

FOR CONSIDERATION By the Committee on Regulated Industries

580-03770-21

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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 a member of an Indian tribe that has a valid and
179 active compact with the state; be an officer, official,
180 employee, contractor, or subcontractor of such tribe or an
181 entity employed, licensed, or contracted by such tribe; or be an
182 ultimate equitable owner, as defined in s. 550.002(37), of such
183 entity; or

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

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

196
197 For the purposes of this paragraph, the term "relative" means a
198 spouse, father, mother, son, daughter, grandfather, grandmother,
199 brother, sister, uncle, aunt, cousin, nephew, niece, father-in-
200 law, mother-in-law, son-in-law, daughter-in-law, brother-in-law,
201 sister-in-law, stepfather, stepmother, stepson, stepdaughter,
202 stepbrother, stepsister, half-brother, or half-sister.

203 (e)1. All employees authorized by the commission shall have

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

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

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

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

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

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

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

260 (c) Ensure that the laws of this state are not interpreted
261 in any manner that expands the activities authorized in chapter

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262 24, chapter 285, chapter 546, chapter 550, chapter 551, or
263 chapter 849.

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

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

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

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

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

279
280 The commission may subpoena witnesses and compel their
281 attendance and testimony, administer oaths and affirmations,
282 take evidence, and require by subpoena the production of any
283 books, papers, records, or other items relevant to the
284 performance of the duties of the commission or to the exercise
285 of its powers.

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

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

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

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

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

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

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

316 (10) The commission shall exercise all of its regulatory
317 and executive powers and shall apply, construe, and interpret
318 all laws and administrative rules in a manner consistent with
319 the gaming compact ratified, approved, and described in s.

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320 285.710(3).321 Section 3. Section 16.715, Florida Statutes, is created to
322 read:323 16.715 Florida Gaming Control Commission standards of
324 conduct; ex parte communications.-325 (1) STANDARDS OF CONDUCT.-326 (a) In addition to the provisions of part III of chapter
327 112, which are applicable to commissioners on the Florida Gaming
328 Control Commission by virtue of their being public officers, the
329 conduct of commissioners shall be governed by the standards of
330 conduct provided in this subsection. Nothing shall prohibit the
331 standards of conduct from being more restrictive than part III
332 of chapter 112. Further, this subsection may not be construed to
333 contravene the restrictions of part III of chapter 112. In the
334 event of a conflict between this subsection and part III of
335 chapter 112, the more restrictive provision shall apply.336 (b)1. A commissioner may not accept anything from any
337 business entity which, either directly or indirectly, owns or
338 controls any person regulated by the commission or from any
339 business entity which, either directly or indirectly, is an
340 affiliate or subsidiary of any person regulated by the
341 commission. A commissioner may attend conferences and associated
342 meals and events that are generally available to all conference
343 participants without payment of any fees in addition to the
344 conference fee. Additionally, while attending a conference, a
345 commissioner may attend meetings, meals, or events that are not
346 sponsored, in whole or in part, by any representative of any
347 person regulated by the commission and that are limited to
348 commissioners only, committee members, or speakers if the

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

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

376 3. A commissioner may not have any financial interest,
377 other than shares in a mutual fund, in any person regulated by

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

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

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

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

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

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

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

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

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

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436 presentation, if the required subjects are covered.

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

448 (2) EX PARTE COMMUNICATIONS.—

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

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

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

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

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

490 (e)1. It shall be the duty of the Commission on Ethics to
491 receive and investigate sworn complaints of violations of this
492 subsection pursuant to the procedures contained in ss. 112.322-
493 112.3241.

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

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

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

522 Section 4. Effective July 1, 2022, paragraph (f) of

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523 subsection (1) and subsection (7) of section 285.710, Florida
524 Statutes, are amended to read:

525 285.710 Compact authorization.—

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

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

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

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

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552 Office of the Attorney General.

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

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

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

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