

By Senator Perry

8-01511A-20

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1                   A bill to be entitled  
2       An act relating to lottery games; amending s. 24.105,  
3       F.S.; prohibiting an electronic computer terminal or  
4       electronic device from being used by a player to play  
5       any lottery game; prohibiting the Department of the  
6       Lottery from authorizing the operation of a specified  
7       lottery game; amending s. 24.107, F.S.; requiring the  
8       department to include a specified warning in all  
9       advertisements and promotions of certain lottery  
10      games; providing requirements for such warning;  
11      amending s. 24.111, F.S.; requiring all contracts  
12      between the department and a vendor to include a  
13      provision that requires the vendor to place or print a  
14      specified warning on certain lottery tickets;  
15      providing requirements for such warning; amending s.  
16      24.121, F.S.; requiring certain funds in the Operating  
17      Trust Fund to be used for a specified annual payment  
18      for services relating to the prevention of compulsive  
19      and addictive gambling; requiring the department to  
20      contract for such services; providing contract  
21      requirements; providing that certain failures by a  
22      private provider relating to such contracts constitute  
23      a breach of contract or grounds for nonrenewal;  
24      providing an effective date.

25  
26 Be It Enacted by the Legislature of the State of Florida:  
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28       Section 1. Paragraph (a) of subsection (9) of section  
29       24.105, Florida Statutes, is amended to read:

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30 24.105 Powers and duties of department.—The department  
31 shall:

32 (9) Adopt rules governing the establishment and operation  
33 of the state lottery, including:

34 (a) The type of lottery games to be conducted, except that:

35 1. The ~~Ne~~ name of an elected official may not ~~shall~~ appear  
36 on the ticket or play slip of any lottery game or on any prize  
37 or on any instrument used for the payment of prizes, unless such  
38 prize is in the form of a state warrant.

39 2. ~~Ne~~ Coins or currency may not ~~shall~~ be dispensed from any  
40 electronic computer terminal or electronic device used in any  
41 lottery game.

42 3. Other than as specifically provided in s. 24.112, an  
43 electronic computer ~~no~~ terminal or electronic device may not be  
44 used by the player to play ~~for~~ any lottery game ~~which may be~~  
45 ~~operated solely by the player without the assistance of the~~  
46 ~~retailer.~~

47 4. The department may not authorize the operation of a  
48 lottery game in which the winner is chosen on the basis of the  
49 activities or outcomes of one or more sporting events.

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

52 24.107 Advertising and promotion of lottery games.—

53 (3) Beginning January 1, 2021, all advertisements and  
54 promotions of lottery games under this chapter, excluding  
55 multistate lottery games, must include a warning that meets all  
56 of the following requirements:

57 (a) If on television, on the Internet, or in any other  
58 electronic medium, appear in black font on a white background

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59 and occupy at least 5 percent of the total surface area of the  
60 advertisement or promotion.

61 (b) If in print, including in a newspaper, in a magazine,  
62 or on a billboard, appear in prominent text and occupy at least  
63 5 percent of the total surface area of the advertisement or  
64 promotion.

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

67 (d) Contain the following message: "PLAY RESPONSIBLY."

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

70 24.111 Vendors; disclosure and contract requirements.—

71 (8) Beginning January 1, 2021, all contracts subject to  
72 this section must contain a provision that requires the vendor  
73 to place or print a warning on all lottery tickets sold under  
74 this chapter, excluding multistate lottery tickets. The warning  
75 must meet all of the following requirements:

76 (a) Appear in prominent text on the front side of the  
77 lottery ticket and occupy at least 5 percent of the total  
78 surface area of the lottery ticket.

79 (b) Contain the following message: "PLAY RESPONSIBLY."

80 (c) Appear on all lottery tickets printed on or after  
81 January 1, 2022.

82 Section 4. Subsection (3) of section 24.121, Florida  
83 Statutes, is amended to read:

84 24.121 Allocation of revenues and expenditure of funds for  
85 public education.—

86 (3) The funds remaining in the Operating Trust Fund after  
87 transfers to the Educational Enhancement Trust Fund shall be

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88 used for:

89 (a) The payment of administrative expenses of the  
90 department. These expenses shall include all costs incurred in  
91 the operation and administration of the lottery and all costs  
92 resulting from any contracts entered into for the purchase or  
93 lease of goods or services required by the lottery, including,  
94 but not limited to:

95 1.~~(a)~~ The compensation paid to retailers.~~†~~

96 2.~~(b)~~ The costs of supplies, materials, tickets,  
97 independent audit services, independent studies, data  
98 transmission, advertising, promotion, incentives, public  
99 relations, communications, security, bonding for retailers,  
100 printing, distribution of tickets, and reimbursing other  
101 governmental entities for services provided to the lottery.~~†~~ and

102 3.~~(c)~~ The costs of any other goods and services necessary  
103 to implement ~~for effectuating the purposes of~~ this act.

104 (b) The annual payment of \$500,000 for services related to  
105 the prevention of compulsive and addictive gambling. The  
106 department shall, subject to competitive bidding, contract for  
107 such services, which must include an advertising program to  
108 encourage responsible gambling practices and to publicize a  
109 telephone help line. The terms of any contract for such services  
110 must include accountability standards that must be met by a  
111 private provider. The failure of a private provider to meet any  
112 material terms of the contract, including the accountability  
113 standards, shall constitute a breach of contract or grounds for  
114 nonrenewal.

115 Section 5. This act shall take effect July 1, 2020.