

By Senator Passidomo

28-01067-22

2022854

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.

24  
25   Be It Enacted by the Legislature of the State of Florida:

26  
27           Section 1. Paragraph (b) of subsection (3) of section  
28   16.71, Florida Statutes, is amended to read:

29           16.71 Florida Gaming Control Commission; creation;

28-01067-22

2022854

30 meetings; membership.—

31 (3) REQUIREMENTS FOR APPOINTMENT; PROHIBITIONS.—

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

35 1. Any person that holds a permit or license issued under  
36 chapter 550, or a license issued under chapter 551 or chapter  
37 849; an officer, official, or employee of such permitholder or  
38 licensee; or an ultimate equitable owner, as defined in s.  
39 550.002(36) ~~550.002(37)~~, of such permitholder or licensee;

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

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

50 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~~

28-01067-22

2022854

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 preceding  
72 the date of appointment to or employment with the commission and  
73 while appointed to or employed with the commission:

74 1. Hold a permit or license issued under chapter 550 or a  
75 license issued under chapter 551 or chapter 849; be an officer,  
76 official, or employee of such permitholder or licensee; or be an  
77 ultimate equitable owner, as defined in s. 550.002(36)  
78 ~~550.002(37)~~, of such permitholder or licensee;

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

86 3. Be a registered lobbyist for the executive or  
87 legislative branch, except while a commissioner or employee of

28-01067-22

2022854

88 the commission when officially representing the commission; or

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

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

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

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

108  
109 For the purposes of this subsection, the term "relative" means a  
110 spouse, father, mother, son, daughter, grandfather, grandmother,  
111 brother, sister, uncle, aunt, cousin, nephew, niece, father-in-  
112 law, mother-in-law, son-in-law, daughter-in-law, brother-in-law,  
113 sister-in-law, stepfather, stepmother, stepson, stepdaughter,  
114 stepbrother, stepsister, half-brother, or half-sister.

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

28-01067-22

2022854

117 16.715 Florida Gaming Control Commission standards of  
118 conduct; ex parte communications.—

119 (2) FORMER COMMISSIONERS AND EMPLOYEES.—

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

123 1. Hold a permit or license issued under chapter 550, or a  
124 license issued under chapter 551 or chapter 849; be an officer,  
125 official, or employee of such permitholder or licensee; or be an  
126 ultimate equitable owner, as defined in s. 550.002(36)  
127 ~~550.002(37)~~, of such permitholder or licensee;

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

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

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

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

28-01067-22

2022854

146 ~~550.002(37)~~, of such permitholder or licensee; or

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

149 Section 5. Paragraph (g) of subsection (2) of section  
150 20.165, Florida Statutes, is amended to read:

151 20.165 Department of Business and Professional Regulation.—  
152 There is created a Department of Business and Professional  
153 Regulation.

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

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

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

163 550.002 Definitions.—As used in this chapter, the term:

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

166 (5)~~(4)~~ "Contributor" means a person who contributes to a  
167 pari-mutuel pool by engaging in any pari-mutuel wager pursuant  
168 to this chapter.

169 (6)~~(5)~~ "Current meet" or "current race meet" means the  
170 conduct of racing or games pursuant to a current year's  
171 operating license issued by the commission ~~division~~.

