

20218Ae1

1 A bill to be entitled
2 An act relating to gaming; amending s. 550.002, F.S.;
3 revising and providing definitions; amending s.
4 550.0115, F.S.; conforming provisions to changes made
5 by the act; amending s. 550.01215, F.S.; revising the
6 application requirements for an operating license to
7 conduct pari-mutuel wagering for a pari-mutuel
8 facility; prohibiting greyhound permitholders from
9 conducting live racing; authorizing jai alai
10 permitholders, harness horse racing permitholders, and
11 quarter horse racing permitholders to elect not to
12 conduct live racing or games; requiring thoroughbred
13 permitholders to conduct live racing; specifying that
14 certain permitholders that do not conduct live racing
15 or games retain their permit and remain pari-mutuel
16 facilities; specifying that, if such permitholder has
17 been issued a slot machine license, the permitholder's
18 facility remains an eligible facility, continues to be
19 eligible for a slot machine license, is exempt from
20 certain provisions of ch. 551, F.S., is eligible to be
21 a guest track, and, if the permitholder is a harness
22 horse racing permitholder, is eligible to be a host
23 track for intertrack wagering and simulcasting and
24 remains eligible for a cardroom license; prohibiting a
25 permitholder or licensee from conducting live
26 greyhound racing or dogracing in connection with any
27 wager for money or any other thing of value in the
28 state; providing administrative and civil penalties;
29 providing requirements for the funds generated from

20218Ae1

30 such penalties; prohibiting operating licenses from
31 being issued to a pari-mutuel permitholder unless a
32 specified requirement is met; authorizing the Division
33 of Pari-mutuel Wagering to approve a change in racing
34 dates for certain permitholders if the request for a
35 change is received before a specified date and under
36 certain circumstances for a specified fiscal year;
37 deleting a provision authorizing the conversion of
38 certain permits to a jai alai permit under certain
39 circumstances; conforming provisions to changes made
40 by the act; amending s. 550.0235, F.S.; conforming
41 provisions to changes made by the act; amending s.
42 550.0351, F.S.; deleting a provision relating to hound
43 dog derbies and mutt derbies; conforming provisions to
44 changes made by the act; amending s. 550.0425, F.S.;
45 deleting a provision authorizing certain minors to be
46 granted access to kennel compound areas under certain
47 circumstances; amending s. 550.054, F.S.; requiring
48 the division to revoke the permit of certain
49 permitholders; specifying such revoked permit is void
50 and may not be reissued; revising requirements to hold
51 a permit for the operation of a pari-mutuel facility
52 and an associated cardroom or slot machine facility;
53 specifying certain permits held on a specified date
54 are deemed valid for specified purposes; prohibiting
55 new permits for the conduct of pari-mutuel wagering
56 from being issued after a specified date; prohibiting
57 a permit to conduct pari-mutuel wagering from being
58 converted to another class of permit; conforming

20218Ae1

59 provisions to changes made by the act; amending s.
60 550.0651, F.S.; allowing a municipality to prohibit
61 the establishment of certain pari-mutuel facilities
62 and pari-mutuel wagering in its jurisdiction; amending
63 s. 550.0745, F.S.; authorizing summer jai alai
64 permitholders to conduct pari-mutuel wagering
65 throughout the year; deleting provisions relating to
66 the conversion of a pari-mutuel permit to a summer jai
67 alai permit; amending s. 550.09511, F.S.; deleting a
68 provision relating to the payment of certain taxes and
69 fees by jai alai permitholders conducting fewer than a
70 specified number of live performances; amending s.
71 550.09512, F.S.; revising the circumstances for which
72 a harness horse permitholder's permit is voided for
73 failing to pay certain taxes; prohibiting the reissue
74 of such permit; amending ss. 550.105, 550.1155, and
75 550.1647, F.S.; conforming provisions to changes made
76 by the act; repealing s. 550.1648, F.S., relating to
77 greyhound adoptions; amending ss. 550.175, 550.1815,
78 and 550.24055, F.S.; conforming provisions to changes
79 made by the act; amending s. 550.2415, F.S.; deleting
80 provisions relating to the testing, euthanasia,
81 training, and medication levels of racing greyhounds;
82 amending s. 550.334, F.S.; conforming provisions to
83 changes made by the act; amending s. 550.3345, F.S.;
84 requiring that net revenues derived from specified
85 licenses issued to not-for-profit corporations be
86 dedicated to certain purposes; prohibiting the
87 transfer of such licenses; providing construction;

20218Ae1

88 amending s. 550.3551, F.S.; conforming provisions to
89 changes made by the act; amending s. 550.3615, F.S.;
90 conforming provisions to changes made by the act;
91 prohibiting a person convicted of bookmaking from
92 attending or being admitted to a pari-mutuel facility;
93 requiring pari-mutuel facility employees to notify
94 certain persons of unlawful activities; providing
95 civil penalties; requiring a permittee to display
96 certain warnings relating to bookmaking at his or her
97 pari-mutuel facility; revising applicability; creating
98 s. 550.3616, F.S.; prohibiting persons authorized to
99 conduct gaming or pari-mutuel operations in this state
100 from racing greyhounds or other dogs in connection
101 with any wager for money or thing of value; providing
102 criminal penalties; prohibiting the suspension,
103 deferment, or withholding of adjudication of guilt of
104 certain persons; amending s. 550.475, F.S.; revising
105 provisions relating to leasing pari-mutuel facilities;
106 amending s. 550.5251, F.S.; deleting a prohibition
107 against thoroughbred racing permitholders beginning
108 races after a specified time; deleting provisions
109 relating to the operation of cardrooms by thoroughbred
110 racing permitholders after a specified time and
111 receiving and rebroadcasting out-of-state races after
112 a specified time under certain circumstances; amending
113 s. 550.615, F.S.; revising requirements relating to
114 intertrack wagering; specifying that greyhound
115 permitholders are qualified to receive certain
116 broadcasts and accept specified wagers; amending s.

20218Ae1

117 550.6305, F.S.; conforming provisions to changes made
118 by the act; amending s. 550.6308, F.S.; revising
119 requirements for a limited intertrack wagering
120 license; revising requirements for intertrack
121 wagering; deleting requirements for limited intertrack
122 wagering licensees to make specified payments;
123 amending s. 551.104, F.S.; conforming provisions to
124 changes made by the act; amending s. 551.114, F.S.;
125 revising requirements for the location of designated
126 slot machine gaming areas; amending s. 551.116, F.S.;
127 authorizing slot machine gaming areas to be open 24
128 hours per day throughout the year; amending s. 565.02,
129 F.S.; conforming provisions to changes made by the
130 act; amending s. 849.086, F.S.; prohibiting a cardroom
131 license from being issued to certain permitholders;
132 revising requirements for a cardroom license to be
133 issued to certain permitholders; authorizing cardrooms
134 to be open 24 hours per day; authorizing a
135 municipality to prohibit the establishment and
136 operation of certain cardrooms within its
137 jurisdiction; conforming provisions to changes made by
138 the act; amending s. 849.14, F.S.; revising criminal
139 penalties relating to certain bets; creating s.
140 849.142, F.S.; specifying that certain activities are
141 not subject to certain gambling-related prohibitions;
142 creating s. 849.251, F.S.; prohibiting persons from
143 wagering or accepting anything of value on certain
144 dograces; prohibiting persons from taking certain
145 actions related to people associated with or

20218Ae1

146 interested in dogracing; providing criminal penalties;
147 prohibiting the suspension, deferment, or withholding
148 of adjudication of guilt of certain persons; providing
149 applicability; reenacting ss. 380.0651(2)(c),
150 402.82(4)(c), and 480.0475(1), F.S., relating to
151 statewide guidelines, the electronic benefits transfer
152 program, and massage establishments, respectively, to
153 incorporate the amendments made to s. 550.002, F.S.,
154 in references thereto; providing severability;
155 providing contingent effective dates.

156
157 Be It Enacted by the Legislature of the State of Florida:
158

159 Section 1. Present subsections (24) through (28) of section
160 550.002, Florida Statutes, are redesignated as subsections (25)
161 through (29), respectively, a new subsection (24) is added to
162 that section, and subsections (11), (17), (20), (21), (22), and
163 (23) and present subsections (26), (29), and (31) of that
164 section are amended, to read:

165 550.002 Definitions.—As used in this chapter, the term:

166 (11) "Full schedule of live racing or games" means, for a
167 ~~greyhound~~ or jai alai permitholder, the conduct of a combination
168 of at least 100 live evening or matinee performances during the
169 preceding year; for a permitholder who has a converted permit or
170 filed an application on or before June 1, 1990, for a converted
171 permit, the conduct of a combination of at least 100 live
172 evening and matinee wagering performances during either of the 2
173 preceding years; for a jai alai permitholder who does not
174 operate slot machines in its pari-mutuel facility, who has

20218Ae1

175 conducted at least 100 live performances per year for at least
176 10 years after December 31, 1992, and whose handle on live jai
177 alai games conducted at its pari-mutuel facility has been less
178 than \$4 million per state fiscal year for at least 2 consecutive
179 years after June 30, 1992, the conduct of a combination of at
180 least 40 live evening or matinee performances during the
181 preceding year; for a jai alai permitholder who operates slot
182 machines in its pari-mutuel facility, the conduct of a
183 combination of at least 150 performances during the preceding
184 year; for a harness permitholder, the conduct of at least 100
185 live regular wagering performances during the preceding year;
186 for a quarter horse permitholder at its facility unless an
187 alternative schedule of at least 20 live regular wagering
188 performances is agreed upon by the permitholder and either the
189 Florida Quarter Horse Racing Association or the horsemen's
190 association representing the majority of the quarter horse
191 owners and trainers at the facility and filed with the division
192 along with its annual date application, in the 2010-2011 fiscal
193 year, the conduct of at least 20 regular wagering performances,
194 in the 2011-2012 and 2012-2013 fiscal years, the conduct of at
195 least 30 live regular wagering performances, and for every
196 fiscal year after the 2012-2013 fiscal year, the conduct of at
197 least 40 live regular wagering performances; for a quarter horse
198 permitholder leasing another licensed racetrack, the conduct of
199 160 events at the leased facility; and for a thoroughbred
200 permitholder, the conduct of at least 40 live regular wagering
201 performances during the preceding year. For a permitholder which
202 is restricted by statute to certain operating periods within the
203 year when other members of its same class of permit are

20218Ae1

204 authorized to operate throughout the year, the specified number
205 of live performances which constitute a full schedule of live
206 racing or games shall be adjusted pro rata in accordance with
207 the relationship between its authorized operating period and the
208 full calendar year and the resulting specified number of live
209 performances shall constitute the full schedule of live games
210 for such permitholder and all other permitholders of the same
211 class within 100 air miles of such permitholder. A live
212 performance must consist of no fewer than eight races or games
213 conducted live for each of a minimum of three performances each
214 week at the permitholder's licensed facility under a single
215 admission charge.

