

FOR CONSIDERATION By the Committee on Regulated Industries

580-03771-21

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1 A bill to be entitled
2 An act relating to requirements for pari-mutuel
3 permitholders to conduct live racing or games;
4 amending s. 550.002, F.S.; revising definitions;
5 defining the terms "permitholder" and "permittee";
6 deleting the term "racing greyhound"; amending s.
7 550.0115, F.S.; making technical changes; amending s.
8 550.01215, F.S.; revising the application requirements
9 for an operating license to conduct pari-mutuel
10 wagering for a pari-mutuel facility; prohibiting
11 greyhound permitholders from conducting live racing;
12 authorizing jai alai permitholders, harness horse
13 racing permitholders, and quarter horse racing
14 permitholders to elect not to conduct live racing or
15 games; requiring thoroughbred permitholders to conduct
16 live racing; specifying that certain permitholders
17 that do not conduct live racing or games retain their
18 permit and remain pari-mutuel facilities; specifying
19 that, if such permitholder has been issued a slot
20 machine license, the permitholder's facility remains
21 an eligible facility, continues to be eligible for a
22 slot machine license, is exempt from certain
23 provisions of ch. 551, F.S., is eligible to be a guest
24 track, and, if the permitholder is a harness horse
25 racing permitholder, is eligible to be a host track
26 for intertrack wagering and simulcasting, and remains
27 eligible for a cardroom license; authorizing the
28 Division of Pari-mutuel Wagering to approve a change
29 in racing dates for a permitholder if the request for

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30 a change is received before a specified date and under
31 certain circumstances; deleting a provision
32 authorizing the conversion of certain permits to a jai
33 alai permit under certain circumstances; amending s.
34 550.0235, F.S.; conforming provisions to changes made
35 by the act; amending s. 550.0351, F.S.; deleting a
36 provision relating to hound dog derbies and mutt
37 derbies; amending s. 550.0425, F.S.; deleting a
38 provision authorizing certain children to be granted
39 access to kennel compound areas under certain
40 circumstances; amending s. 550.054, F.S.; deleting
41 provisions relating to the conversion of jai alai
42 permits to greyhound racing permits; conforming a
43 provision to changes made by the act; amending s.
44 550.09511, F.S.; deleting a provision relating to the
45 payment of certain taxes and fees by jai alai
46 permitholders conducting fewer than a specified number
47 of live performances; amending s. 550.09512, F.S.;
48 revising the circumstances for which a harness horse
49 permitholder's permit is voided for failing to pay
50 certain taxes; amending ss. 550.105 and 550.1155,
51 F.S.; conforming provisions to changes made by the
52 act; amending s. 550.1647, F.S.; conforming a
53 provision to changes made by the act; repealing s.
54 550.1648, F.S., relating to greyhound adoptions;
55 amending ss. 550.175 and 550.1815, F.S.; conforming
56 provisions to changes made by the act; amending s.
57 550.24055, F.S.; conforming provisions to changes made
58 by the act; amending s. 550.2415, F.S.; deleting

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59 provisions relating to the testing, euthanasia, and
60 training of racing greyhounds; amending s. 550.3551,
61 F.S.; making technical changes; conforming provisions
62 to changes made by the act; amending s. 550.3615,
63 F.S.; making technical changes; prohibiting a person
64 convicted of bookmaking from attending or being
65 admitted to a pari-mutuel facility; requiring pari-
66 mutuel facility employees to notify certain persons of
67 unlawful activities; providing civil penalties;
68 requiring a permittee to display certain warnings
69 relating to bookmaking at his or her pari-mutuel
70 facility; revising applicability; amending s. 550.475,
71 F.S.; revising provisions relating to leasing pari-
72 mutuel facilities; amending s. 550.615, F.S.; revising
73 requirements relating to intertrack wagering;
74 specifying that greyhound permitholders are qualified
75 to receive certain broadcasts and accept specified
76 wagers; amending s. 550.6305, F.S.; conforming
77 provisions to changes made by the act; amending s.
78 551.104, F.S.; conforming provisions to changes made
79 by the act; amending s. 551.114, F.S.; revising
80 requirements for the locations of designated slot
81 machine gaming areas; amending s. 565.02, F.S.;
82 conforming provisions to changes made by the act;
83 amending s. 849.086, F.S.; revising requirements
84 relating to the annual renewal of a cardroom license;
85 conforming provisions to changes made by the act;
86 reenacting ss. 380.0651(2)(c), 402.82(4)(c), and
87 480.0475(1), F.S., relating to statewide guidelines,

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88 the electronic benefits transfer program, and massage
89 establishments, respectively, to incorporate the
90 amendments made to s. 550.002, F.S., in references
91 thereto; providing an effective date.
92

93 Be It Enacted by the Legislature of the State of Florida:
94

95 Section 1. Present subsections (24) through (28) of section
96 550.002, Florida Statutes, are redesignated as subsections (25)
97 through (29), respectively, a new subsection (24) is added to
98 that section, and subsections (11), (17), (20), (21), (22),
99 (23), and (31) and present subsections (26) and (29) of that
100 section are amended, to read:

101 550.002 Definitions.—As used in this chapter, the term:

102 (11) "Full schedule of live racing or games" means, for a
103 ~~greyhound or~~ jai alai permitholder, the conduct of a combination
104 of at least 100 live evening or matinee performances during the
105 preceding year; for a permitholder who has a converted permit or
106 filed an application on or before June 1, 1990, for a converted
107 permit, the conduct of a combination of at least 100 live
108 evening and matinee wagering performances during either of the 2
109 preceding years; for a jai alai permitholder who does not
110 operate slot machines in its pari-mutuel facility, who has
111 conducted at least 100 live performances per year for at least
112 10 years after December 31, 1992, and whose handle on live jai
113 alai games conducted at its pari-mutuel facility has been less
114 than \$4 million per state fiscal year for at least 2 consecutive
115 years after June 30, 1992, the conduct of a combination of at
116 least 40 live evening or matinee performances during the

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117 preceding year; for a jai alai permitholder who operates slot
118 machines in its pari-mutuel facility, the conduct of a
119 combination of at least 150 performances during the preceding
120 year; for a harness permitholder, the conduct of at least 100
121 live regular wagering performances during the preceding year;
122 for a quarter horse permitholder at its facility unless an
123 alternative schedule of at least 20 live regular wagering
124 performances is agreed upon by the permitholder and either the
125 Florida Quarter Horse Racing Association or the horsemen's
126 association representing the majority of the quarter horse
127 owners and trainers at the facility and filed with the division
128 along with its annual date application, in the 2010-2011 fiscal
129 year, the conduct of at least 20 regular wagering performances,
130 in the 2011-2012 and 2012-2013 fiscal years, the conduct of at
131 least 30 live regular wagering performances, and for every
132 fiscal year after the 2012-2013 fiscal year, the conduct of at
133 least 40 live regular wagering performances; for a quarter horse
134 permitholder leasing another licensed racetrack, the conduct of
135 160 events at the leased facility; and for a thoroughbred
136 permitholder, the conduct of at least 40 live regular wagering
137 performances during the preceding year. For a permitholder which
138 is restricted by statute to certain operating periods within the
139 year when other members of its same class of permit are
140 authorized to operate throughout the year, the specified number
141 of live performances which constitute a full schedule of live
142 racing or games shall be adjusted pro rata in accordance with
143 the relationship between its authorized operating period and the
144 full calendar year and the resulting specified number of live
145 performances shall constitute the full schedule of live games

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146 for such permitholder and all other permitholders of the same
147 class within 100 air miles of such permitholder. A live
148 performance must consist of no fewer than eight races or games
149 conducted live for each of a minimum of three performances each
150 week at the permitholder's licensed facility under a single
151 admission charge.