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

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

28-01067-22

2022854

175 ~~within the Department of Business and Professional Regulation.~~

176 (10)~~(11)~~ "Full schedule of live racing or games" means, for  
177 a jai alai permitholder, the conduct of a combination of at  
178 least 100 live evening or matinee performances during the  
179 preceding year; for a permitholder who has a converted permit or  
180 filed an application on or before June 1, 1990, for a converted  
181 permit, the conduct of a combination of at least 100 live  
182 evening and matinee wagering performances during either of the 2  
183 preceding years; for a jai alai permitholder who does not  
184 operate slot machines in its pari-mutuel facility, who has  
185 conducted at least 100 live performances per year for at least  
186 10 years after December 31, 1992, and whose handle on live jai  
187 alai games conducted at its pari-mutuel facility has been less  
188 than \$4 million per state fiscal year for at least 2 consecutive  
189 years after June 30, 1992, the conduct of a combination of at  
190 least 40 live evening or matinee performances during the  
191 preceding year; for a jai alai permitholder who operates slot  
192 machines in its pari-mutuel facility, the conduct of a  
193 combination of at least 150 performances during the preceding  
194 year; for a harness permitholder, the conduct of at least 100  
195 live regular wagering performances during the preceding year;  
196 for a quarter horse permitholder at its facility unless an  
197 alternative schedule of at least 20 live regular wagering  
198 performances is agreed upon by the permitholder and either the  
199 Florida Quarter Horse Racing Association or the horsemen's  
200 association representing the majority of the quarter horse  
201 owners and trainers at the facility and filed with the  
202 commission ~~division~~ along with its annual date application, in  
203 the 2010-2011 fiscal year, the conduct of at least 20 regular

28-01067-22

2022854

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

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

228 550.0115 Permitholder operating license.—After a permit has  
229 been issued by the commission ~~division~~, and after the permit has  
230 been approved by election, the commission ~~division~~ shall issue  
231 to the permitholder an annual operating license to conduct pari-  
232 mutuel wagering at the location specified in the permit pursuant



28-01067-22

2022854

233 to the provisions of this chapter.

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

236 550.01215 License application; periods of operation;  
237 license fees; bond.—

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

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

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

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

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

258 (b)1. A greyhound permitholder may not conduct live racing.  
259 A jai alai permitholder, harness horse racing permitholder, or  
260 quarter horse racing permitholder may elect not to conduct live  
261 racing or games. A thoroughbred permitholder must conduct live

28-01067-22

2022854

262 racing. A greyhound permitholder, jai alai permitholder, harness  
263 horse racing permitholder, or quarter horse racing permitholder  
264 that does not conduct live racing or games retains its permit;  
265 is a pari-mutuel facility as defined in s. 550.002(22)  
266 ~~550.002(23)~~; if such permitholder has been issued a slot machine  
267 license, the facility where such permit is located remains an  
268 eligible facility as defined in s. 551.102(4), continues to be  
269 eligible for a slot machine license pursuant to s. 551.104(3),  
270 and is exempt from ss. 551.104(4)(c) and (10) and 551.114(2); is  
271 eligible, but not required, to be a guest track and, if the  
272 permitholder is a harness horse racing permitholder, to be a  
273 host track for purposes of intertrack wagering and simulcasting  
274 pursuant to ss. 550.3551, 550.615, 550.625, and 550.6305; and  
275 remains eligible for a cardroom license.

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

288 (c) Permitholders may amend their applications through  
289 February 28.

290 (d) Notwithstanding any other provision of law, other than

28-01067-22

2022854

291 a permitholder issued a permit pursuant to s. 550.3345, a pari-  
292 mutuel permitholder may not be issued an operating license for  
293 the conduct of pari-mutuel wagering, slot machine gaming, or the  
294 operation of a cardroom if the permitholder did not hold an  
295 operating license for the conduct of pari-mutuel wagering for  
296 fiscal year 2020-2021.

297 (2) After the first license has been issued to a  
298 permitholder, all subsequent annual applications for a license  
299 shall be accompanied by proof, in such form as the commission  
300 ~~division~~ may by rule require, that the permitholder continues to  
301 possess the qualifications prescribed by this chapter, and that  
302 the permit has not been disapproved at a later election.

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

28-01067-22

2022854

320 ~~for the 2021-2022 state fiscal year only, the division may~~  
321 ~~approve changes in operating dates for a jai alai permit holder,~~  
322 ~~harness horse racing permit holder, or quarter horse racing~~  
323 ~~permit holder if the request for such changes is received before~~  
324 ~~October 1, 2021.~~

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

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

344 Section 9. Section 550.0235, Florida Statutes, is amended  
345 to read:

346 550.0235 Limitation of civil liability.—No permit holder  
347 licensed to conduct pari-mutuel wagering pursuant to the  
348 provisions of this chapter; no commissioner ~~division director~~ or

