

By Senator Hutson

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1 A bill to be entitled
2 An act relating to bingo; amending s. 550.01215, F.S.;
3 requiring applicants for an operating license to
4 include dates the applicant intends to conduct bingo
5 games or instant bingo; amending s. 550.0251, F.S.;
6 specifying that the Division of Pari-mutuel Wagering
7 has specific powers and duties relating to bingo games
8 and instant bingo; amending s. 550.054, F.S.;
9 conforming provisions to changes made by the act;
10 creating s. 849.089, F.S.; providing legislative
11 intent; defining terms; specifying that it is not a
12 crime for a person to participate in bingo games or
13 instant bingo under certain circumstances; capping the
14 number of electronic bingo card minders that may be in
15 operation; providing authorizations and requirements
16 for the division relating to bingo games and instant
17 bingo; authorizing the division to adopt rules;
18 requiring a person to have a bingo license to conduct
19 bingo games or instant bingo at a pari-mutuel facility
20 in this state; providing requirements and prohibitions
21 relating to such license; requiring certain persons
22 and bingo management companies to hold specified bingo
23 occupational licenses; providing requirements and
24 prohibitions relating to such licenses; requiring the
25 division to adopt rules; authorizing the division to
26 deny, declare a person ineligible for, or revoke bingo
27 occupational licenses under certain circumstances;
28 providing fingerprinting requirements for bingo
29 occupational licenses; providing requirements for

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30 conducting bingo games; authorizing bingo operators to
31 charge fees for players participating in bingo games;
32 requiring that notice of such fees be posted in a
33 conspicuous place on the licensed premises at all
34 times; providing recordkeeping and reporting
35 requirements for licensees conducting bingo games;
36 prohibiting persons from operating or permitting the
37 operation of certain devices; prohibiting persons
38 under a specified age from holding specified bingo
39 licenses or participating in certain bingo games or
40 instant bingo; authorizing a bingo operator to refuse
41 entry to certain persons or refuse to allow certain
42 persons to play bingo under certain circumstances;
43 requiring bingo operators to make specified
44 contributions to nonprofit organizations of certain
45 proceeds from bingo games and instant bingo; requiring
46 bingo operators to report such contributions to the
47 division; prohibiting a municipality, county, or other
48 political subdivision from assessing or collecting
49 certain taxes relating to bingo games and instant
50 bingo; authorizing the division to suspend, revoke, or
51 deny licenses or license renewals under certain
52 circumstances; authorizing the division to suspend or
53 revoke a pari-mutuel permit or license under certain
54 circumstances; authorizing the division to impose
55 administrative fines; providing criminal penalties;
56 authorizing certain entities to apply for a temporary
57 or permanent injunction under certain circumstances;
58 amending s. 849.0931, F.S.; prohibiting the use of

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59 certain devices relating to bingo; authorizing hand-
60 held or table-top bingo card minders to be used if
61 certain requirements are met; creating s. 849.143,
62 F.S.; specifying that certain activities relating to
63 bingo games and instant bingo are not subject to
64 certain gambling-related prohibitions; amending SB 4A
65 to include the regulation of bingo games and instant
66 bingo at licensed pari-mutuel facilities in a type two
67 transfer occurring on a certain date; providing a
68 contingent effective date.

69

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

71

72 Section 1. Subsection (1) of section 550.01215, Florida
73 Statutes, is amended to read:

74 550.01215 License application; periods of operation; bond,
75 conversion of permit.-

76 (1) Each permitholder shall annually, during the period
77 between December 15 and January 4, file in writing with the
78 division its application for a license to conduct performances
79 during the next state fiscal year. Each application shall
80 specify the number, dates, and starting times of all
81 performances which the permitholder intends to conduct. It shall
82 also specify which performances will be conducted as charity or
83 scholarship performances. In addition, each application for a
84 license shall include, for each permitholder which elects to
85 operate a cardroom or conduct bingo games or instant bingo, the
86 dates and periods of operation the permitholder intends to
87 operate the cardroom or conduct bingo games or instant bingo or,

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88 for each thoroughbred permitholder which elects to receive or
89 rebroadcast out-of-state races after 7 p.m., the dates for all
90 performances which the permitholder intends to conduct.
91 Permitholders shall be entitled to amend their applications
92 through February 28.