152 (17) "Intertrack wager" or "intertrack wagering" means a
153 particular form of pari-mutuel wagering in which wagers are
154 accepted at a permitted, in-state track, fronton, or pari-mutuel
155 facility on a race or game transmitted from and performed live
156 at, or simulcast signal rebroadcast from, another in-state pari-
157 mutuel facility.

158 (20) "Meet" or "meeting" means the conduct of live racing
159 or jai alai, or wagering on intertrack or simulcast events, for
160 any stake, purse, prize, or premium.

161 (21) "Operating day" means a continuous period of 24 hours
162 starting with the beginning of the first performance of a race
163 or game, even though the operating day may start during one
164 calendar day and extend past midnight except that no ~~greyhound~~
165 ~~race or~~ jai alai game may commence after 1:30 a.m.

166 (22) "Pari-mutuel" or "pari-mutuel wagering" means a system
167 of betting on races or games in which the winners divide the
168 total amount bet, after deducting management expenses and taxes,
169 in proportion to the sums they have wagered individually and
170 with regard to the odds assigned to particular outcomes.

171 (23) "Pari-mutuel facility" means the grounds or property
172 of a cardroom, racetrack, fronton, or other facility used by a
173 licensed permitholder ~~for the conduct of pari-mutuel wagering.~~

174 (24) "Permitholder" or "permittee" means a holder of a

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175 permit to conduct pari-mutuel wagering in this state as
176 authorized in this chapter.

177 ~~(27)(26)~~ "Post time" means the time set for the arrival at
178 the starting point of the horses ~~or greyhounds~~ in a race or the
179 beginning of a game in jai alai.

180 ~~(29)~~ "Racing greyhound" means a greyhound that is or was
181 used, or is being bred, raised, or trained to be used, in racing
182 at a pari-mutuel facility and is registered with the National
183 Greyhound Association.

184 (31) "Same class of races, games, or permit" means, with
185 respect to a jai alai permitholder, jai alai games or other jai
186 alai permitholders; with respect to a greyhound permitholder,
187 ~~greyhound races or other greyhound permitholders~~ conducting
188 pari-mutuel wagering; with respect to a thoroughbred
189 permitholder, thoroughbred races or other thoroughbred
190 permitholders; with respect to a harness permitholder, harness
191 races or other harness permitholders; with respect to a quarter
192 horse permitholder, quarter horse races or other quarter horse
193 permitholders.

194 Section 2. Section 550.0115, Florida Statutes, is amended
195 to read:

196 550.0115 Permitholder operating license.—After a permit has
197 been issued by the division, and after the permit has been
198 approved by election, the division shall issue to the
199 permitholder an annual operating license to conduct pari-mutuel
200 wagering operations at the location specified in the permit
201 pursuant to the provisions of this chapter.

202 Section 3. Section 550.01215, Florida Statutes, is amended
203 to read:

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204 550.01215 License application; periods of operation;
 205 license fees; bond, conversion of permit.-

206 (1) Each permitholder shall annually, during the period
 207 between December 15 and January 4, file in writing with the
 208 division its application for an operating a license for a pari-
 209 mutuel facility for the conduct of pari-mutuel wagering during
 210 the next state fiscal year, including intertrack and simulcast
 211 race wagering to conduct performances during the next state
 212 fiscal year. Each application for live performances must shall
 213 specify the number, dates, and starting times of all live
 214 performances that which the permitholder intends to conduct. It
 215 must shall also specify which performances will be conducted as
 216 charity or scholarship performances.

217 (a) In addition, Each application for an operating a
 218 license also must shall include:7

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

221 2. For each permitholder that which elects to operate a
 222 cardroom, the dates and periods of operation the permitholder
 223 intends to operate the cardroom. or,

224 3. For each thoroughbred racing permitholder that which
 225 elects to receive or rebroadcast out-of-state races after 7
 226 p.m., the dates for all performances that which the permitholder
 227 intends to conduct.

228 (b) A greyhound permitholder may not conduct live racing. A
 229 jai alai permitholder, harness horse racing permitholder, or
 230 quarter horse racing permitholder may elect not to conduct live
 231 racing or games. A thoroughbred permitholder must conduct live
 232 racing. A greyhound permitholder, jai alai permitholder, harness

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233 horse racing permitholder, or quarter horse racing permitholder
234 that does not conduct live racing or games retains its permit;
235 is a pari-mutuel facility as defined in s. 550.002(23); if such
236 permitholder has been issued a slot machine license, the
237 facility where such permit is located remains an eligible
238 facility as defined in s. 551.102(4), continues to be eligible
239 for a slot machine license pursuant to s. 551.104(3), and is
240 exempt from ss. 551.104(4)(c) and (10) and 551.114(2) and (4);
241 is eligible, but not required, to be a guest track and, if the
242 permitholder is a harness horse racing permitholder, to be a
243 host track for purposes of intertrack wagering and simulcasting
244 pursuant to ss. 550.3551, 550.615, 550.625, and 550.6305; and
245 remains eligible for a cardroom license.

246 (c) Permitholders ~~may~~ shall be entitled to amend their
247 applications through February 28.

248 (2) After the first license has been issued to a
249 permitholder, all subsequent annual applications for a license
250 shall be accompanied by proof, in such form as the division may
251 by rule require, that the permitholder continues to possess the
252 qualifications prescribed by this chapter, and that the permit
253 has not been disapproved at a later election.

254 (3) The division shall issue each license no later than
255 March 15. Each permitholder shall operate all performances at
256 the date and time specified on its license. The division shall
257 have the authority to approve minor changes in racing dates
258 after a license has been issued. The division may approve
259 changes in racing dates after a license has been issued when
260 there is no objection from any operating permitholder located
261 within 50 miles of the permitholder requesting the changes in

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262 operating dates. In the event of an objection, the division
263 shall approve or disapprove the change in operating dates based
264 upon the impact on operating permitholders located within 50
265 miles of the permitholder requesting the change in operating
266 dates. In making the determination to change racing dates, the
267 division shall take into consideration the impact of such
268 changes on state revenues. Notwithstanding any other provision
269 of law, and for the 2021-2022 state fiscal year only, the
270 division may approve changes in operating dates for
271 permitholders if the request for such changes is received before
272 July 1, 2021.