28-01067-22

2022854

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

362 Section 10. Section 550.0251, Florida Statutes, is amended  
363 to read:

364 550.0251 The powers and duties of the Florida Gaming  
365 Control Commission ~~Division of Pari-mutuel Wagering of the~~  
366 ~~Department of Business and Professional Regulation.~~—The  
367 commission ~~division~~ shall administer this chapter and regulate  
368 the pari-mutuel industry under this chapter and the rules  
369 adopted pursuant thereto, and:

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

376 (2) The commission ~~division~~ shall require an oath on  
377 application documents as required by rule, which oath must state

28-01067-22

2022854

378 that the information contained in the document is true and  
379 complete.

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

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

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

398 (6) In addition to the power to exclude certain persons  
399 from any pari-mutuel facility in this state, the commission  
400 ~~division~~ may exclude any person from any and all pari-mutuel  
401 facilities in this state for conduct that would constitute, if  
402 the person were a licensee, a violation of this chapter or the  
403 rules of the commission ~~division~~. The commission ~~division~~ may  
404 exclude from any pari-mutuel facility within this state any  
405 person who has been ejected from a pari-mutuel facility in this  
406 state or who has been excluded from any pari-mutuel facility in

28-01067-22

2022854

407 another state by the governmental department, agency,  
408 commission, or authority exercising regulatory jurisdiction over  
409 pari-mutuel facilities in such other state. The commission  
410 ~~division~~ may authorize any person who has been ejected or  
411 excluded from pari-mutuel facilities in this state or another  
412 state to attend the pari-mutuel facilities in this state upon a  
413 finding that the attendance of such person at pari-mutuel  
414 facilities would not be adverse to the public interest or to the  
415 integrity of the sport or industry; however, this subsection  
416 shall not be construed to abrogate the common-law right of a  
417 pari-mutuel permitholder to exclude absolutely a patron in this  
418 state.

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

421 (8) The commission ~~department~~ may collect taxes and require  
422 compliance with reporting requirements for financial information  
423 as authorized by this chapter. In addition, the commission  
424 ~~secretary of the department~~ may require permitholders conducting  
425 pari-mutuel operations within the state to remit taxes,  
426 including fees, by electronic funds transfer if the taxes and  
427 fees amounted to \$50,000 or more in the prior reporting year.

428 (9) The commission ~~division~~ may conduct investigations in  
429 enforcing this chapter, except that all information obtained  
430 pursuant to an investigation by the commission ~~division~~ for an  
431 alleged violation of this chapter or rules of the commission  
432 ~~division~~ is exempt from s. 119.07(1) and from s. 24(a), Art. I  
433 of the State Constitution until an administrative complaint is  
434 issued or the investigation is closed or ceases to be active.  
435 This subsection does not prohibit the commission ~~division~~ from

28-01067-22

2022854

436 providing such information to any law enforcement agency or to  
437 any other regulatory agency. For the purposes of this  
438 subsection, an investigation is considered to be active while it  
439 is being conducted with reasonable dispatch and with a  
440 reasonable, good faith belief that it could lead to an  
441 administrative, civil, or criminal action by the commission  
442 ~~division~~ or another administrative or law enforcement agency.  
443 Except for active criminal intelligence or criminal  
444 investigative information, as defined in s. 119.011, and any  
445 other information that, if disclosed, would jeopardize the  
446 safety of an individual, all information, records, and  
447 transcriptions become public when the investigation is closed or  
448 ceases to be active.

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

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

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

464 (13) The commission ~~division~~ shall have the authority to



28-01067-22

2022854

465 suspend a permitholder's permit or license, if such permitholder  
466 is operating a cardroom facility and such permitholder's  
467 cardroom license has been suspended or revoked pursuant to s.  
468 849.086.

