

1                   A reviser's bill to be entitled  
 2           An act relating to the Florida Statutes; amending ss.  
 3           16.71, 16.712, 16.713, 16.715, 20.165, 550.002,  
 4           550.0115, 550.01215, 550.0235, 550.0251, 550.0351,  
 5           550.054, 550.0555, 550.0651, 550.0951, 550.09511,  
 6           550.09512, 550.09514, 550.09515, 550.105, 550.1155,  
 7           550.125, 550.155, 550.175, 550.1815, 550.24055,  
 8           550.2415, 550.2614, 550.26165, 550.2625, 550.26352,  
 9           550.2704, 550.334, 550.3345, 550.3355, 550.3551,  
 10          550.3615, 550.375, 550.495, 550.505, 550.5251,  
 11          550.625, 550.6305, 550.6308, 550.70, 550.902, 551.102,  
 12          551.103, 551.104, 551.1045, 551.105, 551.106, 551.107,  
 13          551.108, 551.109, 551.112, 551.114, 551.117, 551.118,  
 14          551.121, 551.122, 551.123, 565.02, 817.37, and  
 15          849.086, F.S., to conform to the directive of the  
 16          Legislature to the Division of Law Revision in s. 13,  
 17          ch. 2021-269, Laws of Florida, to replace references  
 18          to the Division of Pari-mutuel Wagering and references  
 19          to the Department of Business and Professional  
 20          Regulation relating to gaming with references to the  
 21          Florida Gaming Control Commission to conform the  
 22          Florida Statutes to the transfer of duties in s. 11,  
 23          ch. 2021-269; providing an effective date.

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

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Section 1. Paragraph (b) of subsection (3) of section 16.71, Florida Statutes, is amended to read:

16.71 Florida Gaming Control Commission; creation; meetings; membership.—

(3) REQUIREMENTS FOR APPOINTMENT; PROHIBITIONS.—

(b) The Governor may not solicit or request any nominations, recommendations, or communications about potential candidates for appointment to the commission from:

1. Any person that holds a permit or license issued under chapter 550, or a license issued under chapter 551 or chapter 849; an officer, official, or employee of such permitholder or licensee; or an ultimate equitable owner, as defined in s. 550.002(36) ~~s. 550.002(37)~~, of such permitholder or licensee;

2. Any officer, official, employee, or other person with duties or responsibilities relating to a gaming operation owned by an Indian tribe that has a valid and active compact with the state; a contractor or subcontractor of such tribe or an entity employed, licensed, or contracted by such tribe; or an ultimate equitable owner, as defined in s. 550.002(36) ~~s. 550.002(37)~~, of such entity; or

3. Any registered lobbyist for the executive or legislative branch who represents any person or entity identified in subparagraph 1. or subparagraph 2.

Section 2. Paragraphs (f), (g), and (h) of subsection (1)

51 of section 16.712, Florida Statutes, are amended to read:

52 16.712 Florida Gaming Control Commission authorizations,  
53 duties, and responsibilities.—

54 (1) The commission shall do all of the following:

55 (f) Review any matter within the scope of the jurisdiction  
56 of the commission ~~Division of Pari-mutuel Wagering~~.

57 (g) Review the regulation of licensees, permitholders, or  
58 persons regulated by the commission ~~Division of Pari-mutuel~~  
59 ~~Wagering~~ and the procedures used by the commission ~~division~~ to  
60 implement and enforce the law.

61 (h) Review the procedures of the commission ~~Division of~~  
62 ~~Pari-mutuel Wagering~~ which are used to qualify applicants  
63 applying for a license, permit, or registration.

64 Section 3. Paragraphs (a) and (b) of subsection (2) of  
65 section 16.713, Florida Statutes, are amended to read:

66 16.713 Florida Gaming Control Commission; appointment and  
67 employment restrictions.—

68 (2) PROHIBITIONS FOR EMPLOYEES AND COMMISSIONERS; PERSONS  
69 INELIGIBLE FOR APPOINTMENT TO AND EMPLOYMENT WITH THE  
70 COMMISSION.—

71 (a) A person may not, for the 2 years immediately  
72 preceding the date of appointment to or employment with the  
73 commission and while appointed to or employed with the  
74 commission:

75 1. Hold a permit or license issued under chapter 550 or a

76 | license issued under chapter 551 or chapter 849; be an officer,  
 77 | official, or employee of such permitholder or licensee; or be an  
 78 | ultimate equitable owner, as defined in s. 550.002(36) ~~s.~~  
 79 | ~~550.002(37)~~, of such permitholder or licensee;

80 |         2. Be an officer, official, employee, or other person with  
 81 | duties or responsibilities relating to a gaming operation owned  
 82 | by an Indian tribe that has a valid and active compact with the  
 83 | state; be a contractor or subcontractor of such tribe or an  
 84 | entity employed, licensed, or contracted by such tribe; or be an  
 85 | ultimate equitable owner, as defined in s. 550.002(36) ~~s.~~  
 86 | ~~550.002(37)~~, of such entity;

87 |         3. Be a registered lobbyist for the executive or  
 88 | legislative branch, except while a commissioner or employee of  
 89 | the commission when officially representing the commission; or

90 |         4. Be a bingo game operator or an employee of a bingo game  
 91 | operator.

92 |         (b) A person is ineligible for appointment to or  
 93 | employment with the commission if, within the 2 years  
 94 | immediately preceding such appointment or employment, he or she  
 95 | violated paragraph (a) or solicited or accepted employment with,  
 96 | acquired any direct or indirect interest in, or had any direct  
 97 | or indirect business association, partnership, or financial  
 98 | relationship with, or is a relative of:

99 |             1. Any person or entity who is an applicant, licensee, or  
 100 | registrant with the ~~Division of Pari-mutuel Wagering or the~~

101 | commission; or

102 |         2. Any officer, official, employee, or other person with  
 103 | duties or responsibilities relating to a gaming operation owned  
 104 | by an Indian tribe that has a valid and active compact with the  
 105 | state; any contractor or subcontractor of such tribe or an  
 106 | entity employed, licensed, or contracted by such tribe; or any  
 107 | ultimate equitable owner, as defined in s. 550.002(36) ~~s.~~  
 108 | ~~550.002(37)~~, of such entity.

109 |  
 110 | For the purposes of this subsection, the term "relative" means a  
 111 | spouse, father, mother, son, daughter, grandfather, grandmother,  
 112 | brother, sister, uncle, aunt, cousin, nephew, niece, father-in-  
 113 | law, mother-in-law, son-in-law, daughter-in-law, brother-in-law,  
 114 | sister-in-law, stepfather, stepmother, stepson, stepdaughter,  
 115 | stepbrother, stepsister, half-brother, or half-sister.

116 |         Section 4. Paragraphs (b) and (c) of subsection (2) of  
 117 | section 16.715, Florida Statutes, are amended to read:

118 |         16.715 Florida Gaming Control Commission standards of  
 119 | conduct; ex parte communications.—

120 |         (2) FORMER COMMISSIONERS AND EMPLOYEES.—

121 |         (b) A commissioner may not, for the 2 years immediately  
 122 | following the date of resignation or termination from the  
 123 | commission:

124 |         1. Hold a permit or license issued under chapter 550, or a  
 125 | license issued under chapter 551 or chapter 849; be an officer,

126 official, or employee of such permitholder or licensee; or be an  
 127 ultimate equitable owner, as defined in s. 550.002(36) ~~s.~~  
 128 ~~550.002(37)~~, of such permitholder or licensee;

129 2. Accept employment by or compensation from a business  
 130 entity that, directly or indirectly, owns or controls a person  
 131 regulated by the commission; from a person regulated by the  
 132 commission; from a business entity which, directly or  
 133 indirectly, is an affiliate or subsidiary of a person regulated  
 134 by the commission; or from a business entity or trade  
 135 association that has been a party to a commission proceeding  
 136 within the 2 years preceding the member's resignation or  
 137 termination of service on the commission; or

138 3. Be a bingo game operator or an employee of a bingo game  
 139 operator.

140 (c) A person employed by the commission may not, for the 2  
 141 years immediately following the date of termination or  
 142 resignation from employment with the commission:

143 1. Hold a permit or license issued under chapter 550, or a  
 144 license issued under chapter 551 or chapter 849; be an officer,  
 145 official, or employee of such permitholder or licensee; or be an  
 146 ultimate equitable owner, as defined in s. 550.002(36) ~~s.~~  
 147 ~~550.002(37)~~, of such permitholder or licensee; or

148 2. Be a bingo game operator or an employee of a bingo game  
 149 operator.

150 Section 5. Paragraph (g) of subsection (2) of section

151 20.165, Florida Statutes, is amended to read:

152 20.165 Department of Business and Professional  
 153 Regulation.—There is created a Department of Business and  
 154 Professional Regulation.

155 (2) The following divisions of the Department of Business  
 156 and Professional Regulation are established:

157 ~~(g) Division of Pari-mutuel Wagering.~~

158 Section 6. Subsections (8) through (10) and (12) through  
 159 (39) of section 550.002, Florida Statutes, are redesignated as  
 160 subsections (7) through (9) and subsections (11) through (38),  
 161 respectively, present subsections (4), (5), (6), (7), and (11)  
 162 of that section are amended, and a new subsection (4) is added  
 163 to that section, to read:

164 550.002 Definitions.—As used in this chapter, the term:

165 (4) "Commission" means the Florida Gaming Control  
 166 Commission.

167 (5)~~(4)~~ "Contributor" means a person who contributes to a  
 168 pari-mutuel pool by engaging in any pari-mutuel wager pursuant  
 169 to this chapter.

170 (6)~~(5)~~ "Current meet" or "current race meet" means the  
 171 conduct of racing or games pursuant to a current year's  
 172 operating license issued by the commission ~~division~~.

173 ~~(6) "Department" means the Department of Business and~~  
 174 ~~Professional Regulation.~~

175 ~~(7) "Division" means the Division of Pari-mutuel Wagering~~

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176 | ~~within the Department of Business and Professional Regulation.~~  
177 |        (10)~~(11)~~ "Full schedule of live racing or games" means,  
178 | for a jai alai permitholder, the conduct of a combination of at  
179 | least 100 live evening or matinee performances during the  
180 | preceding year; for a permitholder who has a converted permit or  
181 | filed an application on or before June 1, 1990, for a converted  
182 | permit, the conduct of a combination of at least 100 live  
183 | evening and matinee wagering performances during either of the 2  
184 | preceding years; for a jai alai permitholder who does not  
185 | operate slot machines in its pari-mutuel facility, who has  
186 | conducted at least 100 live performances per year for at least  
187 | 10 years after December 31, 1992, and whose handle on live jai  
188 | alai games conducted at its pari-mutuel facility has been less  
189 | than \$4 million per state fiscal year for at least 2 consecutive  
190 | years after June 30, 1992, the conduct of a combination of at  
191 | least 40 live evening or matinee performances during the  
192 | preceding year; for a jai alai permitholder who operates slot  
193 | machines in its pari-mutuel facility, the conduct of a  
194 | combination of at least 150 performances during the preceding  
195 | year; for a harness permitholder, the conduct of at least 100  
196 | live regular wagering performances during the preceding year;  
197 | for a quarter horse permitholder at its facility unless an  
198 | alternative schedule of at least 20 live regular wagering  
199 | performances is agreed upon by the permitholder and either the  
200 | Florida Quarter Horse Racing Association or the horsemen's



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201 association representing the majority of the quarter horse  
202 owners and trainers at the facility and filed with the  
203 commission ~~division~~ along with its annual date application, in  
204 the 2010-2011 fiscal year, the conduct of at least 20 regular  
205 wagering performances, in the 2011-2012 and 2012-2013 fiscal  
206 years, the conduct of at least 30 live regular wagering  
207 performances, and for every fiscal year after the 2012-2013  
208 fiscal year, the conduct of at least 40 live regular wagering  
209 performances; for a quarter horse permitholder leasing another  
210 licensed racetrack, the conduct of 160 events at the leased  
211 facility; and for a thoroughbred permitholder, the conduct of at  
212 least 40 live regular wagering performances during the preceding  
213 year. For a permitholder which is restricted by statute to  
214 certain operating periods within the year when other members of  
215 its same class of permit are authorized to operate throughout  
216 the year, the specified number of live performances which  
217 constitute a full schedule of live racing or games shall be  
218 adjusted pro rata in accordance with the relationship between  
219 its authorized operating period and the full calendar year and  
220 the resulting specified number of live performances shall  
221 constitute the full schedule of live games for such permitholder  
222 and all other permitholders of the same class within 100 air  
223 miles of such permitholder. A live performance must consist of  
224 no fewer than eight races or games conducted live for each of a  
225 minimum of three performances each week at the permitholder's

226 licensed facility under a single admission charge.

227 Section 7. Section 550.0115, Florida Statutes, is amended  
 228 to read:

229 550.0115 Permitholder operating license.—After a permit  
 230 has been issued by the commission ~~division~~, and after the permit  
 231 has been approved by election, the commission ~~division~~ shall  
 232 issue to the permitholder an annual operating license to conduct  
 233 pari-mutuel wagering at the location specified in the permit  
 234 pursuant to the provisions of this chapter.

235 Section 8. Section 550.01215, Florida Statutes, is amended  
 236 to read:

237 550.01215 License application; periods of operation;  
 238 license fees; bond.—

239 (1) Each permitholder shall annually, during the period  
 240 between December 15 and January 4, file in writing with the  
 241 commission ~~division~~ its application for an operating license for  
 242 a pari-mutuel facility for the conduct of pari-mutuel wagering  
 243 during the next state fiscal year, including intertrack and  
 244 simulcast race wagering. Each application for live performances  
 245 must specify the number, dates, and starting times of all live  
 246 performances that the permitholder intends to conduct. It must  
 247 also specify which performances will be conducted as charity or  
 248 scholarship performances.

249 (a) Each application for an operating license also must  
 250 include:

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

253 2. For each permitholder that elects to operate a  
254 cardroom, the dates and periods of operation the permitholder  
255 intends to operate the cardroom.

256 3. For each thoroughbred racing permitholder that elects  
257 to receive or rebroadcast out-of-state races, the dates for all  
258 performances that the permitholder intends to conduct.

259 (b)1. A greyhound permitholder may not conduct live  
260 racing. A jai alai permitholder, harness horse racing  
261 permitholder, or quarter horse racing permitholder may elect not  
262 to conduct live racing or games. A thoroughbred permitholder  
263 must conduct live racing. A greyhound permitholder, jai alai  
264 permitholder, harness horse racing permitholder, or quarter  
265 horse racing permitholder that does not conduct live racing or  
266 games retains its permit; is a pari-mutuel facility as defined  
267 in s. 550.002(22) ~~s. 550.002(23)~~; if such permitholder has been  
268 issued a slot machine license, the facility where such permit is  
269 located remains an eligible facility as defined in s.  
270 551.102(4), continues to be eligible for a slot machine license  
271 pursuant to s. 551.104(3), and is exempt from ss. 551.104(4)(c)  
272 and (10) and 551.114(2); is eligible, but not required, to be a  
273 guest track and, if the permitholder is a harness horse racing  
274 permitholder, to be a host track for purposes of intertrack  
275 wagering and simulcasting pursuant to ss. 550.3551, 550.615,

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276 550.625, and 550.6305; and remains eligible for a cardroom  
277 license.

278 2. A permitholder or licensee may not conduct live  
279 greyhound racing or dogracing in connection with any wager for  
280 money or any other thing of value in the state. The commission  
281 ~~division~~ may deny, suspend, or revoke any permit or license  
282 under this chapter if a permitholder or licensee conducts live  
283 greyhound racing or dogracing in violation of this subparagraph.  
284 In addition to, or in lieu of, denial, suspension, or revocation  
285 of such permit or license, the commission ~~division~~ may impose a  
286 civil penalty of up to \$5,000 against the permitholder or  
287 licensee for a violation of this subparagraph. All penalties  
288 imposed and collected must be deposited with the Chief Financial  
289 Officer to the credit of the General Revenue Fund.

290 (c) Permitholders may amend their applications through  
291 February 28.

292 (d) Notwithstanding any other provision of law, other than  
293 a permitholder issued a permit pursuant to s. 550.3345, a pari-  
294 mutuel permitholder may not be issued an operating license for  
295 the conduct of pari-mutuel wagering, slot machine gaming, or the  
296 operation of a cardroom if the permitholder did not hold an  
297 operating license for the conduct of pari-mutuel wagering for  
298 fiscal year 2020-2021.

299 (2) After the first license has been issued to a  
300 permitholder, all subsequent annual applications for a license

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301 shall be accompanied by proof, in such form as the commission  
302 ~~division~~ may by rule require, that the permitholder continues to  
303 possess the qualifications prescribed by this chapter, and that  
304 the permit has not been disapproved at a later election.

305 (3) The commission ~~division~~ shall issue each license no  
306 later than March 15. Each permitholder shall operate all  
307 performances at the date and time specified on its license. The  
308 commission ~~division~~ shall have the authority to approve minor  
309 changes in racing dates after a license has been issued. The  
310 commission ~~division~~ may approve changes in racing dates after a  
311 license has been issued when there is no objection from any  
312 operating permitholder that is conducting live racing or games  
313 and that is located within 50 miles of the permitholder  
314 requesting the changes in operating dates. In the event of an  
315 objection, the commission ~~division~~ shall approve or disapprove  
316 the change in operating dates based upon the impact on operating  
317 permitholders located within 50 miles of the permitholder  
318 requesting the change in operating dates. In making the  
319 determination to change racing dates, the commission ~~division~~  
320 shall take into consideration the impact of such changes on  
321 state revenues. ~~Notwithstanding any other provision of law, and~~  
322 ~~for the 2021-2022 state fiscal year only, the division may~~  
323 ~~approve changes in operating dates for a jai alai permitholder,~~  
324 ~~harness horse racing permitholder, or quarter horse racing~~  
325 ~~permitholder if the request for such changes is received before~~

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326 ~~October 1, 2021.~~

327 (4) In the event that a permitholder fails to operate all  
328 performances specified on its license at the date and time  
329 specified, the commission ~~division~~ shall hold a hearing to  
330 determine whether to fine or suspend the permitholder's license,  
331 unless such failure was the direct result of fire, strike, war,  
332 hurricane, pandemic, or other disaster or event beyond the  
333 ability of the permitholder to control. Financial hardship to  
334 the permitholder shall not, in and of itself, constitute just  
335 cause for failure to operate all performances on the dates and  
336 at the times specified.

337 (5) In the event that performances licensed to be operated  
338 by a permitholder are vacated, abandoned, or will not be used  
339 for any reason, any permitholder shall be entitled, pursuant to  
340 rules adopted by the commission ~~division~~, to apply to conduct  
341 performances on the dates for which the performances have been  
342 abandoned. The commission ~~division~~ shall issue an amended  
343 license for all such replacement performances which have been  
344 requested in compliance with this chapter and commission  
345 ~~division~~ rules.

346 Section 9. Section 550.0235, Florida Statutes, is amended  
347 to read:

348 550.0235 Limitation of civil liability.—No permitholder  
349 licensed to conduct pari-mutuel wagering pursuant to the  
350 provisions of this chapter; no commissioner ~~division~~ ~~director~~ or

351 employee of the commission ~~division~~; and no steward, judge, or  
 352 other person appointed to act pursuant to this chapter shall be  
 353 held liable to any person, partnership, association,  
 354 corporation, or other business entity for any cause whatsoever  
 355 arising out of, or from, the performance by such permittee,  
 356 director, employee, steward, judge, or other person of her or  
 357 his duties and the exercise of her or his discretion with  
 358 respect to the implementation and enforcement of the statutes  
 359 and rules governing the conduct of pari-mutuel wagering, so long  
 360 as she or he acted in good faith. This section shall not limit  
 361 liability in any situation in which the negligent maintenance of  
 362 the premises or the negligent conduct of a race contributed to  
 363 an accident; nor shall it limit any contractual liability.

364 Section 10. Section 550.0251, Florida Statutes, is amended  
 365 to read:

366 550.0251 The powers and duties of the Florida Gaming  
 367 Control Commission ~~Division of Pari-mutuel Wagering of the~~  
 368 ~~Department of Business and Professional Regulation.~~—The  
 369 commission ~~division~~ shall administer this chapter and regulate  
 370 the pari-mutuel industry under this chapter and the rules  
 371 adopted pursuant thereto, and:

372 (1) The commission ~~division~~ shall make an annual report to  
 373 the Governor showing its own actions, receipts derived under the  
 374 provisions of this chapter, the practical effects of the  
 375 application of this chapter, and any suggestions it may approve

376 | for the more effectual accomplishments of the purposes of this  
377 | chapter.

378 |       (2) The commission ~~division~~ shall require an oath on  
379 | application documents as required by rule, which oath must state  
380 | that the information contained in the document is true and  
381 | complete.

382 |       (3) The commission ~~division~~ shall adopt reasonable rules  
383 | for the control, supervision, and direction of all applicants,  
384 | permittees, and licensees and for the holding, conducting, and  
385 | operating of all racetracks, race meets, and races held in this  
386 | state. Such rules must be uniform in their application and  
387 | effect, and the duty of exercising this control and power is  
388 | made mandatory upon the commission ~~division~~.

389 |       (4) The commission ~~division~~ may take testimony concerning  
390 | any matter within its jurisdiction and issue summons and  
391 | subpoenas for any witness and subpoenas duces tecum in  
392 | connection with any matter within the jurisdiction of the  
393 | commission ~~division~~ under its seal and signed by the director.

394 |       (5) The commission ~~division~~ may adopt rules establishing  
395 | procedures for testing occupational licenseholders officiating  
396 | at or participating in any race or game at any pari-mutuel  
397 | facility under the jurisdiction of the commission ~~division~~ for a  
398 | controlled substance or alcohol and may prescribe procedural  
399 | matters not in conflict with s. 120.80(4)(a).

400 |       (6) In addition to the power to exclude certain persons



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401 from any pari-mutuel facility in this state, the commission  
402 ~~division~~ may exclude any person from any and all pari-mutuel  
403 facilities in this state for conduct that would constitute, if  
404 the person were a licensee, a violation of this chapter or the  
405 rules of the commission ~~division~~. The commission ~~division~~ may  
406 exclude from any pari-mutuel facility within this state any  
407 person who has been ejected from a pari-mutuel facility in this  
408 state or who has been excluded from any pari-mutuel facility in  
409 another state by the governmental department, agency,  
410 commission, or authority exercising regulatory jurisdiction over  
411 pari-mutuel facilities in such other state. The commission  
412 ~~division~~ may authorize any person who has been ejected or  
413 excluded from pari-mutuel facilities in this state or another  
414 state to attend the pari-mutuel facilities in this state upon a  
415 finding that the attendance of such person at pari-mutuel  
416 facilities would not be adverse to the public interest or to the  
417 integrity of the sport or industry; however, this subsection  
418 shall not be construed to abrogate the common-law right of a  
419 pari-mutuel permitholder to exclude absolutely a patron in this  
420 state.

421 (7) The commission ~~division~~ may oversee the making of, and  
422 distribution from, all pari-mutuel pools.

423 (8) The commission ~~department~~ may collect taxes and  
424 require compliance with reporting requirements for financial  
425 information as authorized by this chapter. In addition, the

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426 ~~commission secretary of the department~~ may require permitholders  
427 conducting pari-mutuel operations within the state to remit  
428 taxes, including fees, by electronic funds transfer if the taxes  
429 and fees amounted to \$50,000 or more in the prior reporting  
430 year.

431 (9) The commission ~~division~~ may conduct investigations in  
432 enforcing this chapter, except that all information obtained  
433 pursuant to an investigation by the commission ~~division~~ for an  
434 alleged violation of this chapter or rules of the commission  
435 ~~division~~ is exempt from s. 119.07(1) and from s. 24(a), Art. I  
436 of the State Constitution until an administrative complaint is  
437 issued or the investigation is closed or ceases to be active.  
438 This subsection does not prohibit the commission ~~division~~ from  
439 providing such information to any law enforcement agency or to  
440 any other regulatory agency. For the purposes of this  
441 subsection, an investigation is considered to be active while it  
442 is being conducted with reasonable dispatch and with a  
443 reasonable, good faith belief that it could lead to an  
444 administrative, civil, or criminal action by the commission  
445 ~~division~~ or another administrative or law enforcement agency.  
446 Except for active criminal intelligence or criminal  
447 investigative information, as defined in s. 119.011, and any  
448 other information that, if disclosed, would jeopardize the  
449 safety of an individual, all information, records, and  
450 transcriptions become public when the investigation is closed or

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451 ceases to be active.

452 (10) The commission ~~division~~ may impose an administrative  
453 fine for a violation under this chapter of not more than \$1,000  
454 for each count or separate offense, except as otherwise provided  
455 in this chapter, and may suspend or revoke a permit, a pari-  
456 mutuel license, or an occupational license for a violation under  
457 this chapter. All fines imposed and collected under this  
458 subsection must be deposited with the Chief Financial Officer to  
459 the credit of the General Revenue Fund.

460 (11) The commission ~~division~~ shall supervise and regulate  
461 the welfare of racing animals at pari-mutuel facilities.

462 (12) The commission ~~division~~ shall have full authority and  
463 power to make, adopt, amend, or repeal rules relating to  
464 cardroom operations, to enforce and to carry out the provisions  
465 of s. 849.086, and to regulate the authorized cardroom  
466 activities in the state.

467 (13) The commission ~~division~~ shall have the authority to  
468 suspend a permitholder's permit or license, if such permitholder  
469 is operating a cardroom facility and such permitholder's  
470 cardroom license has been suspended or revoked pursuant to s.  
471 849.086.

472 Section 11. Subsections (1), (2), and (4), paragraphs (a)  
473 and (c) of subsection (6), and subsection (7) of section  
474 550.0351, Florida Statutes, are amended to read:

475 550.0351 Charity racing days.—

476 (1) The commission ~~division~~ shall, upon the request of a  
 477 permitholder, authorize each horseracing permitholder and jai  
 478 alai permitholder up to five charity or scholarship days in  
 479 addition to the regular racing days authorized by law.

480 (2) The proceeds of charity performances shall be paid to  
 481 qualified beneficiaries selected by the permitholders from an  
 482 authorized list of charities on file with the commission  
 483 ~~division~~. Eligible charities include any charity that provides  
 484 evidence of compliance with the provisions of chapter 496 and  
 485 evidence of possession of a valid exemption from federal  
 486 taxation issued by the Internal Revenue Service. In addition,  
 487 the authorized list must include the Racing Scholarship Trust  
 488 Fund, the Historical Resources Operating Trust Fund, major state  
 489 and private institutions of higher learning, and Florida  
 490 community colleges.

491 (4) The total of all profits derived from the conduct of a  
 492 charity day performance must include all revenues derived from  
 493 the conduct of that racing performance, including all state  
 494 taxes that would otherwise be due to the state, except that the  
 495 daily license fee as provided in s. 550.0951(1) and the breaks  
 496 for the promotional trust funds as provided in s. 550.2625(3),  
 497 (4), (5), (7), and (8) shall be paid to the commission ~~division~~.  
 498 All other revenues from the charity racing performance,  
 499 including the commissions, breaks, and admissions and the  
 500 revenues from parking, programs, and concessions, shall be

501 included in the total of all profits.

502 (6)(a) The commission ~~division~~ shall authorize one  
 503 additional scholarship day for horseracing in addition to the  
 504 regular racing days authorized by law and any additional days  
 505 authorized by this section, to be conducted at all horse  
 506 racetracks located in Hillsborough County. The permitholder  
 507 shall conduct a full schedule of racing on the scholarship day.

508 (c) When a charity or scholarship performance is conducted  
 509 as a matinee performance, the commission ~~division~~ may authorize  
 510 the permitholder to conduct the evening performances of that  
 511 operation day as a regular performance in addition to the  
 512 regular operating days authorized by law.

513 (7) In addition to the eligible charities that meet the  
 514 criteria set forth in this section, a jai alai permitholder is  
 515 authorized to conduct two additional charity performances each  
 516 fiscal year for a fund to benefit retired jai alai players. This  
 517 performance shall be known as the "Retired Jai Alai Players  
 518 Charity Day." The administration of this fund shall be  
 519 determined by rule by the commission ~~division~~.