273 (4) In the event that a permitholder fails to operate all
274 performances specified on its license at the date and time
275 specified, the division shall hold a hearing to determine
276 whether to fine or suspend the permitholder's license, unless
277 such failure was the direct result of fire, strike, war, or
278 other disaster or event beyond the ability of the permitholder
279 to control. Financial hardship to the permitholder shall not, in
280 and of itself, constitute just cause for failure to operate all
281 performances on the dates and at the times specified.

282 (5) In the event that performances licensed to be operated
283 by a permitholder are vacated, abandoned, or will not be used
284 for any reason, any permitholder shall be entitled, pursuant to
285 rules adopted by the division, to apply to conduct performances
286 on the dates for which the performances have been abandoned. The
287 division shall issue an amended license for all such replacement
288 performances which have been requested in compliance with ~~the~~
289 ~~provisions of this chapter and division rules.~~

290 ~~(6) Any permit which was converted from a jai alai permit~~

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291 ~~to a greyhound permit may be converted to a jai alai permit at~~
292 ~~any time if the permitholder never conducted greyhound racing or~~
293 ~~if the permitholder has not conducted greyhound racing for a~~
294 ~~period of 12 consecutive months.~~

295 Section 4. Section 550.0235, Florida Statutes, is amended
296 to read:

297 550.0235 Limitation of civil liability.—No permitholder
298 licensed to conduct pari-mutuel wagering ~~permittee conducting a~~
299 ~~racing meet~~ pursuant to the provisions of this chapter; no
300 division director or employee of the division; and no steward,
301 judge, or other person appointed to act pursuant to this chapter
302 shall be held liable to any person, partnership, association,
303 corporation, or other business entity for any cause whatsoever
304 arising out of, or from, the performance by such permittee,
305 director, employee, steward, judge, or other person of her or
306 his duties and the exercise of her or his discretion with
307 respect to the implementation and enforcement of the statutes
308 and rules governing the conduct of pari-mutuel wagering, so long
309 as she or he acted in good faith. This section shall not limit
310 liability in any situation in which the negligent maintenance of
311 the premises or the negligent conduct of a race contributed to
312 an accident; nor shall it limit any contractual liability.

313 Section 5. Subsections (1) and (7) of section 550.0351,
314 Florida Statutes, are amended to read:

315 550.0351 Charity racing days.—

316 (1) The division shall, upon the request of a permitholder,
317 authorize each horseracing permitholder, ~~degracing permitholder,~~
318 and jai alai permitholder up to five charity or scholarship days
319 in addition to the regular racing days authorized by law.

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320 ~~(7) In addition to the charity days authorized by this~~
321 ~~section, any dogracing permitholder may allow its facility to be~~
322 ~~used for conducting "hound dog derbies" or "mutt derbies" on any~~
323 ~~day during each racing season by any charitable, civic, or~~
324 ~~nonprofit organization for the purpose of conducting "hound dog~~
325 ~~derbies" or "mutt derbies" if only dogs other than those usually~~
326 ~~used in dogracing (greyhounds) are permitted to race and if~~
327 ~~adults and minors are allowed to participate as dog owners or~~
328 ~~spectators. During these racing events, betting, gambling, and~~
329 ~~the sale or use of alcoholic beverages is prohibited.~~

330 Section 6. Subsection (4) of section 550.0425, Florida
331 Statutes, is amended to read:

332 550.0425 Minors attendance at pari-mutuel performances;
333 restrictions.-

334 ~~(4) Minor children of licensed greyhound trainers, kennel~~
335 ~~operators, or other licensed persons employed in the kennel~~
336 ~~compound areas may be granted access to kennel compound areas~~
337 ~~without being licensed, provided they are in no way employed~~
338 ~~unless properly licensed, and only when under the direct~~
339 ~~supervision of one of their parents or legal guardian.~~

340 Section 7. Subsections (2) and (14) of section 550.054,
341 Florida Statutes, are amended to read:

342 550.054 Application for permit to conduct pari-mutuel
343 wagering.-

344 (2) Upon each application filed and approved, a permit
345 shall be issued to the applicant setting forth the name of the
346 permitholder, the location of the pari-mutuel facility, the type
347 of pari-mutuel activity desired to be conducted, and a statement
348 showing qualifications of the applicant to conduct pari-mutuel

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349 performances under this chapter; however, a permit is
350 ineffectual to authorize any pari-mutuel performances until
351 approved by a majority of the electors participating in a
352 ratification election in the county in which the applicant
353 proposes to conduct pari-mutuel wagering activities. In
354 addition, an application may not be considered, nor may a permit
355 be issued by the division or be voted upon in any county, to
356 conduct horseraces, harness horse races, or pari-mutuel wagering
357 ~~degraces~~ at a location within 100 miles of an existing pari-
358 mutuel facility, or for jai alai within 50 miles of an existing
359 pari-mutuel facility; this distance shall be measured on a
360 straight line from the nearest property line of one pari-mutuel
361 facility to the nearest property line of the other facility.

362 ~~(14) (a) Any holder of a permit to conduct jai alai may~~
363 ~~apply to the division to convert such permit to a permit to~~
364 ~~conduct greyhound racing in lieu of jai alai if:~~

365 ~~1. Such permit is located in a county in which the division~~
366 ~~has issued only two pari-mutuel permits pursuant to this~~
367 ~~section;~~

368 ~~2. Such permit was not previously converted from any other~~
369 ~~class of permit; and~~

370 ~~3. The holder of the permit has not conducted jai alai~~
371 ~~games during a period of 10 years immediately preceding his or~~
372 ~~her application for conversion under this subsection.~~

373 ~~(b) The division, upon application from the holder of a jai~~
374 ~~alai permit meeting all conditions of this section, shall~~
375 ~~convert the permit and shall issue to the permitholder a permit~~
376 ~~to conduct greyhound racing. A permitholder of a permit~~
377 ~~converted under this section shall be required to apply for and~~

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378 ~~conduct a full schedule of live racing each fiscal year to be~~
379 ~~eligible for any tax credit provided by this chapter. The holder~~
380 ~~of a permit converted pursuant to this subsection or any holder~~
381 ~~of a permit to conduct greyhound racing located in a county in~~
382 ~~which it is the only permit issued pursuant to this section who~~
383 ~~operates at a leased facility pursuant to s. 550.475 may move~~
384 ~~the location for which the permit has been issued to another~~
385 ~~location within a 30-mile radius of the location fixed in the~~
386 ~~permit issued in that county, provided the move does not cross~~
387 ~~the county boundary and such location is approved under the~~
388 ~~zoning regulations of the county or municipality in which the~~
389 ~~permit is located, and upon such relocation may use the permit~~
390 ~~for the conduct of pari-mutuel wagering and the operation of a~~
391 ~~cardroom. The provisions of s. 550.6305(9)(d) and (f) shall~~
392 ~~apply to any permit converted under this subsection and shall~~
393 ~~continue to apply to any permit which was previously included~~
394 ~~under and subject to such provisions before a conversion~~
395 ~~pursuant to this section occurred.~~