216 (17) "Intertrack wager" or "intertrack wagering" means a
217 particular form of pari-mutuel wagering in which wagers are
218 accepted at a permitted, in-state track, fronton, or pari-mutuel
219 facility on a race or game transmitted from and performed live
220 at, or simulcast signal rebroadcast from, another in-state pari-
221 mutuel facility.

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

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

230 (22) "Pari-mutuel" or "pari-mutuel wagering" means a system
231 of betting on races or games in which the winners divide the
232 total amount bet, after deducting management expenses and taxes,

20218Ae1

233 in proportion to the sums they have wagered individually and
234 with regard to the odds assigned to particular outcomes.

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

238 (24) "Permitholder" or "permittee" means a holder of a
239 permit to conduct pari-mutuel wagering in this state as
240 authorized in this chapter.

241 (27)~~(26)~~ "Post time" means the time set for the arrival at
242 the starting point of the horses ~~or greyhounds~~ in a race or the
243 beginning of a game in jai alai.

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

248 (31) "Same class of races, games, or permit" means, with
249 respect to a jai alai permitholder, jai alai games or other jai
250 alai permitholders; with respect to a greyhound permitholder,
251 ~~greyhound races or other greyhound permitholders~~ conducting
252 pari-mutuel wagering; with respect to a thoroughbred
253 permitholder, thoroughbred races or other thoroughbred
254 permitholders; with respect to a harness permitholder, harness
255 races or other harness permitholders; with respect to a quarter
256 horse permitholder, quarter horse races or other quarter horse
257 permitholders.

258 Section 2. Section 550.0115, Florida Statutes, is amended
259 to read:

260 550.0115 Permitholder operating license.—After a permit has
261 been issued by the division, and after the permit has been

20218Ae1

262 approved by election, the division shall issue to the
263 permitholder an annual operating license to conduct pari-mutuel
264 wagering operations at the location specified in the permit
265 pursuant to the provisions of this chapter.

266 Section 3. Section 550.01215, Florida Statutes, is amended
267 to read:

268 550.01215 License application; periods of operation;
269 license fees; bond, conversion of permit.-

270 (1) Each permitholder shall annually, during the period
271 between December 15 and January 4, file in writing with the
272 division its application for an operating a license for a pari-
273 mutuel facility for the conduct of pari-mutuel wagering during
274 the next state fiscal year, including intertrack and simulcast
275 race wagering to conduct performances during the next state
276 fiscal year. Each application for live performances must shall
277 specify the number, dates, and starting times of all live
278 performances that which the permitholder intends to conduct. It
279 must shall also specify which performances will be conducted as
280 charity or scholarship performances.

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

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

285 2. For each permitholder that which elects to operate a
286 cardroom, the dates and periods of operation the permitholder
287 intends to operate the cardroom. or,

288 3. For each thoroughbred racing permitholder that which
289 elects to receive or rebroadcast out-of-state races after 7
290 p.m., the dates for all performances that which the permitholder

20218Ae1

291 intends to conduct.

292 (b)1. A greyhound permitholder may not conduct live racing.
293 A jai alai permitholder, harness horse racing permitholder, or
294 quarter horse racing permitholder may elect not to conduct live
295 racing or games. A thoroughbred permitholder must conduct live
296 racing. A greyhound permitholder, jai alai permitholder, harness
297 horse racing permitholder, or quarter horse racing permitholder
298 that does not conduct live racing or games retains its permit;
299 is a pari-mutuel facility as defined in s. 550.002(23); if such
300 permitholder has been issued a slot machine license, the
301 facility where such permit is located remains an eligible
302 facility as defined in s. 551.102(4), continues to be eligible
303 for a slot machine license pursuant to s. 551.104(3), and is
304 exempt from ss. 551.104(4)(c) and (10) and 551.114(2); is
305 eligible, but not required, to be a guest track and, if the
306 permitholder is a harness horse racing permitholder, to be a
307 host track for purposes of intertrack wagering and simulcasting
308 pursuant to ss. 550.3551, 550.615, 550.625, and 550.6305; and
309 remains eligible for a cardroom license.

310 2. A permitholder or licensee may not conduct live
311 greyhound racing or dogracing in connection with any wager for
312 money or any other thing of value in the state. The division may
313 deny, suspend, or revoke any permit or license under this
314 chapter if a permitholder or licensee conducts live greyhound
315 racing or dogracing in violation of this subparagraph. In
316 addition to, or in lieu of, denial, suspension, or revocation of
317 such permit or license, the division may impose a civil penalty
318 of up to \$5,000 against the permitholder or licensee for a
319 violation of this subparagraph. All penalties imposed and

20218Ae1

320 collected must be deposited with the Chief Financial Officer to
321 the credit of the General Revenue Fund.

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

324 (d) Notwithstanding any other provision of law, other than
325 a permitholder issued a permit pursuant to s. 550.3345, a pari-
326 mutuel permitholder may not be issued an operating license for
327 the conduct of pari-mutuel wagering, slot machine gaming, or the
328 operation of a cardroom if the permitholder did not hold an
329 operating license for the conduct of pari-mutuel wagering for
330 fiscal year 2020-2021.

331 (2) After the first license has been issued to a
332 permitholder, all subsequent annual applications for a license
333 shall be accompanied by proof, in such form as the division may
334 by rule require, that the permitholder continues to possess the
335 qualifications prescribed by this chapter, and that the permit
336 has not been disapproved at a later election.

337 (3) The division shall issue each license no later than
338 March 15. Each permitholder shall operate all performances at
339 the date and time specified on its license. The division shall
340 have the authority to approve minor changes in racing dates
341 after a license has been issued. The division may approve
342 changes in racing dates after a license has been issued when
343 there is no objection from any operating permitholder that is
344 conducting live racing or games and that is located within 50
345 miles of the permitholder requesting the changes in operating
346 dates. In the event of an objection, the division shall approve
347 or disapprove the change in operating dates based upon the
348 impact on operating permitholders located within 50 miles of the

20218Ae1

349 permitholder requesting the change in operating dates. In making
350 the determination to change racing dates, the division shall
351 take into consideration the impact of such changes on state
352 revenues. Notwithstanding any other provision of law, and for
353 the 2021-2022 state fiscal year only, the division may approve
354 changes in operating dates for a jai alai permitholder, harness
355 horse racing permitholder, or quarter horse racing permitholder
356 if the request for such changes is received before October 1,
357 2021.

358 (4) In the event that a permitholder fails to operate all
359 performances specified on its license at the date and time
360 specified, the division shall hold a hearing to determine
361 whether to fine or suspend the permitholder's license, unless
362 such failure was the direct result of fire, strike, war,
363 hurricane, pandemic, or other disaster or event beyond the
364 ability of the permitholder to control. Financial hardship to
365 the permitholder shall not, in and of itself, constitute just
366 cause for failure to operate all performances on the dates and
367 at the times specified.

368 (5) In the event that performances licensed to be operated
369 by a permitholder are vacated, abandoned, or will not be used
370 for any reason, any permitholder shall be entitled, pursuant to
371 rules adopted by the division, to apply to conduct performances
372 on the dates for which the performances have been abandoned. The
373 division shall issue an amended license for all such replacement
374 performances which have been requested in compliance with ~~the~~
375 ~~provisions of~~ this chapter and division rules.

376 ~~(6) Any permit which was converted from a jai alai permit~~
377 ~~to a greyhound permit may be converted to a jai alai permit at~~

20218Ae1

378 ~~any time if the permitholder never conducted greyhound racing or~~
379 ~~if the permitholder has not conducted greyhound racing for a~~
380 ~~period of 12 consecutive months.~~

381 Section 4. Section 550.0235, Florida Statutes, is amended
382 to read:

383 550.0235 Limitation of civil liability.—No permitholder
384 licensed to conduct pari-mutuel wagering ~~permittee conducting a~~
385 ~~racing meet~~ pursuant to the provisions of this chapter; no
386 division director or employee of the division; and no steward,
387 judge, or other person appointed to act pursuant to this chapter
388 shall be held liable to any person, partnership, association,
389 corporation, or other business entity for any cause whatsoever
390 arising out of, or from, the performance by such permittee,
391 director, employee, steward, judge, or other person of her or
392 his duties and the exercise of her or his discretion with
393 respect to the implementation and enforcement of the statutes
394 and rules governing the conduct of pari-mutuel wagering, so long
395 as she or he acted in good faith. This section shall not limit
396 liability in any situation in which the negligent maintenance of
397 the premises or the negligent conduct of a race contributed to
398 an accident; nor shall it limit any contractual liability.