93 Section 2. Subsection (14) is added to section 550.0251,
94 Florida Statutes, to read:

95 550.0251 The powers and duties of the Division of Pari-
96 mutuel Wagering of the Department of Business and Professional
97 Regulation.—The division shall administer this chapter and
98 regulate the pari-mutuel industry under this chapter and the
99 rules adopted pursuant thereto, and:

100 (14) (a) The division shall have the full authority and
101 power to make, adopt, amend, or repeal rules relating to bingo
102 games and instant bingo in pari-mutuel facilities, to enforce
103 and to carry out the provisions of s. 849.089, and to regulate
104 such bingo games and instant bingo in this state.

105 (b) The division shall have the authority to suspend a
106 permitholder's permit or license, if such permitholder is
107 conducting bingo games or instant bingo and such permitholder's
108 bingo license has been suspended or revoked pursuant to s.
109 849.089.

110 Section 3. Paragraph (b) of subsection (14) of section
111 550.054, Florida Statutes, is amended to read:

112 550.054 Application for permit to conduct pari-mutuel
113 wagering.—

114 (14)

115 (b) The division, upon application from the holder of a jai
116 alai permit meeting all conditions of this section, shall

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117 convert the permit and shall issue to the permit holder a permit
118 to conduct greyhound racing. A permit holder of a permit
119 converted under this section shall be required to apply for and
120 conduct a full schedule of live racing each fiscal year to be
121 eligible for any tax credit provided by this chapter. The holder
122 of a permit converted pursuant to this subsection or any holder
123 of a permit to conduct greyhound racing located in a county in
124 which it is the only permit issued pursuant to this section who
125 operates at a leased facility pursuant to s. 550.475 may move
126 the location for which the permit has been issued to another
127 location within a 30-mile radius of the location fixed in the
128 permit issued in that county, provided the move does not cross
129 the county boundary and such location is approved under the
130 zoning regulations of the county or municipality in which the
131 permit is located, and upon such relocation may use the permit
132 for the conduct of pari-mutuel wagering, the conduct of bingo
133 games or instant bingo, and the operation of a cardroom. The
134 provisions of s. 550.6305(9)(d) and (f) shall apply to any
135 permit converted under this subsection and shall continue to
136 apply to any permit which was previously included under and
137 subject to such provisions before a conversion pursuant to this
138 section occurred.

139 Section 4. Section 849.089, Florida Statutes, is created to
140 read:

141 849.089 Bingo games and instant bingo authorized in
142 licensed pari-mutuel facilities.-

143 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature
144 to provide additional entertainment choices for the residents of
145 and visitors to this state, promote tourism in this state, and

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146 provide contributions for nonprofit organizations through the
147 authorization of bingo games and instant bingo at licensed pari-
148 mutuel facilities in this state. To ensure public confidence in
149 the integrity of bingo games and instant bingo, this section is
150 designed to strictly regulate the facilities, persons, and
151 procedures related to bingo games and instant bingo.

152 (2) DEFINITIONS.—As used in this section, the term:

153 (a) "Bingo card" has the same meaning as provided in s.
154 849.0931(1).

155 (b) "Bingo game" has the same meaning as provided in s.
156 849.0931(1).

157 (c) "Bingo operator" means a licensed pari-mutuel
158 permitholder that holds a valid permit and operating license
159 issued by the division pursuant to chapter 550 and that also
160 holds a valid bingo license issued by the division pursuant to
161 this section which authorizes such person to conduct bingo games
162 and instant bingo on the permitholder's licensed premises.

163 (d) "Bingo management company" means any individual who is
164 not an employee of a bingo operator, or any proprietorship,
165 partnership, corporation, or other entity that enters into an
166 agreement with a bingo operator to manage, operate, or otherwise
167 control the daily conduct of bingo games or instant bingo on the
168 bingo operator's licensed premises.