396 Section 8. Subsection (4) of section 550.09511, Florida
397 Statutes, is amended to read:

398 550.09511 Jai alai taxes; abandoned interest in a permit
399 for nonpayment of taxes.—

400 ~~(4) A jai alai permitholder conducting fewer than 100 live~~
401 ~~performances in any calendar year shall pay to the state the~~
402 ~~same aggregate amount of daily license fees on live jai alai~~
403 ~~games, admissions tax, and tax on live handle as that~~
404 ~~permitholder paid to the state during the most recent prior~~
405 ~~calendar year in which the jai alai permitholder conducted at~~
406 ~~least 100 live performances.~~

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407 Section 9. Paragraph (a) of subsection (3) of section
408 550.09512, Florida Statutes, is amended to read:

409 550.09512 Harness horse taxes; abandoned interest in a
410 permit for nonpayment of taxes.-

411 (3) (a) The permit of a harness horse permitholder who is
412 conducting live harness horse performances and who does not pay
413 tax on handle for any such ~~live harness horse~~ performances
414 conducted ~~for a full schedule of live races~~ during any 2
415 consecutive state fiscal years shall be void and shall escheat
416 to and become the property of the state unless such failure to
417 operate and pay tax on handle was the direct result of fire,
418 strike, war, or other disaster or event beyond the ability of
419 the permitholder to control. Financial hardship to the
420 permitholder shall not, in and of itself, constitute just cause
421 for failure to operate and pay tax on handle.

422 Section 10. Subsections (2) and (9) of section 550.105,
423 Florida Statutes, are amended to read:

424 550.105 Occupational licenses of racetrack employees; fees;
425 denial, suspension, and revocation of license; penalties and
426 fines.-

427 (2) (a) The following licenses shall be issued to persons or
428 entities with access to the backside, racing animals, jai alai
429 players' room, jockeys' room, drivers' room, totalisator room,
430 the mutuels, or money room, or to persons who, by virtue of the
431 position they hold, might be granted access to these areas or to
432 any other person or entity in one of the following categories
433 and with fees not to exceed the following amounts for any 12-
434 month period:

435 1. Business licenses: any business such as a vendor,

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436 contractual concessionaire, ~~contract kennel~~, business owning
437 racing animals, trust or estate, totalisator company, stable
438 name, or other fictitious name: \$50.

439 2. Professional occupational licenses: professional persons
440 with access to the backside of a racetrack or players' quarters
441 in jai alai such as trainers, officials, veterinarians, doctors,
442 nurses, EMT's, jockeys and apprentices, drivers, jai alai
443 players, owners, trustees, or any management or officer or
444 director or shareholder or any other professional-level person
445 who might have access to the jockeys' room, the drivers' room,
446 the backside, racing animals, ~~kennel compound~~, or managers or
447 supervisors requiring access to mutuels machines, the money
448 room, or totalisator equipment: \$40.

449 3. General occupational licenses: general employees with
450 access to the jockeys' room, the drivers' room, racing animals,
451 the backside of a racetrack or players' quarters in jai alai,
452 such as grooms, ~~kennel helpers~~, leadouts, pelota makers, cesta
453 makers, or ball boys, or a practitioner of any other occupation
454 who would have access to the animals or, the backside, ~~or the~~
455 ~~kennel compound~~, or who would provide the security or
456 maintenance of these areas, or mutuel employees, totalisator
457 employees, money-room employees, or any employee with access to
458 mutuels machines, the money room, or totalisator equipment or
459 who would provide the security or maintenance of these areas:
460 \$10.

461
462 The individuals and entities that are licensed under this
463 paragraph require heightened state scrutiny, including the
464 submission by the individual licensees or persons associated

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465 with the entities described in this chapter of fingerprints for
466 a Federal Bureau of Investigation criminal records check.

467 (b) The division shall adopt rules pertaining to pari-
468 mutuel occupational licenses, licensing periods, and renewal
469 cycles.

470 (9) The tax imposed by this section is in lieu of all
471 license, excise, or occupational taxes to the state or any
472 county, municipality, or other political subdivision, except
473 that, if a race meeting or game is held or conducted in a
474 municipality, the municipality may assess and collect an
475 additional tax against any person conducting live racing or
476 games within its corporate limits, which tax may not exceed \$150
477 per day for horseracing or \$50 per day for ~~dogracing~~ or jai
478 alai. Except as provided in this chapter, a municipality may not
479 assess or collect any additional excise or revenue tax against
480 any person conducting race meetings within the corporate limits
481 of the municipality or against any patron of any such person.

482 Section 11. Section 550.1155, Florida Statutes, is amended
483 to read:

484 550.1155 Authority of stewards, judges, panel of judges, or
485 player's manager to impose penalties against occupational
486 licensees; disposition of funds collected.-

487 (1) The stewards at a horse racetrack; ~~the judges at a dog~~
488 ~~track;~~ or the judges, a panel of judges, or a player's manager
489 at a jai alai fronton may impose a civil penalty against any
490 occupational licensee for violation of the pari-mutuel laws or
491 any rule adopted by the division. The penalty may not exceed
492 \$1,000 for each count or separate offense or exceed 60 days of
493 suspension for each count or separate offense.

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494 (2) All penalties imposed and collected pursuant to this
495 section at each horse ~~or dog~~ racetrack or jai alai fronton shall
496 be deposited into a board of relief fund established by the
497 pari-mutuel permitholder. Each association shall name a board of
498 relief composed of three of its officers, with the general
499 manager of the permitholder being the ex officio treasurer of
500 such board. Moneys deposited into the board of relief fund shall
501 be disbursed by the board for the specific purpose of aiding
502 occupational licenseholders and their immediate family members
503 at each pari-mutuel facility.

504 Section 12. Section 550.1647, Florida Statutes, is amended
505 to read:

506 550.1647 Greyhound permitholders; unclaimed tickets;
507 breaks.—All money or other property represented by any
508 unclaimed, uncashed, or abandoned pari-mutuel ticket which has
509 remained in the custody of or under the control of any greyhound
510 permitholder authorized to conduct ~~greyhound racing~~ pari-mutuel
511 wagering pools in this state for a period of 1 year after the
512 date the pari-mutuel ticket was issued, if the rightful owner or
513 owners thereof have made no claim or demand for such money or
514 other property within that period of time, shall, ~~with respect~~
515 ~~to live races conducted by the permitholder,~~ be remitted to the
516 state pursuant to s. 550.1645; however, such permitholder shall
517 be entitled to a credit in each state fiscal year in an amount
518 equal to the actual amount remitted in the prior state fiscal
519 year which may be applied against any taxes imposed pursuant to
520 this chapter. In addition, each permitholder shall pay, from any
521 source, ~~including the proceeds from performances conducted~~
522 ~~pursuant to s. 550.0351,~~ an amount not less than 10 percent of

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523 the amount of the credit provided by this section to any bona
524 fide organization that promotes or encourages the adoption of
525 greyhounds. As used in this chapter, the term "bona fide
526 organization that promotes or encourages the adoption of
527 greyhounds" means any organization that provides evidence of
528 compliance with chapter 496 and possesses a valid exemption from
529 federal taxation issued by the Internal Revenue Service. Such
530 bona fide organization, as a condition of adoption, must provide
531 sterilization of greyhounds by a licensed veterinarian before
532 relinquishing custody of the greyhound to the adopter. The fee
533 for sterilization may be included in the cost of adoption.