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

401 550.0351 Charity racing days.—

402 (1) The division shall, upon the request of a permitholder,
403 authorize each horseracing permitholder, ~~dogracing permitholder,~~
404 and jai alai permitholder up to five charity or scholarship days
405 in addition to the regular racing days authorized by law.

406 ~~(7) In addition to the charity days authorized by this~~

20218Ae1

407 ~~section, any dogracing permitholder may allow its facility to be~~
408 ~~used for conducting "hound dog derbies" or "mutt derbies" on any~~
409 ~~day during each racing season by any charitable, civic, or~~
410 ~~nonprofit organization for the purpose of conducting "hound dog~~
411 ~~derbies" or "mutt derbies" if only dogs other than those usually~~
412 ~~used in dogracing (greyhounds) are permitted to race and if~~
413 ~~adults and minors are allowed to participate as dog owners or~~
414 ~~spectators. During these racing events, betting, gambling, and~~
415 ~~the sale or use of alcoholic beverages is prohibited.~~

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

418 550.0425 Minors attendance at pari-mutuel performances;
419 restrictions.—

420 ~~(4) Minor children of licensed greyhound trainers, kennel~~
421 ~~operators, or other licensed persons employed in the kennel~~
422 ~~compound areas may be granted access to kennel compound areas~~
423 ~~without being licensed, provided they are in no way employed~~
424 ~~unless properly licensed, and only when under the direct~~
425 ~~supervision of one of their parents or legal guardian.~~

426 Section 7. Subsection (2) of section 550.054, Florida
427 Statutes, is amended, paragraph (c) is added to subsection (9)
428 of that section, and subsection (15) is added to that section,
429 to read:

430 550.054 Application for permit to conduct pari-mutuel
431 wagering.—

432 (2) Upon each application filed and approved, a permit
433 shall be issued to the applicant setting forth the name of the
434 permitholder, the location of the pari-mutuel facility, the type
435 of pari-mutuel activity desired to be conducted, and a statement

20218Ae1

436 showing qualifications of the applicant to conduct pari-mutuel
437 performances under this chapter; however, a permit is
438 ineffectual to authorize any pari-mutuel performances until
439 approved by a majority of the electors participating in a
440 ratification election in the county in which the applicant
441 proposes to conduct pari-mutuel wagering activities. In
442 addition, an application may not be considered, nor may a permit
443 be issued by the division or be voted upon in any county, to
444 conduct horseraces, harness horse races, or pari-mutuel wagering
445 ~~degraces~~ at a location within 100 miles of an existing pari-
446 mutuel facility, or for jai alai within 50 miles of an existing
447 pari-mutuel facility; this distance shall be measured on a
448 straight line from the nearest property line of one pari-mutuel
449 facility to the nearest property line of the other facility.

450 (9)

451 (c) The division shall revoke the permit of any
452 permitholder, other than a permitholder issued a permit pursuant
453 to s. 550.3345, who did not hold an operating license for the
454 conduct of pari-mutuel wagering for fiscal year 2020-2021. A
455 permit revoked under this paragraph is void and may not be
456 reissued.

457 (15) (a) Notwithstanding any other provision of law, a
458 permit for the conduct of pari-mutuel wagering and associated
459 cardroom or slot machine licenses may only be held by a
460 permitholder who held an operating license for the conduct of
461 pari-mutuel wagering for fiscal year 2020-2021 or who holds a
462 permit issued pursuant to s. 550.3345;

463 (b) All permits issued under this chapter held by
464 permitholders on January 1, 2021, are deemed valid for the sole

20218Ae1

465 and exclusive purpose of satisfying all conditions for the valid
466 issuance of the permits, if such permitholder held an operating
467 license for the conduct of pari-mutuel wagering for fiscal year
468 2020-2021 or if such permitholder held a permit issued pursuant
469 to s. 550.3345;

470 (c) Additional permits for the conduct of pari-mutuel
471 wagering may not be approved or issued by the division after
472 January 1, 2021; and

473 (d) A permit to conduct pari-mutuel wagering may not be
474 converted to another class of permit.

475 Section 8. Subsection (6) is added to section 550.0651,
476 Florida Statutes, to read:

477 550.0651 Elections for ratification of permits; municipal
478 prohibitions.-

479 (6) Notwithstanding any other provision of law, a
480 municipality may prohibit the establishment of a pari-mutuel
481 facility on or after July 1, 2021, in its jurisdiction. This
482 subsection does not apply to a permitholder who held an
483 operating license for the conduct of pari-mutuel wagering for
484 fiscal year 2020-2021 in the municipality's jurisdiction or to a
485 pari-mutuel facility that was previously approved by the
486 municipality.

487 Section 9. Section 550.0745, Florida Statutes, is amended
488 to read:

489 550.0745 ~~Conversion of pari-mutuel permit to Summer jai~~
490 ~~alai permit~~ periods of operation.-A permitholder issued a permit
491 under former subsection (1) of this section, Florida Statutes
492 2020, for the operation of a jai alai fronton during the summer
493 season may conduct pari-mutuel wagering throughout the year

20218Ae1

494 ~~(1) The owner or operator of a pari-mutuel permit who is~~
495 ~~authorized by the division to conduct pari-mutuel pools on~~
496 ~~exhibition sports in any county having five or more such pari-~~
497 ~~mutuel permits and whose mutuel play from the operation of such~~
498 ~~pari-mutuel pools for the 2 consecutive years next prior to~~
499 ~~filing an application under this section has had the smallest~~
500 ~~play or total pool within the county may apply to the division~~
501 ~~to convert its permit to a permit to conduct a summer jai alai~~
502 ~~fronton in such county during the summer season commencing on~~
503 ~~May 1 and ending on November 30 of each year on such dates as~~
504 ~~may be selected by such permittee for the same number of days~~
505 ~~and performances as are allowed and granted to winter jai alai~~
506 ~~frontons within such county. If a permittee who is eligible~~
507 ~~under this section to convert a permit declines to convert, a~~
508 ~~new permit is hereby made available in that permittee's county~~
509 ~~to conduct summer jai alai games as provided by this section,~~
510 ~~notwithstanding mileage and permit ratification requirements. If~~
511 ~~a permittee converts a quarter horse permit pursuant to this~~
512 ~~section, nothing in this section prohibits the permittee from~~
513 ~~obtaining another quarter horse permit. Such permittee shall pay~~
514 ~~the same taxes as are fixed and required to be paid from the~~
515 ~~pari-mutuel pools of winter jai alai permittees and is bound by~~
516 ~~all of the rules and provisions of this chapter which apply to~~
517 ~~the operation of winter jai alai frontons. Such permittee shall~~
518 ~~only be permitted to operate a jai alai fronton after its~~
519 ~~application has been submitted to the division and its license~~
520 ~~has been issued pursuant to the application. The license is~~
521 ~~renewable from year to year as provided by law.~~

522 ~~(2) Such permittee is entitled to the issuance of a license~~

20218Ae1

523 ~~for the operation of a jai alai fronton during the summer season~~
524 ~~as fixed in this section. A permittee granted a license under~~
525 ~~this section may not conduct pari-mutuel pools during the summer~~
526 ~~season except at a jai alai fronton as provided in this section.~~
527 ~~Such license authorizes the permittee to operate at any jai alai~~
528 ~~permittee's plant it may lease or build within such county.~~

529 ~~(3) Such license for the operation of a jai alai fronton~~
530 ~~shall never be permitted to be operated during the jai alai~~
531 ~~winter season; and neither the jai alai winter licensee or the~~
532 ~~jai alai summer licensee shall be permitted to operate on the~~
533 ~~same days or in competition with each other. This section does~~
534 ~~not prevent the summer jai alai permittee from leasing the~~
535 ~~facilities of the winter jai alai permittee for the operation of~~
536 ~~the summer meet.~~

537 ~~(4) The provisions of this chapter which prohibit the~~
538 ~~location and operation of jai alai frontons within a specified~~
539 ~~distance from the location of another jai alai fronton or other~~
540 ~~permittee and which prohibit the division from granting any~~
541 ~~permit at a location within a certain designated area do not~~
542 ~~apply to the provisions of this section and do not prevent the~~
543 ~~issuance of a license under this section.~~

544 Section 10. Subsection (4) of section 550.09511, Florida
545 Statutes, is amended to read:

546 550.09511 Jai alai taxes; abandoned interest in a permit
547 for nonpayment of taxes.—

548 ~~(4) A jai alai permitholder conducting fewer than 100 live~~
549 ~~performances in any calendar year shall pay to the state the~~
550 ~~same aggregate amount of daily license fees on live jai alai~~
551 ~~games, admissions tax, and tax on live handle as that~~

20218Ae1

552 ~~permitholder paid to the state during the most recent prior~~
553 ~~calendar year in which the jai alai permitholder conducted at~~
554 ~~least 100 live performances.~~

555 Section 11. Paragraph (a) of subsection (3) of section
556 550.09512, Florida Statutes, is amended to read:

557 550.09512 Harness horse taxes; abandoned interest in a
558 permit for nonpayment of taxes.-

559 (3) (a) The permit of a harness horse permitholder who is
560 conducting live harness horse performances and who does not pay
561 tax on handle for any such ~~live harness horse~~ performances
562 conducted for a full schedule of live races during any 2
563 consecutive state fiscal years shall be void and may not be
564 reissued ~~shall escheat to and become the property of the state~~
565 unless such failure to operate and pay tax on handle was the
566 direct result of fire, strike, war, hurricane, pandemic, or
567 other disaster or event beyond the ability of the permitholder
568 to control. Financial hardship to the permitholder shall not, in
569 and of itself, constitute just cause for failure to operate and
570 pay tax on handle.