169 (e) "Deal" has the same meaning as provided in s.
170 849.0931(1).

171 (f) "Division" means the Division of Pari-mutuel Wagering
172 within the Department of Business and Professional Regulation.

173 (g) "Electronic bingo card minder" means a card minding
174 device, which may only be used as a bingo aid device in

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175 connection with a bingo game conducted outside of Broward County
176 or Miami-Dade County at a pari-mutuel facility licensed as of
177 January 1, 2021, and which is certified in advance by an
178 independent testing laboratory approved by the division, or any
179 successor agency, and meets each of the following requirements:

180 1. The device must aid a bingo game player by:

181 a. Storing in the memory of the device not more than three
182 bingo faces of tangible bingo cards, as defined by s.
183 849.0931(1)(b) as of January 1, 2021, purchased by a player;

184 b. Comparing the numbers drawn and then individually
185 entered into the device by the player to the bingo faces
186 previously stored in the memory of the device; and

187 c. Identifying preannounced winning bingo patterns marked
188 or covered on the stored bingo faces.

189 2. The device must not be capable of accepting or
190 dispensing any coins, currency, or tokens.

191 3. The device must not be capable of monitoring any bingo
192 card face other than the faces of the tangible bingo card or
193 cards purchased by the player for that game.

194 4. The device must not be capable of displaying or
195 representing the game result through any means other than
196 highlighting the winning numbers marked or covered on the bingo
197 card face or giving an audio alert that the player's card has a
198 prize-winning pattern. No casino game graphics, themes, or
199 titles, including, but not limited to, depictions of slot
200 machine-style symbols, cards, craps, roulette, or lotto, may be
201 used.

202 5. The device must not be capable of determining the
203 outcome of any game.

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- 204 6. Progressive prizes in excess of \$2,500 are prohibited.
- 205 7. Other than progressive prizes not to exceed \$2,500, no
206 prize exceeding \$1,000 may be awarded.
- 207 8. No electronic bingo card minder may contain more than
208 one player position for playing bingo.
- 209 9. No electronic bingo card minder may contain or be linked
210 to more than one video display.
- 211 10. Prizes must be awarded based solely on the results of
212 the bingo game. No additional element of chance may be used.
- 213 (h) "Flare" has the same meaning as provided in s.
214 849.0931(1).
- 215 (i) "Gross receipts" means the total amount of money
216 received by a bingo operator from any person for participation
217 in bingo games, including, but not limited to, participation
218 fees authorized in subsection (8) or the sale of instant bingo
219 tickets.
- 220 (j) "Independent testing laboratory" means an independent
221 laboratory:
- 222 1. With demonstrated competence testing gaming machines and
223 equipment;
- 224 2. That is licensed by at least 10 other states; and
- 225 3. That has not had its license suspended or revoked by any
226 other state within the immediately preceding 10 years.
- 227 (k) "Instant bingo" has the same meaning as provided in s.
228 849.0931(1).
- 229 (l) "Net proceeds" means the total amount of gross receipts
230 received by a bingo operator from conducting bingo games and
231 instant bingo less direct operating expenses related to
232 conducting such games, including labor costs, contributions to

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233 nonprofit organizations pursuant to paragraph (11) (a), and
234 reasonable promotional costs, but excluding officer and director
235 compensation, interest on capital debt, legal fees, real estate
236 taxes, bad debts, contributions or donations, or overhead and
237 depreciation expenses not directly related to conducting bingo
238 games or instant bingo.

239 (m) "Nonprofit organization" means an organization exempt
240 from federal income tax under s. 501(c) (3) of the Internal
241 Revenue Code.

242 (n) "Objects" has the same meaning as provided in s.
243 849.0931(1).

244 (o) "Rack" has the same meaning as provided in s.
245 849.0931(1).

246 (p) "Receptacle" has the same meaning as provided in s.
247 849.0931(1).

248 (q) "Session" has the same meaning as provided in s.
249 849.0931(1).