534 Section 13. Section 550.1648, Florida Statutes, is
535 repealed.

536 Section 14. Section 550.175, Florida Statutes, is amended
537 to read:

538 550.175 Petition for election to revoke permit.—Upon
539 petition of 20 percent of the qualified electors of any county
540 wherein any pari-mutuel wagering racing has been licensed and
541 conducted under this chapter, the county commissioners of such
542 county shall provide for the submission to the electors of such
543 county at the then next succeeding general election the question
544 of whether any permit or permits theretofore granted shall be
545 continued or revoked, and if a majority of the electors voting
546 on such question in such election vote to cancel or recall the
547 permit theretofore given, the division may not thereafter grant
548 any license on the permit so recalled. Every signature upon
549 every recall petition must be signed in the presence of the
550 clerk of the board of county commissioners at the office of the
551 clerk of the circuit court of the county, and the petitioner

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552 must present at the time of such signing her or his registration
553 receipt showing the petitioner's qualification as an elector of
554 the county at the time of the signing of the petition. Not more
555 than one permit may be included in any one petition; and, in all
556 elections in which the recall of more than one permit is voted
557 on, the voters shall be given an opportunity to vote for or
558 against the recall of each permit separately. Nothing in this
559 chapter shall be construed to prevent the holding of later
560 referendum or recall elections.

561 Section 15. Subsection (1) of section 550.1815, Florida
562 Statutes, is amended to read:

563 550.1815 Certain persons prohibited from holding racing or
564 jai alai permits; suspension and revocation.—

565 (1) A corporation, general or limited partnership, sole
566 proprietorship, business trust, joint venture, or unincorporated
567 association, or other business entity may not hold any
568 horseracing or greyhound ~~dogracing~~ permit or jai alai fronton
569 permit in this state if any one of the persons or entities
570 specified in paragraph (a) has been determined by the division
571 not to be of good moral character or has been convicted of any
572 offense specified in paragraph (b).

- 573 (a)1. The permitholder;
574 2. An employee of the permitholder;
575 3. The sole proprietor of the permitholder;
576 4. A corporate officer or director of the permitholder;
577 5. A general partner of the permitholder;
578 6. A trustee of the permitholder;
579 7. A member of an unincorporated association permitholder;
580 8. A joint venturer of the permitholder;

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581 9. The owner of more than 5 percent of any equity interest
582 in the permitholder, whether as a common shareholder, general or
583 limited partner, voting trustee, or trust beneficiary; or

584 10. An owner of any interest in the permit or permitholder,
585 including any immediate family member of the owner, or holder of
586 any debt, mortgage, contract, or concession from the
587 permitholder, who by virtue thereof is able to control the
588 business of the permitholder.

589 (b)1. A felony in this state;

590 2. Any felony in any other state which would be a felony if
591 committed in this state under the laws of this state;

592 3. Any felony under the laws of the United States;

593 4. A felony under the laws of another state if related to
594 gambling which would be a felony under the laws of this state if
595 committed in this state; or

596 5. Bookmaking as defined in s. 849.25.

597 Section 16. Subsection (2) of section 550.24055, Florida
598 Statutes, is amended to read:

599 550.24055 Use of controlled substances or alcohol
600 prohibited; testing of certain occupational licensees; penalty;
601 evidence of test or action taken and admissibility for criminal
602 prosecution limited.—

603 (2) The occupational licensees, by applying for and holding
604 such licenses, are deemed to have given their consents to submit
605 to an approved chemical test of their breath for the purpose of
606 determining the alcoholic content of their blood and to a urine
607 or blood test for the purpose of detecting the presence of
608 controlled substances. Such tests shall only be conducted upon
609 reasonable cause that a violation has occurred as shall be

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610 determined solely by the stewards at a horseracing meeting or
611 the judges or board of judges at a ~~dog track~~ or jai alai meet.
612 The failure to submit to such test may result in a suspension of
613 the person's occupational license for a period of 10 days or
614 until this section has been complied with, whichever is longer.

615 (a) If there was at the time of the test 0.05 percent or
616 less by weight of alcohol in the person's blood, the person is
617 presumed not to have been under the influence of alcoholic
618 beverages to the extent that the person's normal faculties were
619 impaired, and no action of any sort may be taken by the
620 stewards, judges, or board of judges or the division.

621 (b) If there was at the time of the test an excess of 0.05
622 percent but less than 0.08 percent by weight of alcohol in the
623 person's blood, that fact does not give rise to any presumption
624 that the person was or was not under the influence of alcoholic
625 beverages to the extent that the person's faculties were
626 impaired, but the stewards, judges, or board of judges may
627 consider that fact in determining whether or not the person will
628 be allowed to officiate or participate in any given race or jai
629 alai game.

630 (c) If there was at the time of the test 0.08 percent or
631 more by weight of alcohol in the person's blood, that fact is
632 prima facie evidence that the person was under the influence of
633 alcoholic beverages to the extent that the person's normal
634 faculties were impaired, and the stewards or judges may take
635 action as set forth in this section, but the person may not
636 officiate at or participate in any race or jai alai game on the
637 day of such test.

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639 All tests relating to alcohol must be performed in a manner
640 substantially similar, or identical, to the provisions of s.
641 316.1934 and rules adopted pursuant to that section. Following a
642 test of the urine or blood to determine the presence of a
643 controlled substance as defined in chapter 893, if a controlled
644 substance is found to exist, the stewards, judges, or board of
645 judges may take such action as is permitted in this section.

646 Section 17. Paragraph (d) of subsection (5), paragraphs (b)
647 and (c) of subsection (6), paragraph (a) of subsection (9), and
648 subsection (13) of section 550.2415, Florida Statutes, are
649 amended to read:

650 550.2415 Racing of animals under certain conditions
651 prohibited; penalties; exceptions.—

652 (5) The division shall implement a split-sample procedure
653 for testing animals under this section.

