

1 A bill to be entitled
2 An act relating to the implementation of the 2021
3 gaming compact between the Seminole Tribe of Florida
4 and the State of Florida; amending s. 285.710, F.S.;
5 revising the definition of the term "compact";
6 providing for legislative approval and ratification of
7 a gaming compact between the Seminole Tribe of Florida
8 and the state; requiring the Governor to cooperate
9 with the Tribe in seeking approval and ratification of
10 such compact from the United States Secretary of the
11 Interior; specifying that such compact supersedes a
12 certain other gaming compact under certain
13 circumstances; revising local government share
14 distributions; authorizing the Tribe to conduct
15 additional games, contests, and sports betting;
16 providing age requirements for wagering on fantasy
17 sports contests and sports betting; specifying that
18 certain games and gaming activities do not violate the
19 laws of this state; conforming cross-references;
20 amending s. 285.712, F.S.; revising requirements for
21 the Secretary of State relating to a compact; amending
22 s. 551.102, F.S.; defining the term "independent
23 testing laboratory"; amending s. 551.103, F.S.;
24 conforming a provision to changes made by the act;
25 amending s. 849.086, F.S.; providing conditions,

26 requirements, and prohibitions relating to poker games
 27 played in a designated player manner; prohibiting a
 28 person licensed to operate a cardroom from operating
 29 certain games; providing contingent effective dates.

30

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

32

33 Section 1. Effective upon this act becoming a law,
 34 paragraph (a) of subsection (1) and subsection (3) of section
 35 285.710, Florida Statutes, are amended to read:

36 285.710 Compact authorization.—

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

38 (a) "Compact" means the most recent ratified and approved
 39 gaming compact between the Seminole Tribe of Florida and the
 40 State of Florida, ~~executed on April 7, 2010.~~

41 (3) (a) The gaming compact between the Seminole Tribe of
 42 Florida and the State of Florida, executed by the Governor and
 43 the Tribe on April 7, 2010, was ~~is~~ ratified and approved by
 44 chapter 2010-29, Laws of Florida.

45 (b) The gaming compact between the Seminole Tribe of
 46 Florida and the State of Florida, executed by the Governor and
 47 the Tribe on April 23, 2021, is ratified and approved. The
 48 Governor shall cooperate with the Tribe in seeking approval of
 49 such compact ratified and approved under this paragraph from the
 50 United States Secretary of the Interior. Upon becoming

51 effective, such compact supersedes the gaming compact ratified
 52 and approved under paragraph (a). If the gaming compact ratified
 53 and approved under this paragraph is not approved by the United
 54 States Secretary of the Interior or is invalidated by court
 55 action or change in federal law, the gaming compact ratified and
 56 approved under paragraph (a) shall remain in effect ~~The Governor~~
 57 ~~shall cooperate with the Tribe in seeking approval of the~~
 58 ~~compact from the United States Secretary of the Interior.~~

59 Section 2. Paragraphs (b), (c), and (d) of subsection (10)
 60 and subsection (13) of section 285.710, Florida Statutes, are
 61 amended, and paragraph (h) is added to subsection (10) of that
 62 section, to read:

63 285.710 Compact authorization.—

64 (10) The calculations necessary to determine the local
 65 government share distributions shall be made by the state
 66 compliance agency based upon the net win per facility as
 67 provided by the Tribe. The local government share attributable
 68 to each casino shall be distributed as follows:

69 (b) Broward County shall receive 25 percent, the City of
 70 Hollywood shall receive 35 ~~55~~ percent, the Town of Davie shall
 71 receive 30 ~~10~~ percent, and the City of Dania Beach shall receive
 72 10 percent of the local government share derived from the
 73 Seminole Indian Casino-Hollywood.

74 (c) Broward County shall receive 25 percent, the City of
 75 Hollywood shall receive 35 ~~55~~ percent, the Town of Davie shall

76 receive 30 ~~10~~ percent, and the City of Dania Beach shall receive
 77 10 percent of the local government share derived from the
 78 Seminole Hard Rock Hotel & Casino-Hollywood.

79 (d) Collier County shall receive 75 ~~100~~ percent and the
 80 Immokalee Fire Control District shall receive 25 percent of the
 81 local government share derived from the Seminole Indian Casino-
 82 Immokalee.