520 Section 12. Subsections (1), (2), (3), (4), (5), (6), and  
 521 (7), paragraphs (a), (b), (c), and (e) of subsection (8),  
 522 subsections (9), (10), (11), and (12), paragraph (a) of  
 523 subsection (13), subsection (14), and paragraph (c) of  
 524 subsection (15) of section 550.054, Florida Statutes, are  
 525 amended to read:

526           550.054 Application for permit to conduct pari-mutuel  
527           wagering.—

528           (1) Any person who possesses the qualifications prescribed  
529           in this chapter may apply to the commission ~~division~~ for a  
530           permit to conduct pari-mutuel operations under this chapter.  
531           Applications for a pari-mutuel permit are exempt from the 90-day  
532           licensing requirement of s. 120.60. Within 120 days after  
533           receipt of a complete application, the commission ~~division~~ shall  
534           grant or deny the permit. A completed application that is not  
535           acted upon within 120 days after receipt is deemed approved, and  
536           the commission ~~division~~ shall grant the permit.

537           (2) Upon each application filed and approved, a permit  
538           shall be issued to the applicant setting forth the name of the  
539           permitholder, the location of the pari-mutuel facility, the type  
540           of pari-mutuel activity desired to be conducted, and a statement  
541           showing qualifications of the applicant to conduct pari-mutuel  
542           performances under this chapter; however, a permit is  
543           ineffectual to authorize any pari-mutuel performances until  
544           approved by a majority of the electors participating in a  
545           ratification election in the county in which the applicant  
546           proposes to conduct pari-mutuel wagering activities. In  
547           addition, an application may not be considered, nor may a permit  
548           be issued by the commission ~~division~~ or be voted upon in any  
549           county, to conduct horseraces, harness horse races, or pari-  
550           mutuel wagering at a location within 100 miles of an existing

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551 pari-mutuel facility, or for jai alai within 50 miles of an  
552 existing pari-mutuel facility; this distance shall be measured  
553 on a straight line from the nearest property line of one pari-  
554 mutuel facility to the nearest property line of the other  
555 facility.

556 (3) The commission ~~division~~ shall require that each  
557 applicant submit an application setting forth:

558 (a) The full name of the applicant.

559 (b) If a corporation, the name of the state in which  
560 incorporated and the names and addresses of the officers,  
561 directors, and shareholders holding 5 percent or more equity or,  
562 if a business entity other than a corporation, the names and  
563 addresses of the principals, partners, or shareholders holding 5  
564 percent or more equity.

565 (c) The names and addresses of the ultimate equitable  
566 owners for a corporation or other business entity, if different  
567 from those provided under paragraph (b), unless the securities  
568 of the corporation or entity are registered pursuant to s. 12 of  
569 the Securities Exchange Act of 1934, 15 U.S.C. ss. 78a-78kk; and  
570 if such corporation or entity files with the United States  
571 Securities and Exchange Commission the reports required by s. 13  
572 of that act or if the securities of the corporation or entity  
573 are regularly traded on an established securities market in the  
574 United States.

575 (d) The exact location where the applicant will conduct

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576 | pari-mutuel performances.

577 |       (e) Whether the pari-mutuel facility is owned or leased  
578 | and, if leased, the name and residence of the fee owner or, if a  
579 | corporation, the names and addresses of the directors and  
580 | stockholders thereof. However, this chapter does not prevent a  
581 | person from applying to the commission ~~division~~ for a permit to  
582 | conduct pari-mutuel operations, regardless of whether the pari-  
583 | mutuel facility has been constructed or not, and having an  
584 | election held in any county at the same time that elections are  
585 | held for the ratification of any permit in that county.

586 |       (f) A statement of the assets and liabilities of the  
587 | applicant.

588 |       (g) The names and addresses of any mortgagee of any pari-  
589 | mutuel facility and any financial agreement between the parties.  
590 | The commission ~~division~~ may require the names and addresses of  
591 | the officers and directors of the mortgagee, and of those  
592 | stockholders who hold more than 10 percent of the stock of the  
593 | mortgagee.

594 |       (h) A business plan for the first year of operation.

595 |       (i) For each individual listed in the application as an  
596 | owner, partner, officer, or director, a complete set of  
597 | fingerprints that has been taken by an authorized law  
598 | enforcement officer. These sets of fingerprints must be  
599 | submitted to the Federal Bureau of Investigation for processing.  
600 | Applicants who are foreign nationals shall submit such documents



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601 as necessary to allow the commission ~~division~~ to conduct  
602 criminal history records checks in the applicant's home country.  
603 The applicant must pay the cost of processing. The commission  
604 ~~division~~ may charge a \$2 handling fee for each set of  
605 fingerprint records.

606 (j) The type of pari-mutuel activity to be conducted and  
607 the desired period of operation.

608 (k) Other information the commission ~~division~~ requires.

609 (4) The commission ~~division~~ shall require each applicant  
610 to deposit with the board of county commissioners of the county  
611 in which the election is to be held, a sufficient sum, in  
612 currency or by check certified by a bank licensed to do business  
613 in the state to pay the expenses of holding the election  
614 provided in s. 550.0651.

615 (5) Upon receiving an application and any amendments  
616 properly made thereto, the commission ~~division~~ shall further  
617 investigate the matters contained in the application. If the  
618 applicant meets all requirements, conditions, and qualifications  
619 set forth in this chapter and the rules of the commission  
620 ~~division~~, the commission ~~division~~ shall grant the permit.

621 (6) After initial approval of the permit and the source of  
622 financing, the terms and parties of any subsequent refinancing  
623 must be disclosed by the applicant or the permitholder to the  
624 commission ~~division~~.

625 (7) If the commission ~~division~~ refuses to grant the

626 permit, the money deposited with the board of county  
627 commissioners for holding the election must be refunded to the  
628 applicant. If the commission ~~division~~ grants the permit applied  
629 for, the board of county commissioners shall order an election  
630 in the county to decide whether the permit will be approved, as  
631 provided in s. 550.0651.

632 (8)(a) The commission ~~division~~ may charge the applicant  
633 for reasonable, anticipated costs incurred by the commission  
634 ~~division~~ in determining the eligibility of any person or entity  
635 specified in s. 550.1815(1)(a) to hold any pari-mutuel permit,  
636 against such person or entity.

637 (b) The commission ~~division~~ may, by rule, determine the  
638 manner of paying its anticipated costs associated with  
639 determination of eligibility and the procedure for filing  
640 applications for determination of eligibility.

641 (c) The commission ~~division~~ shall furnish to the applicant  
642 an itemized statement of actual costs incurred during the  
643 investigation to determine eligibility.

644 (e) If the actual costs of investigation exceed  
645 anticipated costs, the commission ~~division~~ shall assess the  
646 applicant the amount necessary to recover all actual costs.

647 (9)(a) After a permit has been granted by the commission  
648 ~~division~~ and has been ratified and approved by the majority of  
649 the electors participating in the election in the county  
650 designated in the permit, the commission ~~division~~ shall grant to

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651 the lawful permitholder, subject to the conditions of this  
652 chapter, a license to conduct pari-mutuel operations under this  
653 chapter, and, except as provided in s. 550.5251, the commission  
654 ~~division~~ shall fix annually the time, place, and number of days  
655 during which pari-mutuel operations may be conducted by the  
656 permitholder at the location fixed in the permit and ratified in  
657 the election. After the first license has been issued to the  
658 holder of a ratified permit for racing in any county, all  
659 subsequent annual applications for a license by that  
660 permitholder must be accompanied by proof, in such form as the  
661 commission ~~division~~ requires, that the ratified permitholder  
662 still possesses all the qualifications prescribed by this  
663 chapter and that the permit has not been recalled at a later  
664 election held in the county.

665 (b) The commission ~~division~~ may revoke or suspend any  
666 permit or license issued under this chapter upon the willful  
667 violation by the permitholder or licensee of any provision of  
668 this chapter or of any rule adopted under this chapter. In lieu  
669 of suspending or revoking a permit or license, the commission  
670 ~~division~~ may impose a civil penalty against the permitholder or  
671 licensee for a violation of this chapter or any rule adopted by  
672 the commission ~~division~~. The penalty so imposed may not exceed  
673 \$1,000 for each count or separate offense. All penalties imposed  
674 and collected must be deposited with the Chief Financial Officer  
675 to the credit of the General Revenue Fund.

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676           (c) The commission ~~division~~ shall revoke the permit of any  
677     permitholder, other than a permitholder issued a permit pursuant  
678     to s. 550.3345, who did not hold an operating license for the  
679     conduct of pari-mutuel wagering for fiscal year 2020-2021. A  
680     permit revoked under this paragraph is void and may not be  
681     reissued.

682           (10) If a permitholder has failed to complete construction  
683     of at least 50 percent of the facilities necessary to conduct  
684     pari-mutuel operations within 12 months after approval by the  
685     voters of the permit, the commission ~~division~~ shall revoke the  
686     permit upon adequate notice to the permitholder. However, the  
687     commission ~~division~~, upon good cause shown by the permitholder,  
688     may grant one extension of up to 12 months.

689           (11) (a) A permit granted under this chapter may not be  
690     transferred or assigned except upon written approval by the  
691     commission ~~division~~ pursuant to s. 550.1815, except that the  
692     holder of any permit that has been converted to a jai alai  
693     permit may lease or build anywhere within the county in which  
694     its permit is located.

695           (b) If a permit to conduct pari-mutuel wagering is held by  
696     a corporation or business entity other than an individual, the  
697     transfer of 10 percent or more of the stock or other evidence of  
698     ownership or equity in the permitholder may not be made without  
699     the prior approval of the transferee by the commission ~~division~~  
700     pursuant to s. 550.1815.

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701           (12) Changes in ownership or interest of a pari-mutuel  
702 permit of 5 percent or more of the stock or other evidence of  
703 ownership or equity in the permitholder shall be approved by the  
704 commission ~~division~~ prior to such change, unless the owner is an  
705 existing owner of that permit who was previously approved by the  
706 commission ~~division~~. Changes in ownership or interest of a pari-  
707 mutuel permit of less than 5 percent shall be reported to the  
708 commission ~~division~~ within 20 days of the change. The commission  
709 ~~division~~ may then conduct an investigation to ensure that the  
710 permit is properly updated to show the change in ownership or  
711 interest.

712           (13) (a) Notwithstanding any provisions of this chapter, no  
713 thoroughbred horse racing permit or license issued under this  
714 chapter shall be transferred, or reissued when such reissuance  
715 is in the nature of a transfer so as to permit or authorize a  
716 licensee to change the location of a thoroughbred horse  
717 racetrack except upon proof in such form as the commission  
718 ~~division~~ may prescribe that a referendum election has been held:

719           1. If the proposed new location is within the same county  
720 as the already licensed location, in the county where the  
721 licensee desires to conduct the race meeting and that a majority  
722 of the electors voting on that question in such election voted  
723 in favor of the transfer of such license.

724           2. If the proposed new location is not within the same  
725 county as the already licensed location, in the county where the

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726 licensee desires to conduct the race meeting and in the county  
727 where the licensee is already licensed to conduct the race  
728 meeting and that a majority of the electors voting on that  
729 question in each such election voted in favor of the transfer of  
730 such license.

731 (14) (a) Any holder of a permit to conduct jai alai may  
732 apply to the commission ~~division~~ to convert such permit to a  
733 permit to conduct greyhound racing in lieu of jai alai if:

734 1. Such permit is located in a county in which the  
735 commission ~~division~~ has issued only two pari-mutuel permits  
736 pursuant to this section;

737 2. Such permit was not previously converted from any other  
738 class of permit; and

739 3. The holder of the permit has not conducted jai alai  
740 games during a period of 10 years immediately preceding his or  
741 her application for conversion under this subsection.

742 (b) The commission ~~division~~, upon application from the  
743 holder of a jai alai permit meeting all conditions of this  
744 section, shall convert the permit and shall issue to the  
745 permitholder a permit to conduct greyhound racing. A  
746 permitholder of a permit converted under this section shall be  
747 required to apply for and conduct a full schedule of live racing  
748 each fiscal year to be eligible for any tax credit provided by  
749 this chapter. The holder of a permit converted pursuant to this  
750 subsection or any holder of a permit to conduct greyhound racing

751 | located in a county in which it is the only permit issued  
 752 | pursuant to this section who operates at a leased facility  
 753 | pursuant to s. 550.475 may move the location for which the  
 754 | permit has been issued to another location within a 30-mile  
 755 | radius of the location fixed in the permit issued in that  
 756 | county, provided the move does not cross the county boundary and  
 757 | such location is approved under the zoning regulations of the  
 758 | county or municipality in which the permit is located, and upon  
 759 | such relocation may use the permit for the conduct of pari-  
 760 | mutuel wagering and the operation of a cardroom. The provisions  
 761 | of s. 550.6305(9)(d) and (f) shall apply to any permit converted  
 762 | under this subsection and shall continue to apply to any permit  
 763 | which was previously included under and subject to such  
 764 | provisions before a conversion pursuant to this section  
 765 | occurred.

766 | (15)

767 | (c) Additional permits for the conduct of pari-mutuel  
 768 | wagering may not be approved or issued by the commission or  
 769 | former Division of Pari-mutuel Wagering ~~division~~ after January  
 770 | 1, 2021; and

771 | Section 13. Subsection (2) of section 550.0555, Florida  
 772 | Statutes, is amended to read:

773 | 550.0555 Greyhound dogracing permits; relocation within a  
 774 | county; conditions.—

775 | (2) Any holder of a valid outstanding permit for greyhound

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776 dogracing in a county in which there is only one dogracing  
777 permit issued, as well as any holder of a valid outstanding  
778 permit for jai alai in a county where only one jai alai permit  
779 is issued, is authorized, without the necessity of an additional  
780 county referendum required under s. 550.0651, to move the  
781 location for which the permit has been issued to another  
782 location within a 30-mile radius of the location fixed in the  
783 permit issued in that county, provided the move does not cross  
784 the county boundary, that such relocation is approved under the  
785 zoning regulations of the county or municipality in which the  
786 permit is to be located as a planned development use, consistent  
787 with the comprehensive plan, and that such move is approved by  
788 the commission ~~department~~ after it is determined at a proceeding  
789 pursuant to chapter 120 in the county affected that the move is  
790 necessary to ensure the revenue-producing capability of the  
791 permittee without deteriorating the revenue-producing capability  
792 of any other pari-mutuel permittee within 50 miles; the distance  
793 shall be measured on a straight line from the nearest property  
794 line of one racing plant or jai alai fronton to the nearest  
795 property line of the other.

796 Section 14. Subsections (1), (3), and (5) of section  
797 550.0651, Florida Statutes, are amended to read:

798 550.0651 Elections for ratification of permits; municipal  
799 prohibitions.—

800 (1) The holder of any permit may have submitted to the



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801 electors of the county designated therein the question whether  
802 or not such permit will be ratified or rejected. Such questions  
803 shall be submitted to the electors for approval or rejection at  
804 a special election to be called for that purpose only. The board  
805 of county commissioners of the county designated, upon the  
806 presentation to such board at a regular or special meeting of a  
807 written application, accompanied by a certified copy of the  
808 permit granted by the commission ~~division~~, and asking for an  
809 election in the county in which the application was made, shall  
810 order a special election in the county for the particular  
811 purpose of deciding whether such permit shall be approved and  
812 license issued and race meetings permitted in such county by  
813 such permittee and shall cause the clerk of such board to give  
814 notice of the special election by publishing the same once each  
815 week for 2 consecutive weeks in one or more newspapers of  
816 general circulation in the county. Each permit covering each  
817 track must be voted upon separately and in separate elections,  
818 and an election may not be called more often than once every 2  
819 years for the ratification of any permit covering the same  
820 track.

821 (3) When a permit has been granted by the commission  
822 ~~division~~ and no application to the board of county commissioners  
823 has been made by the permittee within 6 months after the  
824 granting of the permit, the permit becomes void. The commission  
825 ~~division~~ shall cancel the permit without notice to the

826 | permitholder, and the board of county commissioners holding the  
 827 | deposit for the election shall refund the deposit to the  
 828 | permitholder upon being notified by the commission ~~division~~ that  
 829 | the permit has become void and has been canceled.

830 |         (5) If at any such special election the majority of the  
 831 | electors voting on the question of ratification or rejection of  
 832 | any permit vote against such ratification, such permit is void.  
 833 | If a majority of the electors voting on the question of  
 834 | ratification or rejection of any permit vote for such  
 835 | ratification, such permit becomes effectual and the holder  
 836 | thereof may conduct racing upon complying with the other  
 837 | provisions of this chapter. The board of county commissioners  
 838 | shall immediately certify the results of the election to the  
 839 | commission ~~division~~.

840 |         Section 15. Subsection (1), paragraph (c) of subsection  
 841 | (2), paragraph (c) of subsection (3), and subsections (5) and  
 842 | (6) of section 550.0951, Florida Statutes, are amended to read:

843 |         550.0951 Payment of daily license fee and taxes;  
 844 | penalties.—

845 |         (1) DAILY LICENSE FEE.—

846 |         (a) Each person engaged in the business of conducting race  
 847 | meetings or jai alai games under this chapter, hereinafter  
 848 | referred to as the "permitholder," "licensee," or "permittee,"  
 849 | shall pay to the commission ~~division~~, for the use of the  
 850 | commission ~~division~~, a daily license fee on each live or

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851 simulcast pari-mutuel event of \$100 for each horserace and \$80  
852 for each dograce and \$40 for each jai alai game conducted at a  
853 racetrack or fronton licensed under this chapter. In addition to  
854 the tax exemption specified in s. 550.09514(1) of \$360,000 or  
855 \$500,000 per greyhound permitholder per state fiscal year, each  
856 greyhound permitholder shall receive in the current state fiscal  
857 year a tax credit equal to the number of live greyhound races  
858 conducted in the previous state fiscal year times the daily  
859 license fee specified for each dograce in this subsection  
860 applicable for the previous state fiscal year. This tax credit  
861 and the exemption in s. 550.09514(1) shall be applicable to any  
862 tax imposed by this chapter or the daily license fees imposed by  
863 this chapter except during any charity or scholarship  
864 performances conducted pursuant to s. 550.0351. Each  
865 permitholder shall pay daily license fees not to exceed \$500 per  
866 day on any simulcast races or games on which such permitholder  
867 accepts wagers regardless of the number of out-of-state events  
868 taken or the number of out-of-state locations from which such  
869 events are taken. This license fee shall be deposited with the  
870 Chief Financial Officer to the credit of the Pari-mutuel  
871 Wagering Trust Fund.

872 (b) Each permitholder that cannot utilize the full amount  
873 of the exemption of \$360,000 or \$500,000 provided in s.  
874 550.09514(1) or the daily license fee credit provided in this  
875 section may, after notifying the commission ~~division~~ in writing,

876 | elect once per state fiscal year on a form provided by the  
 877 | commission ~~division~~ to transfer such exemption or credit or any  
 878 | portion thereof to any greyhound permitholder which acts as a  
 879 | host track to such permitholder for the purpose of intertrack  
 880 | wagering. Once an election to transfer such exemption or credit  
 881 | is filed with the commission ~~division~~, it shall not be  
 882 | rescinded. The commission ~~division~~ shall disapprove the transfer  
 883 | when the amount of the exemption or credit or portion thereof is  
 884 | unavailable to the transferring permitholder or when the  
 885 | permitholder who is entitled to transfer the exemption or credit  
 886 | or who is entitled to receive the exemption or credit owes taxes  
 887 | to the state pursuant to a deficiency letter or administrative  
 888 | complaint issued by the commission ~~division~~. Upon approval of  
 889 | the transfer by the commission ~~division~~, the transferred tax  
 890 | exemption or credit shall be effective for the first performance  
 891 | of the next payment period as specified in subsection (5). The  
 892 | exemption or credit transferred to such host track may be  
 893 | applied by such host track against any taxes imposed by this  
 894 | chapter or daily license fees imposed by this chapter. The  
 895 | greyhound permitholder host track to which such exemption or  
 896 | credit is transferred shall reimburse such permitholder the  
 897 | exact monetary value of such transferred exemption or credit as  
 898 | actually applied against the taxes and daily license fees of the  
 899 | host track. The commission ~~division~~ shall ensure that all  
 900 | transfers of exemption or credit are made in accordance with

901 | this subsection and shall have the authority to adopt rules to  
 902 | ensure the implementation of this section.

903 | (2) ADMISSION TAX.—

904 | (c) A permitholder may issue tax-free passes to its  
 905 | officers, officials, and employees or other persons actually  
 906 | engaged in working at the racetrack, including accredited press  
 907 | representatives such as reporters and editors, and may also  
 908 | issue tax-free passes to other permitholders for the use of  
 909 | their officers and officials. The permitholder shall file with  
 910 | the commission ~~division~~ a list of all persons to whom tax-free  
 911 | passes are issued under this paragraph.

912 | (3) TAX ON HANDLE.—Each permitholder shall pay a tax on  
 913 | contributions to pari-mutuel pools, the aggregate of which is  
 914 | hereinafter referred to as "handle," on races or games conducted  
 915 | by the permitholder. The tax is imposed daily and is based on  
 916 | the total contributions to all pari-mutuel pools conducted  
 917 | during the daily performance. If a permitholder conducts more  
 918 | than one performance daily, the tax is imposed on each  
 919 | performance separately.

920 | (c)1. The tax on handle for intertrack wagering is 2.0  
 921 | percent of the handle if the host track is a horse track, 3.3  
 922 | percent if the host track is a harness track, 5.5 percent if the  
 923 | host track is a dog track, and 7.1 percent if the host track is  
 924 | a jai alai fronton. The tax on handle for intertrack wagering is  
 925 | 0.5 percent if the host track and the guest track are

926 | thoroughbred permitholders or if the guest track is located  
 927 | outside the market area of the host track and within the market  
 928 | area of a thoroughbred permitholder currently conducting a live  
 929 | race meet. The tax on handle for intertrack wagering on  
 930 | rebroadcasts of simulcast thoroughbred horseraces is 2.4 percent  
 931 | of the handle and 1.5 percent of the handle for intertrack  
 932 | wagering on rebroadcasts of simulcast harness horseraces. The  
 933 | tax shall be deposited into the Pari-mutuel Wagering Trust Fund.

934 |         2. The tax on handle for intertrack wagers accepted by any  
 935 | dog track located in an area of the state in which there are  
 936 | only three permitholders, all of which are greyhound  
 937 | permitholders, located in three contiguous counties, from any  
 938 | greyhound permitholder also located within such area or any dog  
 939 | track or jai alai fronton located as specified in s. 550.615(6)  
 940 | or (9), on races or games received from the same class of  
 941 | permitholder located within the same market area is 3.9 percent  
 942 | if the host facility is a greyhound permitholder and, if the  
 943 | host facility is a jai alai permitholder, the rate shall be 6.1  
 944 | percent except that it shall be 2.3 percent on handle at such  
 945 | time as the total tax on intertrack handle paid to the  
 946 | commission ~~division~~ by the permitholder during the current state  
 947 | fiscal year exceeds the total tax on intertrack handle paid to  
 948 | the commission ~~division~~ by the permitholder during the 1992-1993  
 949 | state fiscal year.

950 |         (5) PAYMENT AND DISPOSITION OF FEES AND TAXES.—Payments

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951 imposed by this section shall be paid to the commission  
952 ~~division~~. The commission ~~division~~ shall deposit these sums with  
953 the Chief Financial Officer, to the credit of the Pari-mutuel  
954 Wagering Trust Fund, hereby established. The permitholder shall  
955 remit to the commission ~~division~~ payment for the daily license  
956 fee, the admission tax, the tax on handle, and the breaks tax.  
957 Such payments shall be remitted by 3 p.m. Wednesday of each week  
958 for taxes imposed and collected for the preceding week ending on  
959 Sunday. Beginning on July 1, 2012, such payments shall be  
960 remitted by 3 p.m. on the 5th day of each calendar month for  
961 taxes imposed and collected for the preceding calendar month. If  
962 the 5th day of the calendar month falls on a weekend, payments  
963 shall be remitted by 3 p.m. the first Monday following the  
964 weekend. Permitholders shall file a report under oath by the 5th  
965 day of each calendar month for all taxes remitted during the  
966 preceding calendar month. Such payments shall be accompanied by  
967 a report under oath showing the total of all admissions, the  
968 pari-mutuel wagering activities for the preceding calendar  
969 month, and such other information as may be prescribed by the  
970 commission ~~division~~.

971 (6) PENALTIES.—

972 (a) The failure of any permitholder to make payments as  
973 prescribed in subsection (5) is a violation of this section, and  
974 the permitholder may be subjected by the commission ~~division~~ to  
975 a civil penalty of up to \$1,000 for each day the tax payment is

976 | not remitted. All penalties imposed and collected shall be  
 977 | deposited in the General Revenue Fund. If a permitholder fails  
 978 | to pay penalties imposed by order of the commission ~~division~~  
 979 | under this subsection, the commission ~~division~~ may suspend or  
 980 | revoke the license of the permitholder, cancel the permit of the  
 981 | permitholder, or deny issuance of any further license or permit  
 982 | to the permitholder.

983 |       (b) In addition to the civil penalty prescribed in  
 984 | paragraph (a), any willful or wanton failure by any permitholder  
 985 | to make payments of the daily license fee, admission tax, tax on  
 986 | handle, or breaks tax constitutes sufficient grounds for the  
 987 | commission ~~division~~ to suspend or revoke the license of the  
 988 | permitholder, to cancel the permit of the permitholder, or to  
 989 | deny issuance of any further license or permit to the  
 990 | permitholder.

991 |       Section 16. Paragraphs (b), (c), (d), and (e) of  
 992 | subsection (2) and paragraph (a) of subsection (3) of section  
 993 | 550.09511, Florida Statutes, are amended to read:

994 |       550.09511 Jai alai taxes; abandoned interest in a permit  
 995 | for nonpayment of taxes.—

996 |       (2) Notwithstanding the provisions of s. 550.0951(3)(b),  
 997 | wagering on live jai alai performances shall be subject to the  
 998 | following taxes:

999 |       (b) At such time as the total of admissions tax, daily  
 1000 | license fee, and tax on handle for live jai alai performances



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1001 | paid to the commission ~~division~~ by a permitholder during the  
1002 | current state fiscal year exceeds the total state tax revenues  
1003 | from wagering on live jai alai performances paid or due by the  
1004 | permitholder in fiscal year 1991-1992, the permitholder shall  
1005 | pay tax on handle for live jai alai performances at a rate of  
1006 | 2.55 percent of the handle per performance for the remainder of  
1007 | the current state fiscal year. For purposes of this section,  
1008 | total state tax revenues on live jai alai wagering in fiscal  
1009 | year 1991-1992 shall include any admissions tax, tax on handle,  
1010 | surtaxes on handle, and daily license fees.

1011 |       (c) If no tax on handle for live jai alai performances  
1012 | were paid to the commission ~~division~~ by a jai alai permitholder  
1013 | during the 1991-1992 state fiscal year, then at such time as the  
1014 | total of admissions tax, daily license fee, and tax on handle  
1015 | for live jai alai performances paid to the commission ~~division~~  
1016 | by a permitholder during the current state fiscal year exceeds  
1017 | the total state tax revenues from wagering on live jai alai  
1018 | performances paid or due by the permitholder in the last state  
1019 | fiscal year in which the permitholder conducted a full schedule  
1020 | of live games, the permitholder shall pay tax on handle for live  
1021 | jai alai performances at a rate of 3.3 percent of the handle per  
1022 | performance for the remainder of the current state fiscal year.  
1023 | For purposes of this section, total state tax revenues on live  
1024 | jai alai wagering shall include any admissions tax, tax on  
1025 | handle, surtaxes on handle, and daily license fees. This

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1026 paragraph shall take effect July 1, 1993.

1027 (d) A permitholder who obtains a new permit issued by the  
1028 commission ~~division~~ subsequent to the 1991-1992 state fiscal  
1029 year and a permitholder whose permit has been converted to a jai  
1030 alai permit under the provisions of this chapter, shall, at such  
1031 time as the total of admissions tax, daily license fee, and tax  
1032 on handle for live jai alai performances paid to the commission  
1033 ~~division~~ by the permitholder during the current state fiscal  
1034 year exceeds the average total state tax revenues from wagering  
1035 on live jai alai performances for the first 3 consecutive jai  
1036 alai seasons paid to or due the commission ~~division~~ by the  
1037 permitholder and during which the permitholder conducted a full  
1038 schedule of live games, pay tax on handle for live jai alai  
1039 performances at a rate of 3.3 percent of the handle per  
1040 performance for the remainder of the current state fiscal year.