571 Section 12. Subsections (2) and (9) of section 550.105,
572 Florida Statutes, are amended to read:

573 550.105 Occupational licenses of racetrack employees; fees;
574 denial, suspension, and revocation of license; penalties and
575 fines.-

576 (2) (a) The following licenses shall be issued to persons or
577 entities with access to the backside, racing animals, jai alai
578 players' room, jockeys' room, drivers' room, totalisator room,
579 the mutuels, or money room, or to persons who, by virtue of the
580 position they hold, might be granted access to these areas or to

20218Ae1

581 any other person or entity in one of the following categories
582 and with fees not to exceed the following amounts for any 12-
583 month period:

584 1. Business licenses: any business such as a vendor,
585 contractual concessionaire, ~~contract kennel~~, business owning
586 racing animals, trust or estate, totalisator company, stable
587 name, or other fictitious name: \$50.

588 2. Professional occupational licenses: professional persons
589 with access to the backside of a racetrack or players' quarters
590 in jai alai such as trainers, officials, veterinarians, doctors,
591 nurses, EMT's, jockeys and apprentices, drivers, jai alai
592 players, owners, trustees, or any management or officer or
593 director or shareholder or any other professional-level person
594 who might have access to the jockeys' room, the drivers' room,
595 the backside, racing animals, ~~kennel compound~~, or managers or
596 supervisors requiring access to mutuels machines, the money
597 room, or totalisator equipment: \$40.

598 3. General occupational licenses: general employees with
599 access to the jockeys' room, the drivers' room, racing animals,
600 the backside of a racetrack or players' quarters in jai alai,
601 such as grooms, ~~kennel helpers~~, leadouts, pelota makers, cesta
602 makers, or ball boys, or a practitioner of any other occupation
603 who would have access to the animals or the backside, ~~or the~~
604 ~~kennel compound~~, or who would provide the security or
605 maintenance of these areas, or mutuel employees, totalisator
606 employees, money-room employees, or any employee with access to
607 mutuels machines, the money room, or totalisator equipment or
608 who would provide the security or maintenance of these areas:
609 \$10.

20218Ae1

610
611 The individuals and entities that are licensed under this
612 paragraph require heightened state scrutiny, including the
613 submission by the individual licensees or persons associated
614 with the entities described in this chapter of fingerprints for
615 a Federal Bureau of Investigation criminal records check.

616 (b) The division shall adopt rules pertaining to pari-
617 mutuel occupational licenses, licensing periods, and renewal
618 cycles.

619 (9) The tax imposed by this section is in lieu of all
620 license, excise, or occupational taxes to the state or any
621 county, municipality, or other political subdivision, except
622 that, if a race meeting or game is held or conducted in a
623 municipality, the municipality may assess and collect an
624 additional tax against any person conducting live racing or
625 games within its corporate limits, which tax may not exceed \$150
626 per day for horseracing or \$50 per day for ~~dog racing~~ or jai
627 alai. Except as provided in this chapter, a municipality may not
628 assess or collect any additional excise or revenue tax against
629 any person conducting race meetings within the corporate limits
630 of the municipality or against any patron of any such person.

631 Section 13. Section 550.1155, Florida Statutes, is amended
632 to read:

633 550.1155 Authority of stewards, judges, panel of judges, or
634 player's manager to impose penalties against occupational
635 licensees; disposition of funds collected.-

636 (1) The stewards at a horse racetrack; ~~the judges at a dog~~
637 ~~track;~~ or the judges, a panel of judges, or a player's manager
638 at a jai alai fronton may impose a civil penalty against any

20218Ae1

639 occupational licensee for violation of the pari-mutuel laws or
640 any rule adopted by the division. The penalty may not exceed
641 \$1,000 for each count or separate offense or exceed 60 days of
642 suspension for each count or separate offense.

643 (2) All penalties imposed and collected pursuant to this
644 section at each horse ~~or dog~~ racetrack or jai alai fronton shall
645 be deposited into a board of relief fund established by the
646 pari-mutuel permitholder. Each association shall name a board of
647 relief composed of three of its officers, with the general
648 manager of the permitholder being the ex officio treasurer of
649 such board. Moneys deposited into the board of relief fund shall
650 be disbursed by the board for the specific purpose of aiding
651 occupational licenseholders and their immediate family members
652 at each pari-mutuel facility.

653 Section 14. Section 550.1647, Florida Statutes, is amended
654 to read:

655 550.1647 Greyhound permitholders; unclaimed tickets;
656 breaks.—All money or other property represented by any
657 unclaimed, uncashed, or abandoned pari-mutuel ticket which has
658 remained in the custody of or under the control of any greyhound
659 permitholder authorized to conduct ~~greyhound racing~~ pari-mutuel
660 wagering pools in this state for a period of 1 year after the
661 date the pari-mutuel ticket was issued, if the rightful owner or
662 owners thereof have made no claim or demand for such money or
663 other property within that period of time, shall, ~~with respect~~
664 ~~to live races conducted by the permitholder,~~ be remitted to the
665 state pursuant to s. 550.1645; however, such permitholder shall
666 be entitled to a credit in each state fiscal year in an amount
667 equal to the actual amount remitted in the prior state fiscal

20218Ae1

668 year which may be applied against any taxes imposed pursuant to
669 this chapter. In addition, each permitholder shall pay, from any
670 source, ~~including the proceeds from performances conducted~~
671 ~~pursuant to s. 550.0351,~~ an amount not less than 10 percent of
672 the amount of the credit provided by this section to any bona
673 fide organization that promotes or encourages the adoption of
674 greyhounds. As used in this chapter, the term "bona fide
675 organization that promotes or encourages the adoption of
676 greyhounds" means any organization that provides evidence of
677 compliance with chapter 496 and possesses a valid exemption from
678 federal taxation issued by the Internal Revenue Service. Such
679 bona fide organization, as a condition of adoption, must provide
680 sterilization of greyhounds by a licensed veterinarian before
681 relinquishing custody of the greyhound to the adopter. The fee
682 for sterilization may be included in the cost of adoption.

683 Section 15. Section 550.1648, Florida Statutes, is
684 repealed.

685 Section 16. Section 550.175, Florida Statutes, is amended
686 to read:

687 550.175 Petition for election to revoke permit.—Upon
688 petition of 20 percent of the qualified electors of any county
689 wherein any pari-mutuel wagering ~~racing~~ has been licensed and
690 conducted under this chapter, the county commissioners of such
691 county shall provide for the submission to the electors of such
692 county at the then next succeeding general election the question
693 of whether any permit or permits theretofore granted shall be
694 continued or revoked, and if a majority of the electors voting
695 on such question in such election vote to cancel or recall the
696 permit theretofore given, the division may not thereafter grant

20218Ae1

697 any license on the permit so recalled. Every signature upon
698 every recall petition must be signed in the presence of the
699 clerk of the board of county commissioners at the office of the
700 clerk of the circuit court of the county, and the petitioner
701 must present at the time of such signing her or his registration
702 receipt showing the petitioner's qualification as an elector of
703 the county at the time of the signing of the petition. Not more
704 than one permit may be included in any one petition; and, in all
705 elections in which the recall of more than one permit is voted
706 on, the voters shall be given an opportunity to vote for or
707 against the recall of each permit separately. Nothing in this
708 chapter shall be construed to prevent the holding of later
709 referendum or recall elections.

710 Section 17. Subsection (1) of section 550.1815, Florida
711 Statutes, is amended to read:

712 550.1815 Certain persons prohibited from holding racing or
713 jai alai permits; suspension and revocation.—

714 (1) A corporation, general or limited partnership, sole
715 proprietorship, business trust, joint venture, or unincorporated
716 association, or other business entity may not hold any
717 horseracing or greyhound ~~dogracing~~ permit or jai alai fronton
718 permit in this state if any one of the persons or entities
719 specified in paragraph (a) has been determined by the division
720 not to be of good moral character or has been convicted of any
721 offense specified in paragraph (b).

- 722 (a)1. The permitholder;
723 2. An employee of the permitholder;
724 3. The sole proprietor of the permitholder;
725 4. A corporate officer or director of the permitholder;

20218Ae1

- 726 5. A general partner of the permitholder;
727 6. A trustee of the permitholder;
728 7. A member of an unincorporated association permitholder;
729 8. A joint venturer of the permitholder;
730 9. The owner of more than 5 percent of any equity interest
731 in the permitholder, whether as a common shareholder, general or
732 limited partner, voting trustee, or trust beneficiary; or
733 10. An owner of any interest in the permit or permitholder,
734 including any immediate family member of the owner, or holder of
735 any debt, mortgage, contract, or concession from the
736 permitholder, who by virtue thereof is able to control the
737 business of the permitholder.
- 738 (b)1. A felony in this state;
739 2. Any felony in any other state which would be a felony if
740 committed in this state under the laws of this state;
741 3. Any felony under the laws of the United States;
742 4. A felony under the laws of another state if related to
743 gambling which would be a felony under the laws of this state if
744 committed in this state; or
745 5. Bookmaking as defined in s. 849.25.
- 746 Section 18. Subsection (2) of section 550.24055, Florida
747 Statutes, is amended to read:
748 550.24055 Use of controlled substances or alcohol
749 prohibited; testing of certain occupational licensees; penalty;
750 evidence of test or action taken and admissibility for criminal
751 prosecution limited.—
752 (2) The occupational licensees, by applying for and holding
753 such licenses, are deemed to have given their consents to submit
754 to an approved chemical test of their breath for the purpose of

20218Ae1

755 determining the alcoholic content of their blood and to a urine
756 or blood test for the purpose of detecting the presence of
757 controlled substances. Such tests shall only be conducted upon
758 reasonable cause that a violation has occurred as shall be
759 determined solely by the stewards at a horseracing meeting or
760 the judges or board of judges at a ~~dog track~~ or jai alai meet.
761 The failure to submit to such test may result in a suspension of
762 the person's occupational license for a period of 10 days or
763 until this section has been complied with, whichever is longer.