654 ~~(d) For the testing of a racing greyhound, if there is an~~
655 ~~insufficient quantity of the secondary (split) sample for~~
656 ~~confirmation of the division laboratory's positive result, the~~
657 ~~division may commence administrative proceedings as prescribed~~
658 ~~in this chapter and consistent with chapter 120.~~

659 (6)

660 ~~(b) The division shall, by rule, establish the procedures~~
661 ~~for euthanizing greyhounds. However, a greyhound may not be put~~
662 ~~to death by any means other than by lethal injection of the drug~~
663 ~~sodium pentobarbital. A greyhound may not be removed from this~~
664 ~~state for the purpose of being destroyed.~~

665 ~~(c) It is a violation of this chapter for an occupational~~
666 ~~licensee to train a greyhound using live or dead animals. A~~
667 ~~greyhound may not be taken from this state for the purpose of~~

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668 ~~being trained through the use of live or dead animals.~~

669 (9) (a) The division may conduct a postmortem examination of
670 any animal that is injured at a permitted racetrack while in
671 training or in competition and that subsequently expires or is
672 destroyed. The division may conduct a postmortem examination of
673 any animal that expires while housed at a permitted racetrack,
674 association compound, or licensed ~~kennel or~~ farm. Trainers and
675 owners shall be requested to comply with this paragraph as a
676 condition of licensure.

677 ~~(13) The division may implement by rule medication levels~~
678 ~~for racing greyhounds recommended by the University of Florida~~
679 ~~College of Veterinary Medicine developed pursuant to an~~
680 ~~agreement between the Division of Pari-mutuel Wagering and the~~
681 ~~University of Florida College of Veterinary Medicine. The~~
682 ~~University of Florida College of Veterinary Medicine may provide~~
683 ~~written notification to the division that it has completed~~
684 ~~research or review on a particular drug pursuant to the~~
685 ~~agreement and when the College of Veterinary Medicine has~~
686 ~~completed a final report of its findings, conclusions, and~~
687 ~~recommendations to the division.~~

688 Section 18. Subsections (2) and (4), paragraph (a) of
689 subsection (6), and subsection (11) of section 550.3551, Florida
690 Statutes, are amended to read:

691 550.3551 Transmission of racing and jai alai information;
692 commingling of pari-mutuel pools.—

693 (2) Any horse track, ~~dog track,~~ or fronton licensed under
694 this chapter may transmit broadcasts of races or games conducted
695 at the enclosure of the licensee to locations outside this
696 state.

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697 (a) All broadcasts of horseraces transmitted to locations
698 outside this state must comply with the provisions of the
699 Interstate Horseracing Act of 1978, 92 Stat. 1811, 15 U.S.C. ss.
700 3001 et seq.

701 (b) Wagers accepted by any out-of-state pari-mutuel
702 permitholder or licensed betting system on a race broadcasted
703 under this subsection may be, but are not required to be,
704 included in the pari-mutuel pools of the horse track in this
705 state that broadcasts the race upon which wagers are accepted.
706 The handle, as referred to in s. 550.0951(3), does not include
707 any wagers accepted by an out-of-state pari-mutuel permitholder
708 or licensed betting system, irrespective of whether such wagers
709 are included in the pari-mutuel pools of the Florida
710 permitholder as authorized by this subsection.

711 (4) Any greyhound permitholder or jai alai permitholder ~~dog~~
712 ~~track or fronton~~ licensed under this chapter may receive at its
713 licensed location broadcasts of dograces or jai alai games
714 conducted at other tracks or frontons located outside the state
715 ~~at the track enclosure of the licensee during its operational~~
716 ~~meeting~~. All forms of pari-mutuel wagering are allowed on
717 dograces or jai alai games broadcast under this subsection. All
718 money wagered by patrons on dograces broadcast under this
719 subsection shall be computed in the amount of money wagered each
720 performance for purposes of taxation under ss. 550.0951 and
721 550.09511.

722 (6) (a) ~~A maximum of 20 percent of the total number of races~~
723 ~~on which wagers are accepted by a greyhound permitholder not~~
724 ~~located as specified in s. 550.615(6) may be received from~~
725 ~~locations outside this state.~~ A permitholder conducting live

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726 races or games may not conduct fewer than eight live races or
727 games on any authorized race day except as provided in this
728 subsection. A thoroughbred permitholder may not conduct fewer
729 than eight live races on any race day without the written
730 approval of the Florida Thoroughbred Breeders' Association and
731 the Florida Horsemen's Benevolent and Protective Association,
732 Inc., unless it is determined by the department that another
733 entity represents a majority of the thoroughbred racehorse
734 owners and trainers in the state. If conducting live racing, a
735 harness permitholder may conduct fewer than eight live races on
736 any authorized race day, ~~except that such permitholder must~~
737 ~~conduct a full schedule of live racing during its race meet~~
738 ~~consisting of at least eight live races per authorized race day~~
739 ~~for at least 100 days.~~ Any harness horse permitholder that
740 during the preceding racing season conducted a full schedule of
741 live racing may, ~~at any time during its current race meet,~~
742 receive full-card broadcasts of harness horse races conducted at
743 harness racetracks outside this state at the harness track of
744 the permitholder and accept wagers on such harness races. ~~With~~
745 ~~specific authorization from the division for special racing~~
746 ~~events, a permitholder may conduct fewer than eight live races~~
747 ~~or games when the permitholder also broadcasts out-of-state~~
748 ~~races or games. The division may not grant more than two such~~
749 ~~exceptions a year for a permitholder in any 12-month period, and~~
750 ~~those two exceptions may not be consecutive.~~

751 (11) Greyhound permitholders ~~tracks~~ and jai alai
752 permitholders ~~frontons~~ have the same privileges as provided in
753 this section to horserace permitholders ~~horse tracks~~, as
754 applicable, subject to rules adopted under subsection (10).

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755 Section 19. Subsections (1), (3), (4), (5), and (6) of
756 section 550.3615, Florida Statutes, are amended to read:

757 550.3615 Bookmaking on the grounds of a permitholder;
758 penalties; reinstatement; duties of track employees; penalty;
759 exceptions.—

760 (1) Any person who engages in bookmaking, as defined in s.
761 849.25, on the grounds or property of a pari-mutuel facility
762 ~~commits permitholder of a horse or dog track or jai alai fronton~~
763 ~~is guilty of~~ a felony of the third degree, punishable as
764 provided in s. 775.082, s. 775.083, or s. 775.084.

765 Notwithstanding the provisions of s. 948.01, any person
766 convicted under the provisions of this subsection shall not have
767 adjudication of guilt suspended, deferred, or withheld.

768 (3) Any person who has been convicted of bookmaking in this
769 state or any other state of the United States or any foreign
770 country shall be denied admittance to and shall not attend any
771 pari-mutuel facility ~~racetrack or fronton~~ in this state during
772 its racing seasons or operating dates, including any practice or
773 preparational days, for a period of 2 years after the date of
774 conviction or the date of final appeal. Following the conclusion
775 of the period of ineligibility, the director of the division may
776 authorize the reinstatement of an individual following a hearing
777 on readmittance. Any such person who knowingly violates this
778 subsection commits ~~is guilty of~~ a misdemeanor of the first
779 degree, punishable as provided in s. 775.082 or s. 775.083.

