

By the Committee on Appropriations; and Senator Hutson

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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.

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31 Be It Enacted by the Legislature of the State of Florida:
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33 Section 1. Effective upon becoming a law, paragraph (a) of
34 subsection (1) and subsection (3) of section 285.710, Florida
35 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~~

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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 ~~40~~ 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

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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 25
92 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. ~~(c)~~ 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, chemin

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117 de fer, and blackjack (21), and card games banked by the house,
118 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 becoming a law, subsection (4) of
144 section 285.712, Florida Statutes, is amended to read:

145 285.712 Tribal-state gaming compacts.-

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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 of
169 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

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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

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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 to
216 participate in games conducted at the cardroom. Such fee may be
217 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

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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, as amended on May 17, 2021, under
242 the Indian Gaming Regulatory Act of 1988, is approved or deemed
243 approved and not voided by the United States Department of the
244 Interior, and shall take effect on the date that notice of the
245 effective date of the compact is published in the Federal
246 Register.