469 Section 11. Subsections (1), (2), and (4), paragraphs (a)  
470 and (c) of subsection (6), and subsection (7) of section  
471 550.0351, Florida Statutes, are amended to read:

472 550.0351 Charity racing days.—

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

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

488 (4) The total of all profits derived from the conduct of a  
489 charity day performance must include all revenues derived from  
490 the conduct of that racing performance, including all state  
491 taxes that would otherwise be due to the state, except that the  
492 daily license fee as provided in s. 550.0951(1) and the breaks  
493 for the promotional trust funds as provided in s. 550.2625(3),

28-01067-22

2022854

494 (4), (5), (7), and (8) shall be paid to the commission ~~division~~.  
495 All other revenues from the charity racing performance,  
496 including the commissions, breaks, and admissions and the  
497 revenues from parking, programs, and concessions, shall be  
498 included in the total of all profits.

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

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

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

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

28-01067-22

2022854

523           550.054 Application for permit to conduct pari-mutuel  
524           wagering.—

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

534           (2) Upon each application filed and approved, a permit  
535           shall be issued to the applicant setting forth the name of the  
536           permitholder, the location of the pari-mutuel facility, the type  
537           of pari-mutuel activity desired to be conducted, and a statement  
538           showing qualifications of the applicant to conduct pari-mutuel  
539           performances under this chapter; however, a permit is  
540           ineffectual to authorize any pari-mutuel performances until  
541           approved by a majority of the electors participating in a  
542           ratification election in the county in which the applicant  
543           proposes to conduct pari-mutuel wagering activities. In  
544           addition, an application may not be considered, nor may a permit  
545           be issued by the commission ~~division~~ or be voted upon in any  
546           county, to conduct horseraces, harness horse races, or pari-  
547           mutuel wagering at a location within 100 miles of an existing  
548           pari-mutuel facility, or for jai alai within 50 miles of an  
549           existing pari-mutuel facility; this distance shall be measured  
550           on a straight line from the nearest property line of one pari-  
551           mutuel facility to the nearest property line of the other

28-01067-22

2022854

552 facility.

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

555 (a) The full name of the applicant.

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

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

572 (d) The exact location where the applicant will conduct  
573 pari-mutuel performances.

574 (e) Whether the pari-mutuel facility is owned or leased  
575 and, if leased, the name and residence of the fee owner or, if a  
576 corporation, the names and addresses of the directors and  
577 stockholders thereof. However, this chapter does not prevent a  
578 person from applying to the commission ~~division~~ for a permit to  
579 conduct pari-mutuel operations, regardless of whether the pari-  
580 mutuel facility has been constructed or not, and having an

28-01067-22

2022854

581 election held in any county at the same time that elections are  
582 held for the ratification of any permit in that county.

583 (f) A statement of the assets and liabilities of the  
584 applicant.

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

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

592 (i) For each individual listed in the application as an  
593 owner, partner, officer, or director, a complete set of  
594 fingerprints that has been taken by an authorized law  
595 enforcement officer. These sets of fingerprints must be  
596 submitted to the Federal Bureau of Investigation for processing.  
597 Applicants who are foreign nationals shall submit such documents  
598 as necessary to allow the commission ~~division~~ to conduct  
599 criminal history records checks in the applicant's home country.  
600 The applicant must pay the cost of processing. The commission  
601 ~~division~~ may charge a \$2 handling fee for each set of  
602 fingerprint records.

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

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

606 (4) The commission ~~division~~ shall require each applicant to  
607 deposit with the board of county commissioners of the county in  
608 which the election is to be held, a sufficient sum, in currency  
609 or by check certified by a bank licensed to do business in the

28-01067-22

2022854

610 state to pay the expenses of holding the election provided in s.  
611 550.0651.

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

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

622 (7) If the commission ~~division~~ refuses to grant the permit,  
623 the money deposited with the board of county commissioners for  
624 holding the election must be refunded to the applicant. If the  
625 commission ~~division~~ grants the permit applied for, the board of  
626 county commissioners shall order an election in the county to  
627 decide whether the permit will be approved, as provided in s.  
628 550.0651.

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

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

638 (c) The commission ~~division~~ shall furnish to the applicant

28-01067-22

2022854

639 an itemized statement of actual costs incurred during the  
640 investigation to determine eligibility.