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

770 (b) If there was at the time of the test an excess of 0.05
771 percent but less than 0.08 percent by weight of alcohol in the
772 person's blood, that fact does not give rise to any presumption
773 that the person was or was not under the influence of alcoholic
774 beverages to the extent that the person's faculties were
775 impaired, but the stewards, judges, or board of judges may
776 consider that fact in determining whether or not the person will
777 be allowed to officiate or participate in any given race or jai
778 alai game.

779 (c) If there was at the time of the test 0.08 percent or
780 more by weight of alcohol in the person's blood, that fact is
781 prima facie evidence that the person was under the influence of
782 alcoholic beverages to the extent that the person's normal
783 faculties were impaired, and the stewards or judges may take

20218Ae1

784 action as set forth in this section, but the person may not
785 officiate at or participate in any race or jai alai game on the
786 day of such test.

787
788 All tests relating to alcohol must be performed in a manner
789 substantially similar, or identical, to the provisions of s.
790 316.1934 and rules adopted pursuant to that section. Following a
791 test of the urine or blood to determine the presence of a
792 controlled substance as defined in chapter 893, if a controlled
793 substance is found to exist, the stewards, judges, or board of
794 judges may take such action as is permitted in this section.

795 Section 19. Paragraph (d) of subsection (5), paragraphs (b)
796 and (c) of subsection (6), paragraph (a) of subsection (9), and
797 subsection (13) of section 550.2415, Florida Statutes, are
798 amended to read:

799 550.2415 Racing of animals under certain conditions
800 prohibited; penalties; exceptions.—

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

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

808 (6)

809 ~~(b) The division shall, by rule, establish the procedures~~
810 ~~for euthanizing greyhounds. However, a greyhound may not be put~~
811 ~~to death by any means other than by lethal injection of the drug~~
812 ~~sodium pentobarbital. A greyhound may not be removed from this~~

20218Ae1

813 ~~state for the purpose of being destroyed.~~

814 ~~(c) It is a violation of this chapter for an occupational~~
815 ~~licensee to train a greyhound using live or dead animals. A~~
816 ~~greyhound may not be taken from this state for the purpose of~~
817 ~~being trained through the use of live or dead animals.~~

818 (9) (a) The division may conduct a postmortem examination of
819 any animal that is injured at a permitted racetrack while in
820 training or in competition and that subsequently expires or is
821 destroyed. The division may conduct a postmortem examination of
822 any animal that expires while housed at a permitted racetrack,
823 association compound, or licensed ~~kennel or~~ farm. Trainers and
824 owners shall be requested to comply with this paragraph as a
825 condition of licensure.

826 ~~(13) The division may implement by rule medication levels~~
827 ~~for racing greyhounds recommended by the University of Florida~~
828 ~~College of Veterinary Medicine developed pursuant to an~~
829 ~~agreement between the Division of Pari-mutuel Wagering and the~~
830 ~~University of Florida College of Veterinary Medicine. The~~
831 ~~University of Florida College of Veterinary Medicine may provide~~
832 ~~written notification to the division that it has completed~~
833 ~~research or review on a particular drug pursuant to the~~
834 ~~agreement and when the College of Veterinary Medicine has~~
835 ~~completed a final report of its findings, conclusions, and~~
836 ~~recommendations to the division.~~

837 Section 20. Subsection (8) of section 550.334, Florida
838 Statutes, is amended to read:

839 550.334 Quarter horse racing; substitutions.—

840 ~~(8) To be eligible to conduct intertrack wagering, a~~
841 ~~quarter horse racing permitholder must have conducted a full~~

20218Ae1

842 ~~schedule of live racing in the preceding year.~~

843 Section 21. Paragraphs (a) and (e) of subsection (2) and
844 subsection (3) of section 550.3345, Florida Statutes, are
845 amended to read:

846 550.3345 Conversion of quarter horse permit to a limited
847 thoroughbred permit.—

848 (2) Notwithstanding any other provision of law, the holder
849 of a quarter horse racing permit issued under s. 550.334 may,
850 within 1 year after the effective date of this section, apply to
851 the division for a transfer of the quarter horse racing permit
852 to a not-for-profit corporation formed under state law to serve
853 the purposes of the state as provided in subsection (1). The
854 board of directors of the not-for-profit corporation must be
855 comprised of 11 members, 4 of whom shall be designated by the
856 applicant, 4 of whom shall be designated by the Florida
857 Thoroughbred Breeders' Association, and 3 of whom shall be
858 designated by the other 8 directors, with at least 1 of these 3
859 members being an authorized representative of another
860 thoroughbred permitholder in this state. The not-for-profit
861 corporation shall submit an application to the division for
862 review and approval of the transfer in accordance with s.
863 550.054. Upon approval of the transfer by the division, and
864 notwithstanding any other provision of law to the contrary, the
865 not-for-profit corporation may, within 1 year after its receipt
866 of the permit, request that the division convert the quarter
867 horse racing permit to a permit authorizing the holder to
868 conduct pari-mutuel wagering meets of thoroughbred racing.
869 Neither the transfer of the quarter horse racing permit nor its
870 conversion to a limited thoroughbred permit shall be subject to

20218Ae1

871 the mileage limitation or the ratification election as set forth
872 under s. 550.054(2) or s. 550.0651. Upon receipt of the request
873 for such conversion, the division shall timely issue a converted
874 permit. The converted permit and the not-for-profit corporation
875 shall be subject to the following requirements:

876 (a) All net revenues derived by the not-for-profit
877 corporation under the thoroughbred horse racing permit and any
878 license issued to the not-for-profit corporation under chapter
879 849, after the funding of operating expenses and capital
880 improvements, shall be dedicated to the enhancement of
881 thoroughbred purses and breeders', stallion, and special racing
882 awards under this chapter; the general promotion of the
883 thoroughbred horse breeding industry; and the care in this state
884 of thoroughbred horses retired from racing.

885 (e) A ~~Ne~~ permit converted under this section and a license
886 issued to the not-for-profit corporation under chapter 849 are
887 not ~~is~~ eligible for transfer to another person or entity.

888 (3) Unless otherwise provided in this section, after
889 conversion, the permit and the not-for-profit corporation shall
890 be treated under the laws of this state as a thoroughbred permit
891 and as a thoroughbred permitholder, respectively, with the
892 exception of ss. 550.09515(3) and 550.6308 ~~s. 550.09515(3)~~.

893 Section 22. Subsections (2) and (4), paragraph (a) of
894 subsection (6), and subsection (11) of section 550.3551, Florida
895 Statutes, are amended to read:

896 550.3551 Transmission of racing and jai alai information;
897 commingling of pari-mutuel pools.-

898 (2) Any horse track, ~~dog track,~~ or fronton licensed under
899 this chapter may transmit broadcasts of races or games conducted

20218Ae1

900 at the enclosure of the licensee to locations outside this
901 state.

902 (a) All broadcasts of horseraces transmitted to locations
903 outside this state must comply with the provisions of the
904 Interstate Horseracing Act of 1978, 92 Stat. 1811, 15 U.S.C. ss.
905 3001 et seq.

906 (b) Wagers accepted by any out-of-state pari-mutuel
907 permitholder or licensed betting system on a race broadcasted
908 under this subsection may be, but are not required to be,
909 included in the pari-mutuel pools of the horse track in this
910 state that broadcasts the race upon which wagers are accepted.
911 The handle, as referred to in s. 550.0951(3), does not include
912 any wagers accepted by an out-of-state pari-mutuel permitholder
913 or licensed betting system, irrespective of whether such wagers
914 are included in the pari-mutuel pools of the Florida
915 permitholder as authorized by this subsection.

916 (4) Any greyhound permitholder or jai alai permitholder ~~dog~~
917 ~~track or fronton~~ licensed under this chapter may receive at its
918 licensed location broadcasts of dograces or jai alai games
919 conducted at other tracks or frontons located outside the state
920 ~~at the track enclosure of the licensee during its operational~~
921 ~~meeting~~. All forms of pari-mutuel wagering are allowed on
922 dograces or jai alai games broadcast under this subsection. All
923 money wagered by patrons on dograces broadcast under this
924 subsection shall be computed in the amount of money wagered each
925 performance for purposes of taxation under ss. 550.0951 and
926 550.09511.

927 (6) (a) ~~A maximum of 20 percent of the total number of races~~
928 ~~on which wagers are accepted by a greyhound permitholder not~~

20218Ae1

929 ~~located as specified in s. 550.615(6) may be received from~~
930 ~~locations outside this state.~~ A permitholder conducting live
931 races or games may not conduct fewer than eight live races or
932 games on any authorized race day except as provided in this
933 subsection. A thoroughbred permitholder may not conduct fewer
934 than eight live races on any race day without the written
935 approval of the Florida Thoroughbred Breeders' Association and
936 the Florida Horsemen's Benevolent and Protective Association,
937 Inc., unless it is determined by the department that another
938 entity represents a majority of the thoroughbred racehorse
939 owners and trainers in the state. If conducting live racing, a
940 harness permitholder may conduct fewer than eight live races on
941 any authorized race day, ~~except that such permitholder must~~
942 ~~conduct a full schedule of live racing during its race meet~~
943 ~~consisting of at least eight live races per authorized race day~~
944 ~~for at least 100 days.~~ Any harness horse permitholder ~~that~~
945 ~~during the preceding racing season conducted a full schedule of~~
946 ~~live racing may, at any time during its current race meet,~~
947 receive full-card broadcasts of harness horse races conducted at
948 harness racetracks outside this state at the harness track of
949 the permitholder and accept wagers on such harness races. ~~With~~
950 ~~specific authorization from the division for special racing~~
951 ~~events, a permitholder may conduct fewer than eight live races~~
952 ~~or games when the permitholder also broadcasts out-of-state~~
953 ~~races or games. The division may not grant more than two such~~
954 ~~exceptions a year for a permitholder in any 12-month period, and~~
955 ~~those two exceptions may not be consecutive.~~

956 (11) Greyhound permitholders ~~tracks~~ and jai alai
957 permitholders ~~frontons~~ have the same privileges as provided in

20218Ae1

958 this section to horserace permitholders ~~horse tracks~~, as
959 applicable, subject to rules adopted under subsection (10).