780 (4) If the activities of a person show that this law is
781 being violated, and such activities are either witnessed or are
782 common knowledge by any pari-mutuel facility ~~track or fronton~~
783 employee, it is the duty of that employee to bring the matter to

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784 the immediate attention of the permitholder, manager, or her or
785 his designee, who shall notify a law enforcement agency having
786 jurisdiction. Willful failure by the pari-mutuel facility ~~on the~~
787 ~~part of any track or fronton~~ employee to comply with the
788 provisions of this subsection is a ground for the division to
789 suspend or revoke that employee's license for pari-mutuel
790 facility ~~track or fronton~~ employment.

791 (5) Each permittee shall display, in conspicuous places at
792 a pari-mutuel facility ~~track or fronton~~ and in all race and jai
793 alai daily programs, a warning to all patrons concerning the
794 prohibition and penalties of bookmaking contained in this
795 section and s. 849.25. The division shall adopt rules concerning
796 the uniform size of all warnings and the number of placements
797 throughout a pari-mutuel facility ~~track or fronton~~. Failure on
798 the part of the permittee to display such warnings may result in
799 the imposition of a \$500 fine by the division for each offense.

800 (6) This section does not apply to any person ~~attending a~~
801 ~~track or fronton or~~ employed by or attending a pari-mutuel
802 facility ~~a track or fronton~~ who places a bet through the
803 legalized pari-mutuel pool for another person, provided such
804 service is rendered gratuitously and without fee or other
805 reward.

806 Section 20. Section 550.475, Florida Statutes, is amended
807 to read:

808 550.475 Lease of pari-mutuel facilities by pari-mutuel
809 permitholders.—Holders of valid pari-mutuel permits for the
810 conduct of any pari-mutuel wagering ~~jai alai games, dogracing,~~
811 ~~or thoroughbred and standardbred horse racing~~ in this state are
812 entitled to lease any and all of their facilities to any other

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813 holder of a same class valid pari-mutuel permit ~~for jai alai~~
814 ~~games, dogracing, or thoroughbred or standardbred horse racing,~~
815 when located within a 35-mile radius of each other; and such
816 lessee is entitled to a permit and license to conduct intertrack
817 wagering and operate its race meet or jai alai games at the
818 leased premises.

819 Section 21. Subsections (2) and (8) of section 550.615,
820 Florida Statutes, are amended, and subsection (11) is added to
821 that section, to read:

822 550.615 Intertrack wagering.—

823 (2) A pari-mutuel permitholder that has met the applicable
824 requirement for that permitholder to conduct live racing or
825 games under s. 550.01215(1)(b), if any, Any track or fronton
826 ~~licensed under this chapter which in the preceding year~~
827 ~~conducted a full schedule of live racing~~ is qualified to, at any
828 time, receive broadcasts of any class of pari-mutuel race or
829 game and accept wagers on such races or games conducted by any
830 class of permitholders licensed under this chapter.

831 (8) In any three contiguous counties of the state where
832 there are only three permitholders, all of which are greyhound
833 permitholders, if any permitholder leases the facility of
834 another permitholder for all or any portion of the conduct of
835 its live race meet pursuant to s. 550.475, such lessee may
836 conduct intertrack wagering at its pre-lease permitted facility
837 throughout the entire year, ~~including while its live meet is~~
838 ~~being conducted at the leased facility, if such permitholder has~~
839 ~~conducted a full schedule of live racing during the preceding~~
840 ~~fiscal year at its pre-lease permitted facility or at a leased~~
841 ~~facility, or combination thereof.~~

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842 (11) Any greyhound permitholder licensed under this chapter
843 to conduct pari-mutuel wagering is qualified to, at any time,
844 receive broadcasts of any class of pari-mutuel race or game and
845 accept wagers on such races or games conducted by any class of
846 permitholders licensed under this chapter.

847 Section 22. Subsection (2) of section 550.6305, Florida
848 Statutes, is amended to read:

849 550.6305 Intertrack wagering; guest track payments;
850 accounting rules.-

851 (2) For the purposes of calculation of odds and payoffs and
852 distribution of the pari-mutuel pools, all intertrack wagers
853 shall be combined with the pari-mutuel pools at the host track.
854 ~~Notwithstanding this subsection or subsection (4), a greyhound~~
855 ~~pari-mutuel permitholder may conduct intertrack wagering without~~
856 ~~combining pari-mutuel pools on not more than three races in any~~
857 ~~week, not to exceed 20 races in a year. All other provisions~~
858 ~~concerning pari-mutuel takeout and payments, including state tax~~
859 ~~payments, apply as if the pool had been combined.~~

860 Section 23. Paragraph (c) of subsection (4) of section
861 551.104, Florida Statutes, is amended to read:

862 551.104 License to conduct slot machine gaming.-

863 (4) As a condition of licensure and to maintain continued
864 authority for the conduct of slot machine gaming, the slot
865 machine licensee shall:

866 (c) If a thoroughbred permitholder, conduct no fewer than a
867 full schedule of live racing or games as defined in s.
868 550.002(11). A permitholder's responsibility to conduct ~~such~~
869 ~~number of~~ live races or games shall be reduced by the number of
870 races or games that could not be conducted due to the direct

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871 result of fire, war, hurricane, or other disaster or event
872 beyond the control of the permitholder.

873 Section 24. Subsection (4) of section 551.114, Florida
874 Statutes, is amended to read:

875 551.114 Slot machine gaming areas.—

876 (4) Designated slot machine gaming areas must ~~may~~ be
877 located at the location specified in the licensed permitholder's
878 operating license within the current live gaming facility or in
879 ~~an existing building that must be contiguous and connected to~~
880 ~~the live gaming facility. If a designated slot machine gaming~~
881 ~~area is to be located in a building that is to be constructed,~~
882 ~~that new building must be contiguous and connected to the live~~
883 ~~gaming facility.~~

884 Section 25. Subsection (5) of section 565.02, Florida
885 Statutes, is amended to read:

886 565.02 License fees; vendors; clubs; caterers; and others.—

887 (5) A caterer at a horse ~~or dog~~ racetrack or jai alai
888 fronton may obtain a license upon the payment of an annual state
889 license tax of \$675. Such caterer's license shall permit sales
890 only within the enclosure in which such races or jai alai games
891 are conducted, and such licensee shall be permitted to sell only
892 during the period beginning 10 days before and ending 10 days
893 after racing or jai alai under the authority of the Division of
894 Pari-mutuel Wagering of the Department of Business and
895 Professional Regulation is conducted at such racetrack or jai
896 alai fronton. Except as in this subsection otherwise provided,
897 caterers licensed hereunder shall be treated as vendors licensed
898 to sell by the drink the beverages mentioned herein and shall be
899 subject to all the provisions hereof relating to such vendors.