1041 (e) The payment of taxes pursuant to paragraphs (b), (c),  
1042 and (d) shall be calculated and commence beginning the day in  
1043 which the permitholder is first entitled to the reduced rate  
1044 specified in this section and the report of taxes required by s.  
1045 550.0951(5) is submitted to the commission ~~division~~.

1046 (3)(a) Notwithstanding the provisions of subsection (2)  
1047 and s. 550.0951(3)(c)1., any jai alai permitholder which is  
1048 restricted under Florida law from operating live performances on  
1049 a year-round basis is entitled to conduct wagering on live  
1050 performances at a tax rate of 3.85 percent of live handle. Such

1051 | permitholder is also entitled to conduct intertrack wagering as  
 1052 | a host permitholder on live jai alai games at its fronton at a  
 1053 | tax rate of 3.3 percent of handle at such time as the total tax  
 1054 | on intertrack handle paid to the commission ~~division~~ by the  
 1055 | permitholder during the current state fiscal year exceeds the  
 1056 | total tax on intertrack handle paid to the former Division of  
 1057 | Pari-mutuel Wagering by the permitholder during the 1992-1993  
 1058 | state fiscal year.

1059 |         Section 17. Paragraph (b) of subsection (3) of section  
 1060 | 550.09512, Florida Statutes, is amended to read:

1061 |         550.09512 Harness horse taxes; abandoned interest in a  
 1062 | permit for nonpayment of taxes.—

1063 |         (3)

1064 |         (b) In order to maximize the tax revenues to the state,  
 1065 | the commission ~~division~~ shall reissue an escheated harness horse  
 1066 | permit to a qualified applicant pursuant to the provisions of  
 1067 | this chapter as for the issuance of an initial permit. However,  
 1068 | the provisions of this chapter relating to referendum  
 1069 | requirements for a pari-mutuel permit shall not apply to the  
 1070 | reissuance of an escheated harness horse permit. As specified in  
 1071 | the application and upon approval by the commission ~~division~~ of  
 1072 | an application for the permit, the new permitholder shall be  
 1073 | authorized to operate a harness horse facility anywhere in the  
 1074 | same county in which the escheated permit was authorized to be  
 1075 | operated, notwithstanding the provisions of s. 550.054(2)

1076 relating to mileage limitations.

1077 Section 18. Paragraphs (a), (b), (d), (e), and (f) of  
 1078 subsection (2) of section 550.09514, Florida Statutes, are  
 1079 amended to read:

1080 550.09514 Greyhound dogracing taxes; purse requirements.-

1081 (2) (a) The commission ~~division~~ shall determine for each  
 1082 greyhound permitholder the annual purse percentage rate of live  
 1083 handle for the state fiscal year 1993-1994 by dividing total  
 1084 purses paid on live handle by the permitholder, exclusive of  
 1085 payments made from outside sources, during the 1993-1994 state  
 1086 fiscal year by the permitholder's live handle for the 1993-1994  
 1087 state fiscal year. Each permitholder shall pay as purses for  
 1088 live races conducted during its current race meet a percentage  
 1089 of its live handle not less than the percentage determined under  
 1090 this paragraph, exclusive of payments made by outside sources,  
 1091 for its 1993-1994 state fiscal year.

1092 (b) Except as otherwise set forth herein, in addition to  
 1093 the minimum purse percentage required by paragraph (a), each  
 1094 permitholder shall pay as purses an annual amount equal to 75  
 1095 percent of the daily license fees paid by each permitholder for  
 1096 the 1994-1995 fiscal year. This purse supplement shall be  
 1097 disbursed weekly during the permitholder's race meet in an  
 1098 amount determined by dividing the annual purse supplement by the  
 1099 number of performances approved for the permitholder pursuant to  
 1100 its annual license and multiplying that amount by the number of

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1101 performances conducted each week. For the greyhound  
1102 permitholders in the county where there are two greyhound  
1103 permitholders located as specified in s. 550.615(6), such  
1104 permitholders shall pay in the aggregate an amount equal to 75  
1105 percent of the daily license fees paid by such permitholders for  
1106 the 1994-1995 fiscal year. These permitholders shall be jointly  
1107 and severally liable for such purse payments. The additional  
1108 purses provided by this paragraph must be used exclusively for  
1109 purses other than stakes. The commission ~~division~~ shall conduct  
1110 audits necessary to ensure compliance with this section.

1111 (d) The commission ~~division~~ shall require sufficient  
1112 documentation from each greyhound permitholder regarding purses  
1113 paid on live racing to assure that the annual purse percentage  
1114 rates paid by each permitholder on the live races are not  
1115 reduced below those paid during the 1993-1994 state fiscal year.  
1116 The commission ~~division~~ shall require sufficient documentation  
1117 from each greyhound permitholder to assure that the purses paid  
1118 by each permitholder on the greyhound intertrack and simulcast  
1119 broadcasts are in compliance with the requirements of paragraph  
1120 (c).

1121 (e) In addition to the purse requirements of paragraphs  
1122 (a)-(c), each greyhound permitholder shall pay as purses an  
1123 amount equal to one-third of the amount of the tax reduction on  
1124 live and simulcast handle applicable to such permitholder as a  
1125 result of the reductions in tax rates provided by this act

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1126 through the amendments to s. 550.0951(3). With respect to  
1127 intertrack wagering when the host and guest tracks are greyhound  
1128 permitholders not within the same market area, an amount equal  
1129 to the tax reduction applicable to the guest track handle as a  
1130 result of the reduction in tax rate provided by this act through  
1131 the amendment to s. 550.0951(3) shall be distributed to the  
1132 guest track, one-third of which amount shall be paid as purses  
1133 at the guest track. However, if the guest track is a greyhound  
1134 permitholder within the market area of the host or if the guest  
1135 track is not a greyhound permitholder, an amount equal to such  
1136 tax reduction applicable to the guest track handle shall be  
1137 retained by the host track, one-third of which amount shall be  
1138 paid as purses at the host track. These purse funds shall be  
1139 disbursed in the week received if the permitholder conducts at  
1140 least one live performance during that week. If the permitholder  
1141 does not conduct at least one live performance during the week  
1142 in which the purse funds are received, the purse funds shall be  
1143 disbursed weekly during the permitholder's next race meet in an  
1144 amount determined by dividing the purse amount by the number of  
1145 performances approved for the permitholder pursuant to its  
1146 annual license, and multiplying that amount by the number of  
1147 performances conducted each week. The commission ~~division~~ shall  
1148 conduct audits necessary to ensure compliance with this  
1149 paragraph.

1150 (f) Each greyhound permitholder shall, during the

1151 | permitholder's race meet, supply kennel operators and the  
 1152 | commission ~~Division of Pari-Mutuel Wagering~~ with a weekly report  
 1153 | showing purses paid on live greyhound races and all greyhound  
 1154 | intertrack and simulcast broadcasts, including both as a guest  
 1155 | and a host together with the handle or commission calculations  
 1156 | on which such purses were paid and the transmission costs of  
 1157 | sending the simulcast or intertrack broadcasts, so that the  
 1158 | kennel operators may determine statutory and contractual  
 1159 | compliance.

1160 |       Section 19. Paragraph (b) of subsection (3) of section  
 1161 | 550.09515, Florida Statutes, is amended to read:

1162 |           550.09515 Thoroughbred horse taxes; abandoned interest in  
 1163 | a permit for nonpayment of taxes.—

1164 |           (3)

1165 |           (b) In order to maximize the tax revenues to the state,  
 1166 | the commission ~~division~~ shall reissue an escheated thoroughbred  
 1167 | horse permit to a qualified applicant pursuant to the provisions  
 1168 | of this chapter as for the issuance of an initial permit.  
 1169 | However, the provisions of this chapter relating to referendum  
 1170 | requirements for a pari-mutuel permit shall not apply to the  
 1171 | reissuance of an escheated thoroughbred horse permit. As  
 1172 | specified in the application and upon approval by the commission  
 1173 | ~~division~~ of an application for the permit, the new permitholder  
 1174 | shall be authorized to operate a thoroughbred horse facility  
 1175 | anywhere in the same county in which the escheated permit was

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1176 authorized to be operated, notwithstanding the provisions of s.  
1177 550.054(2) relating to mileage limitations.

1178 Section 20. Subsection (1), paragraph (b) of subsection  
1179 (2), paragraphs (a), (b), (c), (e), and (f) of subsection (5),  
1180 subsections (6), (7), and (8), and paragraphs (a), (c), and (d)  
1181 of subsection (10) of section 550.105, Florida Statutes, are  
1182 amended to read:

1183 550.105 Occupational licenses of racetrack employees;  
1184 fees; denial, suspension, and revocation of license; penalties  
1185 and fines.—

1186 (1) Each person connected with a racetrack or jai alai  
1187 fronton, as specified in paragraph (2)(a), shall purchase from  
1188 the commission ~~division~~ an occupational license. All moneys  
1189 collected pursuant to this section each fiscal year shall be  
1190 deposited into the Pari-mutuel Wagering Trust Fund. Pursuant to  
1191 the rules adopted by the commission ~~division~~, an occupational  
1192 license may be valid for a period of up to 3 years for a fee  
1193 that does not exceed the full occupational license fee for each  
1194 of the years for which the license is purchased. The  
1195 occupational license shall be valid during its specified term at  
1196 any pari-mutuel facility.

1197 (2)

1198 (b) The commission ~~division~~ shall adopt rules pertaining  
1199 to pari-mutuel occupational licenses, licensing periods, and  
1200 renewal cycles.



1201           (5) (a) The commission ~~division~~ may:

1202           1. Deny a license to or revoke, suspend, or place

1203 conditions upon or restrictions on a license of any person who

1204 has been refused a license by any other state racing commission

1205 or racing authority;

1206           2. Deny, suspend, or place conditions on a license of any

1207 person who is under suspension or has unpaid fines in another

1208 jurisdiction;

1209

1210 if the state racing commission or racing authority of such other

1211 state or jurisdiction extends to the commission ~~division~~

1212 reciprocal courtesy to maintain the disciplinary control.

1213           (b) The commission ~~division~~ may deny, suspend, revoke, or

1214 declare ineligible any occupational license if the applicant for

1215 or holder thereof has violated the provisions of this chapter or

1216 the rules of the commission ~~division~~ governing the conduct of

1217 persons connected with racetracks and frontons. In addition, the

1218 commission ~~division~~ may deny, suspend, revoke, or declare

1219 ineligible any occupational license if the applicant for such

1220 license has been convicted in this state, in any other state, or

1221 under the laws of the United States of a capital felony, a

1222 felony, or an offense in any other state which would be a felony

1223 under the laws of this state involving arson; trafficking in,

1224 conspiracy to traffic in, smuggling, importing, conspiracy to

1225 smuggle or import, or delivery, sale, or distribution of a

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1226 controlled substance; or a crime involving a lack of good moral  
1227 character, or has had a pari-mutuel license revoked by this  
1228 state or any other jurisdiction for an offense related to pari-  
1229 mutuel wagering.

1230 (c) The commission ~~division~~ may deny, declare ineligible,  
1231 or revoke any occupational license if the applicant for such  
1232 license has been convicted of a felony or misdemeanor in this  
1233 state, in any other state, or under the laws of the United  
1234 States, if such felony or misdemeanor is related to gambling or  
1235 bookmaking, as contemplated in s. 849.25, or involves cruelty to  
1236 animals. If the applicant establishes that she or he is of good  
1237 moral character, that she or he has been rehabilitated, and that  
1238 the crime she or he was convicted of is not related to pari-  
1239 mutuel wagering and is not a capital offense, the restrictions  
1240 excluding offenders may be waived by the director of the  
1241 commission ~~division~~.

1242 (e) If an occupational license will expire by commission  
1243 ~~division~~ rule during the period of a suspension the commission  
1244 ~~division~~ intends to impose, or if a license would have expired  
1245 but for pending administrative charges and the occupational  
1246 licensee is found to be in violation of any of the charges, the  
1247 license may be revoked and a time period of license  
1248 ineligibility may be declared. The commission ~~division~~ may bring  
1249 administrative charges against any person not holding a current  
1250 license for violations of statutes or rules which occurred while

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1251 such person held an occupational license, and the commission  
1252 ~~division~~ may declare such person ineligible to hold a license  
1253 for a period of time. The commission ~~division~~ may impose a civil  
1254 fine of up to \$1,000 for each violation of the rules of the  
1255 commission ~~division~~ in addition to or in lieu of any other  
1256 penalty provided for in this section. In addition to any other  
1257 penalty provided by law, the commission ~~division~~ may exclude  
1258 from all pari-mutuel facilities in this state, for a period not  
1259 to exceed the period of suspension, revocation, or  
1260 ineligibility, any person whose occupational license application  
1261 has been denied by the commission ~~division~~, who has been  
1262 declared ineligible to hold an occupational license, or whose  
1263 occupational license has been suspended or revoked by the  
1264 commission ~~division~~.

1265 (f) The commission ~~division~~ may cancel any occupational  
1266 license that has been voluntarily relinquished by the licensee.

1267 (6) In order to promote the orderly presentation of pari-  
1268 mutuel meets authorized in this chapter, the commission ~~division~~  
1269 may issue a temporary occupational license. The commission  
1270 ~~division~~ shall adopt rules to implement this subsection.

1271 However, no temporary occupational license shall be valid for  
1272 more than 90 days, and no more than one temporary license may be  
1273 issued for any person in any year.

1274 (7) The commission ~~division~~ may deny, revoke, or suspend  
1275 any occupational license if the applicant therefor or holder

1276 | thereof accumulates unpaid obligations or defaults in  
 1277 | obligations, or issues drafts or checks that are dishonored or  
 1278 | for which payment is refused without reasonable cause, if such  
 1279 | unpaid obligations, defaults, or dishonored or refused drafts or  
 1280 | checks directly relate to the sport of jai alai or racing being  
 1281 | conducted at a pari-mutuel facility within this state.

1282 |         (8) The commission ~~division~~ may fine, or suspend or  
 1283 | revoke, or place conditions upon, the license of any licensee  
 1284 | who under oath knowingly provides false information regarding an  
 1285 | investigation by the commission ~~division~~.

1286 |         (10) (a) Upon application for an occupational license, the  
 1287 | commission ~~division~~ may require the applicant's full legal name;  
 1288 | any nickname, alias, or maiden name for the applicant; name of  
 1289 | the applicant's spouse; the applicant's date of birth, residence  
 1290 | address, mailing address, residence address and business phone  
 1291 | number, and social security number; disclosure of any felony or  
 1292 | any conviction involving bookmaking, illegal gambling, or  
 1293 | cruelty to animals; disclosure of any past or present  
 1294 | enforcement or actions by any racing or gaming agency against  
 1295 | the applicant; and any information the commission ~~division~~  
 1296 | determines is necessary to establish the identity of the  
 1297 | applicant or to establish that the applicant is of good moral  
 1298 | character. Fingerprints shall be taken in a manner approved by  
 1299 | the commission ~~division~~ and then shall be submitted to the  
 1300 | Federal Bureau of Investigation, or to the association of state

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1301 officials regulating pari-mutuel wagering pursuant to the  
1302 Federal Pari-mutuel Licensing Simplification Act of 1988. The  
1303 cost of processing fingerprints shall be borne by the applicant  
1304 and paid to the association of state officials regulating pari-  
1305 mutuel wagering from the trust fund to which the processing fees  
1306 are deposited. The commission ~~division~~, by rule, may require  
1307 additional information from licensees which is reasonably  
1308 necessary to regulate the industry. The commission ~~division~~ may,  
1309 by rule, exempt certain occupations or groups of persons from  
1310 the fingerprinting requirements.

1311 (c) The Department of Law Enforcement shall search all  
1312 arrest fingerprints received pursuant to s. 943.051 against the  
1313 fingerprints retained in the statewide automated biometric  
1314 identification system under paragraph (b). Any arrest record  
1315 that is identified with the retained fingerprints of a person  
1316 subject to the criminal history screening requirements of this  
1317 section shall be reported to the commission ~~division~~. Each  
1318 licensee shall pay a fee to the commission ~~division~~ for the cost  
1319 of retention of the fingerprints and the ongoing searches under  
1320 this paragraph. The commission ~~division~~ shall forward the  
1321 payment to the Department of Law Enforcement. The amount of the  
1322 fee to be imposed for performing these searches and the  
1323 procedures for the retention of licensee fingerprints shall be  
1324 as established by rule of the Department of Law Enforcement. The  
1325 commission ~~division~~ shall inform the Department of Law

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1326 Enforcement of any change in the license status of licensees  
1327 whose fingerprints are retained under paragraph (b).

1328 (d) The commission ~~division~~ shall request the Department  
1329 of Law Enforcement to forward the fingerprints to the Federal  
1330 Bureau of Investigation for a national criminal history records  
1331 check at least once every 5 years following issuance of a  
1332 license. If the fingerprints of a person who is licensed have  
1333 not been retained by the Department of Law Enforcement, the  
1334 person must file a complete set of fingerprints as provided in  
1335 paragraph (a). The commission ~~division~~ shall collect the fees  
1336 for the cost of the national criminal history records check  
1337 under this paragraph and forward the payment to the Department  
1338 of Law Enforcement. The cost of processing fingerprints and  
1339 conducting a criminal history records check under this paragraph  
1340 for a general occupational license shall be borne by the  
1341 applicant. The cost of processing fingerprints and conducting a  
1342 criminal history records check under this paragraph for a  
1343 business or professional occupational license shall be borne by  
1344 the person being checked. The Department of Law Enforcement may  
1345 invoice the commission ~~division~~ for the fingerprints submitted  
1346 each month. Under penalty of perjury, each person who is  
1347 licensed or who is fingerprinted as required by this section  
1348 must agree to inform the commission ~~division~~ within 48 hours if  
1349 he or she is convicted of or has entered a plea of guilty or  
1350 nolo contendere to any disqualifying offense, regardless of

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1351 adjudication.

1352 Section 21. Subsection (1) of section 550.1155, Florida  
 1353 Statutes, is amended to read:

1354 550.1155 Authority of stewards, judges, panel of judges,  
 1355 or player's manager to impose penalties against occupational  
 1356 licensees; disposition of funds collected.—

1357 (1) The stewards at a horse racetrack or the judges, a  
 1358 panel of judges, or a player's manager at a jai alai fronton may  
 1359 impose a civil penalty against any occupational licensee for  
 1360 violation of the pari-mutuel laws or any rule adopted by the  
 1361 commission ~~division~~. The penalty may not exceed \$1,000 for each  
 1362 count or separate offense or exceed 60 days of suspension for  
 1363 each count or separate offense.

1364 Section 22. Subsection (2) and paragraph (a) of subsection  
 1365 (3) of section 550.125, Florida Statutes, are amended to read:

1366 550.125 Uniform reporting system; bond requirement.—

1367 (2)(a) Each permitholder that conducts race meetings or  
 1368 jai alai exhibitions under this chapter shall keep records that  
 1369 clearly show the total number of admissions and the total amount  
 1370 of money contributed to each pari-mutuel pool on each race or  
 1371 exhibition separately and the amount of money received daily  
 1372 from admission fees and, within 120 days after the end of its  
 1373 fiscal year, shall submit to the commission ~~division~~ a complete  
 1374 annual report of its accounts, audited by a certified public  
 1375 accountant licensed to practice in the state.

1376 (b) The commission ~~division~~ shall adopt rules specifying  
 1377 the form and content of such reports, including, but not limited  
 1378 to, requirements for a statement of assets and liabilities,  
 1379 operating revenues and expenses, and net worth, which statement  
 1380 must be audited by a certified public accountant licensed to  
 1381 practice in this state, and any supporting informational  
 1382 schedule found necessary by the commission ~~division~~ to verify  
 1383 the foregoing financial statement, which informational schedule  
 1384 must be attested to under oath by the permitholder or an officer  
 1385 of record, to permit the commission ~~division~~ to:

- 1386 1. Assess the profitability and financial soundness of
- 1387 permitholders, both individually and as an industry;
- 1388 2. Plan and recommend measures necessary to preserve and
- 1389 protect the pari-mutuel revenues of the state; and
- 1390 3. Completely identify the holdings, transactions, and
- 1391 investments of permitholders with other business entities.

1392 (c) The Auditor General and the Office of Program Policy  
 1393 Analysis and Government Accountability may, pursuant to their  
 1394 own authority or at the direction of the Legislative Auditing  
 1395 Committee, audit, examine, and check the books and records of  
 1396 any permitholder. These audit reports shall become part of, and  
 1397 be maintained in, the commission ~~division~~ files.

1398 (d) The commission ~~division~~ shall annually review the  
 1399 books and records of each permitholder and verify that the  
 1400 breaks and unclaimed ticket payments made by each permitholder



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1401 are true and correct.

1402 (3)(a) Each permitholder to which a license is granted  
1403 under this chapter, at its own cost and expense, must, before  
1404 the license is delivered, give a bond in the penal sum of  
1405 \$50,000 payable to the Governor of the state and her or his  
1406 successors in office, with a surety or sureties to be approved  
1407 by the commission ~~division~~ and the Chief Financial Officer,  
1408 conditioned to faithfully make the payments to the Chief  
1409 Financial Officer in her or his capacity as treasurer of the  
1410 commission ~~division~~; to keep its books and records and make  
1411 reports as provided; and to conduct its racing in conformity  
1412 with this chapter. When the greatest amount of tax owed during  
1413 any month in the prior state fiscal year, in which a full  
1414 schedule of live racing was conducted, is less than \$50,000, the  
1415 commission ~~division~~ may assess a bond in a sum less than  
1416 \$50,000. The commission ~~division~~ may review the bond for  
1417 adequacy and require adjustments each fiscal year. The  
1418 commission ~~division~~ has the authority to adopt rules to  
1419 implement this paragraph and establish guidelines for such  
1420 bonds.

1421 Section 23. Subsection (1) of section 550.155, Florida  
1422 Statutes, is amended to read:

1423 550.155 Pari-mutuel pool within track enclosure; takeouts;  
1424 breaks; penalty for purchasing part of a pari-mutuel pool for or  
1425 through another in specified circumstances.—

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1426 (1) Wagering on the results of a horserace, dograce, or on  
1427 the scores or points of a jai alai game and the sale of tickets  
1428 or other evidences showing an interest in or a contribution to a  
1429 pari-mutuel pool are allowed within the enclosure of any pari-  
1430 mutuel facility licensed and conducted under this chapter but  
1431 are not allowed elsewhere in this state, must be supervised by  
1432 the commission ~~division~~, and are subject to such reasonable  
1433 rules that the commission ~~division~~ prescribes.

1434 Section 24. Section 550.175, Florida Statutes, is amended  
1435 to read:

1436 550.175 Petition for election to revoke permit.—Upon  
1437 petition of 20 percent of the qualified electors of any county  
1438 wherein any pari-mutuel wagering has been licensed and conducted  
1439 under this chapter, the county commissioners of such county  
1440 shall provide for the submission to the electors of such county  
1441 at the then next succeeding general election the question of  
1442 whether any permit or permits theretofore granted shall be  
1443 continued or revoked, and if a majority of the electors voting  
1444 on such question in such election vote to cancel or recall the  
1445 permit theretofore given, the commission ~~division~~ may not  
1446 thereafter grant any license on the permit so recalled. Every  
1447 signature upon every recall petition must be signed in the  
1448 presence of the clerk of the board of county commissioners at  
1449 the office of the clerk of the circuit court of the county, and  
1450 the petitioner must present at the time of such signing her or

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1451 his registration receipt showing the petitioner's qualification  
1452 as an elector of the county at the time of the signing of the  
1453 petition. Not more than one permit may be included in any one  
1454 petition; and, in all elections in which the recall of more than  
1455 one permit is voted on, the voters shall be given an opportunity  
1456 to vote for or against the recall of each permit separately.  
1457 Nothing in this chapter shall be construed to prevent the  
1458 holding of later referendum or recall elections.

1459 Section 25. Subsections (1), (3), and (5) of section  
1460 550.1815, Florida Statutes, are amended to read:

1461 550.1815 Certain persons prohibited from holding racing or  
1462 jai alai permits; suspension and revocation.—

1463 (1) A corporation, general or limited partnership, sole  
1464 proprietorship, business trust, joint venture, or unincorporated  
1465 association, or other business entity may not hold any  
1466 horseracing or greyhound permit or jai alai fronton permit in  
1467 this state if any one of the persons or entities specified in  
1468 paragraph (a) has been determined by the commission ~~division~~ not  
1469 to be of good moral character or has been convicted of any  
1470 offense specified in paragraph (b).

- 1471 (a)1. The permitholder;  
1472 2. An employee of the permitholder;  
1473 3. The sole proprietor of the permitholder;  
1474 4. A corporate officer or director of the permitholder;  
1475 5. A general partner of the permitholder;

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- 1476           6. A trustee of the permitholder;
- 1477           7. A member of an unincorporated association permitholder;
- 1478           8. A joint venturer of the permitholder;
- 1479           9. The owner of more than 5 percent of any equity interest
- 1480 in the permitholder, whether as a common shareholder, general or
- 1481 limited partner, voting trustee, or trust beneficiary; or
- 1482           10. An owner of any interest in the permit or
- 1483 permitholder, including any immediate family member of the
- 1484 owner, or holder of any debt, mortgage, contract, or concession
- 1485 from the permitholder, who by virtue thereof is able to control
- 1486 the business of the permitholder.
- 1487           (b)1. A felony in this state;
- 1488               2. Any felony in any other state which would be a felony
- 1489 if committed in this state under the laws of this state;
- 1490               3. Any felony under the laws of the United States;
- 1491               4. A felony under the laws of another state if related to
- 1492 gambling which would be a felony under the laws of this state if
- 1493 committed in this state; or
- 1494               5. Bookmaking as defined in s. 849.25.
- 1495           (3) After notice and hearing, the commission ~~division~~
- 1496 shall refuse to issue or renew or shall suspend, as appropriate,
- 1497 any permit found in violation of subsection (1). The order shall
- 1498 become effective 120 days after service of the order upon the
- 1499 permitholder and shall be amended to constitute a final order of
- 1500 revocation unless the permitholder has, within that period of

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1501 time, either caused the divestiture, or agreed with the  
1502 convicted person upon a complete immediate divestiture, of her  
1503 or his holding, or has petitioned the circuit court as provided  
1504 in subsection (4) or, in the case of corporate officers or  
1505 directors of the holder or employees of the holder, has  
1506 terminated the relationship between the permitholder and those  
1507 persons mentioned. The commission ~~division~~ may, by order, extend  
1508 the 120-day period for divestiture, upon good cause shown, to  
1509 avoid interruption of any jai alai or race meeting or to  
1510 otherwise effectuate this section. If no action has been taken  
1511 by the permitholder within the 120-day period following the  
1512 issuance of the order of suspension, the commission ~~division~~  
1513 shall, without further notice or hearing, enter a final order of  
1514 revocation of the permit. When any permitholder or sole  
1515 proprietor of a permitholder is convicted of an offense  
1516 specified in paragraph (1)(b), the commission ~~department~~ may  
1517 approve a transfer of the permit to a qualified applicant, upon  
1518 a finding that revocation of the permit would impair the state's  
1519 revenue from the operation of the permit or otherwise be  
1520 detrimental to the interests of the state in the regulation of  
1521 the industry of pari-mutuel wagering. In such approval, no  
1522 public referendum is required, notwithstanding any other  
1523 provision of law. A petition for transfer after conviction must  
1524 be filed with the commission ~~department~~ within 30 days after  
1525 service upon the permitholder of the final order of revocation.

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1526 The timely filing of such a petition automatically stays any  
1527 revocation order until further order of the commission  
1528 ~~department~~.

1529 (5) The commission ~~division~~ shall make such rules for the  
1530 photographing, fingerprinting, and obtaining of personal data of  
1531 individuals described in paragraph (1)(a) and the obtaining of  
1532 such data regarding the business entities described in paragraph  
1533 (1)(a) as is necessary to effectuate the provisions of this  
1534 section.