250 (3) BINGO GAMES AND INSTANT BINGO AUTHORIZED.—

251 (a) Notwithstanding any other provision of law, it is not a
252 crime for a person to participate in bingo games or instant
253 bingo on the licensed premises of a bingo operator if such games
254 are conducted strictly in accordance with this section.

255 (b) Notwithstanding any other provision of law, the number
256 of electronic bingo card minders in operation shall not exceed
257 the maximum number authorized in the gaming compact ratified,
258 approved, and described in s. 285.710(3).

259 (4) AUTHORITY OF DIVISION.—The division shall administer
260 this section and regulate the conduct of bingo games and instant
261 bingo under this section and the rules adopted pursuant thereto.

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262 The division may:

263 (a) Adopt rules to administer this act, including, but not
264 limited to, the issuance of bingo and employee licenses for
265 bingo activities, the conduct of bingo games and instant bingo,
266 recordkeeping and reporting requirements, and required
267 contributions from bingo proceeds to nonprofit organizations.
268 Such rules may not conflict with, and must be applied,
269 construed, and interpreted in a manner consistent with, a gaming
270 compact ratified, approved, and described in s. 285.710(3).

271 (b) Conduct investigations and monitor the conduct of bingo
272 games and instant bingo in pari-mutuel facilities.

273 (c) Review the books, accounts, and records of any current
274 or former bingo operator.

275 (d) Suspend or revoke any license or permit, after a
276 hearing, for any violation of this section or the administrative
277 rules adopted pursuant thereto.

278 (e) Take testimony, issue summons and subpoenas for any
279 witness, and issue subpoenas duces tecum in connection with any
280 matter within its jurisdiction.

281 (5) LICENSE REQUIRED; APPLICATION.—A person may not conduct
282 bingo games or instant bingo at a pari-mutuel facility in this
283 state unless such person holds a valid bingo license issued
284 pursuant to this section.

285 (a) Only persons holding a valid bingo license issued by
286 the division may conduct bingo games or instant bingo on the
287 bingo operator's licensed premises. A bingo license may only be
288 issued to a licensed pari-mutuel permitholder, and bingo games
289 and instant bingo may only be conducted at the same licensed
290 premises at which the permitholder is authorized under its valid

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291 pari-mutuel wagering permit to conduct pari-mutuel wagering
292 activities.

293 (b) After the initial bingo license is granted, the
294 application for the annual license renewal must be made in
295 conjunction with the applicant's annual application for its
296 pari-mutuel license. If a permitholder has conducted bingo games
297 or instant bingo during any of the 3 previous fiscal years and
298 fails to include a renewal request for bingo games or instant
299 bingo in its annual application for license renewal, the
300 permitholder may amend its annual application to include bingo
301 games or instant bingo.

302 (c) Persons seeking a license or license renewal to conduct
303 bingo games or instant bingo must apply on forms prescribed by
304 the division. Applications for bingo licenses must contain all
305 information the division, by rule, determines is required to
306 ensure eligibility.

307 (6) BUSINESS AND EMPLOYEE OCCUPATIONAL LICENSE REQUIRED;
308 APPLICATION.-

309 (a) A person employed or otherwise working at a pari-mutuel
310 facility conducting bingo games or instant bingo as a bingo
311 manager or caller or performing any other activity related to
312 bingo games or instant bingo while the facility is conducting
313 bingo games or instant bingo must hold a valid bingo employee
314 occupational license issued by the division. Food service,
315 maintenance, and security employees with a current pari-mutuel
316 occupational license and a current background check are not
317 required to have a bingo employee occupational license.

318 (b) A bingo management company must hold a valid bingo
319 business occupational license issued by the division.

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320 (c) A licensed bingo operator may not employ or allow to
321 work in a room or area set aside for bingo on the bingo
322 operator's licensed premises any person who does not hold a
323 valid occupational license. A licensed bingo operator may not
324 contract or otherwise do business with a business required to
325 hold a valid bingo business occupational license unless the
326 business holds such license.

327 (d) The division shall establish by rule a schedule for the
328 renewal of bingo occupational licenses. Bingo occupational
329 licenses are not transferable.

