements or
10 promotions of lottery games; providing requirements
11 for such warning; amending s. 24.111, F.S.; requiring
12 contracts between the department and a vendor to
13 include a provision that requires the vendor to print
14 a specified warning on all lottery tickets; providing
15 requirements for such warning; providing an effective
16 date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Section 24.1056, Florida Statutes, is created to
21 read:

22 24.1056 Prohibition against use of personal electronic
23 devices in lottery games.—

24 (1) The provisions of this chapter are strictly limited to
25 lottery tickets that are exclusively in paper form, purchased
26 from and conveyed by an authorized retailer within the physical
27 premises of the authorized retailer, and redeemed in a manner as
28 prescribed in this chapter.

29 (2) A person may not use a personal electronic device to

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30 play, store, or redeem a lottery ticket or game or
31 representation thereof. However, the storage of a photographic
32 image of a lottery ticket or game on a personal electronic
33 device exclusively for personal use is permissible, provided the
34 image is not used in any manner in conjunction with or in lieu
35 of the paper ticket or game for purposes of playing or redeeming
36 the paper ticket or game.

37 (3) A person may not use or solicit the use of a personal
38 electronic device in order to sell or purchase a lottery ticket
39 or game or representation thereof unless the device is used
40 exclusively to render payment for a lottery ticket or game
41 purchased from and conveyed by an authorized retailer within the
42 physical premises of the authorized retailer.

43 (4) For purposes of this section, the term "personal
44 electronic device" means a cellular telephone, smart phone,
45 smart watch, tablet, laptop computer, desktop computer, or any
46 other electronic device capable of connecting to the Internet or
47 any other communications network or data system, but does not
48 include a device operated solely by the department, a retailer,
49 or a vendor, or a vending machine authorized pursuant to s.
50 24.112(15).

51 (5) A person who violates this section commits a
52 misdemeanor of the second degree, punishable as provided in s.
53 775.082 or s. 775.083.

54 Section 2. Subsection (3) is added to section 24.107,
55 Florida Statutes, to read:

56 24.107 Advertising and promotion of lottery games.—

57 (3) Beginning January 1, 2020, every advertisement or
58 promotion of lottery games under this chapter shall include the

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59 following statement: "WARNING: PLAYING A LOTTERY GAME
60 CONSTITUTES GAMBLING AND MAY LEAD TO ADDICTION AND/OR COMPULSIVE
61 BEHAVIOR. THE CHANCES OF WINNING A BIG PRIZE ARE VERY LOW." The
62 statement must:

63 (a) If on television, on the Internet, or in any other
64 electronic medium, appear in black font on a white background
65 and occupy at least 10 percent of the surface area of the
66 advertisement or promotion.

67 (b) If in print, including in a newspaper, in a magazine,
68 or on a billboard, appear in prominent text and occupy at least
69 10 percent of the surface area of the advertisement or
70 promotion.

71 (c) If on radio, be audibly announced at the conclusion of
72 the advertisement or promotion.

73 Section 3. Subsection (8) is added to section 24.111,
74 Florida Statutes, to read:

75 24.111 Vendors; disclosure and contract requirements.—

76 (8) Beginning January 1, 2020, all contracts subject to
77 this section shall contain a provision that requires the vendor
78 to print the following statement on every lottery ticket sold
79 under this chapter: "WARNING: PLAYING A LOTTERY GAME CONSTITUTES
80 GAMBLING AND MAY LEAD TO ADDICTION AND/OR COMPULSIVE BEHAVIOR.
81 THE CHANCES OF WINNING A BIG PRIZE ARE VERY LOW." The statement
82 must:

83 (a) Appear in prominent text on the front side of each
84 lottery ticket.

85 (b) Occupy at least 10 percent of the total face of the
86 lottery ticket.

87 (c) Appear on every lottery ticket printed on or after

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88 January 1, 2021, pursuant to this chapter.

89 Section 4. This act shall take effect July 1, 2019.