83 (h) Broward County shall receive 25 percent, the City of
 84 Hollywood shall receive 35 percent, the Town of Davie shall
 85 receive 30 percent, and the City of Dania Beach shall receive 10
 86 percent of the local government share derived from the
 87 additional facilities authorized to be added to the Tribe's
 88 Hollywood Reservation under the gaming compact ratified,
 89 approved, and described in subsection (3).

90 (13) (a) For the purpose of satisfying the requirement in
 91 25 U.S.C. s. 2710(d)(1)(B) that the gaming activities authorized
 92 under an Indian gaming compact must be permitted in the state
 93 for any purpose by any person, organization, or entity, the
 94 following class III games or other games specified in this
 95 section are hereby authorized to be conducted by the Tribe
 96 pursuant to the compact described in subsection (3)(a), if the
 97 compact described in subsection (3)(b) is not effective:

98 1.(a) Slot machines, as defined in s. 551.102(9) ~~s.~~
 99 ~~551.102(8).~~

100 2.(b) Banking or banked card games, including baccarat,

101 chemin de fer, and blackjack or 21 at the tribal facilities in
102 Broward County, Collier County, and Hillsborough County.

103 ~~3.(e)~~ Raffles and drawings.

104 (b) For the purpose of satisfying the requirement in 25
105 U.S.C. s. 2710(d)(1)(B) that the gaming activities authorized
106 under an Indian gaming compact must be permitted in the state
107 for any purpose by any person, organization, or entity, the
108 following class III games or other games specified in this
109 section are hereby authorized to be conducted by the Tribe
110 pursuant to the compact described in subsection (3)(b), when
111 such compact has been approved by the United States Secretary of
112 the Interior, has not been invalidated by court action or change
113 in federal law, and is effective:

114 1. Slot machines, as defined in s. 551.102(9).

115 2. Banking or banked card games, including baccarat,
116 chemin de fer, and blackjack (21), and card games banked by the
117 house, by a bank established by the house, or by a player.

118 3. Raffles and drawings.

119 4. Craps, including dice games such as sic bo and any
120 similar variations thereof.

121 5. Roulette, including big six and any similar variations
122 thereof.

123 6. Fantasy sports contests. Wagers on fantasy sports
124 contests conducted by the Tribe, including wagers made by
125 players physically located within the state using a mobile or

126 other electronic device, shall be deemed to be exclusively
127 conducted by the Tribe where the servers or other devices used
128 to conduct such wagering activity on the Tribe's Indian lands
129 are located. A person must be 21 years of age or older to wager
130 on fantasy sports contests.

131 7. Sports betting. Wagers on sports betting, including
132 wagers made by players physically located within the state using
133 a mobile or other electronic device, shall be deemed to be
134 exclusively conducted by the Tribe where the servers or other
135 devices used to conduct such wagering activity on the Tribe's
136 Indian lands are located. A person must be 21 years of age or
137 older to wager on sports betting.

138
139 Games and gaming activities authorized under this subsection and
140 conducted pursuant to a gaming compact ratified and approved
141 under subsection (3) do not violate the laws of this state.

142 Section 3. Effective upon this act becoming a law,
143 subsection (4) of section 285.712, Florida Statutes, is amended
144 to read:

145 285.712 Tribal-state gaming compacts.—

146 (4) Upon receipt of an act ratifying a tribal-state
147 compact, the Secretary of State shall coordinate with the
148 parties to the compact to formally submit ~~forward~~ a copy of the
149 executed compact and the ratifying act to the United States
150 Secretary of the Interior for his or her review and approval, in

151 accordance with 25 U.S.C. s. 2710(d)(8) ~~25 U.S.C. s. 2710(8)(d)~~.

152 Section 4. Present subsections (5) through (13) of section
153 551.102, Florida Statutes, are redesignated as subsections (6)
154 through (14), respectively, and a new subsection (5) is added to
155 that section, to read:

156 551.102 Definitions.—As used in this chapter, the term:

157 (5) "Independent testing laboratory" means an independent
158 laboratory:

159 (a) With demonstrated competence testing gaming machines
160 and equipment;

161 (b) That is licensed by at least 10 other states; and

162 (c) That has not had its license suspended or revoked by
163 any other state within the immediately preceding 10 years.