330 (e) Persons seeking bingo occupational licenses or license
331 renewals must apply on forms prescribed by the division.
332 Applications for bingo occupational licenses must contain all
333 information the division, by rule, determines is required to
334 ensure eligibility.

335 (f) The division shall adopt rules relating to bingo
336 occupational licenses. Section 550.105(4) through (8) and (10)
337 relating to licensure also applies to bingo occupational
338 licenses.

339 (g) The division may deny, declare ineligible for, or
340 revoke any bingo occupational license if the applicant or holder
341 thereof has been found guilty or had adjudication withheld in
342 this state or any other state or under the laws of the United
343 States of a felony or misdemeanor involving forgery, larceny,
344 extortion, conspiracy to defraud, or filing false reports to a
345 government agency or a racing or gaming commission or authority.

346 (h) Fingerprints for all bingo occupational license
347 applications shall be taken in a manner approved by the division
348 and shall be submitted to the Department of Law Enforcement and

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349 the Federal Bureau of Investigation for a criminal records check
350 upon initial application and at least every 5 years thereafter.
351 The division may require by rule an annual record check of all
352 renewal applications for a bingo occupational license. The cost
353 of processing fingerprints and conducting a record check shall
354 be borne by the applicant.

355 (7) CONDITIONS FOR CONDUCTING BINGO GAMES AND INSTANT
356 BINGO.-

357 (a) Bingo games and instant bingo may be conducted only at
358 the licensed premises specified on the bingo license issued by
359 the division, and such premises may only be the location at
360 which the pari-mutuel permit holder is authorized to conduct
361 pari-mutuel wagering activities pursuant to such permit holder's
362 valid pari-mutuel permit or as otherwise authorized by law.

363 (b) A bingo operator may conduct bingo games and instant
364 bingo at the pari-mutuel facility daily throughout the year.
365 Bingo games and instant bingo may be conducted 24 hours per day.

366 (c) A bingo operator must employ a nonplaying caller for
367 each bingo game at all times. Such callers may not have a
368 participatory interest in any bingo game other than announcing
369 the game and may not have an interest in the outcome of the
370 game. The licensee providing such callers does not constitute
371 the conducting of a banking game by the bingo operator.

372 (d) Each bingo operator shall conspicuously post upon the
373 licensed premises a notice which contains a copy of the bingo
374 license, any house rules regarding the conduct and play of bingo
375 games or instant bingo, and all costs for players to
376 participate.

377 (e) A bingo operator's premises are subject to inspection

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378 by the division or any law enforcement agency during the
379 licensee's regular business hours. The inspection must
380 specifically include the permitholder internal control
381 procedures approved by the division.

382 (f) Each bingo game must be conducted in accordance with
383 the following:

384 1. The objects, whether drawn or ejected, must be
385 essentially equal in size, shape, weight, and balance and in all
386 other characteristics that may control their selection from the
387 receptacle. The caller must cancel any game if, during the
388 course of a game, the mechanism used in the drawing or ejection
389 of objects becomes jammed in such a manner as to interfere with
390 the accurate determination of the next number to be announced or
391 if the caller determines that more than one object is labeled
392 with the same number or that there is a number to be drawn
393 without a corresponding object. Any player in a game canceled
394 pursuant to this subparagraph may play the next game free of
395 charge;

396 2. Before commencement of any bingo session, a licensed
397 employee shall require a verification of all objects to be
398 placed in the receptacle and shall inspect the objects in the
399 presence of a disinterested person to ensure that all objects
400 are present and that there are no duplications or omissions of
401 numbers on the objects. Any player is entitled to call for a
402 verification of numbers before, during, or after a session;

403 3. The card or sheet on which the game is played must be
404 part of a deck, group, or series, no two of which may be alike
405 in any given game;

406 4. All numbers must be visibly displayed after being drawn

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407 and before being placed in the rack;

408 5. A bona fide bingo shall consist of a predesignated
409 arrangement of numbers on a card or sheet which correspond with
410 the numbers on the objects drawn from the receptacle and
411 announced. Errors in numbers announced or misplaced in the rack
412 may not be recognized as a bingo;