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900 Section 26. Paragraphs (a) and (b) of subsection (5) and
901 paragraph (d) of subsection (13) of section 849.086, Florida
902 Statutes, are amended to read:

903 849.086 Cardrooms authorized.—

904 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
905 operate a cardroom in this state unless such person holds a
906 valid cardroom license issued pursuant to this section.

907 (a) Only those persons holding a valid cardroom license
908 issued by the division may operate a cardroom. A cardroom
909 license may only be issued to a licensed pari-mutuel
910 permitholder and an authorized cardroom may only be operated at
911 the same facility at which the permitholder is authorized under
912 its valid pari-mutuel wagering permit to conduct pari-mutuel
913 wagering activities. An initial cardroom license shall be issued
914 to a pari-mutuel permitholder only after its facilities are in
915 place and after it conducts its first day of pari-mutuel
916 activities on live racing or games.

917 (b) After the initial cardroom license is granted, the
918 application for the annual license renewal shall be made in
919 conjunction with the applicant's annual application for its
920 pari-mutuel license. If a permitholder has operated a cardroom
921 during any of the 3 previous fiscal years and fails to include a
922 renewal request for the operation of the cardroom in its annual
923 application for license renewal, the permitholder may amend its
924 annual application to include operation of the cardroom. ~~In~~
925 ~~order for a cardroom license to be renewed the applicant must~~
926 ~~have requested, as part of its pari-mutuel annual license~~
927 ~~application, to conduct at least 90 percent of the total number~~
928 ~~of live performances conducted by such permitholder during~~

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929 ~~either the state fiscal year in which its initial cardroom~~
930 ~~license was issued or the state fiscal year immediately prior~~
931 ~~thereto if the permitholder ran at least a full schedule of live~~
932 ~~racing or games in the prior year. If the application is for a~~
933 ~~harness permitholder cardroom, the applicant must have requested~~
934 ~~authorization to conduct a minimum of 140 live performances~~
935 ~~during the state fiscal year immediately prior thereto. If more~~
936 ~~than one permitholder is operating at a facility, each~~
937 ~~permitholder must have applied for a license to conduct a full~~
938 ~~schedule of live racing.~~

939 (13) TAXES AND OTHER PAYMENTS.—

940 (d)1. Each ~~greyhound and~~ jai alai permitholder that
941 conducts live performances and operates a cardroom facility
942 shall use at least 4 percent of such permitholder's cardroom
943 monthly gross receipts to supplement ~~greyhound purses or jai~~
944 ~~alai prize money, respectively,~~ during the permitholder's next
945 ensuing pari-mutuel meet.

946 2. Each thoroughbred permitholder or ~~and~~ harness horse
947 racing permitholder that conducts live performances and operates
948 a cardroom facility shall use at least 50 percent of such
949 permitholder's cardroom monthly net proceeds as follows: 47
950 percent to supplement purses and 3 percent to supplement
951 breeders' awards during the permitholder's next ensuing racing
952 meet.

953 3. No cardroom license or renewal thereof shall be issued
954 to an applicant holding a permit under chapter 550 to conduct
955 pari-mutuel wagering meets of quarter horse racing and
956 conducting live performances unless the applicant has on file
957 with the division a binding written agreement between the

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958 applicant and the Florida Quarter Horse Racing Association or
959 the association representing a majority of the horse owners and
960 trainers at the applicant's eligible facility, governing the
961 payment of purses on live quarter horse races conducted at the
962 licensee's pari-mutuel facility. The agreement governing purses
963 may direct the payment of such purses from revenues generated by
964 any wagering or gaming the applicant is authorized to conduct
965 under Florida law. All purses shall be subject to the terms of
966 chapter 550.

967 Section 27. For the purpose of incorporating the amendment
968 made by this act to section 550.002, Florida Statutes, in a
969 reference thereto, paragraph (c) of subsection (2) of section
970 380.0651, Florida Statutes, is reenacted to read:

971 380.0651 Statewide guidelines, standards, and exemptions.—

972 (2) STATUTORY EXEMPTIONS.—The following developments are
973 exempt from s. 380.06:

974 (c) Any proposed addition to an existing sports facility
975 complex if the addition meets the following characteristics:

976 1. It would not operate concurrently with the scheduled
977 hours of operation of the existing facility;

978 2. Its seating capacity would be no more than 75 percent of
979 the capacity of the existing facility; and

980 3. The sports facility complex property was owned by a
981 public body before July 1, 1983.

982

983 This exemption does not apply to any pari-mutuel facility as
984 defined in s. 550.002.

985

986 If a use is exempt from review pursuant to paragraphs (a)-(u),

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987 but will be part of a larger project that is subject to review
988 pursuant to s. 380.06(12), the impact of the exempt use must be
989 included in the review of the larger project, unless such exempt
990 use involves a development that includes a landowner, tenant, or
991 user that has entered into a funding agreement with the state
992 land planning agency under the Innovation Incentive Program and
993 the agreement contemplates a state award of at least \$50
994 million.

995 Section 28. For the purpose of incorporating the amendment
996 made by this act to section 550.002, Florida Statutes, in a
997 reference thereto, paragraph (c) of subsection (4) of section
998 402.82, Florida Statutes, is reenacted to read:

999 402.82 Electronic benefits transfer program.—

1000 (4) Use or acceptance of an electronic benefits transfer
1001 card is prohibited at the following locations or for the
1002 following activities:

1003 (c) A pari-mutuel facility as defined in s. 550.002.

1004 Section 29. For the purpose of incorporating the amendment
1005 made by this act to section 550.002, Florida Statutes, in a
1006 reference thereto, subsection (1) of section 480.0475, Florida
1007 Statutes, is reenacted to read:

1008 480.0475 Massage establishments; prohibited practices.—

1009 (1) A person may not operate a massage establishment
1010 between the hours of midnight and 5 a.m. This subsection does
1011 not apply to a massage establishment:

1012 (a) Located on the premises of a health care facility as
1013 defined in s. 408.07; a health care clinic as defined in s.
1014 400.9905(4); a hotel, motel, or bed and breakfast inn, as those
1015 terms are defined in s. 509.242; a timeshare property as defined

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1016 in s. 721.05; a public airport as defined in s. 330.27; or a
1017 pari-mutuel facility as defined in s. 550.002;

1018 (b) In which every massage performed between the hours of
1019 midnight and 5 a.m. is performed by a massage therapist acting
1020 under the prescription of a physician or physician assistant
1021 licensed under chapter 458, an osteopathic physician or
1022 physician assistant licensed under chapter 459, a chiropractic
1023 physician licensed under chapter 460, a podiatric physician
1024 licensed under chapter 461, an advanced practice registered
1025 nurse licensed under part I of chapter 464, or a dentist
1026 licensed under chapter 466; or

1027 (c) Operating during a special event if the county or
1028 municipality in which the establishment operates has approved
1029 such operation during the special event.

1030 Section 30. This act shall take effect July 1, 2021.