960 Section 23. Subsections (1) and (3) through (6) of section
961 550.3615, Florida Statutes, are amended to read:

962 550.3615 Bookmaking on the grounds of a permitholder;
963 penalties; reinstatement; duties of track employees; penalty;
964 exceptions.—

965 (1) Any person who engages in bookmaking, as defined in s.
966 849.25, on the grounds or property of a pari-mutuel facility
967 ~~commits permitholder of a horse or dog track or jai alai fronton~~
968 ~~is guilty of~~ a felony of the third degree, punishable as
969 provided in s. 775.082, s. 775.083, or s. 775.084.

970 Notwithstanding the provisions of s. 948.01, any person
971 convicted under the provisions of this subsection shall not have
972 adjudication of guilt suspended, deferred, or withheld.

973 (3) Any person who has been convicted of bookmaking in this
974 state or any other state of the United States or any foreign
975 country shall be denied admittance to and shall not attend any
976 pari-mutuel facility ~~racetrack or fronton~~ in this state during
977 its racing seasons or operating dates, including any practice or
978 preparational days, for a period of 2 years after the date of
979 conviction or the date of final appeal. Following the conclusion
980 of the period of ineligibility, the director of the division may
981 authorize the reinstatement of an individual following a hearing
982 on readmittance. Any such person who knowingly violates this
983 subsection commits ~~is guilty of~~ a misdemeanor of the first
984 degree, punishable as provided in s. 775.082 or s. 775.083.

985 (4) If the activities of a person show that this law is
986 being violated, and such activities are either witnessed by or

20218Ae1

987 are common knowledge of ~~by~~ any pari-mutuel facility ~~track or~~
988 ~~fronton~~ employee, it is the duty of that employee to bring the
989 matter to the immediate attention of the permitholder, manager,
990 or her or his designee, who shall notify a law enforcement
991 agency having jurisdiction. Willful failure by the pari-mutuel
992 facility ~~on the part of any track or fronton~~ employee to comply
993 with the provisions of this subsection is a ground for the
994 division to suspend or revoke that employee's license for pari-
995 mutuel facility ~~track or fronton~~ employment.

996 (5) Each permittee shall display, in conspicuous places at
997 a pari-mutuel facility ~~track or fronton~~ and in all race and jai
998 alai daily programs, a warning to all patrons concerning the
999 prohibition and penalties of bookmaking contained in this
1000 section and s. 849.25. The division shall adopt rules concerning
1001 the uniform size of all warnings and the number of placements
1002 throughout a pari-mutuel facility ~~track or fronton~~. Failure on
1003 the part of the permittee to display such warnings may result in
1004 the imposition of a \$500 fine by the division for each offense.

1005 (6) This section does not apply to any person ~~attending a~~
1006 ~~track or fronton or~~ employed by or attending a pari-mutuel
1007 facility ~~a track or fronton~~ who places a bet through the
1008 legalized pari-mutuel pool for another person, provided such
1009 service is rendered gratuitously and without fee or other
1010 reward.

1011 Section 24. Effective October 1, 2021, section 550.3616,
1012 Florida Statutes, is created to read:

1013 550.3616 Racing greyhounds or other dogs prohibited;
1014 penalty.-A person authorized to conduct gaming or pari-mutuel
1015 operations in this state may not race greyhounds or any member

20218Ae1

1016 of the *Canis familiaris* subspecies in connection with any wager
1017 for money or any other thing of value in this state. A person
1018 who violates this section commits a misdemeanor of the first
1019 degree, punishable as provided in s. 775.082 or s. 775.083. A
1020 person who commits a second or subsequent violation commits a
1021 felony of the third degree, punishable as provided in s.
1022 775.082, s. 775.083, or s. 775.084. Notwithstanding the
1023 provisions of s. 948.01, any person convicted under this section
1024 may not have adjudication of guilt suspended, deferred, or
1025 withheld.

1026 Section 25. Section 550.475, Florida Statutes, is amended
1027 to read:

1028 550.475 Lease of pari-mutuel facilities by pari-mutuel
1029 permitholders.—Holders of valid pari-mutuel permits for the
1030 conduct of any pari-mutuel wagering ~~jai alai games, dogracing,~~
1031 ~~or thoroughbred and standardbred horse racing~~ in this state are
1032 entitled to lease any and all of their facilities to any other
1033 holder of a same class valid pari-mutuel permit ~~for jai alai~~
1034 ~~games, dogracing, or thoroughbred or standardbred horse racing,~~
1035 when located within a 35-mile radius of each other; and such
1036 lessee is entitled to a permit and license to conduct intertrack
1037 wagering and operate its race meet or jai alai games at the
1038 leased premises.

1039 Section 26. Subsection (2) of section 550.5251, Florida
1040 Statutes, is amended to read:

1041 550.5251 Florida thoroughbred racing; certain permits;
1042 operating days.—

1043 ~~(2) A thoroughbred racing permitholder may not begin any~~
1044 ~~race later than 7 p.m. Any thoroughbred permitholder in a county~~

20218Ae1

1045 ~~in which the authority for cardrooms has been approved by the~~
1046 ~~board of county commissioners may operate a cardroom and, when~~
1047 ~~conducting live races during its current race meet, may receive~~
1048 ~~and rebroadcast out of state races after the hour of 7 p.m. on~~
1049 ~~any day during which the permit holder conducts live races.~~

1050 Section 27. Subsections (1), (2), and (8) of section
1051 550.615, Florida Statutes, are amended, and subsection (11) is
1052 added to that section, to read:

1053 550.615 Intertrack wagering.—

1054 (1) Any thoroughbred horserace permit holder licensed under
1055 this chapter which has conducted a full schedule of live racing
1056 may, at any time, receive broadcasts of horseraces and accept
1057 wagers on horseraces conducted by horserace permit holders
1058 licensed under this chapter at its facility.

1059 (2) Except as provided in subsection (1), a pari-mutuel
1060 permit holder that has met the applicable requirement for that
1061 permit holder to conduct live racing or games under s.
1062 550.01215(1)(b), if any, for fiscal year 2020-2021 ~~Any track or~~
1063 ~~fronton licensed under this chapter which in the preceding year~~
1064 ~~conducted a full schedule of live racing is qualified to, at any~~
1065 time, receive broadcasts of any class of pari-mutuel race or
1066 game and accept wagers on such races or games conducted by any
1067 class of permit holders licensed under this chapter.

1068 (8) In any three contiguous counties of the state where
1069 there are only three permit holders, all of which are greyhound
1070 permit holders, if any permit holder leases the facility of
1071 another permit holder for all or any portion of the conduct of
1072 its live race meet pursuant to s. 550.475, such lessee may
1073 conduct intertrack wagering at its pre-lease permitted facility

20218Ae1

1074 throughout the entire year, ~~including while its live meet is~~
1075 ~~being conducted at the leased facility, if such permitholder has~~
1076 ~~conducted a full schedule of live racing during the preceding~~
1077 ~~fiscal year at its pre-lease permitted facility or at a leased~~
1078 ~~facility, or combination thereof.~~

1079 (11) Any greyhound permitholder licensed under this chapter
1080 to conduct pari-mutuel wagering is qualified to, at any time,
1081 receive broadcasts of any class of pari-mutuel race or game and
1082 accept wagers on such races or games conducted by any class of
1083 permitholders licensed under this chapter.

1084 Section 28. Subsection (2) of section 550.6305, Florida
1085 Statutes, is amended to read:

1086 550.6305 Intertrack wagering; guest track payments;
1087 accounting rules.-

1088 (2) For the purposes of calculation of odds and payoffs and
1089 distribution of the pari-mutuel pools, all intertrack wagers
1090 shall be combined with the pari-mutuel pools at the host track.
1091 ~~Notwithstanding this subsection or subsection (4), a greyhound~~
1092 ~~pari-mutuel permitholder may conduct intertrack wagering without~~
1093 ~~combining pari-mutuel pools on not more than three races in any~~
1094 ~~week, not to exceed 20 races in a year. All other provisions~~
1095 ~~concerning pari-mutuel takeout and payments, including state tax~~
1096 ~~payments, apply as if the pool had been combined.~~

1097 Section 29. Subsections (1), (4), and (5) of section
1098 550.6308, Florida Statutes, are amended to read:

1099 550.6308 Limited intertrack wagering license.-In
1100 recognition of the economic importance of the thoroughbred
1101 breeding industry to this state, its positive impact on tourism,
1102 and of the importance of a permanent thoroughbred sales facility

20218Ae1

1103 as a key focal point for the activities of the industry, a
1104 limited license to conduct intertrack wagering is established to
1105 ensure the continued viability and public interest in
1106 thoroughbred breeding in Florida.