413 6. When a caller has started to vocally announce a number,
414 the caller must complete the call. If any player has obtained a
415 bingo on a previous number, such player must share the prize
416 with the player who gained bingo on the last number called;

417 7. Numbers on the winning cards or sheets must be announced
418 and verified in the presence of another player. Any player is
419 entitled at the time the winner is determined to call for a
420 verification of numbers drawn. The verification must be in the
421 presence of the caller, the player determined to be the winner,
422 the player calling for verification of the numbers drawn, and
423 the bingo manager or an officer of the licensee;

424 8. Upon determining a winner, the caller must ask, "Are
425 there any other winners?" If no one replies, the caller shall
426 declare the game closed. No other player is entitled to share
427 the prize unless she or he declared bingo before the
428 declaration; and

429 9. Seats may not be held or reserved for players who are
430 not present, and cards may not be set aside, held, or reserved
431 from one session to another for any player.

432 (g)1. Instant bingo tickets must be sold at the price
433 printed on the ticket or on the game flare by the manufacturer.
434 Discounts may not be given for the purchase of multiple tickets,
435 and tickets may not be given away free of charge.

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436 2. Each deal of instant bingo tickets must be accompanied
437 by a flare, and the flare must be posted before the sale of any
438 tickets in that deal.

439 3. Each instant bingo ticket in a deal must bear the same
440 serial number, and there may not be more than one serial number
441 in each deal. Serial numbers printed on a deal of instant bingo
442 tickets may not be repeated by the manufacturer on the same form
443 for a period of 3 years.

444 4. The serial number for each deal must be clearly and
445 legibly placed on the outside of each deal's package, box, or
446 other container.

447 5. Instant bingo tickets manufactured, sold, or distributed
448 in this state must comply with the applicable standards on pull-
449 tabs of the North American Gaming Regulators Association.

450 6. Except as provided under subparagraph 5., an instant
451 bingo ticket manufactured, sold, or distributed in this state
452 must:

453 a. Be manufactured so that it is not possible to identify
454 whether it is a winning or losing instant bingo ticket until it
455 has been opened by the player as intended;

456 b. Be manufactured using at least two-ply paper stock
457 construction so that the instant bingo ticket is opaque;

458 c. Have the form number, the deal's serial number, and the
459 name or logo of the manufacturer conspicuously printed on the
460 face or cover of the instant bingo ticket; and

461 d. Have a form of winner protection that allows the
462 organization to verify, after the instant bingo ticket has been
463 played, that the winning instant bingo ticket presented for
464 payment is an authentic winning instant bingo ticket for the

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465 deal in play. The manufacturer shall provide a written
466 description of the winner protection with each deal of instant
467 bingo tickets.

468 7. Each manufacturer and distributor that sells or
469 distributes instant bingo tickets in this state to bingo
470 operators or bingo management companies must prepare an invoice
471 that contains the following information:

- 472 a. The date of sale;
473 b. The form number and serial number of each deal sold;
474 c. The number of instant bingo tickets in each deal sold;
475 d. The name of the distributor, bingo operator, or bingo
476 management company to whom each deal is sold; and
477 e. The price of each deal sold.

478
479 All information contained on an invoice must be maintained by
480 the distributor and manufacturer for 3 years.

481 8. The invoice or a true and accurate copy thereof must be
482 kept on the licensed premises where any deal of instant bingo
483 tickets is stored or in play.

484 (8) FEES FOR PARTICIPATION.—The bingo operator may charge a
485 fee for players to participate in bingo games. Such fee may be a
486 flat fee or hourly rate or a fee per bingo card. Notice of the
487 amount of the participation fee shall be posted in a conspicuous
488 place on the licensed premises at all times.

489 (9) RECORDS AND REPORTS.—

490 (a) Each licensee conducting bingo games or instant bingo
491 shall keep and maintain daily records of its bingo activities
492 and shall maintain such records for at least 3 years. These
493 records must include all financial transactions and contain

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494 sufficient detail to determine compliance with this section. All
495 records must be available for audit and inspection by the
496 division or law enforcement agencies during the licensee's
497 regular business hours. The information required in such records
498 shall be determined by division rule.