1535 Section 26. Paragraph (a) of subsection (2), paragraph (c)  
1536 of subsection (3), and subsection (6) of section 550.24055,  
1537 Florida Statutes, are amended to read:

1538 550.24055 Use of controlled substances or alcohol  
1539 prohibited; testing of certain occupational licensees; penalty;  
1540 evidence of test or action taken and admissibility for criminal  
1541 prosecution limited.—

1542 (2) The occupational licensees, by applying for and  
1543 holding such licenses, are deemed to have given their consents  
1544 to submit to an approved chemical test of their breath for the  
1545 purpose of determining the alcoholic content of their blood and  
1546 to a urine or blood test for the purpose of detecting the  
1547 presence of controlled substances. Such tests shall only be  
1548 conducted upon reasonable cause that a violation has occurred as  
1549 shall be determined solely by the stewards at a horseracing  
1550 meeting or the judges or board of judges at a jai alai meet. The

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1551 failure to submit to such test may result in a suspension of the  
1552 person's occupational license for a period of 10 days or until  
1553 this section has been complied with, whichever is longer.

1554 (a) If there was at the time of the test 0.05 percent or  
1555 less by weight of alcohol in the person's blood, the person is  
1556 presumed not to have been under the influence of alcoholic  
1557 beverages to the extent that the person's normal faculties were  
1558 impaired, and no action of any sort may be taken by the  
1559 stewards, judges, or board of judges or the commission ~~division~~.

1560  
1561 All tests relating to alcohol must be performed in a manner  
1562 substantially similar, or identical, to the provisions of s.  
1563 316.1934 and rules adopted pursuant to that section. Following a  
1564 test of the urine or blood to determine the presence of a  
1565 controlled substance as defined in chapter 893, if a controlled  
1566 substance is found to exist, the stewards, judges, or board of  
1567 judges may take such action as is permitted in this section.

1568 (3) A violation of subsection (2) is subject to the  
1569 following penalties:

1570 (c) If the second violation occurred within 1 year after  
1571 the first violation, then upon the finding of a third violation  
1572 of this section within 1 year after the second violation, the  
1573 stewards, judges, or board of judges may suspend the licensee  
1574 for up to 120 days; and the stewards, judges, or board of judges  
1575 shall forward the results of the tests under paragraphs (a) and

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1576 (b) and this violation to the commission ~~division~~. In addition  
1577 to the action taken by the stewards, judges, or board of judges,  
1578 the commission ~~division~~, after a hearing, may deny, suspend, or  
1579 revoke the occupational license of the licensee and may impose a  
1580 civil penalty of up to \$5,000 in addition to, or in lieu of, a  
1581 suspension or revocation, it being the intent of the Legislature  
1582 that the commission ~~division~~ shall have no authority over the  
1583 enforcement of this section until a licensee has committed the  
1584 third violation within 2 years after the first violation.

1585 (6) Evidence of any test or actions taken by the stewards,  
1586 judges, or board of judges or the commission ~~division~~ under this  
1587 section is inadmissible for any purpose in any court for  
1588 criminal prosecution, it being the intent of the Legislature to  
1589 provide a method and means by which the health, safety, and  
1590 welfare of those officiating at or participating in a race meet  
1591 or a jai alai game are sufficiently protected. However, this  
1592 subsection does not prohibit any person so authorized from  
1593 pursuing an independent investigation as a result of a ruling  
1594 made by the stewards, judges, or board of judges, or the  
1595 commission ~~division~~.

1596 Section 27. Paragraphs (a) and (b) of subsection (1),  
1597 subsection (2), paragraphs (a), (b), and (c) of subsection (3),  
1598 subsection (5), paragraphs (b) and (c) of subsection (6),  
1599 paragraphs (a), (b), (c), (d), and (e) of subsection (7), and  
1600 subsections (9), (10), (11), and (12) of section 550.2415,



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1601 Florida Statutes, are amended to read:

1602       550.2415 Racing of animals under certain conditions  
1603 prohibited; penalties; exceptions.—

1604       (1)(a) The racing of an animal that has been impermissibly  
1605 medicated or determined to have a prohibited substance present  
1606 is prohibited. It is a violation of this section for a person to  
1607 impermissibly medicate an animal or for an animal to have a  
1608 prohibited substance present resulting in a positive test for  
1609 such medications or substances based on samples taken from the  
1610 animal before or immediately after the racing of that animal.  
1611 Test results and the identities of the animals being tested and  
1612 of their trainers and owners of record are confidential and  
1613 exempt from s. 119.07(1) and from s. 24(a), Art. I of the State  
1614 Constitution for 10 days after testing of all samples collected  
1615 on a particular day has been completed and any positive test  
1616 results derived from such samples have been reported to the  
1617 director of the commission ~~division~~ or administrative action has  
1618 been commenced.

1619       (b) It is a violation of this section for a race-day  
1620 specimen to contain a level of a naturally occurring substance  
1621 which exceeds normal physiological concentrations. The  
1622 commission ~~division~~ may solicit input from the Department of  
1623 Agriculture and Consumer Services and adopt rules that specify  
1624 normal physiological concentrations of naturally occurring  
1625 substances in the natural untreated animal and rules that

1626 specify acceptable levels of environmental contaminants and  
1627 trace levels of substances in test samples.

1628 (2) Administrative action may be taken by the commission  
1629 ~~division~~ against an occupational licensee responsible pursuant  
1630 to rule of the commission ~~division~~ for the condition of an  
1631 animal that has been impermissibly medicated or drugged in  
1632 violation of this section.

1633 (3)(a) Upon the finding of a violation of this section,  
1634 the commission ~~division~~ may revoke or suspend the license or  
1635 permit of the violator or deny a license or permit to the  
1636 violator; impose a fine against the violator in an amount not  
1637 exceeding the purse or sweepstakes earned by the animal in the  
1638 race at issue or \$10,000, whichever is greater; require the full  
1639 or partial return of the purse, sweepstakes, and trophy of the  
1640 race at issue; or impose against the violator any combination of  
1641 such penalties. The finding of a violation of this section does  
1642 not prohibit a prosecution for criminal acts committed.

1643 (b) The commission ~~division~~, notwithstanding chapter 120,  
1644 may summarily suspend the license of an occupational licensee  
1645 responsible under this section or commission ~~division~~ rule for  
1646 the condition of a race animal if the commission ~~division~~  
1647 laboratory reports the presence of a prohibited substance in the  
1648 animal or its blood, urine, saliva, or any other bodily fluid,  
1649 either before a race in which the animal is entered or after a  
1650 race the animal has run.

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1651 (c) If an occupational licensee is summarily suspended  
1652 under this section, the commission ~~division~~ shall offer the  
1653 licensee a prompt postsuspension hearing within 72 hours, at  
1654 which the commission ~~division~~ shall produce the laboratory  
1655 report and documentation which, on its face, establishes the  
1656 responsibility of the occupational licensee. Upon production of  
1657 the documentation, the occupational licensee has the burden of  
1658 proving his or her lack of responsibility.

1659 (5) The commission ~~division~~ shall implement a split-sample  
1660 procedure for testing animals under this section.

1661 (a) The commission ~~division~~ shall notify the owner or  
1662 trainer, the stewards, and the appropriate horsemen's  
1663 association of all drug test results. If a drug test result is  
1664 positive, and upon request by the affected trainer or owner of  
1665 the animal from which the sample was obtained, the commission  
1666 ~~division~~ shall send the split sample to an approved independent  
1667 laboratory for analysis. The commission ~~division~~ shall establish  
1668 standards and rules for uniform enforcement and shall maintain a  
1669 list of at least five approved independent laboratories for an  
1670 owner or trainer to select from if a drug test result is  
1671 positive.

1672 (b) If the commission ~~division~~ laboratory's findings are  
1673 not confirmed by the independent laboratory, no further  
1674 administrative or disciplinary action under this section may be  
1675 pursued.

1676 (c) If the independent laboratory confirms the commission  
 1677 ~~division~~ laboratory's positive result, the commission ~~division~~  
 1678 may commence administrative proceedings as prescribed in this  
 1679 chapter and consistent with chapter 120. For purposes of this  
 1680 subsection, the commission ~~department~~ shall in good faith  
 1681 attempt to obtain a sufficient quantity of the test fluid to  
 1682 allow both a primary test and a secondary test to be made.

1683 (d) For the testing of a racehorse, if there is an  
 1684 insufficient quantity of the secondary (split) sample for  
 1685 confirmation of the commission ~~division~~ laboratory's positive  
 1686 result, the commission ~~division~~ may not take further action on  
 1687 the matter against the owner or trainer, and any resulting  
 1688 license suspension must be immediately lifted.

1689 (e) The commission ~~division~~ shall require its laboratory  
 1690 and the independent laboratories to annually participate in an  
 1691 externally administered quality assurance program designed to  
 1692 assess testing proficiency in the detection and appropriate  
 1693 quantification of medications, drugs, and naturally occurring  
 1694 substances that may be administered to racing animals. The  
 1695 administrator of the quality assurance program shall report its  
 1696 results and findings to the commission ~~division~~ and the  
 1697 Department of Agriculture and Consumer Services.

1698 (6)

1699 (b) Any act committed by any licensee that would  
 1700 constitute cruelty to animals as defined in s. 828.02 involving

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1701 any animal constitutes a violation of this chapter. Imposition  
1702 of any penalty by the commission ~~division~~ for violation of this  
1703 chapter or any rule adopted by the commission ~~division~~ pursuant  
1704 to this chapter shall not prohibit a criminal prosecution for  
1705 cruelty to animals.

1706 (c) The commission ~~division~~ may inspect any area at a  
1707 pari-mutuel facility where racing animals are raced, trained,  
1708 housed, or maintained, including any areas where food,  
1709 medications, or other supplies are kept, to ensure the humane  
1710 treatment of racing animals and compliance with this chapter and  
1711 the rules of the commission ~~division~~.

1712 (7)(a) In order to protect the safety and welfare of  
1713 racing animals and the integrity of the races in which the  
1714 animals participate, the commission ~~division~~ shall adopt rules  
1715 establishing the conditions of use and maximum concentrations of  
1716 medications, drugs, and naturally occurring substances  
1717 identified in the Controlled Therapeutic Medication Schedule,  
1718 Version 2.1, revised April 17, 2014, adopted by the Association  
1719 of Racing Commissioners International, Inc. Controlled  
1720 therapeutic medications include only the specific medications  
1721 and concentrations allowed in biological samples which have been  
1722 approved by the Association of Racing Commissioners  
1723 International, Inc., as controlled therapeutic medications.

1724 (b) The commission ~~division~~ rules must designate the  
1725 appropriate biological specimens by which the administration of

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1726 medications, drugs, and naturally occurring substances is  
1727 monitored and must determine the testing methodologies,  
1728 including measurement uncertainties, for screening such  
1729 specimens to confirm the presence of medications, drugs, and  
1730 naturally occurring substances.

1731 (c) The commission ~~division~~ rules must include a  
1732 classification system for drugs and substances and a  
1733 corresponding penalty schedule for violations which incorporates  
1734 the Uniform Classification Guidelines for Foreign Substances,  
1735 Version 8.0, revised December 2014, by the Association of Racing  
1736 Commissioners International, Inc. The commission ~~division~~ shall  
1737 adopt laboratory screening limits approved by the Association of  
1738 Racing Commissioners International, Inc., for drugs and  
1739 medications that are not included as controlled therapeutic  
1740 medications, the presence of which in a sample may result in a  
1741 violation of this section.

1742 (d) The commission ~~division~~ rules must include conditions  
1743 for the use of furosemide to treat exercise-induced pulmonary  
1744 hemorrhage.

1745 (e) The commission ~~division~~ may solicit input from the  
1746 Department of Agriculture and Consumer Services in adopting the  
1747 rules required under this subsection. ~~Such rules must be adopted~~  
1748 ~~before January 1, 2016.~~

1749 (9) (a) The commission ~~division~~ may conduct a postmortem  
1750 examination of any animal that is injured at a permitted

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1751 racetrack while in training or in competition and that  
1752 subsequently expires or is destroyed. The commission ~~division~~  
1753 may conduct a postmortem examination of any animal that expires  
1754 while housed at a permitted racetrack, association compound, or  
1755 licensed farm. Trainers and owners shall be requested to comply  
1756 with this paragraph as a condition of licensure.

1757 (b) The commission ~~division~~ may take possession of the  
1758 animal upon death for postmortem examination. The commission  
1759 ~~division~~ may submit blood, urine, other bodily fluid specimens,  
1760 or other tissue specimens collected during a postmortem  
1761 examination for testing by the commission ~~division~~ laboratory or  
1762 its designee. Upon completion of the postmortem examination, the  
1763 carcass must be returned to the owner or disposed of at the  
1764 owner's option.

1765 (10) The presence of a prohibited substance in an animal,  
1766 found by the commission ~~division~~ laboratory in a bodily fluid  
1767 specimen collected after the race or during the postmortem  
1768 examination of the animal, which breaks down during a race  
1769 constitutes a violation of this section.

1770 (11) The cost of postmortem examinations, testing, and  
1771 disposal must be borne by the commission ~~division~~.

1772 (12) The commission ~~division~~ shall adopt rules to  
1773 implement this section.

1774 Section 28. Subsection (4) of section 550.2614, Florida  
1775 Statutes, is amended to read:

1776           550.2614 Distribution of certain funds to a horsemen's  
1777 association.—

1778           (4) The commission ~~division~~ shall adopt rules to  
1779 facilitate the orderly transfer of funds in accordance with this  
1780 section. The commission ~~division~~ shall also monitor the  
1781 membership rolls of the horsemen's association to ensure that  
1782 complete, accurate, and timely listings are maintained for the  
1783 purposes specified in this section.

1784           Section 29. Subsection (3) of section 550.26165, Florida  
1785 Statutes, is amended to read:

1786           550.26165 Breeders' awards.—

1787           (3) Breeders' associations shall submit their plans to the  
1788 commission ~~division~~ at least 60 days before the beginning of the  
1789 payment year. The payment year may be a calendar year or any 12-  
1790 month period, but once established, the yearly base may not be  
1791 changed except for compelling reasons. Once a plan is approved,  
1792 the commission ~~division~~ may not allow the plan to be amended  
1793 during the year, except for the most compelling reasons.

1794           Section 30. Paragraphs (b) and (d) of subsection (2),  
1795 subsections (3) and (4), paragraphs (a), (f), (g), and (h) of  
1796 subsection (5), paragraph (e) of subsection (6), and subsections  
1797 (7) and (8) of section 550.2625, Florida Statutes, are amended  
1798 to read:

1799           550.2625 Horseracing; minimum purse requirement, Florida  
1800 breeders' and owners' awards.—



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1801 (2) Each permitholder conducting a horserace meet is  
1802 required to pay from the takeout withheld on pari-mutuel pools a  
1803 sum for purses in accordance with the type of race performed.

1804 (b)1. A permitholder conducting a harness horse race meet  
1805 under this chapter must pay to the purse pool from the takeout  
1806 withheld a purse requirement that totals an amount not less than  
1807 8.25 percent of all contributions to pari-mutuel pools conducted  
1808 during the race meet. An amount not less than 7.75 percent of  
1809 the total handle shall be paid from this purse pool as purses.

1810 2. An amount not to exceed 0.5 percent of the total handle  
1811 on all harness horse races that are subject to the purse  
1812 requirement of subparagraph 1., must be available for use to  
1813 provide medical, dental, surgical, life, funeral, or disability  
1814 insurance benefits for occupational licensees who work at tracks  
1815 in this state at which harness horse races are conducted. Such  
1816 insurance benefits must be paid from the purse pool specified in  
1817 subparagraph 1. An annual plan for payment of insurance benefits  
1818 from the purse pool, including qualifications for eligibility,  
1819 must be submitted by the Florida Standardbred Breeders and  
1820 Owners Association for approval to the commission ~~division~~. An  
1821 annual report of the implemented plan shall be submitted to the  
1822 commission ~~division~~. All records of the Florida Standardbred  
1823 Breeders and Owners Association concerning the administration of  
1824 the plan must be available for audit at the discretion of the  
1825 commission ~~division~~ to determine that the plan has been

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1826 | implemented and administered as authorized. If the commission  
1827 | ~~division~~ finds that the Florida Standardbred Breeders and Owners  
1828 | Association has not complied with the provisions of this  
1829 | section, the commission ~~division~~ may order the association to  
1830 | cease and desist from administering the plan and shall appoint  
1831 | the commission ~~division~~ as temporary administrator of the plan  
1832 | until the commission ~~division~~ reestablishes administration of  
1833 | the plan with the association.

1834 |         (d) The commission ~~division~~ shall adopt reasonable rules  
1835 | to ensure the timely and accurate payment of all amounts  
1836 | withheld by horserace permitholders regarding the distribution  
1837 | of purses, owners' awards, and other amounts collected for  
1838 | payment to owners and breeders. Each permitholder that fails to  
1839 | pay out all moneys collected for payment to owners and breeders  
1840 | shall, within 10 days after the end of the meet during which the  
1841 | permitholder underpaid purses, deposit an amount equal to the  
1842 | underpayment into a separate interest-bearing account to be  
1843 | distributed to owners and breeders in accordance with commission  
1844 | ~~division~~ rules.

1845 |         (3) Each horseracing permitholder conducting any  
1846 | thoroughbred race under this chapter, including any intertrack  
1847 | race taken pursuant to ss. 550.615-550.6305 or any interstate  
1848 | simulcast taken pursuant to s. 550.3551(3) shall pay a sum equal  
1849 | to 0.955 percent on all pari-mutuel pools conducted during any  
1850 | such race for the payment of breeders', stallion, or special

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1851 racing awards as authorized in this chapter. This subsection  
1852 also applies to all Breeder's Cup races conducted outside this  
1853 state taken pursuant to s. 550.3551(3). On any race originating  
1854 live in this state which is broadcast out-of-state to any  
1855 location at which wagers are accepted pursuant to s.  
1856 550.3551(2), the host track is required to pay 3.475 percent of  
1857 the gross revenue derived from such out-of-state broadcasts as  
1858 breeders', stallion, or special racing awards. The Florida  
1859 Thoroughbred Breeders' Association is authorized to receive  
1860 these payments from the permitholders and make payments of  
1861 awards earned. The Florida Thoroughbred Breeders' Association  
1862 has the right to withhold up to 10 percent of the permitholder's  
1863 payments under this section as a fee for administering the  
1864 payments of awards and for general promotion of the industry.  
1865 The permitholder shall remit these payments to the Florida  
1866 Thoroughbred Breeders' Association by the 5th day of each  
1867 calendar month for such sums accruing during the preceding  
1868 calendar month and shall report such payments to the commission  
1869 ~~division~~ as prescribed by the commission ~~division~~. With the  
1870 exception of the 10-percent fee, the moneys paid by the  
1871 permitholders shall be maintained in a separate, interest-  
1872 bearing account, and such payments together with any interest  
1873 earned shall be used exclusively for the payment of breeders',  
1874 stallion, or special racing awards in accordance with the  
1875 following provisions:

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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1876 (a) The breeder of each Florida-bred thoroughbred horse  
1877 winning a thoroughbred horse race is entitled to an award of up  
1878 to, but not exceeding, 20 percent of the announced gross purse,  
1879 including nomination fees, eligibility fees, starting fees,  
1880 supplementary fees, and moneys added by the sponsor of the race.

1881 (b) The owner or owners of the sire of a Florida-bred  
1882 thoroughbred horse that wins a stakes race is entitled to a  
1883 stallion award of up to, but not exceeding, 20 percent of the  
1884 announced gross purse, including nomination fees, eligibility  
1885 fees, starting fees, supplementary fees, and moneys added by the  
1886 sponsor of the race.

1887 (c) The owners of thoroughbred horses participating in  
1888 thoroughbred stakes races, nonstakes races, or both may receive  
1889 a special racing award in accordance with the agreement  
1890 established pursuant to s. 550.26165(1).

1891 (d) In order for a breeder of a Florida-bred thoroughbred  
1892 horse to be eligible to receive a breeder's award, the horse  
1893 must have been registered as a Florida-bred horse with the  
1894 Florida Thoroughbred Breeders' Association, and the Jockey Club  
1895 certificate for the horse must show that it has been duly  
1896 registered as a Florida-bred horse as evidenced by the seal and  
1897 proper serial number of the Florida Thoroughbred Breeders'  
1898 Association registry. The Florida Thoroughbred Breeders'  
1899 Association shall be permitted to charge the registrant a  
1900 reasonable fee for this verification and registration.

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1901 (e) In order for an owner of the sire of a thoroughbred  
1902 horse winning a stakes race to be eligible to receive a stallion  
1903 award, the stallion must have been registered with the Florida  
1904 Thoroughbred Breeders' Association, and the breeding of the  
1905 registered Florida-bred horse must have occurred in this state.  
1906 The stallion must be standing permanently in this state during  
1907 the period of time between February 1 and June 15 of each year  
1908 or, if the stallion is dead, must have stood permanently in this  
1909 state for a period of not less than 1 year immediately prior to  
1910 its death. The removal of a stallion from this state during the  
1911 period of time between February 1 and June 15 of any year for  
1912 any reason, other than exclusively for prescribed medical  
1913 treatment, as approved by the Florida Thoroughbred Breeders'  
1914 Association, renders the owner or owners of the stallion  
1915 ineligible to receive a stallion award under any circumstances  
1916 for offspring sired prior to removal; however, if a removed  
1917 stallion is returned to this state, all offspring sired  
1918 subsequent to the return make the owner or owners of the  
1919 stallion eligible for the stallion award but only for those  
1920 offspring sired subsequent to such return to this state. The  
1921 Florida Thoroughbred Breeders' Association shall maintain  
1922 complete records showing the date the stallion arrived in this  
1923 state for the first time, whether or not the stallion remained  
1924 in the state permanently, the location of the stallion, and  
1925 whether the stallion is still standing in this state and

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1926 complete records showing awards earned, received, and  
1927 distributed. The association may charge the owner, owners, or  
1928 breeder a reasonable fee for this service.

1929 (f) A permitholder conducting a thoroughbred horse race  
1930 under the provisions of this chapter shall, within 30 days after  
1931 the end of the race meet during which the race is conducted,  
1932 certify to the Florida Thoroughbred Breeders' Association such  
1933 information relating to the thoroughbred horses winning a stakes  
1934 or other horserace at the meet as may be required to determine  
1935 the eligibility for payment of breeders', stallion, and special  
1936 racing awards.

1937 (g) The Florida Thoroughbred Breeders' Association shall  
1938 maintain complete records showing the starters and winners in  
1939 all races conducted at thoroughbred tracks in this state; shall  
1940 maintain complete records showing awards earned, received, and  
1941 distributed; and may charge the owner, owners, or breeder a  
1942 reasonable fee for this service.

1943 (h) The Florida Thoroughbred Breeders' Association shall  
1944 annually establish a uniform rate and procedure for the payment  
1945 of breeders' and stallion awards and shall make breeders' and  
1946 stallion award payments in strict compliance with the  
1947 established uniform rate and procedure plan. The plan may set a  
1948 cap on winnings and may limit, exclude, or defer payments to  
1949 certain classes of races, such as the Florida stallion stakes  
1950 races, in order to assure that there are adequate revenues to

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1951 meet the proposed uniform rate. Such plan must include proposals  
1952 for the general promotion of the industry. Priority shall be  
1953 placed upon imposing such restrictions in lieu of allowing the  
1954 uniform rate to be less than 15 percent of the total purse  
1955 payment. The uniform rate and procedure plan must be approved by  
1956 the commission ~~division~~ before implementation. In the absence of  
1957 an approved plan and procedure, the authorized rate for  
1958 breeders' and stallion awards is 15 percent of the announced  
1959 gross purse for each race. Such purse must include nomination  
1960 fees, eligibility fees, starting fees, supplementary fees, and  
1961 moneys added by the sponsor of the race. If the funds in the  
1962 account for payment of breeders' and stallion awards are not  
1963 sufficient to meet all earned breeders' and stallion awards,  
1964 those breeders and stallion owners not receiving payments have  
1965 first call on any subsequent receipts in that or any subsequent  
1966 year.

1967 (i) The Florida Thoroughbred Breeders' Association shall  
1968 keep accurate records showing receipts and disbursements of such  
1969 payments and shall annually file a full and complete report to  
1970 the commission ~~division~~ showing such receipts and disbursements  
1971 and the sums withheld for administration. The commission  
1972 ~~division~~ may audit the records and accounts of the Florida  
1973 Thoroughbred Breeders' Association to determine that payments  
1974 have been made to eligible breeders and stallion owners in  
1975 accordance with this section.

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1976 (j) If the commission ~~division~~ finds that the Florida  
 1977 Thoroughbred Breeders' Association has not complied with any  
 1978 provision of this section, the commission ~~division~~ may order the  
 1979 association to cease and desist from receiving funds and  
 1980 administering funds received under this section. If the  
 1981 commission ~~division~~ enters such an order, the permitholder shall  
 1982 make the payments authorized in this section to the commission  
 1983 ~~division~~ for deposit into the Pari-mutuel Wagering Trust Fund;  
 1984 and any funds in the Florida Thoroughbred Breeders' Association  
 1985 account shall be immediately paid to the commission ~~Division of~~  
 1986 ~~Pari-mutuel Wagering~~ for deposit to the Pari-mutuel Wagering  
 1987 Trust Fund. The commission ~~division~~ shall authorize payment from  
 1988 these funds to any breeder or stallion owner entitled to an  
 1989 award that has not been previously paid by the Florida  
 1990 Thoroughbred Breeders' Association in accordance with the  
 1991 applicable rate.

1992 (4) Each permitholder conducting a harness horse race  
 1993 under this chapter shall pay a sum equal to the breaks on all  
 1994 pari-mutuel pools conducted during that race for the payment of  
 1995 breeders' awards, stallion awards, and stallion stakes and for  
 1996 additional expenditures as authorized in this section. The  
 1997 Florida Standardbred Breeders and Owners Association is  
 1998 authorized to receive these payments from the permitholders and  
 1999 make payments as authorized in this subsection. The Florida  
 2000 Standardbred Breeders and Owners Association has the right to



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2001 withhold up to 10 percent of the permitholder's payments under  
2002 this section and under s. 550.2633 as a fee for administering  
2003 these payments. The permitholder shall remit these payments to  
2004 the Florida Standardbred Breeders and Owners Association by the  
2005 5th day of each calendar month for such sums accruing during the  
2006 preceding calendar month and shall report such payments to the  
2007 commission ~~division~~ as prescribed by the commission ~~division~~.  
2008 With the exception of the 10-percent fee for administering the  
2009 payments and the use of the moneys authorized by paragraph (j),  
2010 the moneys paid by the permitholders shall be maintained in a  
2011 separate, interest-bearing account; and such payments together  
2012 with any interest earned shall be allocated for the payment of  
2013 breeders' awards, stallion awards, stallion stakes, additional  
2014 purses, and prizes for, and the general promotion of owning and  
2015 breeding of, Florida-bred standardbred horses. Payment of  
2016 breeders' awards and stallion awards shall be made in accordance  
2017 with the following provisions:

2018 (a) The breeder of each Florida-bred standardbred horse  
2019 winning a harness horse race is entitled to an award of up to,  
2020 but not exceeding, 20 percent of the announced gross purse,  
2021 including nomination fees, eligibility fees, starting fees,  
2022 supplementary fees, and moneys added by the sponsor of the race.

2023 (b) The owner or owners of the sire of a Florida-bred  
2024 standardbred horse that wins a stakes race is entitled to a  
2025 stallion award of up to, but not exceeding, 20 percent of the

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2026 announced gross purse, including nomination fees, eligibility  
2027 fees, starting fees, supplementary fees, and moneys added by the  
2028 sponsor of the race.

2029 (c) In order for a breeder of a Florida-bred standardbred  
2030 horse to be eligible to receive a breeder's award, the horse  
2031 winning the race must have been registered as a Florida-bred  
2032 horse with the Florida Standardbred Breeders and Owners  
2033 Association and a registration certificate under seal for the  
2034 winning horse must show that the winner has been duly registered  
2035 as a Florida-bred horse as evidenced by the seal and proper  
2036 serial number of the United States Trotting Association  
2037 registry. The Florida Standardbred Breeders and Owners  
2038 Association shall be permitted to charge the registrant a  
2039 reasonable fee for this verification and registration.