1107 (1) Upon application to the division on or before January
1108 31 of each year, any person that is licensed to conduct public
1109 sales of thoroughbred horses pursuant to s. 535.01 and, that has
1110 conducted at least 8 ~~15~~ days of thoroughbred horse sales at a
1111 permanent sales facility in this state for at least 3
1112 consecutive years, ~~and that has conducted at least 1 day of~~
1113 ~~nonwagering thoroughbred racing in this state, with a purse~~
1114 ~~structure of at least \$250,000 per year for 2 consecutive years~~
1115 before such application, shall be issued a license, subject to
1116 the conditions set forth in this section, to conduct intertrack
1117 wagering at such a permanent sales facility ~~during the following~~
1118 ~~periods:~~

1119 ~~(a) Up to 21 days in connection with thoroughbred sales;~~

1120 ~~(b) Between November 1 and May 8;~~

1121 ~~(c) Between May 9 and October 31 at such times and on such~~
1122 ~~days as any thoroughbred, jai alai, or a greyhound permitholder~~
1123 ~~in the same county is not conducting live performances; provided~~
1124 ~~that any such permitholder may waive this requirement, in whole~~
1125 ~~or in part, and allow the licensee under this section to conduct~~
1126 ~~intertrack wagering during one or more of the permitholder's~~
1127 ~~live performances; and~~

1128 ~~(d) During the weekend of the Kentucky Derby, the~~
1129 ~~Preakness, the Belmont, and a Breeders' Cup Meet that is~~
1130 ~~conducted before November 1 and after May 8.~~

1131

20218Ae1

1132 No more than one such license may be issued, and no such license
1133 may be issued for a facility located within 50 miles of any
1134 thoroughbred permitholder's track.

1135 ~~(4) Intertrack wagering under this section may be conducted~~
1136 ~~only on thoroughbred horse racing, except that intertrack~~
1137 ~~wagering may be conducted on any class of pari-mutuel race or~~
1138 ~~game conducted by any class of permitholders licensed under this~~
1139 ~~chapter if all thoroughbred, jai alai, and greyhound~~
1140 ~~permitholders in the same county as the licensee under this~~
1141 ~~section give their consent.~~

1142 ~~(5) The licensee shall be considered a guest track under~~
1143 ~~this chapter. The licensee shall pay 2.5 percent of the total~~
1144 ~~contributions to the daily pari-mutuel pool on wagers accepted~~
1145 ~~at the licensee's facility on greyhound races or jai alai games~~
1146 ~~to the thoroughbred permitholder that is conducting live races~~
1147 ~~for purses to be paid during its current racing meet. If more~~
1148 ~~than one thoroughbred permitholder is conducting live races on a~~
1149 ~~day during which the licensee is conducting intertrack wagering~~
1150 ~~on greyhound races or jai alai games, the licensee shall~~
1151 ~~allocate these funds between the operating thoroughbred~~
1152 ~~permitholders on a pro rata basis based on the total live handle~~
1153 ~~at the operating permitholders' facilities.~~

1154 Section 30. Paragraph (c) of subsection (4) of section
1155 551.104, Florida Statutes, is amended to read:

1156 551.104 License to conduct slot machine gaming.—

1157 (4) As a condition of licensure and to maintain continued
1158 authority for the conduct of slot machine gaming, the slot
1159 machine licensee shall:

1160 (c) If a thoroughbred permitholder, conduct no fewer than a

20218Ae1

1161 full schedule of live racing or games as defined in s.
1162 550.002(11). A permitholder's responsibility to conduct ~~such~~
1163 ~~number of~~ live races or games shall be reduced by the number of
1164 races or games that could not be conducted due to the direct
1165 result of fire, strike, war, hurricane, pandemic, or other
1166 disaster or event beyond the control of the permitholder.

1167 Section 31. Subsection (4) of section 551.114, Florida
1168 Statutes, is amended to read:

1169 551.114 Slot machine gaming areas.—

1170 (4) Designated slot machine gaming areas must ~~may~~ be
1171 located at the address specified in the licensed permitholder's
1172 slot machine license issued for fiscal year 2020-2021 ~~within the~~
1173 ~~current live gaming facility or in an existing building that~~
1174 ~~must be contiguous and connected to the live gaming facility. If~~
1175 ~~a designated slot machine gaming area is to be located in a~~
1176 ~~building that is to be constructed, that new building must be~~
1177 ~~contiguous and connected to the live gaming facility.~~

1178 Section 32. Section 551.116, Florida Statutes, is amended
1179 to read:

1180 551.116 Days and hours of operation.—Slot machine gaming
1181 areas may be open 24 hours per day ~~daily~~ throughout the year.
1182 ~~The slot machine gaming areas may be open a cumulative amount of~~
1183 ~~18 hours per day on Monday through Friday and 24 hours per day~~
1184 ~~on Saturday and Sunday and on those holidays specified in s.~~
1185 ~~110.117(1).~~

1186 Section 33. Subsection (5) of section 565.02, Florida
1187 Statutes, is amended to read:

1188 565.02 License fees; vendors; clubs; caterers; and others.—

1189 (5) A caterer at a pari-mutuel facility licensed under

20218Ae1

1190 chapter 550 ~~horse or dog racetrack or jai alai fronton~~ may
1191 obtain a license upon the payment of an annual state license tax
1192 of \$675. Such caterer's license shall permit sales only within
1193 the enclosure in which pari-mutuel wagering is conducted ~~such~~
1194 ~~racetrack or jai alai games are conducted, and such licensee shall~~
1195 ~~be permitted to sell only during the period beginning 10 days~~
1196 ~~before and ending 10 days after racing or jai alai~~ under the
1197 authority of the Division of Pari-mutuel Wagering of the
1198 Department of Business and Professional Regulation ~~is conducted~~
1199 ~~at such racetrack or jai alai fronton~~. Except as in this
1200 subsection otherwise provided, caterers licensed hereunder shall
1201 be treated as vendors licensed to sell by the drink the
1202 beverages mentioned herein and shall be subject to all the
1203 provisions hereof relating to such vendors.

1204 Section 34. Subsection (5), paragraphs (a) and (b) of
1205 subsection (7), paragraph (d) of subsection (13), and subsection
1206 (16) of section 849.086, Florida Statutes, are amended to read:

1207 849.086 Cardrooms authorized.—

1208 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
1209 operate a cardroom in this state unless such person holds a
1210 valid cardroom license issued pursuant to this section.

1211 (a) Only those persons holding a valid cardroom license
1212 issued by the division may operate a cardroom. A cardroom
1213 license may only be issued to a licensed pari-mutuel
1214 permitholder and an authorized cardroom may only be operated at
1215 the same facility at which the permitholder is authorized under
1216 its valid pari-mutuel wagering permit to conduct pari-mutuel
1217 wagering activities. An initial cardroom license shall be issued
1218 to a pari-mutuel permitholder only after its facilities are in

20218Ae1

1219 place and after it conducts its first day of pari-mutuel
1220 activities on live racing or games.

1221 (b) After the initial cardroom license is granted, the
1222 application for the annual license renewal shall be made in
1223 conjunction with the applicant's annual application for its
1224 pari-mutuel license. If a permitholder has operated a cardroom
1225 during any of the 3 previous fiscal years and fails to include a
1226 renewal request for the operation of the cardroom in its annual
1227 application for license renewal, the permitholder may amend its
1228 annual application to include operation of the cardroom.

1229 (c) Notwithstanding any other provision of law, a pari-
1230 mutuel permitholder, other than a permitholder issued a permit
1231 pursuant to s. 550.3345, may not be issued a license for the
1232 operation of a cardroom if the permitholder did not hold an
1233 operating license for the conduct of pari-mutuel wagering for
1234 fiscal year 2020-2021. In order for an initial cardroom license
1235 to be issued to a thoroughbred permitholder issued a permit
1236 pursuant s. 550.3345, the applicant must have requested, as part
1237 of its pari-mutuel annual license application, to conduct at
1238 least a full schedule of live racing. In order for a cardroom
1239 license to be renewed by a thoroughbred permitholder, the
1240 applicant must have requested, as part of its pari-mutuel annual
1241 license application, to conduct at least 90 percent of the total
1242 number of live performances conducted by such permitholder
1243 during either the state fiscal year in which its initial
1244 cardroom license was issued or the state fiscal year immediately
1245 prior thereto if the permitholder ran at least a full schedule
1246 of live racing or games in the prior year. ~~If the application is~~
1247 ~~for a harness permitholder cardroom, the applicant must have~~

20218Ae1

1248 ~~requested authorization to conduct a minimum of 140 live~~
1249 ~~performances during the state fiscal year immediately prior~~
1250 ~~thereto. If more than one permitholder is operating at a~~
1251 ~~facility, each permitholder must have applied for a license to~~
1252 ~~conduct a full schedule of live racing.~~

1253 (d)~~(e)~~ Persons seeking a license or a renewal thereof to
1254 operate a cardroom shall make application on forms prescribed by
1255 the division. Applications for cardroom licenses shall contain
1256 all of the information the division, by rule, may determine is
1257 required to ensure eligibility.

1258 (e)~~(d)~~ The annual cardroom license fee for each facility
1259 shall be \$1,000 for each table to be operated at the cardroom.
1260 The license fee shall be deposited by the division with the
1261 Chief Financial Officer to the credit of the Pari-mutuel
1262 Wagering Trust Fund.

1263 (7) CONDITIONS FOR OPERATING A CARDROOM.—

1264 (a) A cardroom may be operated only at the location
1265 specified on the cardroom license issued by the division, and
1266 such location may only be the location at which the pari-mutuel
1267 permitholder is authorized to conduct pari-mutuel wagering
1268 activities pursuant to such permitholder's valid pari-mutuel
1269 permit or as otherwise authorized by law. ~~Cardroom operations~~
1270 ~~may not be allowed beyond the hours provided in paragraph (b)~~
1271 ~~regardless of the number of cardroom licenses issued for~~
1272 ~~permitholders operating at the pari-mutuel facility.~~

1273 (b) Any cardroom operator may operate a cardroom at the
1274 pari-mutuel facility daily throughout the year, if the
1275 permitholder meets the requirements under paragraph (5) (b). The
1276 cardroom may be open ~~a cumulative amount of 18 hours per day on~~

20218Ae1

1277 ~~Monday through Friday and 24 hours per day on Saturday and~~
1278 ~~Sunday and on the holidays specified in s. 110.117(1).~~

1279 (13) TAXES AND OTHER PAYMENTS.—

1280 (d)1. Each ~~greyhound and~~ jai alai permitholder that
1281 conducts live performances and operates a cardroom facility
1282 shall use at least 4 percent of such permitholder's cardroom
1283 monthly gross receipts to supplement ~~greyhound purses or jai~~
1284 ~~alai prize money, respectively,~~ during the permitholder's next
1285 ensuing pari-mutuel meet.

