

By the Committee on Regulated Industries

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1 A bill to be entitled
2 An act relating to gaming enforcement; amending s.
3 16.56, F.S.; expanding the authority of the Office of
4 Statewide Prosecution within the Department of Legal
5 Affairs to investigate and prosecute the offenses of
6 certain crimes; creating s. 16.71, F.S.; creating the
7 Florida Gaming Control Commission within the Office of
8 the Attorney General; providing for membership of the
9 commission; providing rights for certain employees of
10 the commission; providing requirements and powers for
11 employees serving as law enforcement officers for the
12 commission; providing powers and duties of the
13 commission; providing requirements for hearings
14 relating to the commission; authorizing the commission
15 to submit certain written recommendations to the
16 Governor and the Legislature upon certain findings;
17 requiring the commission to annually develop a budget
18 request; requiring the department to submit the budget
19 request to the Governor for transmittal to the
20 Legislature; authorizing the commission to contract or
21 consult with certain agencies; creating s. 16.715,
22 F.S.; providing construction; providing standards of
23 conduct for commissioners; requiring commissioners to
24 complete specified annual training; requiring the
25 Commission on Ethics to accept and investigate any
26 alleged violations of the standards of conduct for
27 commissioners; providing requirements for such
28 investigations; authorizing a commissioner to request
29 an advisory opinion from the Commission on Ethics;

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30 providing requirements relating to ex parte
31 communications; providing civil penalties; amending s.
32 285.710, F.S.; revising the definition of the term
33 "state compliance agency"; designating the Florida
34 Gaming Control Commission as the state compliance
35 agency having authority to carry out certain
36 responsibilities; transferring all powers, duties,
37 functions, records, offices, personnel, property,
38 pending issues, existing contracts, administrative
39 authority, administrative rules, trust funds, and
40 unexpended balances of appropriations, allocations,
41 and other funds of the Department of Business and
42 Professional Regulation to the commission by a type
43 two transfer; requiring the Department of Legal
44 Affairs to provide administrative support to the
45 commission until such transfer is complete; providing
46 a directive to the Division of Law Revision; providing
47 effective dates.

48
49 Be It Enacted by the Legislature of the State of Florida:

50
51 Section 1. Paragraph (a) of subsection (1) of section
52 16.56, Florida Statutes, is amended to read:

53 16.56 Office of Statewide Prosecution.—

54 (1) There is created in the Department of Legal Affairs an
55 Office of Statewide Prosecution. The office shall be a separate
56 "budget entity" as that term is defined in chapter 216. The
57 office may:

58 (a) Investigate and prosecute the offenses of:

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- 59 1. Bribery, burglary, criminal usury, extortion, gambling,
60 kidnapping, larceny, murder, prostitution, perjury, robbery,
61 carjacking, home-invasion robbery, and patient brokering;
- 62 2. Any crime involving narcotic or other dangerous drugs;
- 63 3. Any violation of the Florida RICO (Racketeer Influenced
64 and Corrupt Organization) Act, including any offense listed in
65 the definition of racketeering activity in s. 895.02(8)(a),
66 providing such listed offense is investigated in connection with
67 a violation of s. 895.03 and is charged in a separate count of
68 an information or indictment containing a count charging a
69 violation of s. 895.03, the prosecution of which listed offense
70 may continue independently if the prosecution of the violation
71 of s. 895.03 is terminated for any reason;
- 72 4. Any violation of the Florida Anti-Fencing Act;
- 73 5. Any violation of the Florida Antitrust Act of 1980, as
74 amended;
- 75 6. Any crime involving, or resulting in, fraud or deceit
76 upon any person;
- 77 7. Any violation of s. 847.0135, relating to computer
78 pornography and child exploitation prevention, or any offense
79 related to a violation of s. 847.0135 or any violation of
80 chapter 827 where the crime is facilitated by or connected to
81 the use of the Internet or any device capable of electronic data
82 storage or transmission;
- 83 8. Any violation of chapter 815;
- 84 9. Any criminal violation of part I of chapter 499;
- 85 10. Any violation of the Florida Motor Fuel Tax Relief Act
86 of 2004;
- 87 11. Any criminal violation of s. 409.920 or s. 409.9201;