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

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

662 (b) The commission ~~division~~ may revoke or suspend any  
663 permit or license issued under this chapter upon the willful  
664 violation by the permitholder or licensee of any provision of  
665 this chapter or of any rule adopted under this chapter. In lieu  
666 of suspending or revoking a permit or license, the commission  
667 ~~division~~ may impose a civil penalty against the permitholder or

28-01067-22

2022854

668 licensee for a violation of this chapter or any rule adopted by  
669 the commission ~~division~~. The penalty so imposed may not exceed  
670 \$1,000 for each count or separate offense. All penalties imposed  
671 and collected must be deposited with the Chief Financial Officer  
672 to the credit of the General Revenue Fund.

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

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

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

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



28-01067-22

2022854

697 pursuant to s. 550.1815.

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

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

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

721 2. If the proposed new location is not within the same  
722 county as the already licensed location, in the county where the  
723 licensee desires to conduct the race meeting and in the county  
724 where the licensee is already licensed to conduct the race  
725 meeting and that a majority of the electors voting on that

28-01067-22

2022854

726 question in each such election voted in favor of the transfer of  
727 such license.

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

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

734 2. Such permit was not previously converted from any other  
735 class of permit; and

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

739 (b) The commission ~~division~~, upon application from the  
740 holder of a jai alai permit meeting all conditions of this  
741 section, shall convert the permit and shall issue to the  
742 permitholder a permit to conduct greyhound racing. A  
743 permitholder of a permit converted under this section shall be  
744 required to apply for and conduct a full schedule of live racing  
745 each fiscal year to be eligible for any tax credit provided by  
746 this chapter. The holder of a permit converted pursuant to this  
747 subsection or any holder of a permit to conduct greyhound racing  
748 located in a county in which it is the only permit issued  
749 pursuant to this section who operates at a leased facility  
750 pursuant to s. 550.475 may move the location for which the  
751 permit has been issued to another location within a 30-mile  
752 radius of the location fixed in the permit issued in that  
753 county, provided the move does not cross the county boundary and  
754 such location is approved under the zoning regulations of the

28-01067-22

2022854

755 county or municipality in which the permit is located, and upon  
756 such relocation may use the permit for the conduct of pari-  
757 mutuel wagering and the operation of a cardroom. The provisions  
758 of s. 550.6305(9)(d) and (f) shall apply to any permit converted  
759 under this subsection and shall continue to apply to any permit  
760 which was previously included under and subject to such  
761 provisions before a conversion pursuant to this section  
762 occurred.

763 (15)

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

768 Section 13. Subsection (2) of section 550.0555, Florida  
769 Statutes, is amended to read:

770 550.0555 Greyhound dogracing permits; relocation within a  
771 county; conditions.—

772 (2) Any holder of a valid outstanding permit for greyhound  
773 dogracing in a county in which there is only one dogracing  
774 permit issued, as well as any holder of a valid outstanding  
775 permit for jai alai in a county where only one jai alai permit  
776 is issued, is authorized, without the necessity of an additional  
777 county referendum required under s. 550.0651, to move the  
778 location for which the permit has been issued to another  
779 location within a 30-mile radius of the location fixed in the  
780 permit issued in that county, provided the move does not cross  
781 the county boundary, that such relocation is approved under the  
782 zoning regulations of the county or municipality in which the  
783 permit is to be located as a planned development use, consistent

28-01067-22

2022854

784 with the comprehensive plan, and that such move is approved by  
785 the commission ~~department~~ after it is determined at a proceeding  
786 pursuant to chapter 120 in the county affected that the move is  
787 necessary to ensure the revenue-producing capability of the  
788 permittee without deteriorating the revenue-producing capability  
789 of any other pari-mutuel permittee within 50 miles; the distance  
790 shall be measured on a straight line from the nearest property  
791 line of one racing plant or jai alai fronton to the nearest  
792 property line of the other.