499 (b) Each licensee conducting bingo games or instant bingo
500 shall file with the division a report containing the required
501 records of such bingo activities. Such report must be filed
502 monthly by licensees. The required reports must be submitted on
503 forms prescribed by the division, are due at the same time the
504 monthly pari-mutuel reports are due to the division, must
505 contain any additional information deemed necessary by the
506 division, and are public records once filed.

507 (10) PROHIBITED ACTIVITIES.-

508 (a) Except for electronic bingo card minders as defined in
509 paragraph (2)(g) and card minders that meet the requirements
510 under s. 849.0931(15), a person may not operate or permit the
511 operation of a device that displays bingo cards or instant bingo
512 tickets, or the results from the play of bingo or instant bingo,
513 using a video or electromechanical format, including, but not
514 limited to, any device that displays any aspect of the bingo
515 game or instant bingo game using casino game graphics, themes,
516 or titles, including, but not limited to, depictions of slot
517 machine-style symbols, cards, craps, roulette, or lotto.
518 Notwithstanding the foregoing, bingo games played using an
519 electronic bingo card minder pursuant to this section do not
520 violate the exclusivity provisions of the gaming compact
521 ratified, approved, and described in s. 285.710(3).

522 (b) A person under 18 years of age may not hold a bingo

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523 operator or occupational license or participate in any bingo
524 game or instant bingo conducted pursuant to this section.

525 (c) A bingo operator may refuse entry to or refuse to allow
526 any person to play who is objectionable, undesirable, or
527 disruptive, but such refusal may not be on the basis of race,
528 creed, color, religion, gender, national origin, marital status,
529 physical handicap, or, except as provided in paragraph (b), age.

530 (11) CONTRIBUTIONS TO NONPROFIT ORGANIZATIONS AND OTHER
531 PAYMENTS.—

532 (a) As a condition of licensure, a bingo operator must
533 contribute the entire net proceeds received from bingo games and
534 instant bingo on at least 21 calendar days each year to one or
535 more nonprofit organizations chosen by the bingo operator. A
536 bingo operator shall report such contributions to the division
537 in the format prescribed by the division, including, but not
538 limited to, the amounts and dates of such contributions and the
539 organizations to whom such contributions were made.

540 (b) Bingo games and instant bingo are deemed an accessory
541 use to a licensed pari-mutuel operation and, except as provided
542 in chapter 550, a municipality, county, or political subdivision
543 may not assess or collect any license tax, sales tax, or excise
544 tax on such bingo games or instant bingo.

545 (12) SUSPENSION, REVOCATION, OR DENIAL OF LICENSE; FINE.—

546 (a) The division may deny a license or the renewal thereof
547 or may suspend or revoke a license if the applicant or licensee
548 has violated or failed to comply with this section or any rule
549 adopted pursuant thereto; knowingly caused, aided, abetted, or
550 conspired with another to cause any person to violate this
551 section or any rule adopted pursuant thereto; obtained a license

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552 or permit by fraud, misrepresentation, or concealment; or if the
553 holder of such license is no longer eligible for a license under
554 this section.

555 (b) If a pari-mutuel permitholder's pari-mutuel permit or
556 license is suspended or revoked by the division pursuant to
557 chapter 550, the division may, but is not required to, suspend
558 or revoke such permitholder's bingo license. If a bingo
559 operator's license is suspended or revoked pursuant to this
560 section, the division may, but is not required to, suspend or
561 revoke such licensee's pari-mutuel permit or license.

562 (c) Notwithstanding any other provision of this section,
563 the division may impose an administrative fine, not to exceed
564 \$1,000 per violation, against any person who has violated or
565 failed to comply with this section or any rule adopted pursuant
566 thereto.

567 (13) CRIMINAL PENALTY; INJUNCTION.—

568 (a)1. Any person who conducts bingo games or instant bingo
569 on the licensed premises of a pari-mutuel facility without a
570 valid license issued pursuant to this section commits a felony
571 of the third degree, punishable as provided in s. 775.082, s.
572 775.083, or s. 775.084.