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88 12. Any crime involving voter registration, voting, or
89 candidate or issue petition activities;

90 13. Any criminal violation of the Florida Money Laundering
91 Act;

92 14. Any criminal violation of the Florida Securities and
93 Investor Protection Act; ~~or~~

94 15. Any violation of chapter 787, as well as any and all
95 offenses related to a violation of chapter 787; or

96 16. Any violation of chapter 24, chapter 546, chapter 550,
97 chapter 551, or chapter 849, including violations referred by
98 the Department of Agriculture and Consumer Services, the
99 Department of Business and Professional Regulation, the
100 Department of the Lottery, the Florida Gaming Control
101 Commission, the Seminole Tribe of Florida, or any person
102 licensed under those chapters;

103
104 or any attempt, solicitation, or conspiracy to commit any of the
105 crimes specifically enumerated above. The office shall have such
106 power only when any such offense is occurring, or has occurred,
107 in two or more judicial circuits as part of a related
108 transaction, or when any such offense is connected with an
109 organized criminal conspiracy affecting two or more judicial
110 circuits. Informations or indictments charging such offenses
111 shall contain general allegations stating the judicial circuits
112 and counties in which crimes are alleged to have occurred or the
113 judicial circuits and counties in which crimes affecting such
114 circuits or counties are alleged to have been connected with an
115 organized criminal conspiracy.

116 Section 2. Section 16.71, Florida Statutes, is created to

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117 read:

118 16.71 Florida Gaming Control Commission.-

119 (1) There is created within the Department of Legal
120 Affairs, Office of the Attorney General, a Florida Gaming
121 Control Commission, hereinafter referred to as the commission.
122 The commission shall be a separate budget entity and the agency
123 head for all purposes. The commission is not subject to control,
124 supervision, or direction by the Department of Legal Affairs or
125 the Attorney General in the performance of its duties,
126 including, but not limited to, personnel, purchasing
127 transactions involving real or personal property, and budgetary
128 matters.

129 (2) (a) The commission shall consist of five members
130 appointed by the Governor, subject to confirmation by the
131 Senate, for terms of 4 years. For the purpose of providing
132 staggered terms, of the initial appointments, 2 members shall be
133 appointed to 4-year terms, 2 members shall be appointed to 3-
134 year terms, and 1 member shall be appointed to a 2-year term. Of
135 the five members at least one member must be experienced in law
136 enforcement and criminal investigation, at least one member must
137 be a certified public accountant licensed in this state and
138 experienced in accounting and auditing, and at least one member
139 must be an attorney admitted and authorized to practice law in
140 this state. Such appointments must be made by January 1, 2022.

141 (b) A commissioner shall serve until a successor is
142 appointed, but commissioners may not serve more than 12 years.
143 Vacancies shall be filled for the unexpired portion of the term.
144 Of the five members, each appellate district shall have one
145 member appointed from the district to the commission who is a

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146 resident of the district at the time of the original
147 appointment. The salary of each commissioner is equal to that
148 paid under state law to a commissioner on the Florida Public
149 Service Commission. The commission shall elect a chair and a
150 vice chair.

151 (c) To aid the commission in its duties, the commission
152 must appoint a person who is not a member of the commission to
153 serve as the executive director of the commission. The executive
154 director shall supervise, direct, coordinate, and administer all
155 activities necessary to fulfill the commission's
156 responsibilities. The commission must appoint the executive
157 director by July 1, 2022. The executive director, with the
158 consent of the commission, shall employ such staff as are
159 necessary to adequately perform the functions of the commission,
160 within budgetary limitations. All employees, except the
161 executive director and attorneys, are subject to part II of
162 chapter 110. The executive director shall serve at the pleasure
163 of the commission and be subject to part III of chapter 110.
164 Attorneys employed by the commission shall be subject to part V
165 of chapter 110. The executive director shall maintain
166 headquarters in and reside in Leon County. The salary of the
167 executive director is equal to that paid under state law to a
168 commissioner on the Florida Public Service Commission.