2040 (d) In order for an owner of the sire of a standardbred  
2041 horse winning a stakes race to be eligible to receive a stallion  
2042 award, the stallion must have been registered with the Florida  
2043 Standardbred Breeders and Owners Association, and the breeding  
2044 of the registered Florida-bred horse must have occurred in this  
2045 state. The stallion must be standing permanently in this state  
2046 or, if the stallion is dead, must have stood permanently in this  
2047 state for a period of not less than 1 year immediately prior to  
2048 its death. The removal of a stallion from this state for any  
2049 reason, other than exclusively for prescribed medical treatment,  
2050 renders the owner or the owners of the stallion ineligible to

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2051 receive a stallion award under any circumstances for offspring  
2052 sired prior to removal; however, if a removed stallion is  
2053 returned to this state, all offspring sired subsequent to the  
2054 return make the owner or owners of the stallion eligible for the  
2055 stallion award but only for those offspring sired subsequent to  
2056 such return to this state. The Florida Standardbred Breeders and  
2057 Owners Association shall maintain complete records showing the  
2058 date the stallion arrived in this state for the first time,  
2059 whether or not the stallion remained in the state permanently,  
2060 the location of the stallion, and whether the stallion is still  
2061 standing in this state and complete records showing awards  
2062 earned, received, and distributed. The association may charge  
2063 the owner, owners, or breeder a reasonable fee for this service.

2064 (e) A permitholder conducting a harness horse race under  
2065 this chapter shall, within 30 days after the end of the race  
2066 meet during which the race is conducted, certify to the Florida  
2067 Standardbred Breeders and Owners Association such information  
2068 relating to the horse winning a stakes or other horserace at the  
2069 meet as may be required to determine the eligibility for payment  
2070 of breeders' awards and stallion awards.

2071 (f) The Florida Standardbred Breeders and Owners  
2072 Association shall maintain complete records showing the starters  
2073 and winners in all races conducted at harness horse racetracks  
2074 in this state; shall maintain complete records showing awards  
2075 earned, received, and distributed; and may charge the owner,

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2076 owners, or breeder a reasonable fee for this service.

2077 (g) The Florida Standardbred Breeders and Owners  
2078 Association shall annually establish a uniform rate and  
2079 procedure for the payment of breeders' awards, stallion awards,  
2080 stallion stakes, additional purses, and prizes for, and for the  
2081 general promotion of owning and breeding of, Florida-bred  
2082 standardbred horses and shall make award payments and  
2083 allocations in strict compliance with the established uniform  
2084 rate and procedure. The plan may set a cap on winnings, and may  
2085 limit, exclude, or defer payments to certain classes of races,  
2086 such as the Florida Breeders' stakes races, in order to assure  
2087 that there are adequate revenues to meet the proposed uniform  
2088 rate. Priority shall be placed on imposing such restrictions in  
2089 lieu of allowing the uniform rate allocated to payment of  
2090 breeder and stallion awards to be less than 10 percent of the  
2091 total purse payment. The uniform rate and procedure must be  
2092 approved by the commission ~~division~~ before implementation. In  
2093 the absence of an approved plan and procedure, the authorized  
2094 rate for breeders' and stallion awards is 10 percent of the  
2095 announced gross purse for each race. Such purse must include  
2096 nomination fees, eligibility fees, starting fees, supplementary  
2097 fees, and moneys added by the sponsor of the race. If the funds  
2098 in the account for payment of breeders' and stallion awards are  
2099 not sufficient to meet all earned breeders' and stallion awards,  
2100 those breeders and stallion owners not receiving payments have

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2101 first call on any subsequent receipts in that or any subsequent  
2102 year.

2103 (h) The Florida Standardbred Breeders and Owners  
2104 Association shall keep accurate records showing receipts and  
2105 disbursements of such payments and shall annually file a full  
2106 and complete report to the commission ~~division~~ showing such  
2107 receipts and disbursements and the sums withheld for  
2108 administration. The commission ~~division~~ may audit the records  
2109 and accounts of the Florida Standardbred Breeders and Owners  
2110 Association to determine that payments have been made to  
2111 eligible breeders, stallion owners, and owners of Florida-bred  
2112 standardbred horses in accordance with this section.

2113 (i) If the commission ~~division~~ finds that the Florida  
2114 Standardbred Breeders and Owners Association has not complied  
2115 with any provision of this section, the commission ~~division~~ may  
2116 order the association to cease and desist from receiving funds  
2117 and administering funds received under this section and under s.  
2118 550.2633. If the commission ~~division~~ enters such an order, the  
2119 permit holder shall make the payments authorized in this section  
2120 and s. 550.2633 to the commission ~~division~~ for deposit into the  
2121 Pari-mutuel Wagering Trust Fund; and any funds in the Florida  
2122 Standardbred Breeders and Owners Association account shall be  
2123 immediately paid to the commission ~~division~~ for deposit to the  
2124 Pari-mutuel Wagering Trust Fund. The commission ~~division~~ shall  
2125 authorize payment from these funds to any breeder, stallion

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2126 | owner, or owner of a Florida-bred standardbred horse entitled to  
2127 | an award that has not been previously paid by the Florida  
2128 | Standardbred Breeders and Owners Association in accordance with  
2129 | the applicable rate.

2130 |       (j) The board of directors of the Florida Standardbred  
2131 | Breeders and Owners Association may authorize the release of up  
2132 | to 25 percent of the funds available for breeders' awards,  
2133 | stallion awards, stallion stakes, additional purses, and prizes  
2134 | for, and for the general promotion of owning and breeding of,  
2135 | Florida-bred standardbred horses to be used for purses for, and  
2136 | promotion of, Florida-bred standardbred horses at race meetings  
2137 | at which there is no pari-mutuel wagering unless, and to the  
2138 | extent that, such release would render the funds available for  
2139 | such awards insufficient to pay the breeders' and stallion  
2140 | awards earned pursuant to the annual plan of the association.  
2141 | Any such funds so released and used for purses are not  
2142 | considered to be an "announced gross purse" as that term is used  
2143 | in paragraphs (a) and (b), and no breeders' or stallion awards,  
2144 | stallion stakes, or owner awards are required to be paid for  
2145 | standardbred horses winning races in meetings at which there is  
2146 | no pari-mutuel wagering. The amount of purses to be paid from  
2147 | funds so released and the meets eligible to receive such funds  
2148 | for purses must be approved by the board of directors of the  
2149 | Florida Standardbred Breeders and Owners Association.

2150 |       (5) (a) Except as provided in subsections (7) and (8), each

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2151 | permitholder conducting a quarter horse race meet under this  
2152 | chapter shall pay a sum equal to the breaks plus a sum equal to  
2153 | 1 percent of all pari-mutuel pools conducted during that race  
2154 | for supplementing and augmenting purses and prizes and for the  
2155 | general promotion of owning and breeding of racing quarter  
2156 | horses in this state as authorized in this section. The Florida  
2157 | Quarter Horse Breeders and Owners Association is authorized to  
2158 | receive these payments from the permitholders and make payments  
2159 | as authorized in this subsection. The Florida Quarter Horse  
2160 | Breeders and Owners Association, Inc., referred to in this  
2161 | chapter as the Florida Quarter Horse Breeders and Owners  
2162 | Association, has the right to withhold up to 10 percent of the  
2163 | permitholder's payments under this section and under s. 550.2633  
2164 | as a fee for administering these payments. The permitholder  
2165 | shall remit these payments to the Florida Quarter Horse Breeders  
2166 | and Owners Association by the 5th day of each calendar month for  
2167 | such sums accruing during the preceding calendar month and shall  
2168 | report such payments to the commission ~~division~~ as prescribed by  
2169 | the commission ~~division~~. With the exception of the 5-percent fee  
2170 | for administering the payments, the moneys paid by the  
2171 | permitholders shall be maintained in a separate, interest-  
2172 | bearing account.

2173 |       (f) The Florida Quarter Horse Breeders and Owners  
2174 | Association shall keep accurate records showing receipts and  
2175 | disbursements of payments made under this section and shall

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2176 annually file a full and complete report to the commission  
2177 ~~division~~ showing such receipts and disbursements and the sums  
2178 withheld for administration. The commission ~~division~~ may audit  
2179 the records and accounts of the Florida Quarter Horse Breeders  
2180 and Owners Association to determine that payments have been made  
2181 in accordance with this section.

2182 (g) The Florida Quarter Horse Breeders and Owners  
2183 Association shall annually establish a plan for supplementing  
2184 and augmenting purses and prizes and for the general promotion  
2185 of owning and breeding Florida-bred racing quarter horses and  
2186 shall make award payments and allocations in strict compliance  
2187 with the annual plan. The annual plan must be approved by the  
2188 commission ~~division~~ before implementation. If the funds in the  
2189 account for payment of purses and prizes are not sufficient to  
2190 meet all purses and prizes to be awarded, those breeders and  
2191 owners not receiving payments have first call on any subsequent  
2192 receipts in that or any subsequent year.

2193 (h) If the commission ~~division~~ finds that the Florida  
2194 Quarter Horse Breeders and Owners Association has not complied  
2195 with any provision of this section, the commission ~~division~~ may  
2196 order the association to cease and desist from receiving funds  
2197 and administering funds received under this section and s.  
2198 550.2633. If the commission ~~division~~ enters such an order, the  
2199 permitholder shall make the payments authorized in this section  
2200 and s. 550.2633 to the commission ~~division~~ for deposit into the



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2201 Pari-mutuel Wagering Trust Fund, and any funds in the Florida  
 2202 Quarter Horse Breeders and Owners Association account shall be  
 2203 immediately paid to the commission ~~division~~ for deposit to the  
 2204 Pari-mutuel Wagering Trust Fund. The commission ~~division~~ shall  
 2205 authorize payment from these funds to any breeder or owner of a  
 2206 quarter horse entitled to an award that has not been previously  
 2207 paid by the Florida Quarter Horse Breeders and Owners  
 2208 Association in accordance with this section.

2209 (6)

2210 (e) This subsection governs owners' awards paid on  
 2211 thoroughbred horse races only in this state, unless a written  
 2212 agreement is filed with the commission ~~division~~ establishing the  
 2213 rate, procedures, and eligibility requirements for owners'  
 2214 awards, including place of finish, class of race, maximum purse,  
 2215 and maximum award, and the agreement is entered into by the  
 2216 permitholder, the Florida Thoroughbred Breeders' Association,  
 2217 and the association representing a majority of the racehorse  
 2218 owners and trainers at the permitholder's location.

2219 (7) (a) Each permitholder that conducts race meets under  
 2220 this chapter and runs Appaloosa races shall pay to the  
 2221 commission ~~division~~ a sum equal to the breaks plus a sum equal  
 2222 to 1 percent of the total contributions to each pari-mutuel pool  
 2223 conducted on each Appaloosa race. The payments shall be remitted  
 2224 to the commission ~~division~~ by the 5th day of each calendar month  
 2225 for sums accruing during the preceding calendar month.

2226 (b) The commission ~~division~~ shall deposit these  
 2227 collections to the credit of the General Inspection Trust Fund  
 2228 in a special account to be known as the "Florida Appaloosa  
 2229 Racing Promotion Account." The Department of Agriculture and  
 2230 Consumer Services shall administer the funds and adopt suitable  
 2231 and reasonable rules for the administration thereof. The moneys  
 2232 in the Florida Appaloosa Racing Promotion Account shall be  
 2233 allocated solely for supplementing and augmenting purses and  
 2234 prizes and for the general promotion of owning and breeding of  
 2235 racing Appaloosas in this state; and the moneys may not be used  
 2236 to defray any expense of the Department of Agriculture and  
 2237 Consumer Services in the administration of this chapter.

2238 (8) Each permitholder that conducts race meets under this  
 2239 chapter and runs Arabian horse races shall pay to the commission  
 2240 ~~division~~ a sum equal to the breaks plus a sum equal to 1 percent  
 2241 of the total contributions to each pari-mutuel pool conducted on  
 2242 each Arabian horse race. The payments shall be remitted to the  
 2243 commission ~~division~~ by the 5th day of each calendar month for  
 2244 sums accruing during the preceding calendar month.

2245 Section 31. Subsections (1), (3), (5), and (6), paragraph  
 2246 (a) of subsection (8), and subsections (9), (10), and (11) of  
 2247 section 550.26352, Florida Statutes, are amended to read:

2248 550.26352 Breeders' Cup Meet; pools authorized; conflicts;  
 2249 taxes; credits; transmission of races; rules; application.—

2250 (1) Notwithstanding any provision of this chapter to the

2251 contrary, there is hereby created a special thoroughbred race  
 2252 meet which shall be designated as the "Breeders' Cup Meet." The  
 2253 Breeders' Cup Meet shall be conducted at the facility of the  
 2254 Florida permitholder selected by Breeders' Cup Limited to  
 2255 conduct the Breeders' Cup Meet. The Breeders' Cup Meet shall  
 2256 consist of 3 days: the day on which the Breeders' Cup races are  
 2257 conducted, the preceding day, and the subsequent day. Upon the  
 2258 selection of the Florida permitholder as host for the Breeders'  
 2259 Cup Meet and application by the selected permitholder, the  
 2260 commission ~~division~~ shall issue a license to the selected  
 2261 permitholder to operate the Breeders' Cup Meet. Notwithstanding  
 2262 s. 550.09515(2) (a), the Breeders' Cup Meet may be conducted on  
 2263 dates which the selected permitholder is not otherwise  
 2264 authorized to conduct a race meet.

2265 (3) If the permitholder conducting the Breeders' Cup Meet  
 2266 is located within 35 miles of one or more permitholders  
 2267 scheduled to conduct a thoroughbred race meet on any of the 3  
 2268 days of the Breeders' Cup Meet, then operation on any of those 3  
 2269 days by the other permitholders is prohibited. As compensation  
 2270 for the loss of racing days caused thereby, such operating  
 2271 permitholders shall receive a credit against the taxes otherwise  
 2272 due and payable to the state under ss. 550.0951 and 550.09515.  
 2273 This credit shall be in an amount equal to the operating loss  
 2274 determined to have been suffered by the operating permitholders  
 2275 as a result of not operating on the prohibited racing days, but

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2276 shall not exceed a total of \$950,000. The determination of the  
2277 amount to be credited shall be made by the commission ~~division~~  
2278 upon application by the operating permitholder. The tax credits  
2279 provided in this subsection shall not be available unless an  
2280 operating permitholder is required to close a bona fide meet  
2281 consisting in part of no fewer than 10 scheduled performances in  
2282 the 15 days immediately preceding or 10 scheduled performances  
2283 in the 15 days immediately following the Breeders' Cup Meet.  
2284 Such tax credit shall be in lieu of any other compensation or  
2285 consideration for the loss of racing days. There shall be no  
2286 replacement or makeup of any lost racing days.

2287 (5) The permitholder conducting the Breeders' Cup Meet  
2288 shall receive a credit against the taxes otherwise due and  
2289 payable to the state under ss. 550.0951 and 550.09515 generated  
2290 during said permitholder's next ensuing regular thoroughbred  
2291 race meet. This credit shall be in an amount not to exceed  
2292 \$950,000 and shall be utilized by the permitholder to pay the  
2293 purses offered by the permitholder during the Breeders' Cup Meet  
2294 in excess of the purses which the permitholder is otherwise  
2295 required by law to pay. The amount to be credited shall be  
2296 determined by the commission ~~division~~ upon application of the  
2297 permitholder which is subject to audit by the commission  
2298 ~~division~~.

2299 (6) The permitholder conducting the Breeders' Cup Meet  
2300 shall receive a credit against the taxes otherwise due and

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2301 payable to the state under ss. 550.0951 and 550.09515 generated  
2302 during said permitholder's next ensuing regular thoroughbred  
2303 race meet. This credit shall be in an amount not to exceed  
2304 \$950,000 and shall be utilized by the permitholder for such  
2305 capital improvements and extraordinary expenses as may be  
2306 necessary for operation of the Breeders' Cup Meet. The amount to  
2307 be credited shall be determined by the commission ~~division~~ upon  
2308 application of the permitholder which is subject to audit by the  
2309 commission ~~division~~.

2310 (8)(a) Pursuant to s. 550.3551(2), the permitholder  
2311 conducting the Breeders' Cup Meet is authorized to transmit  
2312 broadcasts of the races conducted during the Breeders' Cup Meet  
2313 to locations outside of this state for wagering purposes. The  
2314 commission ~~division~~ may approve broadcasts to pari-mutuel  
2315 permitholders and other betting systems authorized under the  
2316 laws of any other state or country. Wagers accepted by any out-  
2317 of-state pari-mutuel permitholder or betting system on any races  
2318 broadcast under this section may be, but are not required to be,  
2319 commingled with the pari-mutuel pools of the permitholder  
2320 conducting the Breeders' Cup Meet. The calculation of any payoff  
2321 on national pari-mutuel pools with commingled wagers may be  
2322 performed by the permitholder's totalisator contractor at a  
2323 location outside of this state. Pool amounts from wagers placed  
2324 at pari-mutuel facilities or other betting systems in foreign  
2325 countries before being commingled with the pari-mutuel pool of

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2326 the Florida permitholder conducting the Breeders' Cup Meet shall  
2327 be calculated by the totalisator contractor and transferred to  
2328 the commingled pool in United States currency in cycles  
2329 customarily used by the permitholder. Pool amounts from wagers  
2330 placed at any foreign pari-mutuel facility or other betting  
2331 system shall not be commingled with a Florida pool until a  
2332 determination is made by the commission ~~division~~ that the  
2333 technology utilized by the totalisator contractor is adequate to  
2334 assure commingled pools will result in the calculation of  
2335 accurate payoffs to Florida bettors. Any totalisator contractor  
2336 at a location outside of this state shall comply with the  
2337 provisions of s. 550.495 relating to totalisator licensing.

2338 (9) The exemption from the tax credits provided in  
2339 subsections (5) and (6) shall not be granted and shall not be  
2340 claimed by the permitholder until an audit is completed by the  
2341 commission ~~division~~. The commission ~~division~~ is required to  
2342 complete the audit within 30 days of receipt of the necessary  
2343 documentation from the permitholder to verify the permitholder's  
2344 claim for tax credits. If the documentation submitted by the  
2345 permitholder is incomplete or is insufficient to document the  
2346 permitholder's claim for tax credits, the commission ~~division~~  
2347 may request such additional documentation as is necessary to  
2348 complete the audit. Upon receipt of the commission's ~~division's~~  
2349 written request for additional documentation, the 30-day time  
2350 limitation will commence anew.

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2351           (10) The commission ~~division~~ is authorized to adopt such  
2352 rules as are necessary to facilitate the conduct of the  
2353 Breeders' Cup Meet as authorized in this section. Included  
2354 within this grant of authority shall be the adoption or waiver  
2355 of rules regarding the overall conduct of racing during the  
2356 Breeders' Cup Meet so as to ensure the integrity of the races,  
2357 licensing for all participants, special stabling and training  
2358 requirements for foreign horses, commingling of pari-mutuel  
2359 pools, and audit requirements for tax credits and other  
2360 benefits.

2361           (11) Any dispute between the commission ~~division~~ and any  
2362 permitholder regarding the tax credits authorized under  
2363 subsection (3), subsection (5), or subsection (6) shall be  
2364 determined by a hearing officer of the Division of  
2365 Administrative Hearings under the provisions of s. 120.57(1).

2366           Section 32. Subsections (1), (5), (6), and (8) of section  
2367 550.2704, Florida Statutes, are amended to read:

2368           550.2704 Jai Alai Tournament of Champions Meet.—

2369           (1) Notwithstanding any provision of this chapter, there  
2370 is hereby created a special jai alai meet which shall be  
2371 designated as the "Jai Alai Tournament of Champions Meet" and  
2372 which shall be hosted by the Florida jai alai permitholders  
2373 selected by the National Association of Jai Alai Frontons, Inc.,  
2374 to conduct such meet. The meet shall consist of three qualifying  
2375 performances and a final performance, each of which is to be

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2376 conducted on different days. Upon the selection of the Florida  
2377 permitholders for the meet, and upon application by the selected  
2378 permitholders, the commission ~~Division of Pari-mutuel Wagering~~  
2379 shall issue a license to each of the selected permitholders to  
2380 operate the meet. The meet may be conducted during a season in  
2381 which the permitholders selected to conduct the meet are not  
2382 otherwise authorized to conduct a meet. Notwithstanding anything  
2383 herein to the contrary, any Florida permitholder who is to  
2384 conduct a performance which is a part of the Jai Alai Tournament  
2385 of Champions Meet shall not be required to apply for the license  
2386 for said meet if it is to be run during the regular season for  
2387 which such permitholder has a license.

2388 (5) In addition to the credit authorized in subsection  
2389 (4), the Jai Alai Tournament of Champions Meet permitholders  
2390 shall receive a credit against the taxes, otherwise due and  
2391 payable under s. 550.0951 or s. 550.09511, generated during said  
2392 permitholders' current regular meet, in an amount not to exceed  
2393 the aggregate amount of \$150,000, which shall be prorated  
2394 equally between the permitholders, and shall be utilized by the  
2395 permitholders for such capital improvements and extraordinary  
2396 expenses, including marketing expenses, as may be necessary for  
2397 the operation of the meet. The determination of the amount to be  
2398 credited shall be made by the commission ~~division~~ upon  
2399 application of said permitholders.

2400 (6) The permitholder shall be entitled to said



2401 permitholder's pro rata share of the \$150,000 tax credit  
 2402 provided in subsection (5) without having to make application,  
 2403 so long as appropriate documentation to substantiate said  
 2404 expenditures thereunder is provided to the commission ~~division~~  
 2405 within 30 days following said Jai Alai Tournament of Champions  
 2406 Meet.

2407 (8) The commission ~~division~~ is authorized to adopt such  
 2408 rules as are necessary to facilitate the conduct of the Jai Alai  
 2409 Tournament of Champions Meet as authorized in this section.  
 2410 Included within this grant of authority shall be the adoption of  
 2411 rules regarding the overall conduct of the tournament so as to  
 2412 ensure the integrity of the event, licensing for participants,  
 2413 commingling of pari-mutuel pools, and audit requirements for tax  
 2414 credits and exemptions.

2415 Section 33. Subsections (3) and (5) of section 550.334,  
 2416 Florida Statutes, are amended to read:

2417 550.334 Quarter horse racing; substitutions.—

2418 (3) Quarter horses participating in such races must be  
 2419 duly registered by the American Quarter Horse Association, and  
 2420 before each race such horses must be examined and declared in  
 2421 fit condition by a qualified person designated by the commission  
 2422 ~~division~~.

2423 (5) Any quarter horse racing permitholder operating under  
 2424 a valid permit issued by the commission ~~division~~ is authorized  
 2425 to substitute races of other breeds of horses which are,

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2426 | respectively, registered with the American Paint Horse  
2427 | Association, Appaloosa Horse Club, Arabian Horse Registry of  
2428 | America, Palomino Horse Breeders of America, United States  
2429 | Trotting Association, Florida Cracker Horse Association, or  
2430 | Jockey Club for no more than 50 percent of the quarter horse  
2431 | races during its meet.

2432 |       Section 34. Subsection (2) of section 550.3345, Florida  
2433 | Statutes, is amended to read:

2434 |       550.3345 Conversion of quarter horse permit to a limited  
2435 | thoroughbred permit.—

2436 |       (2) Notwithstanding any other provision of law, the holder  
2437 | of a quarter horse racing permit issued under s. 550.334 may,  
2438 | within 1 year after the effective date of this section, apply to  
2439 | the commission ~~division~~ for a transfer of the quarter horse  
2440 | racing permit to a not-for-profit corporation formed under state  
2441 | law to serve the purposes of the state as provided in subsection  
2442 | (1). The board of directors of the not-for-profit corporation  
2443 | must be comprised of 11 members, 4 of whom shall be designated  
2444 | by the applicant, 4 of whom shall be designated by the Florida  
2445 | Thoroughbred Breeders' Association, and 3 of whom shall be  
2446 | designated by the other 8 directors, with at least 1 of these 3  
2447 | members being an authorized representative of another  
2448 | thoroughbred permitholder in this state. The not-for-profit  
2449 | corporation shall submit an application to the commission  
2450 | ~~division~~ for review and approval of the transfer in accordance

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2451 with s. 550.054. Upon approval of the transfer by the commission  
2452 ~~division~~, and notwithstanding any other provision of law to the  
2453 contrary, the not-for-profit corporation may, within 1 year  
2454 after its receipt of the permit, request that the commission  
2455 ~~division~~ convert the quarter horse racing permit to a permit  
2456 authorizing the holder to conduct pari-mutuel wagering meets of  
2457 thoroughbred racing. Neither the transfer of the quarter horse  
2458 racing permit nor its conversion to a limited thoroughbred  
2459 permit shall be subject to the mileage limitation or the  
2460 ratification election as set forth under s. 550.054(2) or s.  
2461 550.0651. Upon receipt of the request for such conversion, the  
2462 commission ~~division~~ shall timely issue a converted permit. The  
2463 converted permit and the not-for-profit corporation shall be  
2464 subject to the following requirements:

2465 (a) All net revenues derived by the not-for-profit  
2466 corporation under the thoroughbred horse racing permit and any  
2467 license issued to the not-for-profit corporation under chapter  
2468 849, after the funding of operating expenses and capital  
2469 improvements, shall be dedicated to the enhancement of  
2470 thoroughbred purses and breeders', stallion, and special racing  
2471 awards under this chapter; the general promotion of the  
2472 thoroughbred horse breeding industry; and the care in this state  
2473 of thoroughbred horses retired from racing.

2474 (b) From December 1 through April 30, no live thoroughbred  
2475 racing may be conducted under the permit on any day during which

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2476 another thoroughbred permitholder is conducting live  
2477 thoroughbred racing within 125 air miles of the not-for-profit  
2478 corporation's pari-mutuel facility unless the other thoroughbred  
2479 permitholder gives its written consent.

2480 (c) After the conversion of the quarter horse racing  
2481 permit and the issuance of its initial license to conduct pari-  
2482 mutuel wagering meets of thoroughbred racing, the not-for-profit  
2483 corporation shall annually apply to the commission ~~division~~ for  
2484 a license pursuant to s. 550.5251.

2485 (d) Racing under the permit may take place only at the  
2486 location for which the original quarter horse racing permit was  
2487 issued, which may be leased by the not-for-profit corporation  
2488 for that purpose; however, the not-for-profit corporation may,  
2489 without the conduct of any ratification election pursuant to s.  
2490 550.054(13) or s. 550.0651, move the location of the permit to  
2491 another location in the same county provided that such  
2492 relocation is approved under the zoning and land use regulations  
2493 of the applicable county or municipality.

2494 (e) A permit converted under this section and a license  
2495 issued to the not-for-profit corporation under chapter 849 are  
2496 not eligible for transfer to another person or entity.

2497 Section 35. Section 550.3355, Florida Statutes, is amended  
2498 to read:

2499 550.3355 Harness track licenses for summer quarter horse  
2500 racing.—Any harness track licensed to operate under the

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2501 provisions of s. 550.375 may make application for, and shall be  
2502 issued by the commission ~~division~~, a license to operate not more  
2503 than 50 quarter horse racing days during the summer season,  
2504 which shall extend from July 1 until October 1 of each year.  
2505 However, this license to operate quarter horse racing for 50  
2506 days is in addition to the racing days and dates provided in s.  
2507 550.375 for harness racing during the winter seasons; and, it  
2508 does not affect the right of such licensee to operate harness  
2509 racing at the track as provided in s. 550.375 during the winter  
2510 season. All provisions of this chapter governing quarter horse  
2511 racing not in conflict herewith apply to the operation of  
2512 quarter horse meetings authorized hereunder, except that all  
2513 quarter horse racing permitted hereunder shall be conducted at  
2514 night.

2515 Section 36. Paragraph (a) of subsection (6) and  
2516 subsections (10) and (13) of section 550.3551, Florida Statutes,  
2517 are amended to read:

2518 550.3551 Transmission of racing and jai alai information;  
2519 commingling of pari-mutuel pools.—

2520 (6) (a) A permitholder conducting live races or games may  
2521 not conduct fewer than eight live races or games on any  
2522 authorized race day except as provided in this subsection. A  
2523 thoroughbred permitholder may not conduct fewer than eight live  
2524 races on any race day without the written approval of the  
2525 Florida Thoroughbred Breeders' Association and the Florida

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2526 Horsemen's Benevolent and Protective Association, Inc., unless  
2527 it is determined by the commission ~~department~~ that another  
2528 entity represents a majority of the thoroughbred racehorse  
2529 owners and trainers in the state. If conducting live racing, a  
2530 harness permitholder may conduct fewer than eight live races on  
2531 any authorized race day. Any harness horse permitholder may  
2532 receive full-card broadcasts of harness horse races conducted at  
2533 harness racetracks outside this state at the harness track of  
2534 the permitholder and accept wagers on such harness races.