573 2. Except as provided in subparagraph 3., any licensee or
574 permitholder who violates this section commits a misdemeanor of
575 the first degree, punishable as provided in s. 775.082 or s.
576 775.083. Any licensee or permitholder who commits a second or
577 subsequent violation of the same paragraph or subsection commits
578 a felony of the third degree, punishable as provided in s.
579 775.082, s. 775.083, or s. 775.084.

580 3. Any organization or other person who willfully and

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581 knowingly violates paragraph (10)(a) commits a misdemeanor of
582 the first degree, punishable as provided in s. 775.082 or s.
583 775.083. For a second or subsequent offense, the organization or
584 other person commits a felony of the third degree, punishable as
585 provided in s. 775.082, s. 775.083, or s. 775.084.

586 (b) The division, any state attorney, the statewide
587 prosecutor, or the Attorney General may apply for a temporary or
588 permanent injunction restraining further violation of this
589 section, and such injunction shall issue without bond.

590 Section 5. Present subsection (14) of section 849.0931,
591 Florida Statutes, is redesignated as subsection (16), and new
592 subsections (14) and (15) are added to that section, to read:

593 849.0931 Bingo authorized; conditions for conduct;
594 permitted uses of proceeds; limitations.—

595 (14) Except for card minders authorized under subsection
596 (15), an organization or person may not operate or permit the
597 operation of a device that displays bingo cards or instant bingo
598 tickets, or the results from the play of bingo or instant bingo,
599 using a video or electromechanical format, including, but not
600 limited to, any device that displays any aspect of the bingo or
601 instant bingo game using casino game graphics, themes, or
602 titles, including, but not limited to, depictions of slot
603 machine-style symbols, cards, craps, roulette, or lotto.

604 (15) Hand-held or table-top bingo card minders may be used
605 in connection with bingo games as defined in this section. Such
606 card minders:

607 (a) Must require players to manually input each individual
608 number or symbol announced by a live caller;

609 (b) May not display or represent the game result through

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610 any means, including, but not limited to, video or mechanical
611 reels or other slot machine or casino game themes; and

612 (c) May highlight the winning numbers or symbols marked or
613 covered on the flat piece of paper or thin pasteboard bingo
614 card, or give an audio alert that the player's card has a prize-
615 winning pattern.

616 Section 6. Section 849.143, Florida Statutes, is created to
617 read:

618 849.143 Bingo games and instant bingo at pari-mutuel
619 facilities exemption.—Sections 849.01, 849.08, 849.09, 849.11,
620 849.14, and 849.25 do not apply to participation in or the
621 conduct of bingo games and instant bingo conducted pursuant to
622 s. 849.089.

623 Section 7. If SB 4A, 2021 Special Session A, becomes a law,
624 subsection (1) of section 11 of SB 4A, 2021 Special Session A,
625 is amended to read:

626 (1) Effective July 1, 2022, all powers, duties, functions,
627 records, offices, personnel, associated administrative support
628 positions, property, pending issues, existing contracts,
629 administrative authority, administrative rules, and unexpended
630 balances of appropriations, allocations, and other funds in the
631 Department of Business and Professional Regulation related to
632 the oversight responsibilities by the state compliance agency
633 for authorized gaming compacts under s. 285.710, Florida
634 Statutes, the regulation of pari-mutuel wagering under chapter
635 550, Florida Statutes, the regulation of slot machines and slot
636 machine gaming under chapter 551, Florida Statutes, the
637 regulation of bingo games and instant bingo played at licensed
638 pari-mutuel facilities under s. 849.089, Florida Statutes, and

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639 the regulation of cardrooms under s. 849.086, Florida Statutes,
640 are transferred by a type two transfer, as defined in s.
641 20.06(2), Florida Statutes, to the Florida Gaming Control
642 Commission within the Department of Legal Affairs, Office of the
643 Attorney General.

644 Section 8. This act shall take effect on the same date that
645 SB 2A or similar legislation takes effect, if such legislation
646 is adopted in the same legislative session or an extension
647 thereof and becomes a law.