169 (d)1. A person may not, for the 2 years immediately
170 preceding the date of appointment to or employment with the
171 commission and while appointed to or employed with the
172 commission:

173 a. Hold a permit or license issued under chapter 550, or a
174 license issued under chapter 551, chapter 546, or chapter 849;

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175 be an officer, official, or employee of such permitholder or
176 licensee; or be an ultimate equitable owner, as defined in s.
177 550.002(37), of such permitholder or licensee;

178 b. Be an officer, official, employee, or other person with
179 duties or responsibilities relating to a gaming operation owned
180 by an Indian tribe that has a valid and active compact with the
181 state; be a contractor or subcontractor of such tribe or an
182 entity employed, licensed, or contracted by such tribe; or be an
183 ultimate equitable owner, as defined in s. 550.002(37), of such
184 entity; or

185 c. Be a registered lobbyist for the executive or
186 legislative branch, except when solely representing the
187 commission.

188 2. A person is ineligible for appointment to or employment
189 with the commission if, within the 2 years immediately preceding
190 such appointment or employment, he or she has violated
191 subparagraph 1. or has solicited or accepted employment with,
192 acquired any direct or indirect interest in, or has had any
193 direct or indirect business association, partnership, or
194 financial relationship with, or is a relative of, any person or
195 entity who is an applicant, licensee, or registrant with the
196 Division of Pari-mutuel Wagering or the commission.

197
198 For the purposes of this paragraph, the term "relative" means a
199 spouse, father, mother, son, daughter, grandfather, grandmother,
200 brother, sister, uncle, aunt, cousin, nephew, niece, father-in-
201 law, mother-in-law, son-in-law, daughter-in-law, brother-in-law,
202 sister-in-law, stepfather, stepmother, stepson, stepdaughter,
203 stepbrother, stepsister, half-brother, or half-sister.

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204 (e)1. All employees authorized by the commission shall have
205 access to, and shall have the right to inspect, premises
206 licensed by the Department of Business and Professional
207 Regulation, to collect taxes and remit them to the officer
208 entitled to them, and to examine the books and records of all
209 persons subject to chapter 24, chapter 285, chapter 546, chapter
210 550, chapter 551, or chapter 849. The authorized employees shall
211 require of each such person strict compliance with the laws of
212 this state relating to the license or permit of the licensee.

213 2. Each employee serving as a law enforcement officer for
214 the commission must meet the qualifications for employment or
215 appointment as a law enforcement officer set forth under s.
216 943.13 and must be certified as a law enforcement officer by the
217 Department of Law Enforcement under chapter 943. Upon
218 certification, each law enforcement officer is subject to and
219 has the same authority as provided for law enforcement officers
220 generally in chapter 901 and has statewide jurisdiction. Each
221 officer also has arrest authority as provided for state law
222 enforcement officers in s. 901.15. Each officer possesses the
223 full law enforcement powers granted to other peace officers of
224 this state, including the authority to make arrests, carry
225 firearms, serve court process, and seize contraband and the
226 proceeds of illegal activities.

227 a. The primary responsibility of each officer appointed
228 under this paragraph is to investigate, enforce, and prosecute,
229 throughout the state, violations and violators of chapter 24,
230 chapter 285, chapter 546, chapter 550, chapter 551, or chapter
231 849, and the rules adopted thereunder, as well as other state
232 laws that the commission or all state law enforcement officers

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233 are specifically authorized to enforce.

234 b. The secondary responsibility of each officer appointed
235 under this paragraph is to enforce all other state laws,
236 provided that the enforcement is incidental to exercising the
237 officer's primary responsibility as provided in sub-subparagraph
238 a., and the officer exercises the powers of a deputy sheriff,
239 only after consultation or coordination with the appropriate
240 local sheriff's office or municipal police department or when
241 the commission participates in the Florida Mutual Aid Plan
242 during a declared state emergency.