2535 (10) The commission ~~division~~ may adopt rules necessary to  
2536 facilitate commingling of pari-mutuel pools, to ensure the  
2537 proper calculation of payoffs in circumstances in which  
2538 different commission percentages are applicable and to regulate  
2539 the distribution of net proceeds between the horse track and, in  
2540 this state, the horsemen's associations.

2541 (13) This section does not prohibit the commingling of  
2542 national pari-mutuel pools by a totalisator company that is  
2543 licensed under this chapter. Such commingling of national pools  
2544 is subject to commission ~~division~~ review and approval and must  
2545 be performed in accordance with rules adopted by the commission  
2546 ~~division~~ to ensure accurate calculation and distribution of the  
2547 pools.

2548 Section 37. Subsections (3), (4), and (5) of section  
2549 550.3615, Florida Statutes, are amended to read:

2550 550.3615 Bookmaking on the grounds of a permitholder;

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2551 penalties; reinstatement; duties of track employees; penalty;  
2552 exceptions.—

2553 (3) Any person who has been convicted of bookmaking in  
2554 this state or any other state of the United States or any  
2555 foreign country shall be denied admittance to and shall not  
2556 attend any pari-mutuel facility in this state during its racing  
2557 seasons or operating dates, including any practice or  
2558 preparational days, for a period of 2 years after the date of  
2559 conviction or the date of final appeal. Following the conclusion  
2560 of the period of ineligibility, the director of the commission  
2561 ~~division~~ may authorize the reinstatement of an individual  
2562 following a hearing on readmittance. Any such person who  
2563 knowingly violates this subsection commits a misdemeanor of the  
2564 first degree, punishable as provided in s. 775.082 or s.  
2565 775.083.

2566 (4) If the activities of a person show that this law is  
2567 being violated, and such activities are either witnessed by or  
2568 are common knowledge of any pari-mutuel facility employee, it is  
2569 the duty of that employee to bring the matter to the immediate  
2570 attention of the permitholder, manager, or her or his designee,  
2571 who shall notify a law enforcement agency having jurisdiction.  
2572 Willful failure by the pari-mutuel facility employee to comply  
2573 with the provisions of this subsection is a ground for the  
2574 commission ~~division~~ to suspend or revoke that employee's license  
2575 for pari-mutuel facility employment.

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2576 (5) Each permittee shall display, in conspicuous places at  
2577 a pari-mutuel facility and in all race and jai alai daily  
2578 programs, a warning to all patrons concerning the prohibition  
2579 and penalties of bookmaking contained in this section and s.  
2580 849.25. The commission ~~division~~ shall adopt rules concerning the  
2581 uniform size of all warnings and the number of placements  
2582 throughout a pari-mutuel facility. Failure on the part of the  
2583 permittee to display such warnings may result in the imposition  
2584 of a \$500 fine by the commission ~~division~~ for each offense.

2585 Section 38. Subsections (2) and (3) of section 550.375,  
2586 Florida Statutes, are amended to read:

2587 550.375 Operation of certain harness tracks.—

2588 (2) Any permittee or licensee authorized under this  
2589 section to transfer the location of its permit may conduct  
2590 harness racing only between the hours of 7 p.m. and 2 a.m. A  
2591 permit so transferred applies only to the locations provided in  
2592 this section. The provisions of this chapter which prohibit the  
2593 location and operation of a licensed harness track permittee and  
2594 licensee within 100 air miles of the location of a racetrack  
2595 authorized to conduct racing under this chapter and which  
2596 prohibit the commission ~~division~~ from granting any permit to a  
2597 harness track at a location in the area in which there are three  
2598 horse tracks located within 100 air miles thereof do not apply  
2599 to a licensed harness track that is required by the terms of  
2600 this section to race between the hours of 7 p.m. and 2 a.m.



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2601 (3) A permit may not be issued by the commission ~~division~~  
2602 for the operation of a harness track within 75 air miles of a  
2603 location of a harness track licensed and operating under this  
2604 chapter.

2605 Section 39. Subsection (1), paragraphs (a), (b), (c), (d),  
2606 (e), and (g) of subsection (2), and subsections (3), (4), and  
2607 (5) of section 550.495, Florida Statutes, are amended to read:

2608 550.495 Totalisator licensing.—

2609 (1) A totalisator may not be operated at a pari-mutuel  
2610 facility in this state, or at a facility located in or out of  
2611 this state which is used as the primary totalisator for a race  
2612 or game conducted in this state, unless the totalisator company  
2613 possesses a business license issued by the commission ~~division~~.

2614 (2)(a) Each totalisator company must apply to the  
2615 commission ~~division~~ for an annual business license. The  
2616 application must include such information as the commission  
2617 ~~division~~ by rule requires.

2618 (b) As a part of its license application, each totalisator  
2619 company must agree in writing to pay to the commission ~~division~~  
2620 an amount equal to the loss of any state revenues from missed or  
2621 canceled races, games, or performances due to acts of the  
2622 totalisator company or its agents or employees or failures of  
2623 the totalisator system, except for circumstances beyond the  
2624 control of the totalisator company or agent or employee, as  
2625 determined by the commission ~~division~~.

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2626           (c) Each totalisator company must file with the commission  
2627 ~~division~~ a performance bond, acceptable to the commission  
2628 ~~division~~, in the sum of \$250,000 issued by a surety approved by  
2629 the commission ~~division~~ or must file proof of insurance,  
2630 acceptable to the commission ~~division~~, against financial loss in  
2631 the amount of \$250,000, insuring the state against such a  
2632 revenue loss.

2633           (d) In the event of a loss of state tax revenues, the  
2634 commission ~~division~~ shall determine:

2635           1. The estimated revenue lost as a result of missed or  
2636 canceled races, games, or performances;

2637           2. The number of races, games, or performances which is  
2638 practicable for the permitholder to conduct in an attempt to  
2639 mitigate the revenue loss; and

2640           3. The amount of the revenue loss which the makeup races,  
2641 games, or performances will not recover and for which the  
2642 totalisator company is liable.

2643           (e) Upon the making of such determinations, the commission  
2644 ~~division~~ shall issue to the totalisator company and to the  
2645 affected permitholder an order setting forth the determinations  
2646 of the commission ~~division~~.

2647           (g) Upon the failure of the totalisator company to make  
2648 the payment found to be due the state, the commission ~~division~~  
2649 may cause the forfeiture of the bond or may proceed against the  
2650 insurance contract, and the proceeds of the bond or contract

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2651 shall be deposited into the Pari-mutuel Wagering Trust Fund. If  
2652 that bond was not posted or insurance obtained, the commission  
2653 ~~division~~ may proceed against any assets of the totalisator  
2654 company to collect the amounts due under this subsection.

2655 (3) If the applicant meets the requirements of this  
2656 section and commission ~~division~~ rules and pays the license fee,  
2657 the commission ~~division~~ shall issue the license.

2658 (4) Each totalisator company shall conduct operations in  
2659 accordance with rules adopted by the commission ~~division~~, in  
2660 such form, content, and frequency as the commission ~~division~~ by  
2661 rule determines.

2662 (5) The commission ~~division~~ and its representatives may  
2663 enter and inspect any area of the premises of a licensed  
2664 totalisator company, and may examine totalisator records, during  
2665 the licensee's regular business or operating hours.

2666 Section 40. Paragraphs (a) and (b) of subsection (1) and  
2667 subsections (2), (3), (4), (5), and (6) of section 550.505,  
2668 Florida Statutes, are amended to read:

2669 550.505 Nonwagering permits.—

2670 (1)(a) Except as provided in this section, permits and  
2671 licenses issued by the commission ~~division~~ are intended to be  
2672 used for pari-mutuel wagering operations in conjunction with  
2673 horseraces, dograces, or jai alai performances.

2674 (b) Subject to the requirements of this section, the  
2675 commission ~~division~~ is authorized to issue permits for the

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2676 | conduct of horseracing meets without pari-mutuel wagering or any  
2677 | other form of wagering being conducted in conjunction therewith.  
2678 | Such permits shall be known as nonwagering permits and may be  
2679 | issued only for horseracing meets. A horseracing permitholder  
2680 | need not obtain an additional permit from the commission  
2681 | ~~division~~ for conducting nonwagering racing under this section,  
2682 | but must apply to the commission ~~division~~ for the issuance of a  
2683 | license under this section. The holder of a nonwagering permit  
2684 | is prohibited from conducting pari-mutuel wagering or any other  
2685 | form of wagering in conjunction with racing conducted under the  
2686 | permit. Nothing in this subsection prohibits horseracing for any  
2687 | stake, purse, prize, or premium.

2688 |       (2) (a) Any person not prohibited from holding any type of  
2689 | pari-mutuel permit under s. 550.1815 shall be allowed to apply  
2690 | to the commission ~~division~~ for a nonwagering permit. The  
2691 | applicant must demonstrate that the location or locations where  
2692 | the nonwagering permit will be used are available for such use  
2693 | and that the applicant has the financial ability to satisfy the  
2694 | reasonably anticipated operational expenses of the first racing  
2695 | year following final issuance of the nonwagering permit. If the  
2696 | racing facility is already built, the application must contain a  
2697 | statement, with reasonable supporting evidence, that the  
2698 | nonwagering permit will be used for horseracing within 1 year  
2699 | after the date on which it is granted. If the facility is not  
2700 | already built, the application must contain a statement, with

2701 reasonable supporting evidence, that substantial construction  
 2702 will be started within 1 year after the issuance of the  
 2703 nonwagering permit.

2704 (b) The commission ~~division~~ may conduct an eligibility  
 2705 investigation to determine if the applicant meets the  
 2706 requirements of paragraph (a).

2707 (3)(a) Upon receipt of a nonwagering permit, the  
 2708 permitholder must apply to the commission ~~division~~ before June 1  
 2709 of each year for an annual nonwagering license for the next  
 2710 succeeding calendar year. Such application must set forth the  
 2711 days and locations at which the permitholder will conduct  
 2712 nonwagering horseracing and must indicate any changes in  
 2713 ownership or management of the permitholder occurring since the  
 2714 date of application for the prior license.

2715 (b) On or before August 1 of each year, the commission  
 2716 ~~division~~ shall issue a license authorizing the nonwagering  
 2717 permitholder to conduct nonwagering horseracing during the  
 2718 succeeding calendar year during the period and for the number of  
 2719 days set forth in the application, subject to all other  
 2720 provisions of this section.

2721 (c) The commission ~~division~~ may conduct an eligibility  
 2722 investigation to determine the qualifications of any new  
 2723 ownership or management interest in the permit.

2724 (4) Upon the approval of racing dates by the commission  
 2725 ~~division~~, the commission ~~division~~ shall issue an annual

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2726 nonwagering license to the nonwagering permitholder.

2727 (5) Only horses registered with an established breed  
2728 registration organization, which organization shall be approved  
2729 by the commission ~~division~~, shall be raced at any race meeting  
2730 authorized by this section.

2731 (6) The commission ~~division~~ may order any person  
2732 participating in a nonwagering meet to cease and desist from  
2733 participating in such meet if the commission ~~division~~ determines  
2734 the person to be not of good moral character in accordance with  
2735 s. 550.1815. The commission ~~division~~ may order the operators of  
2736 a nonwagering meet to cease and desist from operating the meet  
2737 if the commission ~~division~~ determines the meet is being operated  
2738 for any illegal purpose.

2739 Section 41. Subsection (1) of section 550.5251, Florida  
2740 Statutes, is amended to read:

2741 550.5251 Florida thoroughbred racing; certain permits;  
2742 operating days.—

2743 (1) Each thoroughbred permitholder shall annually, during  
2744 the period commencing December 15 of each year and ending  
2745 January 4 of the following year, file in writing with the  
2746 commission ~~division~~ its application to conduct one or more  
2747 thoroughbred racing meetings during the thoroughbred racing  
2748 season commencing on the following July 1. Each application  
2749 shall specify the number and dates of all performances that the  
2750 permitholder intends to conduct during that thoroughbred racing

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2751 season. On or before March 15 of each year, the commission  
2752 ~~division~~ shall issue a license authorizing each permitholder to  
2753 conduct performances on the dates specified in its application.  
2754 Up to February 28 of each year, each permitholder may request  
2755 and shall be granted changes in its authorized performances; but  
2756 thereafter, as a condition precedent to the validity of its  
2757 license and its right to retain its permit, each permitholder  
2758 must operate the full number of days authorized on each of the  
2759 dates set forth in its license.

2760 Section 42. Subsection (3) of section 550.625, Florida  
2761 Statutes, is amended to read:

2762 550.625 Intertrack wagering; purses; breeders' awards.—If  
2763 a host track is a horse track:

2764 (3) The payment to a breeders' organization shall be  
2765 combined with any other amounts received by the respective  
2766 breeders' and owners' associations as so designated. Each  
2767 breeders' and owners' association receiving these funds shall be  
2768 allowed to withhold the same percentage as set forth in s.  
2769 550.2625 to be used for administering the payment of awards and  
2770 for the general promotion of their respective industries. If the  
2771 total combined amount received for thoroughbred breeders' awards  
2772 exceeds 15 percent of the purse required to be paid under  
2773 subsection (1), the breeders' and owners' association, as so  
2774 designated, notwithstanding any other provision of law, shall  
2775 submit a plan to the commission ~~division~~ for approval which

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2776 | would use the excess funds in promoting the breeding industry by  
 2777 | increasing the purse structure for Florida-breds. Preference  
 2778 | shall be given to the track generating such excess.

2779 |         Section 43. Subsection (5) and paragraph (g) of subsection  
 2780 | (9) of section 550.6305, Florida Statutes, are amended to read:

2781 |             550.6305 Intertrack wagering; guest track payments;  
 2782 | accounting rules.—

2783 |         (5) The commission ~~division~~ shall adopt rules providing an  
 2784 | expedient accounting procedure for the transfer of the pari-  
 2785 | mutuel pool in order to properly account for payment of state  
 2786 | taxes, payment to the guest track, payment to the host track,  
 2787 | payment of purses, payment to breeders' associations, payment to  
 2788 | horsemen's associations, and payment to the public.

2789 |         (9) A host track that has contracted with an out-of-state  
 2790 | horse track to broadcast live races conducted at such out-of-  
 2791 | state horse track pursuant to s. 550.3551(5) may broadcast such  
 2792 | out-of-state races to any guest track and accept wagers thereon  
 2793 | in the same manner as is provided in s. 550.3551.

2794 |         (g)1. Any thoroughbred permitholder which accepts wagers  
 2795 | on a simulcast signal must make the signal available to any  
 2796 | permitholder that is eligible to conduct intertrack wagering  
 2797 | under the provisions of ss. 550.615-550.6345.

2798 |         2. Any thoroughbred permitholder which accepts wagers on a  
 2799 | simulcast signal received after 6 p.m. must make such signal  
 2800 | available to any permitholder that is eligible to conduct



2801 intertrack wagering under the provisions of ss. 550.615-  
 2802 550.6345, including any permitholder located as specified in s.  
 2803 550.615(6). Such guest permitholders are authorized to accept  
 2804 wagers on such simulcast signal, notwithstanding any other  
 2805 provision of this chapter to the contrary.

2806 3. Any thoroughbred permitholder which accepts wagers on a  
 2807 simulcast signal received after 6 p.m. must make such signal  
 2808 available to any permitholder that is eligible to conduct  
 2809 intertrack wagering under the provisions of ss. 550.615-  
 2810 550.6345, including any permitholder located as specified in s.  
 2811 550.615(9). Such guest permitholders are authorized to accept  
 2812 wagers on such simulcast signals for a number of performances  
 2813 not to exceed that which constitutes a full schedule of live  
 2814 races for a quarter horse permitholder pursuant to s.  
 2815 550.002(10) ~~550.002(11)~~, notwithstanding any other provision of  
 2816 this chapter to the contrary, except that the restrictions  
 2817 provided in s. 550.615(9)(a) apply to wagers on such simulcast  
 2818 signals.

2819  
 2820 No thoroughbred permitholder shall be required to continue to  
 2821 rebroadcast a simulcast signal to any in-state permitholder if  
 2822 the average per performance gross receipts returned to the host  
 2823 permitholder over the preceding 30-day period were less than  
 2824 \$100. Subject to the provisions of s. 550.615(4), as a condition  
 2825 of receiving rebroadcasts of thoroughbred simulcast signals

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2826 | under this paragraph, a guest permitholder must accept  
2827 | intertrack wagers on all live races conducted by all then-  
2828 | operating thoroughbred permitholders.

2829 |       Section 44. Subsections (1) and (2) of section 550.6308,  
2830 | Florida Statutes, are amended to read:

2831 |       550.6308 Limited intertrack wagering license.—In  
2832 | recognition of the economic importance of the thoroughbred  
2833 | breeding industry to this state, its positive impact on tourism,  
2834 | and of the importance of a permanent thoroughbred sales facility  
2835 | as a key focal point for the activities of the industry, a  
2836 | limited license to conduct intertrack wagering is established to  
2837 | ensure the continued viability and public interest in  
2838 | thoroughbred breeding in Florida.

2839 |       (1) Upon application to the commission ~~division~~ on or  
2840 | before January 31 of each year, any person that is licensed to  
2841 | conduct public sales of thoroughbred horses pursuant to s.  
2842 | 535.01 and that has conducted at least 8 days of thoroughbred  
2843 | horse sales at a permanent sales facility in this state for at  
2844 | least 3 consecutive years before such application shall be  
2845 | issued a license, subject to the conditions set forth in this  
2846 | section, to conduct intertrack wagering at such a permanent  
2847 | sales facility. No more than one such license may be issued, and  
2848 | no such license may be issued for a facility located within 50  
2849 | miles of any thoroughbred permitholder's track.

2850 |       (2) If more than one application is submitted for such

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2851 license, the commission ~~division~~ shall determine which applicant  
2852 shall be granted the license. In making its determination, the  
2853 commission ~~division~~ shall grant the license to the applicant  
2854 demonstrating superior capabilities, as measured by the length  
2855 of time the applicant has been conducting thoroughbred sales  
2856 within this state or elsewhere, the applicant's total volume of  
2857 thoroughbred horse sales, within this state or elsewhere, the  
2858 length of time the applicant has maintained a permanent  
2859 thoroughbred sales facility in this state, and the quality of  
2860 the facility.

2861 Section 45. Subsection (2) of section 550.70, Florida  
2862 Statutes, is amended to read:

2863 550.70 Jai alai general provisions; chief court judges  
2864 required; extension of time to construct fronton; amateur jai  
2865 alai contests permitted under certain conditions; playing days'  
2866 limitations; locking of pari-mutuel machines.—

2867 (2) The time within which the holder of a ratified permit  
2868 for jai alai or pelota has to construct and complete a fronton  
2869 may be extended by the commission ~~division~~ for a period of 24  
2870 months after the date of the issuance of the permit, anything to  
2871 the contrary in any statute notwithstanding.

2872 Section 46. Subsection (3) of section 550.902, Florida  
2873 Statutes, is amended to read:

2874 550.902 Purposes.—The purposes of this compact are to:

2875 (3) Authorize the Florida Gaming Control Commission

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2876 ~~Department of Business and Professional Regulation~~ to  
2877 participate in this compact.

2878 Section 47. Subsection (1) of section 551.102, Florida  
2879 Statutes, is redesignated as subsection (3), subsection (3) of  
2880 that section is redesignated as subsection (1) and amended, and  
2881 subsections (11) and (12) are amended to read:

2882 551.102 Definitions.—As used in this chapter, the term:

2883 (1)-(3) "Commission Division" means the Florida Gaming  
2884 Control Commission Division of Pari-mutuel Wagering of the  
2885 Department of Business and Professional Regulation.

2886 (11) "Slot machine license" means a license issued by the  
2887 commission division authorizing a pari-mutuel permitholder to  
2888 place and operate slot machines as provided by s. 23, Art. X of  
2889 the State Constitution, the provisions of this chapter, and  
2890 commission division rules.

2891 (12) "Slot machine licensee" means a pari-mutuel  
2892 permitholder who holds a license issued by the commission  
2893 division pursuant to this chapter that authorizes such person to  
2894 possess a slot machine within facilities specified in s. 23,  
2895 Art. X of the State Constitution and allows slot machine gaming.

2896 Section 48. Section 551.103, Florida Statutes, is amended  
2897 to read:

2898 551.103 Powers and duties of the commission division and  
2899 law enforcement.—

2900 (1) The commission division shall adopt, pursuant to the

2901 provisions of ss. 120.536(1) and 120.54, all rules necessary to  
 2902 implement, administer, and regulate slot machine gaming as  
 2903 authorized in this chapter. Such rules must include:

2904 (a) Procedures for applying for a slot machine license and  
 2905 renewal of a slot machine license.

2906 (b) Technical requirements and the qualifications  
 2907 contained in this chapter that are necessary to receive a slot  
 2908 machine license or slot machine occupational license.

2909 (c) Procedures to scientifically test and technically  
 2910 evaluate slot machines for compliance with this chapter. The  
 2911 commission ~~division~~ may contract with an independent testing  
 2912 laboratory to conduct any necessary testing under this section.  
 2913 An independent testing laboratory shall not be owned or  
 2914 controlled by a licensee. The use of an independent testing  
 2915 laboratory for any purpose related to the conduct of slot  
 2916 machine gaming by a licensee under this chapter shall be made  
 2917 from a list of one or more laboratories approved by the  
 2918 commission ~~division~~.

2919 (d) Procedures relating to slot machine revenues,  
 2920 including verifying and accounting for such revenues, auditing,  
 2921 and collecting taxes and fees consistent with this chapter.

2922 (e) Procedures for regulating, managing, and auditing the  
 2923 operation, financial data, and program information relating to  
 2924 slot machine gaming that allow the commission ~~division~~ and the  
 2925 Department of Law Enforcement to audit the operation, financial

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2926 data, and program information of a slot machine licensee, as  
2927 required by the commission ~~division~~ or the Department of Law  
2928 Enforcement, and provide the commission ~~division~~ and the  
2929 Department of Law Enforcement with the ability to monitor, at  
2930 any time on a real-time basis, wagering patterns, payouts, tax  
2931 collection, and compliance with any rules adopted by the  
2932 commission ~~division~~ for the regulation and control of slot  
2933 machines operated under this chapter. Such continuous and  
2934 complete access, at any time on a real-time basis, shall include  
2935 the ability of either the commission ~~division~~ or the Department  
2936 of Law Enforcement to suspend play immediately on particular  
2937 slot machines if monitoring of the facilities-based computer  
2938 system indicates possible tampering or manipulation of those  
2939 slot machines or the ability to suspend play immediately of the  
2940 entire operation if the tampering or manipulation is of the  
2941 computer system itself. The commission ~~division~~ shall notify the  
2942 Department of Law Enforcement or the Department of Law  
2943 Enforcement shall notify the commission ~~division~~, as  
2944 appropriate, whenever there is a suspension of play under this  
2945 paragraph. The commission ~~division~~ and the Department of Law  
2946 Enforcement shall exchange such information necessary for and  
2947 cooperate in the investigation of the circumstances requiring  
2948 suspension of play under this paragraph.

2949 (f) Procedures for requiring each licensee at his or her  
2950 own cost and expense to supply the commission ~~division~~ with a

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2951 | bond having the penal sum of \$2 million payable to the Governor  
2952 | and his or her successors in office for each year of the  
2953 | licensee's slot machine operations. Any bond shall be issued by  
2954 | a surety or sureties approved by the commission ~~division~~ and the  
2955 | Chief Financial Officer, conditioned to faithfully make the  
2956 | payments to the Chief Financial Officer in his or her capacity  
2957 | as treasurer of the commission ~~division~~. The licensee shall be  
2958 | required to keep its books and records and make reports as  
2959 | provided in this chapter and to conduct its slot machine  
2960 | operations in conformity with this chapter and all other  
2961 | provisions of law. Such bond shall be separate and distinct from  
2962 | the bond required in s. 550.125.

2963 |       (g) Procedures for requiring licensees to maintain  
2964 | specified records and submit any data, information, record, or  
2965 | report, including financial and income records, required by this  
2966 | chapter or determined by the commission ~~division~~ to be necessary  
2967 | to the proper implementation and enforcement of this chapter.

2968 |       (h) A requirement that the payout percentage of a slot  
2969 | machine be no less than 85 percent.

2970 |       (i) Minimum standards for security of the facilities,  
2971 | including floor plans, security cameras, and other security  
2972 | equipment.

2973 |       (j) Procedures for requiring slot machine licensees to  
2974 | implement and establish drug-testing programs for all slot  
2975 | machine occupational licensees.

2976           (2) The commission ~~division~~ shall conduct such  
 2977 investigations necessary to fulfill its responsibilities under  
 2978 the provisions of this chapter.

2979           (3) The Department of Law Enforcement and local law  
 2980 enforcement agencies shall have concurrent jurisdiction to  
 2981 investigate criminal violations of this chapter and may  
 2982 investigate any other criminal violation of law occurring at the  
 2983 facilities of a slot machine licensee, and such investigations  
 2984 may be conducted in conjunction with the appropriate state  
 2985 attorney.

2986           (4) (a) The commission ~~division~~, the Department of Law  
 2987 Enforcement, and local law enforcement agencies shall have  
 2988 unrestricted access to the slot machine licensee's facility at  
 2989 all times and shall require of each slot machine licensee strict  
 2990 compliance with the laws of this state relating to the  
 2991 transaction of such business. The commission ~~division~~, the  
 2992 Department of Law Enforcement, and local law enforcement  
 2993 agencies may:

2994           1. Inspect and examine premises where slot machines are  
 2995 offered for play.

2996           2. Inspect slot machines and related equipment and  
 2997 supplies.

2998           (b) In addition, the commission ~~division~~ may:

2999           1. Collect taxes, assessments, fees, and penalties.

3000           2. Deny, revoke, suspend, or place conditions on the



3001 license of a person who violates any provision of this chapter  
 3002 or rule adopted pursuant thereto.

3003 (5) The commission ~~division~~ shall revoke or suspend the  
 3004 license of any person who is no longer qualified or who is  
 3005 found, after receiving a license, to have been unqualified at  
 3006 the time of application for the license.

3007 (6) This section does not:

3008 (a) Prohibit the Department of Law Enforcement or any law  
 3009 enforcement authority whose jurisdiction includes a licensed  
 3010 facility from conducting investigations of criminal activities  
 3011 occurring at the facility of the slot machine licensee;

3012 (b) Restrict access to the slot machine licensee's  
 3013 facility by the Department of Law Enforcement or any local law  
 3014 enforcement authority whose jurisdiction includes the slot  
 3015 machine licensee's facility; or

3016 (c) Restrict access by the Department of Law Enforcement  
 3017 or local law enforcement authorities to information and records  
 3018 necessary to the investigation of criminal activity that are  
 3019 contained within the slot machine licensee's facility.

3020 Section 49. Subsections (1) and (2), paragraphs (b), (c),  
 3021 (d), (e), (f), (g), (h), and (i) of subsection (4), subsections  
 3022 (6), (7), (8), and (9), and paragraphs (a) and (b) of subsection  
 3023 (10) of section 551.104, Florida Statutes, are amended to read:

3024 551.104 License to conduct slot machine gaming.—

3025 (1) Upon application and a finding by the commission

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3026 ~~division~~ after investigation that the application is complete  
3027 and the applicant is qualified and payment of the initial  
3028 license fee, the commission ~~division~~ may issue a license to  
3029 conduct slot machine gaming in the designated slot machine  
3030 gaming area of the eligible facility. Once licensed, slot  
3031 machine gaming may be conducted subject to the requirements of  
3032 this chapter and rules adopted pursuant thereto.

3033 (2) An application may be approved by the commission  
3034 ~~division~~ only after the voters of the county where the  
3035 applicant's facility is located have authorized by referendum  
3036 slot machines within pari-mutuel facilities in that county as  
3037 specified in s. 23, Art. X of the State Constitution.

3038 (4) As a condition of licensure and to maintain continued  
3039 authority for the conduct of slot machine gaming, the slot  
3040 machine licensee shall:

3041 (b) Continue to be in compliance with chapter 550, where  
3042 applicable, and maintain the pari-mutuel permit and license in  
3043 good standing pursuant to the provisions of chapter 550.  
3044 Notwithstanding any contrary provision of law and in order to  
3045 expedite the operation of slot machines at eligible facilities,  
3046 any eligible facility shall be entitled within 60 days after the  
3047 effective date of this act to amend its 2006-2007 pari-mutuel  
3048 wagering operating license issued by the commission ~~division~~  
3049 under ss. 550.0115 and 550.01215. The commission ~~division~~ shall  
3050 issue a new license to the eligible facility to effectuate any

3051 approved change.