793 Section 14. Subsections (1), (3), and (5) of section  
794 550.0651, Florida Statutes, are amended to read:

795 550.0651 Elections for ratification of permits; municipal  
796 prohibitions.—

797 (1) The holder of any permit may have submitted to the  
798 electors of the county designated therein the question whether  
799 or not such permit will be ratified or rejected. Such questions  
800 shall be submitted to the electors for approval or rejection at  
801 a special election to be called for that purpose only. The board  
802 of county commissioners of the county designated, upon the  
803 presentation to such board at a regular or special meeting of a  
804 written application, accompanied by a certified copy of the  
805 permit granted by the commission ~~division~~, and asking for an  
806 election in the county in which the application was made, shall  
807 order a special election in the county for the particular  
808 purpose of deciding whether such permit shall be approved and  
809 license issued and race meetings permitted in such county by  
810 such permittee and shall cause the clerk of such board to give  
811 notice of the special election by publishing the same once each  
812 week for 2 consecutive weeks in one or more newspapers of

28-01067-22

2022854

813 general circulation in the county. Each permit covering each  
814 track must be voted upon separately and in separate elections,  
815 and an election may not be called more often than once every 2  
816 years for the ratification of any permit covering the same  
817 track.

818 (3) When a permit has been granted by the commission  
819 ~~division~~ and no application to the board of county commissioners  
820 has been made by the permittee within 6 months after the  
821 granting of the permit, the permit becomes void. The commission  
822 ~~division~~ shall cancel the permit without notice to the  
823 permitholder, and the board of county commissioners holding the  
824 deposit for the election shall refund the deposit to the  
825 permitholder upon being notified by the commission ~~division~~ that  
826 the permit has become void and has been canceled.

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

837 Section 15. Subsection (1), paragraph (c) of subsection  
838 (2), paragraph (c) of subsection (3), and subsections (5) and  
839 (6) of section 550.0951, Florida Statutes, are amended to read:

840 550.0951 Payment of daily license fee and taxes;  
841 penalties.—

28-01067-22

2022854

842 (1) DAILY LICENSE FEE.—

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

869 (b) Each permitholder that cannot utilize the full amount  
870 of the exemption of \$360,000 or \$500,000 provided in s.

28-01067-22

2022854

871 550.09514(1) or the daily license fee credit provided in this  
872 section may, after notifying the commission ~~division~~ in writing,  
873 elect once per state fiscal year on a form provided by the  
874 commission ~~division~~ to transfer such exemption or credit or any  
875 portion thereof to any greyhound permitholder which acts as a  
876 host track to such permitholder for the purpose of intertrack  
877 wagering. Once an election to transfer such exemption or credit  
878 is filed with the commission ~~division~~, it shall not be  
879 rescinded. The commission ~~division~~ shall disapprove the transfer  
880 when the amount of the exemption or credit or portion thereof is  
881 unavailable to the transferring permitholder or when the  
882 permitholder who is entitled to transfer the exemption or credit  
883 or who is entitled to receive the exemption or credit owes taxes  
884 to the state pursuant to a deficiency letter or administrative  
885 complaint issued by the commission ~~division~~. Upon approval of  
886 the transfer by the commission ~~division~~, the transferred tax  
887 exemption or credit shall be effective for the first performance  
888 of the next payment period as specified in subsection (5). The  
889 exemption or credit transferred to such host track may be  
890 applied by such host track against any taxes imposed by this  
891 chapter or daily license fees imposed by this chapter. The  
892 greyhound permitholder host track to which such exemption or  
893 credit is transferred shall reimburse such permitholder the  
894 exact monetary value of such transferred exemption or credit as  
895 actually applied against the taxes and daily license fees of the  
896 host track. The commission ~~division~~ shall ensure that all  
897 transfers of exemption or credit are made in accordance with  
898 this subsection and shall have the authority to adopt rules to  
899 ensure the implementation of this section.