243 (3) The commission shall convene at the call of its chair
244 or at the request of a majority of the members of the
245 commission. The presence of three members is required to
246 constitute a quorum, and the affirmative vote of the majority of
247 the members present is required for any action or recommendation
248 by the commission. The commission may meet in any city or county
249 of the state. The commission shall do all of the following:

250 (a) Exercise all of the regulatory and executive powers of
251 the state with respect to gambling, including, without
252 limitation thereto, pari-mutuel wagering, cardrooms, slot
253 machine facilities, oversight of gaming compacts executed by the
254 state pursuant to the Federal Indian Gaming Regulatory Act, and
255 any other forms of gambling authorized by the State Constitution
256 or law, excluding games authorized by s. 15, Art. X of the State
257 Constitution.

258 (b) Establish procedures consistent with chapter 120 to
259 ensure adequate due process in the exercise of its regulatory
260 and executive functions.

261 (c) Ensure that the laws of this state are not interpreted

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262 in any manner that expands the activities authorized in chapter
263 24, chapter 285, chapter 546, chapter 550, chapter 551, or
264 chapter 849.

265 (d) Review any matter within the scope of the jurisdiction
266 of the Division of Pari-mutuel Wagering.

267 (e) Review the regulation of licensees, permitholders, or
268 persons regulated by the Division of Pari-mutuel Wagering and
269 the procedures used by the division to implement and enforce the
270 law.

271 (f) Review the procedures of the Division of Pari-mutuel
272 Wagering which are used to qualify applicants applying for a
273 license, permit, or registration.

274 (g) Refer criminal violations of chapter 24, chapter 546,
275 chapter 550, chapter 551, or chapter 849 to the appropriate
276 state attorney or to the Office of Statewide Prosecution, as
277 applicable.

278 (h) Exercise all other powers and perform any other duties
279 prescribed by the Legislature.

280
281 The commission may subpoena witnesses and compel their
282 attendance and testimony, administer oaths and affirmations,
283 take evidence, and require by subpoena the production of any
284 books, papers, records, or other items relevant to the
285 performance of the duties of the commission or to the exercise
286 of its powers.

287 (4) Hearings shall be held before the commission, except
288 that the chair may direct that any hearing be held before one
289 member of the commission or a panel of less than the full
290 commission. The commission shall adopt rules to provide for the

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291 filing of a report when hearings are held by a single
292 commissioner or a panel, which rules shall prescribe the time
293 for filing the report and the contents of the report. The chair
294 may schedule hearings to determine whether enforcement of the
295 gaming laws of this state is sufficient to protect residents
296 from abuse and misinterpretation of the law to create expansion
297 of gaming or gambling in this state.

298 (5) The commission may submit written recommendations to
299 enhance the enforcement of gaming laws of the state to the
300 Governor, the President of the Senate, and the Speaker of the
301 House of Representatives.

302 (6) The commission's exercise of executive powers in the
303 area of planning, budgeting, personnel management, and
304 purchasing shall be as provided by law.

305 (7) The commission shall develop a budget request pursuant
306 to chapter 216 annually. The budget is not subject to change by
307 the Department of Legal Affairs or the Attorney General, but it
308 shall be submitted by the Department of Legal Affairs to the
309 Governor for transmittal to the Legislature.

310 (8) The commission is authorized to contract or consult
311 with appropriate agencies of state government for such
312 professional assistance as may be needed in the discharge of its
313 duties.

314 (9) All rules adopted pursuant to chapters 285, 546, 550,
315 551, and 849 prior to the effective date of this act are
316 preserved and remain in full force and effect.

317 (10) The commission shall exercise all of its regulatory
318 and executive powers and shall apply, construe, and interpret
319 all laws and administrative rules in a manner consistent with

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320 the gaming compact ratified, approved, and described in s.
321 285.710(3).