3052 (c) If a thoroughbred permitholder, conduct no fewer than  
 3053 a full schedule of live racing or games as defined in s.  
 3054 550.002(10) ~~550.002(11)~~. A permitholder's responsibility to  
 3055 conduct live races or games shall be reduced by the number of  
 3056 races or games that could not be conducted due to the direct  
 3057 result of fire, strike, war, hurricane, pandemic, or other  
 3058 disaster or event beyond the control of the permitholder.

3059 (d) Upon approval of any changes relating to the pari-  
 3060 mutuel permit by the commission ~~division~~, be responsible for  
 3061 providing appropriate current and accurate documentation on a  
 3062 timely basis to the commission ~~division~~ in order to continue the  
 3063 slot machine license in good standing. Changes in ownership or  
 3064 interest of a slot machine license of 5 percent or more of the  
 3065 stock or other evidence of ownership or equity in the slot  
 3066 machine license or any parent corporation or other business  
 3067 entity that in any way owns or controls the slot machine license  
 3068 shall be approved by the commission ~~division~~ prior to such  
 3069 change, unless the owner is an existing holder of that license  
 3070 who was previously approved by the commission ~~division~~. Changes  
 3071 in ownership or interest of a slot machine license of less than  
 3072 5 percent, unless such change results in a cumulative total of 5  
 3073 percent or more, shall be reported to the commission ~~division~~  
 3074 within 20 days after the change. The commission ~~division~~ may  
 3075 then conduct an investigation to ensure that the license is

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3076 properly updated to show the change in ownership or interest. No  
3077 reporting is required if the person is holding 5 percent or less  
3078 equity or securities of a corporate owner of the slot machine  
3079 licensee that has its securities registered pursuant to s. 12 of  
3080 the Securities Exchange Act of 1934, 15 U.S.C. ss. 78a-78kk, and  
3081 if such corporation or entity files with the United States  
3082 Securities and Exchange Commission the reports required by s. 13  
3083 of that act or if the securities of the corporation or entity  
3084 are regularly traded on an established securities market in the  
3085 United States. A change in ownership or interest of less than 5  
3086 percent which results in a cumulative ownership or interest of 5  
3087 percent or more shall be approved by the commission ~~division~~  
3088 prior to such change unless the owner is an existing holder of  
3089 the license who was previously approved by the commission  
3090 ~~division~~.

3091 (e) Allow the commission ~~division~~ and the Department of  
3092 Law Enforcement unrestricted access to and right of inspection  
3093 of facilities of a slot machine licensee in which any activity  
3094 relative to the conduct of slot machine gaming is conducted.

3095 (f) Ensure that the facilities-based computer system that  
3096 the licensee will use for operational and accounting functions  
3097 of the slot machine facility is specifically structured to  
3098 facilitate regulatory oversight. The facilities-based computer  
3099 system shall be designed to provide the commission ~~division~~ and  
3100 the Department of Law Enforcement with the ability to monitor,

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3101 at any time on a real-time basis, the wagering patterns,  
3102 payouts, tax collection, and such other operations as necessary  
3103 to determine whether the facility is in compliance with  
3104 statutory provisions and rules adopted by the commission  
3105 ~~division~~ for the regulation and control of slot machine gaming.  
3106 The commission ~~division~~ and the Department of Law Enforcement  
3107 shall have complete and continuous access to this system. Such  
3108 access shall include the ability of either the commission  
3109 ~~division~~ or the Department of Law Enforcement to suspend play  
3110 immediately on particular slot machines if monitoring of the  
3111 system indicates possible tampering or manipulation of those  
3112 slot machines or the ability to suspend play immediately of the  
3113 entire operation if the tampering or manipulation is of the  
3114 computer system itself. The computer system shall be reviewed  
3115 and approved by the commission ~~division~~ to ensure necessary  
3116 access, security, and functionality. The commission ~~division~~ may  
3117 adopt rules to provide for the approval process.

3118 (g) Ensure that each slot machine is protected from  
3119 manipulation or tampering to affect the random probabilities of  
3120 winning plays. The commission ~~division~~ or the Department of Law  
3121 Enforcement shall have the authority to suspend play upon  
3122 reasonable suspicion of any manipulation or tampering. When play  
3123 has been suspended on any slot machine, the commission ~~division~~  
3124 or the Department of Law Enforcement may examine any slot  
3125 machine to determine whether the machine has been tampered with

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3126 or manipulated and whether the machine should be returned to  
3127 operation.

3128 (h) Submit a security plan, including the facilities'  
3129 floor plan, the locations of security cameras, and a listing of  
3130 all security equipment that is capable of observing and  
3131 electronically recording activities being conducted in the  
3132 facilities of the slot machine licensee. The security plan must  
3133 meet the minimum security requirements as determined by the  
3134 commission ~~division~~ under s. 551.103(1)(i) and be implemented  
3135 prior to operation of slot machine gaming. The slot machine  
3136 licensee's facilities must adhere to the security plan at all  
3137 times. Any changes to the security plan must be submitted by the  
3138 licensee to the commission ~~division~~ prior to implementation. The  
3139 commission ~~division~~ shall furnish copies of the security plan  
3140 and changes in the plan to the Department of Law Enforcement.

3141 (i) Create and file with the commission ~~division~~ a written  
3142 policy for:

3143 1. Creating opportunities to purchase from vendors in this  
3144 state, including minority vendors.

3145 2. Creating opportunities for employment of residents of  
3146 this state, including minority residents.

3147 3. Ensuring opportunities for construction services from  
3148 minority contractors.

3149 4. Ensuring that opportunities for employment are offered  
3150 on an equal, nondiscriminatory basis.

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3151 5. Training for employees on responsible gaming and  
3152 working with a compulsive or addictive gambling prevention  
3153 program to further its purposes as provided for in s. 551.118.

3154 6. The implementation of a drug-testing program that  
3155 includes, but is not limited to, requiring each employee to sign  
3156 an agreement that he or she understands that the slot machine  
3157 facility is a drug-free workplace.

3158  
3159 The slot machine licensee shall use the Internet-based job-  
3160 listing system of the Department of Economic Opportunity in  
3161 advertising employment opportunities. ~~Beginning in June 2007,~~  
3162 Each slot machine licensee shall provide an annual report to the  
3163 Florida Gaming Control Commission ~~division~~ containing  
3164 information indicating compliance with this paragraph in regard  
3165 to minority persons.

3166 (6) A slot machine licensee shall keep and maintain  
3167 permanent daily records of its slot machine operation and shall  
3168 maintain such records for a period of not less than 5 years.  
3169 These records must include all financial transactions and  
3170 contain sufficient detail to determine compliance with the  
3171 requirements of this chapter. All records shall be available for  
3172 audit and inspection by the commission ~~division~~, the Department  
3173 of Law Enforcement, or other law enforcement agencies during the  
3174 licensee's regular business hours.

3175 (7) A slot machine licensee shall file with the commission

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3176 ~~division~~ a monthly report containing the required records of  
3177 such slot machine operation. The required reports shall be  
3178 submitted on forms prescribed by the commission ~~division~~ and  
3179 shall be due at the same time as the monthly pari-mutuel reports  
3180 are due to the commission ~~division~~, and the reports shall be  
3181 deemed public records once filed.

3182 (8) A slot machine licensee shall file with the commission  
3183 ~~division~~ an audit of the receipt and distribution of all slot  
3184 machine revenues provided by an independent certified public  
3185 accountant verifying compliance with all financial and auditing  
3186 provisions of this chapter and the associated rules adopted  
3187 under this chapter. The audit must include verification of  
3188 compliance with all statutes and rules regarding all required  
3189 records of slot machine operations. Such audit shall be filed  
3190 within 60 days after the completion of the permitholder's pari-  
3191 mutuel meet.

3192 (9) The commission ~~division~~ may share any information with  
3193 the Department of Law Enforcement, any other law enforcement  
3194 agency having jurisdiction over slot machine gaming or pari-  
3195 mutuel activities, or any other state or federal law enforcement  
3196 agency the commission ~~division~~ or the Department of Law  
3197 Enforcement deems appropriate. Any law enforcement agency having  
3198 jurisdiction over slot machine gaming or pari-mutuel activities  
3199 may share any information obtained or developed by it with the  
3200 commission ~~division~~.



3201           (10) (a) 1. No slot machine license or renewal thereof shall  
 3202 be issued to an applicant holding a permit under chapter 550 to  
 3203 conduct pari-mutuel wagering meets of thoroughbred racing unless  
 3204 the applicant has on file with the commission ~~division~~ a binding  
 3205 written agreement between the applicant and the Florida  
 3206 Horsemen's Benevolent and Protective Association, Inc.,  
 3207 governing the payment of purses on live thoroughbred races  
 3208 conducted at the licensee's pari-mutuel facility. In addition,  
 3209 no slot machine license or renewal thereof shall be issued to  
 3210 such an applicant unless the applicant has on file with the  
 3211 commission ~~division~~ a binding written agreement between the  
 3212 applicant and the Florida Thoroughbred Breeders' Association,  
 3213 Inc., governing the payment of breeders', stallion, and special  
 3214 racing awards on live thoroughbred races conducted at the  
 3215 licensee's pari-mutuel facility. The agreement governing purses  
 3216 and the agreement governing awards may direct the payment of  
 3217 such purses and awards from revenues generated by any wagering  
 3218 or gaming the applicant is authorized to conduct under Florida  
 3219 law. All purses and awards shall be subject to the terms of  
 3220 chapter 550. All sums for breeders', stallion, and special  
 3221 racing awards shall be remitted monthly to the Florida  
 3222 Thoroughbred Breeders' Association, Inc., for the payment of  
 3223 awards subject to the administrative fee authorized in s.  
 3224 550.2625(3).  
 3225           2. No slot machine license or renewal thereof shall be

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3226 issued to an applicant holding a permit under chapter 550 to  
3227 conduct pari-mutuel wagering meets of quarter horse racing  
3228 unless the applicant has on file with the commission ~~division~~ a  
3229 binding written agreement between the applicant and the Florida  
3230 Quarter Horse Racing Association or the association representing  
3231 a majority of the horse owners and trainers at the applicant's  
3232 eligible facility, governing the payment of purses on live  
3233 quarter horse races conducted at the licensee's pari-mutuel  
3234 facility. The agreement governing purses may direct the payment  
3235 of such purses from revenues generated by any wagering or gaming  
3236 the applicant is authorized to conduct under Florida law. All  
3237 purses shall be subject to the terms of chapter 550.

3238 (b) The commission ~~division~~ shall suspend a slot machine  
3239 license if one or more of the agreements required under  
3240 paragraph (a) are terminated or otherwise cease to operate or if  
3241 the commission ~~division~~ determines that the licensee is  
3242 materially failing to comply with the terms of such an  
3243 agreement. Any such suspension shall take place in accordance  
3244 with chapter 120.

3245 Section 50. Subsection (1) of section 551.1045, Florida  
3246 Statutes, is amended to read:

3247 551.1045 Temporary licenses.—

3248 (1) Notwithstanding any provision of s. 120.60 to the  
3249 contrary, the commission ~~division~~ may issue a temporary  
3250 occupational license upon the receipt of a complete application

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3251 from the applicant and a determination that the applicant has  
3252 not been convicted of or had adjudication withheld on any  
3253 disqualifying criminal offense. The temporary occupational  
3254 license remains valid until such time as the commission ~~division~~  
3255 grants an occupational license or notifies the applicant of its  
3256 intended decision to deny the applicant a license pursuant to  
3257 the provisions of s. 120.60. The commission ~~division~~ shall adopt  
3258 rules to administer this subsection. However, not more than one  
3259 temporary license may be issued for any person in any year.

3260 Section 51. Subsection (3) of section 551.105, Florida  
3261 Statutes, is amended to read:

3262 551.105 Slot machine license renewal.—

3263 (3) Upon determination by the commission ~~division~~ that the  
3264 application for renewal is complete and qualifications have been  
3265 met, including payment of the renewal fee, the slot machine  
3266 license shall be renewed annually.

3267 Section 52. Paragraph (a) of subsection (1), paragraph (b)  
3268 of subsection (2), and subsections (3), (4), and (5) of section  
3269 551.106, Florida Statutes, are amended to read:

3270 551.106 License fee; tax rate; penalties.—

3271 (1) LICENSE FEE.—

3272 (a) Upon submission of the initial application for a slot  
3273 machine license and annually thereafter, on the anniversary date  
3274 of the issuance of the initial license, the licensee must pay to  
3275 the commission ~~division~~ a nonrefundable license fee of \$3

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3276 million for the succeeding 12 months of licensure. ~~In the 2010-~~  
3277 ~~2011 fiscal year, the licensee must pay the division a~~  
3278 ~~nonrefundable license fee of \$2.5 million for the succeeding 12~~  
3279 ~~months of licensure. In the 2011-2012 fiscal year and for every~~  
3280 ~~fiscal year thereafter,~~ The licensee must pay the commission  
3281 ~~division~~ a nonrefundable license fee of \$2 million for the  
3282 succeeding 12 months of licensure. The license fee shall be  
3283 deposited into the Pari-mutuel Wagering Trust Fund ~~of the~~  
3284 ~~Department of Business and Professional Regulation~~ to be used by  
3285 the commission ~~division~~ and the Department of Law Enforcement  
3286 for investigations, regulation of slot machine gaming, and  
3287 enforcement of slot machine gaming provisions under this  
3288 chapter. These payments shall be accounted for separately from  
3289 taxes or fees paid pursuant to the provisions of chapter 550.

3290 (2) TAX ON SLOT MACHINE REVENUES.—

3291 (b) The slot machine revenue tax imposed by this section  
3292 shall be paid to the commission ~~division~~ for deposit into the  
3293 Pari-mutuel Wagering Trust Fund for immediate transfer by the  
3294 Chief Financial Officer for deposit into the Educational  
3295 Enhancement Trust Fund of the Department of Education. Any  
3296 interest earnings on the tax revenues shall also be transferred  
3297 to the Educational Enhancement Trust Fund.

3298 (3) PAYMENT AND DISPOSITION OF TAXES.—Payment for the tax  
3299 on slot machine revenues imposed by this section shall be paid  
3300 to the commission ~~division~~. The commission ~~division~~ shall

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3301 deposit these sums with the Chief Financial Officer, to the  
3302 credit of the Pari-mutuel Wagering Trust Fund. The slot machine  
3303 licensee shall remit to the commission ~~division~~ payment for the  
3304 tax on slot machine revenues. Such payments shall be remitted by  
3305 3 p.m. Wednesday of each week for taxes imposed and collected  
3306 for the preceding week ending on Sunday. Beginning on July 1,  
3307 2012, the slot machine licensee shall remit to the commission  
3308 ~~division~~ payment for the tax on slot machine revenues by 3 p.m.  
3309 on the 5th day of each calendar month for taxes imposed and  
3310 collected for the preceding calendar month. If the 5th day of  
3311 the calendar month falls on a weekend, payments shall be  
3312 remitted by 3 p.m. the first Monday following the weekend. The  
3313 slot machine licensee shall file a report under oath by the 5th  
3314 day of each calendar month for all taxes remitted during the  
3315 preceding calendar month. Such payments shall be accompanied by  
3316 a report under oath showing all slot machine gaming activities  
3317 for the preceding calendar month and such other information as  
3318 may be prescribed by the commission ~~division~~.

3319 (4) TO PAY TAX; PENALTIES.—A slot machine licensee who  
3320 fails to make tax payments as required under this section is  
3321 subject to an administrative penalty of up to \$10,000 for each  
3322 day the tax payment is not remitted. All administrative  
3323 penalties imposed and collected shall be deposited into the  
3324 Pari-mutuel Wagering Trust Fund ~~of the Department of Business~~  
3325 ~~and Professional Regulation~~. If any slot machine licensee fails

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3326 to pay penalties imposed by order of the commission ~~division~~  
3327 under this subsection, the commission ~~division~~ may suspend,  
3328 revoke, or refuse to renew the license of the slot machine  
3329 licensee.

3330 (5) SUBMISSION OF FUNDS.—The commission ~~division~~ may  
3331 require slot machine licensees to remit taxes, fees, fines, and  
3332 assessments by electronic funds transfer.

3333 Section 53. Paragraph (b) of subsection (2), paragraphs  
3334 (a), (c), and (d) of subsection (4), subsection (5), paragraphs  
3335 (a) and (b) of subsection (6), and subsections (7), (9), (10),  
3336 and (11) of section 551.107, Florida Statutes, are amended to  
3337 read:

3338 551.107 Slot machine occupational license; findings;  
3339 application; fee.—

3340 (2)

3341 (b) The commission ~~division~~ may issue one license to  
3342 combine licenses under this section with pari-mutuel  
3343 occupational licenses and cardroom licenses pursuant to s.  
3344 550.105(2)(b). The commission ~~division~~ shall adopt rules  
3345 pertaining to occupational licenses under this subsection. Such  
3346 rules may specify, but need not be limited to, requirements and  
3347 restrictions for licensed occupations and categories, procedures  
3348 to apply for any license or combination of licenses,  
3349 disqualifying criminal offenses for a licensed occupation or  
3350 categories of occupations, and which types of occupational

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3351 licenses may be combined into a single license under this  
3352 section. The fingerprinting requirements of subsection (7) apply  
3353 to any combination license that includes slot machine license  
3354 privileges under this section. The commission ~~division~~ may not  
3355 adopt a rule allowing the issuance of an occupational license to  
3356 any person who does not meet the minimum background  
3357 qualifications under this section.

3358 (4) (a) A person seeking a slot machine occupational  
3359 license or renewal thereof shall make application on forms  
3360 prescribed by the commission ~~division~~ and include payment of the  
3361 appropriate application fee. Initial and renewal applications  
3362 for slot machine occupational licenses must contain all  
3363 information that the commission ~~division~~, by rule, determines is  
3364 required to ensure eligibility.

3365 (c) Pursuant to rules adopted by the commission ~~division~~,  
3366 any person may apply for and, if qualified, be issued a slot  
3367 machine occupational license valid for a period of 3 years upon  
3368 payment of the full occupational license fee for each of the 3  
3369 years for which the license is issued. The slot machine  
3370 occupational license is valid during its specified term at any  
3371 licensed facility where slot machine gaming is authorized to be  
3372 conducted.

3373 (d) The slot machine occupational license fee for initial  
3374 application and annual renewal shall be determined by rule of  
3375 the commission ~~division~~ but may not exceed \$50 for a general or

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3376 professional occupational license for an employee of the slot  
3377 machine licensee or \$1,000 for a business occupational license  
3378 for nonemployees of the licensee providing goods or services to  
3379 the slot machine licensee. License fees for general occupational  
3380 licensees shall be paid by the slot machine licensee. Failure to  
3381 pay the required fee constitutes grounds for disciplinary action  
3382 by the commission ~~division~~ against the slot machine licensee,  
3383 but it is not a violation of this chapter or rules of the  
3384 commission ~~division~~ by the general occupational licensee and  
3385 does not prohibit the initial issuance or the renewal of the  
3386 general occupational license.

3387 (5) The commission ~~division~~ may:

3388 (a) Deny an application for, or revoke, suspend, or place  
3389 conditions or restrictions on, a license of a person or entity  
3390 that has been refused a license by any other state gaming  
3391 commission, governmental department, agency, or other authority  
3392 exercising regulatory jurisdiction over the gaming of another  
3393 state or jurisdiction; or

3394 (b) Deny an application for, or suspend or place  
3395 conditions on, a license of any person or entity that is under  
3396 suspension or has unpaid fines in another state or jurisdiction.

3397 (6)(a) The commission ~~division~~ may deny, suspend, revoke,  
3398 or refuse to renew any slot machine occupational license if the  
3399 applicant for such license or the licensee has violated the  
3400 provisions of this chapter or the rules of the commission



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3401 ~~division~~ governing the conduct of persons connected with slot  
3402 machine gaming. In addition, the commission ~~division~~ may deny,  
3403 suspend, revoke, or refuse to renew any slot machine  
3404 occupational license if the applicant for such license or the  
3405 licensee has been convicted in this state, in any other state,  
3406 or under the laws of the United States of a capital felony, a  
3407 felony, or an offense in any other state that would be a felony  
3408 under the laws of this state involving arson; trafficking in,  
3409 conspiracy to traffic in, smuggling, importing, conspiracy to  
3410 smuggle or import, or delivery, sale, or distribution of a  
3411 controlled substance; racketeering; or a crime involving a lack  
3412 of good moral character, or has had a gaming license revoked by  
3413 this state or any other jurisdiction for any gaming-related  
3414 offense.

3415 (b) The commission ~~division~~ may deny, revoke, or refuse to  
3416 renew any slot machine occupational license if the applicant for  
3417 such license or the licensee has been convicted of a felony or  
3418 misdemeanor in this state, in any other state, or under the laws  
3419 of the United States if such felony or misdemeanor is related to  
3420 gambling or bookmaking as described in s. 849.25.

3421 (7) Fingerprints for all slot machine occupational license  
3422 applications shall be taken in a manner approved by the  
3423 commission ~~division~~ and shall be submitted electronically to the  
3424 Department of Law Enforcement for state processing and the  
3425 Federal Bureau of Investigation for national processing for a

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3426 criminal history record check. All persons as specified in s.  
3427 550.1815(1)(a) employed by or working within a licensed premises  
3428 shall submit fingerprints for a criminal history record check  
3429 and may not have been convicted of any disqualifying criminal  
3430 offenses specified in subsection (6). Commission ~~Division~~  
3431 employees and law enforcement officers assigned by their  
3432 employing agencies to work within the premises as part of their  
3433 official duties are excluded from the criminal history record  
3434 check requirements under this subsection. For purposes of this  
3435 subsection, the term "convicted" means having been found guilty,  
3436 with or without adjudication of guilt, as a result of a jury  
3437 verdict, nonjury trial, or entry of a plea of guilty or nolo  
3438 contendere.

3439 (a) Fingerprints shall be taken in a manner approved by  
3440 the commission ~~division~~ upon initial application, or as required  
3441 thereafter by rule of the commission ~~division~~, and shall be  
3442 submitted electronically to the Department of Law Enforcement  
3443 for state processing. The Department of Law Enforcement shall  
3444 forward the fingerprints to the Federal Bureau of Investigation  
3445 for national processing. The results of the criminal history  
3446 record check shall be returned to the commission ~~division~~ for  
3447 purposes of screening. Licensees shall provide necessary  
3448 equipment approved by the Department of Law Enforcement to  
3449 facilitate such electronic submission. The commission ~~division~~  
3450 requirements under this subsection shall be instituted in

3451 | consultation with the Department of Law Enforcement.

3452 |         (b) The cost of processing fingerprints and conducting a  
 3453 | criminal history record check for a general occupational license  
 3454 | shall be borne by the slot machine licensee. The cost of  
 3455 | processing fingerprints and conducting a criminal history record  
 3456 | check for a business or professional occupational license shall  
 3457 | be borne by the person being checked. The Department of Law  
 3458 | Enforcement may invoice the commission ~~division~~ for the  
 3459 | fingerprints submitted each month.

3460 |         (c) All fingerprints submitted to the Department of Law  
 3461 | Enforcement and required by this section shall be retained by  
 3462 | the Department of Law Enforcement and entered into the statewide  
 3463 | automated biometric identification system as authorized by s.  
 3464 | 943.05(2) (b) and shall be available for all purposes and uses  
 3465 | authorized for arrest fingerprints entered into the statewide  
 3466 | automated biometric identification system pursuant to s.  
 3467 | 943.051.

3468 |         (d) The Department of Law Enforcement shall search all  
 3469 | arrest fingerprints received pursuant to s. 943.051 against the  
 3470 | fingerprints retained in the statewide automated biometric  
 3471 | identification system under paragraph (c). Any arrest record  
 3472 | that is identified with the retained fingerprints of a person  
 3473 | subject to the criminal history screening requirements of this  
 3474 | section shall be reported to the commission ~~division~~. Each  
 3475 | licensed facility shall pay a fee to the commission ~~division~~ for

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3476 the cost of retention of the fingerprints and the ongoing  
3477 searches under this paragraph. The commission ~~division~~ shall  
3478 forward the payment to the Department of Law Enforcement. The  
3479 amount of the fee to be imposed for performing these searches  
3480 and the procedures for the retention of licensee fingerprints  
3481 shall be as established by rule of the Department of Law  
3482 Enforcement. The commission ~~division~~ shall inform the Department  
3483 of Law Enforcement of any change in the license status of  
3484 licensees whose fingerprints are retained under paragraph (c).

3485 (e) The commission ~~division~~ shall request the Department  
3486 of Law Enforcement to forward the fingerprints to the Federal  
3487 Bureau of Investigation for a national criminal history records  
3488 check every 3 years following issuance of a license. If the  
3489 fingerprints of a person who is licensed have not been retained  
3490 by the Department of Law Enforcement, the person must file a  
3491 complete set of fingerprints as provided for in paragraph (a).  
3492 The commission ~~division~~ shall collect the fees for the cost of  
3493 the national criminal history record check under this paragraph  
3494 and shall forward the payment to the Department of Law  
3495 Enforcement. The cost of processing fingerprints and conducting  
3496 a criminal history record check under this paragraph for a  
3497 general occupational license shall be borne by the slot machine  
3498 licensee. The cost of processing fingerprints and conducting a  
3499 criminal history record check under this paragraph for a  
3500 business or professional occupational license shall be borne by

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3501 the person being checked. The Department of Law Enforcement may  
3502 invoice the commission ~~division~~ for the fingerprints submitted  
3503 each month. Under penalty of perjury, each person who is  
3504 licensed or who is fingerprinted as required by this section  
3505 must agree to inform the commission ~~division~~ within 48 hours if  
3506 he or she is convicted of or has entered a plea of guilty or  
3507 nolo contendere to any disqualifying offense, regardless of  
3508 adjudication.

3509 (9) The commission ~~division~~ may deny, revoke, or suspend  
3510 any occupational license if the applicant or holder of the  
3511 license accumulates unpaid obligations, defaults in obligations,  
3512 or issues drafts or checks that are dishonored or for which  
3513 payment is refused without reasonable cause.

3514 (10) The commission ~~division~~ may fine or suspend, revoke,  
3515 or place conditions upon the license of any licensee who  
3516 provides false information under oath regarding an application  
3517 for a license or an investigation by the commission ~~division~~.

3518 (11) The commission ~~division~~ may impose a civil fine of up  
3519 to \$5,000 for each violation of this chapter or the rules of the  
3520 commission ~~division~~ in addition to or in lieu of any other  
3521 penalty provided for in this section. The commission ~~division~~  
3522 may adopt a penalty schedule for violations of this chapter or  
3523 any rule adopted pursuant to this chapter for which it would  
3524 impose a fine in lieu of a suspension and adopt rules allowing  
3525 for the issuance of citations, including procedures to address

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3526 such citations, to persons who violate such rules. In addition  
3527 to any other penalty provided by law, the commission ~~division~~  
3528 may exclude from all licensed slot machine facilities in this  
3529 state, for a period not to exceed the period of suspension,  
3530 revocation, or ineligibility, any person whose occupational  
3531 license application has been declared ineligible to hold an  
3532 occupational license or whose occupational license has been  
3533 suspended or revoked by the commission ~~division~~.

3534 Section 54. Subsections (1) and (4) of section 551.108,  
3535 Florida Statutes, are amended to read:

3536 551.108 Prohibited relationships.—

3537 (1) A person employed by or performing any function on  
3538 behalf of the commission ~~division~~ may not:

3539 (a) Be an officer, director, owner, or employee of any  
3540 person or entity licensed by the commission ~~division~~.

3541 (b) Have or hold any interest, direct or indirect, in or  
3542 engage in any commerce or business relationship with any person  
3543 licensed by the commission ~~division~~.

3544 (4) An employee of the commission ~~division~~ or relative  
3545 living in the same household as such employee of the commission  
3546 ~~division~~ may not wager at any time on a slot machine located at  
3547 a facility licensed by the commission ~~division~~.