164 Section 5. Paragraph (c) of subsection (1) of section
165 551.103, Florida Statutes, is amended to read:

166 551.103 Powers and duties of the division and law
167 enforcement.—

168 (1) The division shall adopt, pursuant to the provisions
169 of ss. 120.536(1) and 120.54, all rules necessary to implement,
170 administer, and regulate slot machine gaming as authorized in
171 this chapter. Such rules must include:

172 (c) Procedures to scientifically test and technically
173 evaluate slot machines for compliance with this chapter. The
174 division may contract with an independent testing laboratory to
175 conduct any necessary testing under this section. ~~The~~

176 ~~independent testing laboratory must have a national reputation~~
177 ~~which is demonstrably competent and qualified to scientifically~~
178 ~~test and evaluate slot machines for compliance with this chapter~~
179 ~~and to otherwise perform the functions assigned to it in this~~
180 ~~chapter.~~ An independent testing laboratory shall not be owned or
181 controlled by a licensee. The use of an independent testing
182 laboratory for any purpose related to the conduct of slot
183 machine gaming by a licensee under this chapter shall be made
184 from a list of one or more laboratories approved by the
185 division.

186 Section 6. Subsection (10) and paragraph (a) of subsection
187 (12) of section 849.086, Florida Statutes, are amended, and
188 paragraph (h) is added to subsection (7) of that section, to
189 read:

190 849.086 Cardrooms authorized.—

191 (7) CONDITIONS FOR OPERATING A CARDROOM.—

192 (h) Poker games played in a designated player manner in
193 which one player is permitted, but not required, to cover other
194 players' wagers must comply with the following restrictions:

195 1. Poker games to be played in a designated player manner
196 must have been identified in cardroom license applications
197 approved by the division on or before March 15, 2018, or, if a
198 substantially similar poker game, identified in cardroom license
199 applications approved by the division on or before April 1,
200 2021.

201 2. If the cardroom is located in a county where slot
202 machine gaming is authorized under chapter 285 or chapter 551,
203 the cardroom operator is limited to offering no more than 10
204 tables for the play of poker games in a designated player
205 manner.

206 3. If the cardroom is located in a county where slot
207 machine gaming is not authorized under chapter 285 or chapter
208 551, the cardroom operator is limited to offering no more than
209 30 tables for the play of poker games in a designated player
210 manner.

211 4. There may not be more than nine players and the
212 nonplayer dealer at each table.

213 (10) FEE FOR PARTICIPATION; PROHIBITIONS RELATING TO
214 ECONOMIC INTEREST AND WINNINGS FOR CERTAIN GAMES.—

215 (a) The cardroom operator may charge a fee for the right
216 to participate in games conducted at the cardroom. Such fee may
217 be either a flat fee or hourly rate for the use of a seat at a
218 table or a rake subject to the posted maximum amount but may not
219 be based on the amount won by players. The rake-off, if any,
220 must be made in an obvious manner and placed in a designated
221 rake area which is clearly visible to all players. Notice of the
222 amount of the participation fee charged shall be posted in a
223 conspicuous place in the cardroom and at each table at all
224 times.

225 (b)1. A cardroom operator may not have any direct economic

226 interest in a poker game played in a designated player manner,
227 except for the rake.

228 2. A cardroom operator may not receive any portion of the
229 winnings of a poker game played in a designated player manner.

230 (12) PROHIBITED ACTIVITIES.—

231 (a) No person licensed to operate a cardroom may conduct
232 any banking game or any game not specifically authorized by this
233 section or operate any game that violates the exclusivity
234 provided in the gaming compact ratified, approved, and described
235 in s. 285.710(3).

236 Section 7. Except as otherwise expressly provided in this
237 act and except for this section, which shall take effect upon
238 this act becoming a law, this act shall take effect only if the
239 Gaming Compact between the Seminole Tribe of Florida and the
240 State of Florida executed by the Governor and the Seminole Tribe
241 of Florida on April 23, 2021, under the Indian Gaming Regulatory
242 Act of 1988, is approved or deemed approved and not voided by
243 the United States Department of the Interior, and shall take
244 effect on the date that notice of the effective date of the
245 compact is published in the Federal Register.