322 Section 3. Section 16.715, Florida Statutes, is created to
323 read:

324 16.715 Florida Gaming Control Commission standards of
325 conduct; ex parte communications.-

326 (1) STANDARDS OF CONDUCT.-

327 (a) In addition to the provisions of part III of chapter
328 112, which are applicable to commissioners on the Florida Gaming
329 Control Commission by virtue of their being public officers, the
330 conduct of commissioners shall be governed by the standards of
331 conduct provided in this subsection. Nothing shall prohibit the
332 standards of conduct from being more restrictive than part III
333 of chapter 112. Further, this subsection may not be construed to
334 contravene the restrictions of part III of chapter 112. In the
335 event of a conflict between this subsection and part III of
336 chapter 112, the more restrictive provision shall apply.

337 (b)1. A commissioner may not accept anything from any
338 business entity which, either directly or indirectly, owns or
339 controls any person regulated by the commission or from any
340 business entity which, either directly or indirectly, is an
341 affiliate or subsidiary of any person regulated by the
342 commission. A commissioner may attend conferences and associated
343 meals and events that are generally available to all conference
344 participants without payment of any fees in addition to the
345 conference fee. Additionally, while attending a conference, a
346 commissioner may attend meetings, meals, or events that are not
347 sponsored, in whole or in part, by any representative of any
348 person regulated by the commission and that are limited to

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349 commissioners only, committee members, or speakers if the
350 commissioner is a member of a committee of the association of
351 regulatory agencies that organized the conference or is a
352 speaker at the conference. It is not a violation of this
353 subparagraph for a commissioner to attend a conference for which
354 conference participants who are employed by a person regulated
355 by the commission have paid a higher conference registration fee
356 than the commissioner, or to attend a meal or event that is
357 generally available to all conference participants without
358 payment of any fees in addition to the conference fee and that
359 is sponsored, in whole or in part, by a person regulated by the
360 commission. If, during the course of an investigation by the
361 Commission on Ethics into an alleged violation of this
362 subparagraph, allegations are made as to the identity of the
363 person giving or providing the prohibited gift, that person must
364 be given notice and an opportunity to participate in the
365 investigation and relevant proceedings to present a defense. If
366 the Commission on Ethics determines that the person gave or
367 provided a prohibited gift, the person may not appear before the
368 commission or otherwise represent anyone before the commission
369 for a period of 2 years.

370 2. A commissioner may not accept any form of employment
371 with or engage in any business activity with any business entity
372 which, either directly or indirectly, owns or controls any
373 person regulated by the commission, any person regulated by the
374 commission, or any business entity which, either directly or
375 indirectly, is an affiliate or subsidiary of any person
376 regulated by the commission.

377 3. A commissioner may not have any financial interest,

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378 other than shares in a mutual fund, in any person regulated by
379 the commission, in any business entity which, either directly or
380 indirectly, owns or controls any person regulated by the
381 commission, or in any business entity which, either directly or
382 indirectly, is an affiliate or subsidiary of any person
383 regulated by the commission. If a commissioner acquires any
384 financial interest prohibited by this subsection during his or
385 her term of office as a result of events or actions beyond the
386 commissioner's control, he or she shall immediately sell such
387 financial interest or place such financial interest in a blind
388 trust at a financial institution. A commissioner may not attempt
389 to influence, or exercise any control over, decisions regarding
390 the blind trust.

391 4. A commissioner may not accept anything from a party in a
392 proceeding currently pending before the commission. If, during
393 the course of an investigation by the Commission on Ethics into
394 an alleged violation of this subparagraph, allegations are made
395 as to the identity of the person giving or providing the
396 prohibited gift, that person must be given notice and an
397 opportunity to participate in the investigation and relevant
398 proceedings to present a defense. If the Commission on Ethics
399 determines that the person gave or provided a prohibited gift,
400 the person may not appear before the commission or otherwise
401 represent anyone before the commission for a period of 2 years.

402 5. A commissioner may not serve as the representative of
403 any political party or on any executive committee or other
404 governing body of a political party; serve as an executive
405 officer or employee of any political party, committee,
406 organization, or association; receive remuneration for

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407 activities on behalf of any candidate for public office; engage
408 on behalf of any candidate for public office in the solicitation
409 of votes or other activities on behalf of such candidacy; or
410 become a candidate for election to any public office without
411 first resigning from office.