3548 Section 55. Subsections (2) and (7) of section 551.109,  
3549 Florida Statutes, are amended to read:

3550 551.109 Prohibited acts; penalties.—

3551 (2) Except as otherwise provided by law and in addition to  
 3552 any other penalty, any person who possesses a slot machine  
 3553 without the license required by this chapter or who possesses a  
 3554 slot machine at any location other than at the slot machine  
 3555 licensee's facility is subject to an administrative fine or  
 3556 civil penalty of up to \$10,000 per machine. The prohibition in  
 3557 this subsection does not apply to:

3558 (a) Slot machine manufacturers or slot machine  
 3559 distributors that hold appropriate licenses issued by the  
 3560 commission ~~division~~ who are authorized to maintain a slot  
 3561 machine storage and maintenance facility at any location in a  
 3562 county in which slot machine gaming is authorized by this  
 3563 chapter. The commission ~~division~~ may adopt rules regarding  
 3564 security and access to the storage facility and inspections by  
 3565 the commission ~~division~~.

3566 (b) Certified educational facilities that are authorized  
 3567 to maintain slot machines for the sole purpose of education and  
 3568 licensure, if any, of slot machine technicians, inspectors, or  
 3569 investigators. The commission ~~division~~ and the Department of Law  
 3570 Enforcement may possess slot machines for training and testing  
 3571 purposes. The commission ~~division~~ may adopt rules regarding the  
 3572 regulation of any such slot machines used for educational,  
 3573 training, or testing purposes.

3574 (7) All penalties imposed and collected under this section  
 3575 must be deposited into the Pari-mutuel Wagering Trust Fund ~~of~~

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3576 | ~~the Department of Business and Professional Regulation.~~

3577 |       Section 56. Section 551.112, Florida Statutes, is amended  
3578 | to read:

3579 |       551.112 Exclusions of certain persons.—In addition to the  
3580 | power to exclude certain persons from any facility of a slot  
3581 | machine licensee in this state, the commission ~~division~~ may  
3582 | exclude any person from any facility of a slot machine licensee  
3583 | in this state for conduct that would constitute, if the person  
3584 | were a licensee, a violation of this chapter or the rules of the  
3585 | commission ~~division~~. The commission ~~division~~ may exclude from  
3586 | any facility of a slot machine licensee any person who has been  
3587 | ejected from a facility of a slot machine licensee in this state  
3588 | or who has been excluded from any facility of a slot machine  
3589 | licensee or gaming facility in another state by the governmental  
3590 | department, agency, commission, or authority exercising  
3591 | regulatory jurisdiction over the gaming in such other state.  
3592 | This section does not abrogate the common law right of a slot  
3593 | machine licensee to exclude a patron absolutely in this state.

3594 |       Section 57. Subsections (3) and (5) of section 551.114,  
3595 | Florida Statutes, are amended to read:

3596 |       551.114 Slot machine gaming areas.—

3597 |       (3) The commission ~~division~~ shall require the posting of  
3598 | signs warning of the risks and dangers of gambling, showing the  
3599 | odds of winning, and informing patrons of the toll-free  
3600 | telephone number available to provide information and referral



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3601 services regarding compulsive or problem gambling.

3602 (5) The permitholder shall provide adequate office space  
3603 at no cost to the commission ~~division~~ and the Department of Law  
3604 Enforcement for the oversight of slot machine operations. The  
3605 commission ~~division~~ shall adopt rules establishing the criteria  
3606 for adequate space, configuration, and location and needed  
3607 electronic and technological requirements for office space  
3608 required by this subsection.

3609 Section 58. Section 551.117, Florida Statutes, is amended  
3610 to read:

3611 551.117 Penalties.—The commission ~~division~~ may revoke or  
3612 suspend any slot machine license issued under this chapter upon  
3613 the willful violation by the slot machine licensee of any  
3614 provision of this chapter or of any rule adopted under this  
3615 chapter. In lieu of suspending or revoking a slot machine  
3616 license, the commission ~~division~~ may impose a civil penalty  
3617 against the slot machine licensee for a violation of this  
3618 chapter or any rule adopted by the commission ~~division~~. Except  
3619 as otherwise provided in this chapter, the penalty so imposed  
3620 may not exceed \$100,000 for each count or separate offense. All  
3621 penalties imposed and collected must be deposited into the Pari-  
3622 mutuel Wagering Trust Fund ~~of the Department of Business and~~  
3623 ~~Professional Regulation.~~

3624 Section 59. Subsections (2) and (3) of section 551.118,  
3625 Florida Statutes, are amended to read:

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3626           551.118 Compulsive or addictive gambling prevention  
3627 program.—

3628           (2) The commission ~~division~~ shall, subject to competitive  
3629 bidding, contract for provision of services related to the  
3630 prevention of compulsive and addictive gambling. The contract  
3631 shall provide for an advertising program to encourage  
3632 responsible gaming practices and to publicize a gambling  
3633 telephone help line. Such advertisements must be made both  
3634 publicly and inside the designated slot machine gaming areas of  
3635 the licensee's facilities. The terms of any contract for the  
3636 provision of such services shall include accountability  
3637 standards that must be met by any private provider. The failure  
3638 of any private provider to meet any material terms of the  
3639 contract, including the accountability standards, shall  
3640 constitute a breach of contract or grounds for nonrenewal. The  
3641 commission ~~division~~ may consult with the Department of the  
3642 Lottery in the development of the program and the development  
3643 and analysis of any procurement for contractual services for the  
3644 compulsive or addictive gambling prevention program.

3645           (3) The compulsive or addictive gambling prevention  
3646 program shall be funded from an annual nonrefundable regulatory  
3647 fee of \$250,000 paid by the licensee to the commission ~~division~~.

3648           Section 60. Paragraph (c) of subsection (4) of section  
3649 551.121, Florida Statutes, is amended to read:

3650           551.121 Prohibited activities and devices; exceptions.—

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3651 (4)  
 3652 (c) Outside the designated slot machine gaming areas, a  
 3653 slot machine licensee or operator may accept or cash a check for  
 3654 an employee of the facility who is prohibited from wagering on a  
 3655 slot machine under s. 551.108(5), a check made directly payable  
 3656 to a person licensed by the commission ~~division~~, or a check made  
 3657 directly payable to the slot machine licensee or operator from:  
 3658 1. A pari-mutuel patron; or  
 3659 2. A pari-mutuel facility in this state or in another  
 3660 state.

3661 Section 61. Section 551.122, Florida Statutes, is amended  
 3662 to read:

3663 551.122 Rulemaking.—The commission ~~division~~ may adopt  
 3664 rules pursuant to ss. 120.536(1) and 120.54 to administer the  
 3665 provisions of this chapter.

3666 Section 62. Section 551.123, Florida Statutes, is amended  
 3667 to read:

3668 551.123 Legislative authority; administration of chapter.—  
 3669 The Legislature finds and declares that it has exclusive  
 3670 authority over the conduct of all wagering occurring at a slot  
 3671 machine facility in this state. As provided by law, only the  
 3672 Florida Gaming Control Commission ~~Division of Pari-mutuel~~  
 3673 ~~Wagering~~ and other authorized state agencies shall administer  
 3674 this chapter and regulate the slot machine gaming industry,  
 3675 including operation of slot machine facilities, games, slot

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3676 machines, and facilities-based computer systems authorized in  
 3677 this chapter and the rules adopted by the commission ~~division~~.

3678 Section 63. Subsection (5) of section 565.02, Florida  
 3679 Statutes, is amended to read:

3680 565.02 License fees; vendors; clubs; caterers; and  
 3681 others.—

3682 (5) A caterer at a pari-mutuel facility licensed under  
 3683 chapter 550 may obtain a license upon the payment of an annual  
 3684 state license tax of \$675. Such caterer's license shall permit  
 3685 sales only within the enclosure in which pari-mutuel wagering is  
 3686 conducted under the authority of the Florida Gaming Control  
 3687 ~~Commission Division of Pari-mutuel Wagering of the Department of~~  
 3688 ~~Business and Professional Regulation~~. Except as otherwise  
 3689 provided in this subsection, caterers licensed hereunder shall  
 3690 be treated as vendors licensed to sell by the drink the  
 3691 beverages mentioned herein and shall be subject to all the  
 3692 provisions hereof relating to such vendors.

3693 Section 64. Subsections (3) and (4) of section 817.37,  
 3694 Florida Statutes, are amended to read:

3695 817.37 Touting; defining; providing punishment; ejection  
 3696 from racetracks.—

3697 (3) Any person who in the commission of touting falsely  
 3698 uses the name of any official of the Florida Gaming Control  
 3699 ~~Commission Division of Pari-mutuel Wagering~~, its inspectors or  
 3700 attaches, or of any official of any racetrack association, or

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3701 the names of any owner, trainer, jockey, or other person  
3702 licensed by the Florida Gaming Control Commission ~~Division of~~  
3703 ~~Pari-mutuel Wagering~~, as the source of any information or  
3704 purported information shall be guilty of a felony of the third  
3705 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
3706 775.084.

3707 (4) Any person who has been convicted of touting by any  
3708 court, and the record of whose conviction on such charge is on  
3709 file in the office of the Florida Gaming Control Commission  
3710 ~~Division of Pari-mutuel Wagering~~, any court of this state, or of  
3711 the Federal Bureau of Investigation, or any person who has been  
3712 ejected from any racetrack of this or any other state for  
3713 touting or practices inimical to the public interest shall be  
3714 excluded from all racetracks in this state and if such person  
3715 returns to a racetrack he or she shall be guilty of a  
3716 misdemeanor of the second degree, punishable as provided in s.  
3717 775.082 or s. 775.083. Any such person who refuses to leave such  
3718 track when ordered to do so by inspectors of the Florida Gaming  
3719 Control Commission ~~Division of Pari-mutuel Wagering~~ or by any  
3720 peace officer, or by an accredited attache of a racetrack or  
3721 association shall be guilty of a separate offense which shall be  
3722 a misdemeanor of the second degree, punishable as provided in s.  
3723 775.083.

3724 Section 65. Paragraphs (f) and (g) of subsection (2),  
3725 subsection (4), paragraphs (a), (d), and (e) of subsection (5),

3726 paragraphs (a), (b), (d), (e), (f), (g), and (h) of subsection  
 3727 (6), paragraphs (a), (f), and (h) of subsection (7), subsection  
 3728 (11), paragraphs (b), (c), (d), (e), and (h) of subsection (13),  
 3729 subsection (14), paragraph (b) of subsection (15), paragraph (a)  
 3730 of subsection (16), and paragraph (a) of subsection (17) of  
 3731 section 849.086, Florida Statutes, are amended to read:

3732 849.086 Cardrooms authorized.—

3733 (2) DEFINITIONS.—As used in this section:

3734 (f) "Cardroom operator" means a licensed pari-mutuel  
 3735 permitholder which holds a valid permit and license issued by  
 3736 the Florida Gaming Control Commission ~~division~~ pursuant to  
 3737 chapter 550 and which also holds a valid cardroom license issued  
 3738 by the commission ~~division~~ pursuant to this section which  
 3739 authorizes such person to operate a cardroom and to conduct  
 3740 authorized games in such cardroom.

3741 (g) "Commission ~~Division~~" means the Florida Gaming Control  
 3742 Commission ~~Division of Pari-mutuel Wagering of the Department of~~  
 3743 ~~Business and Professional Regulation.~~

3744 (4) AUTHORITY OF COMMISSION ~~DIVISION~~.—The commission  
 3745 ~~Division of Pari-mutuel Wagering of the Department of Business~~  
 3746 ~~and Professional Regulation~~ shall administer this section and  
 3747 regulate the operation of cardrooms under this section and the  
 3748 rules adopted pursuant thereto, and is hereby authorized to:

3749 (a) Adopt rules, including, but not limited to: the  
 3750 issuance of cardroom and employee licenses for cardroom

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3751 operations; the operation of a cardroom; recordkeeping and  
3752 reporting requirements; and the collection of all fees and taxes  
3753 imposed by this section.

3754 (b) Conduct investigations and monitor the operation of  
3755 cardrooms and the playing of authorized games therein.

3756 (c) Review the books, accounts, and records of any current  
3757 or former cardroom operator.

3758 (d) Suspend or revoke any license or permit, after  
3759 hearing, for any violation of the provisions of this section or  
3760 the administrative rules adopted pursuant thereto.

3761 (e) Take testimony, issue summons and subpoenas for any  
3762 witness, and issue subpoenas duces tecum in connection with any  
3763 matter within its jurisdiction.

3764 (f) Monitor and ensure the proper collection of taxes and  
3765 fees imposed by this section. Permitholder internal controls are  
3766 mandated to ensure no compromise of state funds. To that end, a  
3767 roaming commission ~~division~~ auditor will monitor and verify the  
3768 cash flow and accounting of cardroom revenue for any given  
3769 operating day.

3770 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may  
3771 operate a cardroom in this state unless such person holds a  
3772 valid cardroom license issued pursuant to this section.

3773 (a) Only those persons holding a valid cardroom license  
3774 issued by the commission ~~division~~ may operate a cardroom. A  
3775 cardroom license may only be issued to a licensed pari-mutuel

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3776 | permitholder, and an authorized cardroom may only be operated at  
3777 | the same facility at which the permitholder is authorized under  
3778 | its valid pari-mutuel wagering permit to conduct pari-mutuel  
3779 | wagering activities. An initial cardroom license shall be issued  
3780 | to a pari-mutuel permitholder only after its facilities are in  
3781 | place and after it conducts its first day of pari-mutuel  
3782 | activities on racing or games.

3783 |         (d) Persons seeking a license or a renewal thereof to  
3784 | operate a cardroom shall make application on forms prescribed by  
3785 | the commission ~~division~~. Applications for cardroom licenses  
3786 | shall contain all of the information the commission ~~division~~, by  
3787 | rule, may determine is required to ensure eligibility.

3788 |         (e) The annual cardroom license fee for each facility  
3789 | shall be \$1,000 for each table to be operated at the cardroom.  
3790 | The license fee shall be deposited by the commission ~~division~~  
3791 | with the Chief Financial Officer to the credit of the Pari-  
3792 | mutuel Wagering Trust Fund.

3793 |         (6) BUSINESS AND EMPLOYEE OCCUPATIONAL LICENSE REQUIRED;  
3794 | APPLICATION; FEES.—

3795 |         (a) A person employed or otherwise working in a cardroom  
3796 | as a cardroom manager, floor supervisor, pit boss, dealer, or  
3797 | any other activity related to cardroom operations while the  
3798 | facility is conducting card playing or games of dominoes must  
3799 | hold a valid cardroom employee occupational license issued by  
3800 | the commission ~~division~~. Food service, maintenance, and security



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3801 employees with a current pari-mutuel occupational license and a  
3802 current background check will not be required to have a cardroom  
3803 employee occupational license.

3804 (b) Any cardroom management company or cardroom  
3805 distributor associated with cardroom operations must hold a  
3806 valid cardroom business occupational license issued by the  
3807 commission ~~division~~.

3808 (d) The commission ~~division~~ shall establish, by rule, a  
3809 schedule for the renewal of cardroom occupational licenses.  
3810 Cardroom occupational licenses are not transferable.

3811 (e) Persons seeking cardroom occupational licenses, or  
3812 renewal thereof, shall make application on forms prescribed by  
3813 the commission ~~division~~. Applications for cardroom occupational  
3814 licenses shall contain all of the information the commission  
3815 ~~division~~, by rule, may determine is required to ensure  
3816 eligibility.

3817 (f) The commission ~~division~~ shall adopt rules regarding  
3818 cardroom occupational licenses. The provisions specified in s.  
3819 550.105(4), (5), (6), (7), (8), and (10) relating to licensure  
3820 shall be applicable to cardroom occupational licenses.

3821 (g) The commission ~~division~~ may deny, declare ineligible,  
3822 or revoke any cardroom occupational license if the applicant or  
3823 holder thereof has been found guilty or had adjudication  
3824 withheld in this state or any other state, or under the laws of  
3825 the United States of a felony or misdemeanor involving forgery,

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3826 larceny, extortion, conspiracy to defraud, or filing false  
3827 reports to a government agency, racing or gaming commission or  
3828 authority.

3829 (h) Fingerprints for all cardroom occupational license  
3830 applications shall be taken in a manner approved by the  
3831 commission ~~division~~ and then shall be submitted to the Florida  
3832 Department of Law Enforcement and the Federal Bureau of  
3833 Investigation for a criminal records check upon initial  
3834 application and at least every 5 years thereafter. The  
3835 commission ~~division~~ may by rule require an annual record check  
3836 of all renewal applications for a cardroom occupational license.  
3837 The cost of processing fingerprints and conducting a record  
3838 check shall be borne by the applicant.

3839 (7) CONDITIONS FOR OPERATING A CARDROOM.—

3840 (a) A cardroom may be operated only at the location  
3841 specified on the cardroom license issued by the commission  
3842 ~~division~~, and such location may only be the location at which  
3843 the pari-mutuel permit holder is authorized to conduct pari-  
3844 mutuel wagering activities pursuant to such permit holder's valid  
3845 pari-mutuel permit or as otherwise authorized by law.

3846 (f) The cardroom facility is subject to inspection by the  
3847 commission ~~division~~ or any law enforcement agency during the  
3848 licensee's regular business hours. The inspection must  
3849 specifically include the permit holder internal control  
3850 procedures approved by the commission ~~division~~.

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3851 (h) Poker games played in a designated player manner in  
3852 which one player is permitted, but not required, to cover other  
3853 players' wagers must comply with the following restrictions:

3854 1. Poker games to be played in a designated player manner  
3855 must have been identified in cardroom license applications  
3856 approved by the former Division of Pari-mutuel Wagering ~~division~~  
3857 on or before March 15, 2018, or, if a substantially similar  
3858 poker game, identified in cardroom license applications approved  
3859 by the former Division of Pari-mutuel Wagering ~~division~~ on or  
3860 before April 1, 2021.

3861 2. If the cardroom is located in a county where slot  
3862 machine gaming is authorized under chapter 285 or chapter 551,  
3863 the cardroom operator is limited to offering no more than 10  
3864 tables for the play of poker games in a designated player  
3865 manner.

3866 3. If the cardroom is located in a county where slot  
3867 machine gaming is not authorized under chapter 285 or chapter  
3868 551, the cardroom operator is limited to offering no more than  
3869 30 tables for the play of poker games in a designated player  
3870 manner.

3871 4. There may not be more than nine players and the  
3872 nonplayer dealer at each table.

3873 (11) RECORDS AND REPORTS.—

3874 (a) Each licensee operating a cardroom shall keep and  
3875 maintain permanent daily records of its cardroom operation and

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3876 shall maintain such records for a period of not less than 3  
3877 years. These records shall include all financial transactions  
3878 and contain sufficient detail to determine compliance with the  
3879 requirements of this section. All records shall be available for  
3880 audit and inspection by the commission ~~division~~ or other law  
3881 enforcement agencies during the licensee's regular business  
3882 hours. The information required in such records shall be  
3883 determined by commission ~~division~~ rule.

3884 (b) Each licensee operating a cardroom shall file with the  
3885 commission ~~division~~ a report containing the required records of  
3886 such cardroom operation. Such report shall be filed monthly by  
3887 licensees. The required reports shall be submitted on forms  
3888 prescribed by the commission ~~division~~ and shall be due at the  
3889 same time as the monthly pari-mutuel reports are due to the  
3890 commission ~~division~~, and such reports shall contain any  
3891 additional information deemed necessary by the commission  
3892 ~~division~~, and the reports shall be deemed public records once  
3893 filed.

3894 (13) TAXES AND OTHER PAYMENTS.—

3895 (b) An admission tax equal to 15 percent of the admission  
3896 charge for entrance to the licensee's cardroom facility, or 10  
3897 cents, whichever is greater, is imposed on each person entering  
3898 the cardroom. This admission tax shall apply only if a separate  
3899 admission fee is charged for entry to the cardroom facility. If  
3900 a single admission fee is charged which authorizes entry to both

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3901 or either the pari-mutuel facility and the cardroom facility,  
3902 the admission tax shall be payable only once and shall be  
3903 payable pursuant to chapter 550. The cardroom licensee shall be  
3904 responsible for collecting the admission tax. An admission tax  
3905 is imposed on any free passes or complimentary cards issued to  
3906 guests by licensees in an amount equal to the tax imposed on the  
3907 regular and usual admission charge for entrance to the  
3908 licensee's cardroom facility. A cardroom licensee may issue tax-  
3909 free passes to its officers, officials, and employees or other  
3910 persons actually engaged in working at the cardroom, including  
3911 accredited press representatives such as reporters and editors,  
3912 and may also issue tax-free passes to other cardroom licensees  
3913 for the use of their officers and officials. The licensee shall  
3914 file with the commission ~~division~~ a list of all persons to whom  
3915 tax-free passes are issued.

3916 (c) Payment of the admission tax and gross receipts tax  
3917 imposed by this section shall be paid to the commission  
3918 ~~division~~. The commission ~~division~~ shall deposit these sums with  
3919 the Chief Financial Officer, one-half being credited to the  
3920 Pari-mutuel Wagering Trust Fund and one-half being credited to  
3921 the General Revenue Fund. The cardroom licensee shall remit to  
3922 the commission ~~division~~ payment for the admission tax, the gross  
3923 receipts tax, and the licensee fees. Such payments shall be  
3924 remitted to the commission ~~division~~ on the fifth day of each  
3925 calendar month for taxes and fees imposed for the preceding

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3926 month's cardroom activities. Licensees shall file a report under  
3927 oath by the fifth day of each calendar month for all taxes  
3928 remitted during the preceding calendar month. Such report shall,  
3929 under oath, indicate the total of all admissions, the cardroom  
3930 activities for the preceding calendar month, and such other  
3931 information as may be prescribed by the commission ~~division~~.

3932 (d)1. Each jai alai permitholder that conducts live  
3933 performances and operates a cardroom facility shall use at least  
3934 4 percent of such permitholder's cardroom monthly gross receipts  
3935 to supplement jai alai prize money during the permitholder's  
3936 next ensuing pari-mutuel meet.

3937 2. Each thoroughbred permitholder or harness horse racing  
3938 permitholder that conducts live performances and operates a  
3939 cardroom facility shall use at least 50 percent of such  
3940 permitholder's cardroom monthly net proceeds as follows: 47  
3941 percent to supplement purses and 3 percent to supplement  
3942 breeders' awards during the permitholder's next ensuing racing  
3943 meet.

3944 3. No cardroom license or renewal thereof shall be issued  
3945 to an applicant holding a permit under chapter 550 to conduct  
3946 pari-mutuel wagering meets of quarter horse racing and  
3947 conducting live performances unless the applicant has on file  
3948 with the commission ~~division~~ a binding written agreement between  
3949 the applicant and the Florida Quarter Horse Racing Association  
3950 or the association representing a majority of the horse owners

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3951 and trainers at the applicant's eligible facility, governing the  
3952 payment of purses on live quarter horse races conducted at the  
3953 licensee's pari-mutuel facility. The agreement governing purses  
3954 may direct the payment of such purses from revenues generated by  
3955 any wagering or gaming the applicant is authorized to conduct  
3956 under Florida law. All purses shall be subject to the terms of  
3957 chapter 550.

3958 (e) The failure of any licensee to make payments as  
3959 prescribed in paragraph (c) is a violation of this section, and  
3960 the licensee may be subjected by the commission ~~division~~ to a  
3961 civil penalty of up to \$1,000 for each day the tax payment is  
3962 not remitted. All penalties imposed and collected shall be  
3963 deposited in the General Revenue Fund. If a licensee fails to  
3964 pay penalties imposed by order of the commission ~~division~~ under  
3965 this subsection, the commission ~~division~~ may suspend or revoke  
3966 the license of the cardroom operator or deny issuance of any  
3967 further license to the cardroom operator.

3968 (h) One-quarter of the moneys deposited into the Pari-  
3969 mutuel Wagering Trust Fund pursuant to paragraph (g) shall, by  
3970 October 1 of each year, be distributed to the local government  
3971 that approved the cardroom under subsection (16); however, if  
3972 two or more pari-mutuel racetracks are located within the same  
3973 incorporated municipality, the cardroom funds shall be  
3974 distributed to the municipality. If a pari-mutuel facility is  
3975 situated in such a manner that it is located in more than one

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3976 county, the site of the cardroom facility shall determine the  
3977 location for purposes of disbursement of tax revenues under this  
3978 paragraph. The commission ~~division~~ shall, by September 1 of each  
3979 year, determine: the amount of taxes deposited into the Pari-  
3980 mutuel Wagering Trust Fund pursuant to this section from each  
3981 cardroom licensee; the location by county of each cardroom;  
3982 whether the cardroom is located in the unincorporated area of  
3983 the county or within an incorporated municipality; and, the  
3984 total amount to be distributed to each eligible county and  
3985 municipality.

3986 (14) SUSPENSION, REVOCATION, OR DENIAL OF LICENSE; FINE.—

3987 (a) The commission ~~division~~ may deny a license or the  
3988 renewal thereof, or may suspend or revoke any license, when the  
3989 applicant has: violated or failed to comply with the provisions  
3990 of this section or any rules adopted pursuant thereto; knowingly  
3991 caused, aided, abetted, or conspired with another to cause any  
3992 person to violate this section or any rules adopted pursuant  
3993 thereto; or obtained a license or permit by fraud,  
3994 misrepresentation, or concealment; or if the holder of such  
3995 license or permit is no longer eligible under this section.

3996 (b) If a pari-mutuel permitholder's pari-mutuel permit or  
3997 license is suspended or revoked by the commission ~~division~~  
3998 pursuant to chapter 550, the commission ~~division~~ may, but is not  
3999 required to, suspend or revoke such permitholder's cardroom  
4000 license. If a cardroom operator's license is suspended or



4001 | revoked pursuant to this section, the commission ~~division~~ may,  
 4002 | but is not required to, suspend or revoke such licensee's pari-  
 4003 | mutuel permit or license.

4004 | (c) Notwithstanding any other provision of this section,  
 4005 | the commission ~~division~~ may impose an administrative fine not to  
 4006 | exceed \$1,000 for each violation against any person who has  
 4007 | violated or failed to comply with the provisions of this section  
 4008 | or any rules adopted pursuant thereto.

4009 | (15) CRIMINAL PENALTY; INJUNCTION.—

4010 | (b) The commission ~~division~~, any state attorney, the  
 4011 | statewide prosecutor, or the Attorney General may apply for a  
 4012 | temporary or permanent injunction restraining further violation  
 4013 | of this section, and such injunction shall issue without bond.

4014 | (16) LOCAL GOVERNMENT APPROVAL.—

4015 | (a) The commission ~~Division of Pari-mutuel Wagering~~ shall  
 4016 | not issue any initial license under this section except upon  
 4017 | proof in such form as the commission ~~division~~ may prescribe that  
 4018 | the local government where the applicant for such license  
 4019 | desires to conduct cardroom gaming has voted to approve such  
 4020 | activity by a majority vote of the governing body of the  
 4021 | municipality or the governing body of the county if the facility  
 4022 | is not located in a municipality.

4023 | (17) CHANGE OF LOCATION; REFERENDUM.—

4024 | (a) Notwithstanding any provisions of this section, no  
 4025 | cardroom gaming license issued under this section shall be

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4026 transferred, or reissued when such reissuance is in the nature  
4027 of a transfer, so as to permit or authorize a licensee to change  
4028 the location of the cardroom except upon proof in such form as  
4029 the commission ~~division~~ may prescribe that a referendum election  
4030 has been held:

4031 1. If the proposed new location is within the same county  
4032 as the already licensed location, in the county where the  
4033 licensee desires to conduct cardroom gaming and that a majority  
4034 of the electors voting on the question in such election voted in  
4035 favor of the transfer of such license. However, the commission  
4036 ~~division~~ shall transfer, without requirement of a referendum  
4037 election, the cardroom license of any permit holder that  
4038 relocated its permit pursuant to s. 550.0555.

4039 2. If the proposed new location is not within the same  
4040 county as the already licensed location, in the county where the  
4041 licensee desires to conduct cardroom gaming and that a majority  
4042 of the electors voting on that question in each such election  
4043 voted in favor of the transfer of such license.

4044 Reviser's Note.—Amended pursuant to the directive of the  
4045 Legislature to the Division of Law Revision in s. 13, ch.  
4046 2021-269, Laws of Florida, to replace references to the  
4047 Division of Pari-mutuel Wagering and references to the  
4048 Department of Business and Professional Regulation relating  
4049 to gaming with references to the Florida Gaming Control  
4050 Commission to conform the Florida Statutes to the transfer

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4051 |           of duties in s. 11, ch. 2021-269.

4052 |           Section 66. This act shall take effect July 1, 2022.