

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 fantasy sports contests
17 and sports betting; specifying that certain games and
18 gaming activities do not violate the laws of this
19 state; conforming cross-references; amending s.
20 285.712, F.S.; revising requirements for the Secretary
21 of State relating to a compact; amending s. 551.102,
22 F.S.; defining the term "independent testing
23 laboratory"; amending s. 551.103, F.S.; conforming a
24 provision to changes made by the act; amending s.
25 849.086, F.S.; providing conditions, requirements, and

26 prohibitions relating to poker games played in a
 27 designated player manner; prohibiting a person
 28 licensed to operate a cardroom from operating certain
 29 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, as amended on May 17, 2021, is
 48 ratified and approved. The Governor shall cooperate with the
 49 Tribe in seeking approval of such compact ratified and approved
 50 under this paragraph from the United States Secretary of the

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

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

64 285.710 Compact authorization.—

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

70 (b) Broward County shall receive 25 percent, the City of
 71 Hollywood shall receive 40 ~~55~~ percent, the Town of Davie shall
 72 receive 25 ~~10~~ percent, and the City of Dania Beach shall receive
 73 10 percent of the local government share derived from the
 74 Seminole Indian Casino-Hollywood.

75 (c) Broward County shall receive 25 percent, the City of

76 Hollywood shall receive 40 ~~55~~ percent, the Town of Davie shall
 77 receive 25 ~~40~~ percent, and the City of Dania Beach shall receive
 78 10 percent of the local government share derived from the
 79 Seminole Hard Rock Hotel & Casino-Hollywood.

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

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

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

99 1.(a) Slot machines, as defined in s. 551.102(9) ~~s.~~
 100 ~~551.102(8).~~

101 ~~2.(b)~~ Banking or banked card games, including baccarat,
 102 chemin de fer, and blackjack or 21 at the tribal facilities in
 103 Broward County, Collier County, and Hillsborough County.

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

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

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

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

119 3. Raffles and drawings.

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

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

124 6. Fantasy sports contests. The acceptance of entry fees
 125 for fantasy sports contests conducted by the Tribe, including

126 the receipt of entry fees paid by players physically located
127 within the state using a mobile or other electronic device,
128 shall be deemed to be exclusively conducted by the Tribe where
129 the servers or other devices used to conduct such contests on
130 the Tribe's Indian lands are located. A person must be 21 years
131 of age or older to pay an entry fee for fantasy sports contests.

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

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

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

146 285.712 Tribal-state gaming compacts.—

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

151 Secretary of the Interior for his or her review and approval, in
152 accordance with 25 U.S.C. s. 2710(d)(8) ~~25 U.S.C. s. 2710(8)(d)~~.

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

157 551.102 Definitions.—As used in this chapter, the term:
158 (5) "Independent testing laboratory" means an independent
159 laboratory:

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

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

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

165 Section 5. Paragraph (c) of subsection (1) of section
166 551.103, Florida Statutes, is amended to read:

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

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

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

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

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

191 | 849.086 Cardrooms authorized.—

192 | (7) CONDITIONS FOR OPERATING A CARDROOM.—

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

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

201 2021.

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

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

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

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

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

226 (b)1. A cardroom operator may not have any direct economic
227 interest in a poker game played in a designated player manner,
228 except for the rake.

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

231 (12) PROHIBITED ACTIVITIES.—

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

237 Section 7. Except as otherwise expressly provided in this
238 act and except for this section, which shall take effect upon
239 this act becoming a law, this act shall take effect only if the
240 Gaming Compact between the Seminole Tribe of Florida and the
241 State of Florida executed by the Governor and the Seminole Tribe
242 of Florida on April 23, 2021, as amended on May 17, 2021, under
243 the Indian Gaming Regulatory Act of 1988, is approved or deemed
244 approved and not voided by the United States Department of the
245 Interior, and shall take effect on the date that notice of the
246 effective date of the compact is published in the Federal
247 Register.