412 6. A commissioner, during his or her term of office, may
413 not make any public comment regarding the merits of any
414 proceeding under ss. 120.569 and 120.57 currently pending before
415 the commission.

416 7. A commissioner may not conduct himself or herself in an
417 unprofessional manner at any time during the performance of his
418 or her official duties.

419 8. A commissioner must avoid impropriety in all of his or
420 her activities and must act at all times in a manner that
421 promotes public confidence in the integrity and impartiality of
422 the commission.

423 9. A commissioner may not directly or indirectly, through
424 staff or other means, solicit anything of value from any person
425 regulated by the commission, or from any business entity that,
426 whether directly or indirectly, is an affiliate or subsidiary of
427 any person regulated by the commission, or from any party
428 appearing in a proceeding considered by the commission in the
429 last 2 years.

430 (c) A commissioner must annually complete at least 4 hours
431 of ethics training that addresses, at a minimum, s. 8, Art. II
432 of the State Constitution, the Code of Ethics for Public
433 Officers and Employees, and the public records and public
434 meetings laws of this state. This requirement may be satisfied
435 by completion of a continuing legal education class or other

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436 continuing professional education class, seminar, or
437 presentation, if the required subjects are covered.

438 (d) The Commission on Ethics shall accept and investigate
439 any alleged violations of this subsection pursuant to the
440 procedures contained in ss. 112.322-112.3241. The Commission on
441 Ethics shall provide the Governor, the President of the Senate,
442 and the Speaker of the House of Representatives with a report of
443 its findings and recommendations. The Governor is authorized to
444 enforce the findings and recommendations of the Commission on
445 Ethics, pursuant to part III of chapter 112. A commissioner may
446 request an advisory opinion from the Commission on Ethics,
447 pursuant to s. 112.322(3)(a), regarding the standards of conduct
448 or prohibitions set forth in this section or s. 16.71.

449 (2) EX PARTE COMMUNICATIONS.—

450 (a) A commissioner may not initiate or consider ex parte
451 communications concerning the merits, threat, or offer of reward
452 in any proceeding that is currently pending before the
453 commission or that he or she knows or reasonably expects will be
454 filed with the commission within 180 days after the date of any
455 such communication. An individual may not discuss ex parte with
456 a commissioner the merits of any issue that he or she knows will
457 be filed with the commission within 180 days. This paragraph
458 does not apply to commission staff.

459 (b) If a commissioner knowingly receives an ex parte
460 communication relative to a proceeding other than as set forth
461 in paragraph (a), to which he or she is assigned, he or she must
462 place on the record of the proceeding copies of all written
463 communications received, all written responses to the
464 communications, and a memorandum stating the substance of all

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465 oral communications received and all oral responses made, and
466 shall give written notice to all parties to the communication
467 that such matters have been placed on the record. Any party who
468 desires to respond to an ex parte communication may do so. The
469 response must be received by the commission within 10 days after
470 receiving notice that the ex parte communication has been placed
471 on the record. The commissioner may, if he or she deems it
472 necessary to eliminate the effect of an ex parte communication
473 received by him or her, withdraw from the proceeding, in which
474 case the chair shall substitute another commissioner for the
475 proceeding.

476 (c) Any individual who makes an ex parte communication
477 shall submit to the commission a written statement describing
478 the nature of such communication, to include the name of the
479 person making the communication, the name of the commissioner or
480 commissioners receiving the communication, copies of all written
481 communications made, all written responses to such
482 communications, and a memorandum stating the substance of all
483 oral communications received and all oral responses made. The
484 commission shall place on the record of a proceeding all such
485 communications.

486 (d) Any commissioner who knowingly fails to place on the
487 record any such communications, in violation of this subsection,
488 within 15 days of the date of such communication is subject to
489 removal and may be assessed a civil penalty not to exceed
490 \$5,000.

491 (e)1. It shall be the duty of the Commission on Ethics to
492 receive and investigate sworn complaints of violations of this
493 subsection pursuant to the procedures contained in ss. 112.322-

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494 112.3241.