1286 2. Each thoroughbred permitholder or ~~and~~ harness horse
1287 racing permitholder that conducts live performances and operates
1288 a cardroom facility shall use at least 50 percent of such
1289 permitholder's cardroom monthly net proceeds as follows: 47
1290 percent to supplement purses and 3 percent to supplement
1291 breeders' awards during the permitholder's next ensuing racing
1292 meet.

1293 3. No cardroom license or renewal thereof shall be issued
1294 to an applicant holding a permit under chapter 550 to conduct
1295 pari-mutuel wagering meets of quarter horse racing and
1296 conducting live performances unless the applicant has on file
1297 with the division a binding written agreement between the
1298 applicant and the Florida Quarter Horse Racing Association or
1299 the association representing a majority of the horse owners and
1300 trainers at the applicant's eligible facility, governing the
1301 payment of purses on live quarter horse races conducted at the
1302 licensee's pari-mutuel facility. The agreement governing purses
1303 may direct the payment of such purses from revenues generated by
1304 any wagering or gaming the applicant is authorized to conduct
1305 under Florida law. All purses shall be subject to the terms of

20218Ae1

1306 chapter 550.

1307 (16) LOCAL GOVERNMENT APPROVAL.—

1308 (a) The Division of Pari-mutuel Wagering shall not issue
1309 any initial license under this section except upon proof in such
1310 form as the division may prescribe that the local government
1311 where the applicant for such license desires to conduct cardroom
1312 gaming has voted to approve such activity by a majority vote of
1313 the governing body of the municipality or the governing body of
1314 the county if the facility is not located in a municipality.

1315 (b) Notwithstanding any other provision of law, a
1316 municipality may prohibit the establishment of a cardroom on or
1317 after July 1, 2021, within its jurisdiction. This paragraph does
1318 not apply to a licensed pari-mutuel permitholder who held an
1319 operating license for the conduct of pari-mutuel wagering for
1320 fiscal year 2020-2021 in the municipality's jurisdiction or to a
1321 cardroom that was previously approved by the municipality.

1322 Section 35. Effective October 1, 2021, section 849.14,
1323 Florida Statutes, is amended to read:

1324 849.14 Unlawful to bet on result of trial or contest of
1325 skill, etc.—Whoever stakes, bets or wagers any money or other
1326 thing of value upon the result of any trial or contest of skill,
1327 speed or power or endurance of human or beast, or whoever
1328 receives in any manner whatsoever any money or other thing of
1329 value staked, bet or wagered, or offered for the purpose of
1330 being staked, bet or wagered, by or for any other person upon
1331 any such result, or whoever knowingly becomes the custodian or
1332 depositary of any money or other thing of value so staked, bet,
1333 or wagered upon any such result, or whoever aids, or assists, or
1334 abets, or influences in any manner in any of such acts all of

20218Ae1

1335 which are hereby forbidden, ~~commits shall be guilty of a felony~~
1336 ~~misdemeanor~~ of the third ~~second~~ degree, punishable as provided
1337 in s. 775.082 or s. 775.083.

1338 Section 36. Section 849.142, Florida Statutes, is created
1339 to read:

1340 849.142 Exempted activities.—Sections 849.01, 849.08,
1341 849.09, 849.11, 849.14, and 849.25 do not apply to participation
1342 in or the conduct of any of the following activities:

1343 (1) Gaming activities authorized under s. 285.710(13) and
1344 conducted pursuant to a gaming compact ratified and approved
1345 under s. 285.710(3).

1346 (2) Amusement games conducted pursuant to chapter 546.

1347 (3) Pari-mutuel wagering conducted pursuant to chapter 550.

1348 (4) Slot machine gaming conducted pursuant to chapter 551.

1349 (5) Games conducted pursuant to s. 849.086.

1350 (6) Bingo games conducted pursuant to s. 849.0931.

1351 Section 37. Effective October 1, 2021, section 849.251,
1352 Florida Statutes, is created to read:

1353 849.251 Wagering, aiding, abetting, or conniving to race or
1354 wager on greyhounds or other dogs; penalty.—

1355 (1) A person in this state may not wager or accept money or
1356 any other thing of value on the outcome of a live dog race
1357 occurring in this state. A person who violates this subsection
1358 commits a misdemeanor of the first degree, punishable as
1359 provided in s. 775.082 or s. 775.083. A person who commits a
1360 second or subsequent violation commits a felony of the third
1361 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1362 775.084.

1363 (2) Any person who aids, abets, influences, or has any

20218Ae1

1364 understanding or connivance with any person associated with or
1365 interested in any race of or wager on greyhounds or other dogs
1366 in this state, to organize or arrange a race of or wager on
1367 greyhounds or other dogs in this state, commits a misdemeanor of
1368 the first degree, punishable as provided in s. 775.082 or s.
1369 775.083. A person who commits a second or subsequent violation
1370 commits a felony of the third degree, punishable as provided in
1371 s. 775.082, s. 775.083, or s. 775.084.

1372 (3) Notwithstanding the provisions of s. 948.01, any person
1373 convicted under subsection (1) or subsection (2) may not have
1374 adjudication of guilt suspended, deferred, or withheld.

1375 (4) This section does not apply to pari-mutuel wagering
1376 authorized under chapter 550.

1377 Section 38. For the purpose of incorporating the amendment
1378 made by this act to section 550.002, Florida Statutes, in a
1379 reference thereto, paragraph (c) of subsection (2) of section
1380 380.0651, Florida Statutes, is reenacted to read:

1381 380.0651 Statewide guidelines, standards, and exemptions.—

1382 (2) STATUTORY EXEMPTIONS.—The following developments are
1383 exempt from s. 380.06:

1384 (c) Any proposed addition to an existing sports facility
1385 complex if the addition meets the following characteristics:

- 1386 1. It would not operate concurrently with the scheduled
1387 hours of operation of the existing facility;
 - 1388 2. Its seating capacity would be no more than 75 percent of
1389 the capacity of the existing facility; and
 - 1390 3. The sports facility complex property was owned by a
1391 public body before July 1, 1983.
- 1392

20218Ae1

1393 This exemption does not apply to any pari-mutuel facility as
1394 defined in s. 550.002.

1395

1396 If a use is exempt from review pursuant to paragraphs (a)-(u),
1397 but will be part of a larger project that is subject to review
1398 pursuant to s. 380.06(12), the impact of the exempt use must be
1399 included in the review of the larger project, unless such exempt
1400 use involves a development that includes a landowner, tenant, or
1401 user that has entered into a funding agreement with the state
1402 land planning agency under the Innovation Incentive Program and
1403 the agreement contemplates a state award of at least \$50
1404 million.

1405 Section 39. For the purpose of incorporating the amendment
1406 made by this act to section 550.002, Florida Statutes, in a
1407 reference thereto, paragraph (c) of subsection (4) of section
1408 402.82, Florida Statutes, is reenacted to read:

1409 402.82 Electronic benefits transfer program.—

1410 (4) Use or acceptance of an electronic benefits transfer
1411 card is prohibited at the following locations or for the
1412 following activities:

1413 (c) A pari-mutuel facility as defined in s. 550.002.

1414 Section 40. For the purpose of incorporating the amendment
1415 made by this act to section 550.002, Florida Statutes, in a
1416 reference thereto, subsection (1) of section 480.0475, Florida
1417 Statutes, is reenacted to read:

1418 480.0475 Massage establishments; prohibited practices.—

1419 (1) A person may not operate a massage establishment
1420 between the hours of midnight and 5 a.m. This subsection does
1421 not apply to a massage establishment:

20218Ae1

1422 (a) Located on the premises of a health care facility as
1423 defined in s. 408.07; a health care clinic as defined in s.
1424 400.9905(4); a hotel, motel, or bed and breakfast inn, as those
1425 terms are defined in s. 509.242; a timeshare property as defined
1426 in s. 721.05; a public airport as defined in s. 330.27; or a
1427 pari-mutuel facility as defined in s. 550.002;

1428 (b) In which every massage performed between the hours of
1429 midnight and 5 a.m. is performed by a massage therapist acting
1430 under the prescription of a physician or physician assistant
1431 licensed under chapter 458, an osteopathic physician or
1432 physician assistant licensed under chapter 459, a chiropractic
1433 physician licensed under chapter 460, a podiatric physician
1434 licensed under chapter 461, an advanced practice registered
1435 nurse licensed under part I of chapter 464, or a dentist
1436 licensed under chapter 466; or

1437 (c) Operating during a special event if the county or
1438 municipality in which the establishment operates has approved
1439 such operation during the special event.

1440 Section 41. If any provision of this act or its application
1441 to any person or circumstance is held invalid, the invalidity
1442 does not affect other provisions or applications of the act
1443 which can be given effect without the invalid provision or
1444 application, and to this end the provisions of this act are
1445 severable.

1446 Section 42. Except as otherwise expressly provided in this
1447 act, this act shall take effect on the same date that SB 2A or
1448 similar legislation takes effect, if such legislation is adopted
1449 in the same legislative session or an extension thereof and
1450 becomes a law.