495 2. If the Commission on Ethics finds that there has been a
496 violation of this subsection by a commissioner, it shall provide
497 the Governor, the President of the Senate, and the Speaker of
498 the House of Representatives with a report of its findings and
499 recommendations. The Governor is authorized to enforce the
500 findings and recommendations of the Commission on Ethics,
501 pursuant to part III of chapter 112 and to remove from office a
502 commissioner who is found by the Commission on Ethics to have
503 willfully and knowingly violated this subsection. The Governor
504 shall remove from office a commissioner who is found by the
505 Commission on Ethics to have willfully and knowingly violated
506 this subsection after a previous finding by the Commission on
507 Ethics that the commissioner willfully and knowingly violated
508 this subsection in a separate matter.

509 3. If a commissioner fails or refuses to pay the Commission
510 on Ethics any civil penalties assessed pursuant to this
511 subsection, the Commission on Ethics may bring an action in any
512 circuit court to enforce such penalty.

513 4. If, during the course of an investigation by the
514 Commission on Ethics into an alleged violation of this
515 subsection, allegations are made as to the identity of the
516 person who participated in the ex parte communication, that
517 person must be given notice and an opportunity to participate in
518 the investigation and relevant proceedings to present a defense.
519 If the Commission on Ethics determines that the person
520 participated in the ex parte communication, the person may not
521 appear before the commission or otherwise represent anyone
522 before the commission for a period of 2 years.

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523 Section 4. Effective July 1, 2022, paragraph (f) of
524 subsection (1) and subsection (7) of section 285.710, Florida
525 Statutes, are amended to read:

526 285.710 Compact authorization.—

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

528 (f) "State compliance agency" means the Florida Gaming
529 Control Commission ~~Division of Pari-mutuel Wagering of the~~
530 ~~Department of Business and Professional Regulation~~ which is
531 designated as the state agency having the authority to carry out
532 the state's oversight responsibilities under the compact.

533 (7) The Florida Gaming Control Commission ~~The Division of~~
534 ~~Pari-mutuel Wagering of the Department of Business and~~
535 ~~Professional Regulation~~ is designated as the state compliance
536 agency having the authority to carry out the state's oversight
537 responsibilities under the compact authorized by this section.

538 Section 5. (1) Effective July 1, 2022, all powers, duties,
539 functions, records, offices, personnel, associated
540 administrative support positions, property, pending issues,
541 existing contracts, administrative authority, administrative
542 rules, and unexpended balances of appropriations, allocations,
543 and other funds in the Department of Business and Professional
544 Regulation related to the oversight responsibilities by the
545 state compliance agency for authorized gaming compacts under s.
546 285.710, Florida Statutes, the regulation of pari-mutuel
547 wagering under chapter 550, Florida Statutes, the regulation of
548 slot machines and slot machine gaming under chapter 551, Florida
549 Statutes, and the regulation of cardrooms under s. 849.086,
550 Florida Statutes, are transferred by a type two transfer, as
551 defined in s. 20.06(2), Florida Statutes, to the Florida Gaming

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552 Control Commission within the Department of Legal Affairs,
553 Office of the Attorney General.

554 (2) Notwithstanding chapter 60L-34, Florida Administrative
555 Code, or any law to the contrary, employees who are transferred
556 from the Department of Business and Professional Regulation to
557 the Florida Gaming Control Commission within the Department of
558 Legal Affairs, Office of the Attorney General to fill positions
559 transferred by this act, retain and transfer any accrued annual
560 leave, sick leave, and regular and special compensatory leave
561 balances.

562 (3) The Department of Legal Affairs shall provide
563 administrative support to the Florida Gaming Control Commission
564 until the transfer in subsection (1) is complete.

565 Section 6. The Division of Law Revision shall prepare a
566 reviser's bill to conform the Florida Statutes to the transfer
567 described in section 3 of this act.

568 Section 7. Except as otherwise expressly provided in this
569 act, this act shall take effect July 1, 2021.