28-01067-22

2022854

900 (2) ADMISSION TAX.—

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

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

917 (c)1. The tax on handle for intertrack wagering is 2.0  
918 percent of the handle if the host track is a horse track, 3.3  
919 percent if the host track is a harness track, 5.5 percent if the  
920 host track is a dog track, and 7.1 percent if the host track is  
921 a jai alai fronton. The tax on handle for intertrack wagering is  
922 0.5 percent if the host track and the guest track are  
923 thoroughbred permitholders or if the guest track is located  
924 outside the market area of the host track and within the market  
925 area of a thoroughbred permitholder currently conducting a live  
926 race meet. The tax on handle for intertrack wagering on  
927 rebroadcasts of simulcast thoroughbred horseraces is 2.4 percent  
928 of the handle and 1.5 percent of the handle for intertrack



28-01067-22

2022854

929 wagering on rebroadcasts of simulcast harness horseraces. The  
930 tax shall be deposited into the Pari-mutuel Wagering Trust Fund.

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

947 (5) PAYMENT AND DISPOSITION OF FEES AND TAXES.—Payments  
948 imposed by this section shall be paid to the commission  
949 ~~division~~. The commission ~~division~~ shall deposit these sums with  
950 the Chief Financial Officer, to the credit of the Pari-mutuel  
951 Wagering Trust Fund, hereby established. The permitholder shall  
952 remit to the commission ~~division~~ payment for the daily license  
953 fee, the admission tax, the tax on handle, and the breaks tax.  
954 Such payments shall be remitted by 3 p.m. Wednesday of each week  
955 for taxes imposed and collected for the preceding week ending on  
956 Sunday. Beginning on July 1, 2012, such payments shall be  
957 remitted by 3 p.m. on the 5th day of each calendar month for

28-01067-22

2022854

958 taxes imposed and collected for the preceding calendar month. If  
959 the 5th day of the calendar month falls on a weekend, payments  
960 shall be remitted by 3 p.m. the first Monday following the  
961 weekend. Permitholders shall file a report under oath by the 5th  
962 day of each calendar month for all taxes remitted during the  
963 preceding calendar month. Such payments shall be accompanied by  
964 a report under oath showing the total of all admissions, the  
965 pari-mutuel wagering activities for the preceding calendar  
966 month, and such other information as may be prescribed by the  
967 commission ~~division~~.

968 (6) PENALTIES.—

969 (a) The failure of any permitholder to make payments as  
970 prescribed in subsection (5) is a violation of this section, and  
971 the permitholder may be subjected by the commission ~~division~~ to  
972 a civil penalty of up to \$1,000 for each day the tax payment is  
973 not remitted. All penalties imposed and collected shall be  
974 deposited in the General Revenue Fund. If a permitholder fails  
975 to pay penalties imposed by order of the commission ~~division~~  
976 under this subsection, the commission ~~division~~ may suspend or  
977 revoke the license of the permitholder, cancel the permit of the  
978 permitholder, or deny issuance of any further license or permit  
979 to the permitholder.

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

28-01067-22

2022854

987 permitholder.

988 Section 16. Paragraphs (b), (c), (d), and (e) of subsection  
989 (2) and paragraph (a) of subsection (3) of section 550.09511,  
990 Florida Statutes, are amended to read:

991 550.09511 Jai alai taxes; abandoned interest in a permit  
992 for nonpayment of taxes.—

993 (2) Notwithstanding the provisions of s. 550.0951(3)(b),  
994 wagering on live jai alai performances shall be subject to the  
995 following taxes:

996 (b) At such time as the total of admissions tax, daily  
997 license fee, and tax on handle for live jai alai performances  
998 paid to the commission ~~division~~ by a permitholder during the  
999 current state fiscal year exceeds the total state tax revenues  
1000 from wagering on live jai alai performances paid or due by the  
1001 permitholder in fiscal year 1991-1992, the permitholder shall  
1002 pay tax on handle for live jai alai performances at a rate of  
1003 2.55 percent of the handle per performance for the remainder of  
1004 the current state fiscal year. For purposes of this section,  
1005 total state tax revenues on live jai alai wagering in fiscal  
1006 year 1991-1992 shall include any admissions tax, tax on handle,  
1007 surtaxes on handle, and daily license fees.

1008 (c) If no tax on handle for live jai alai performances were  
1009 paid to the commission ~~division~~ by a jai alai permitholder  
1010 during the 1991-1992 state fiscal year, then at such time as the  
1011 total of admissions tax, daily license fee, and tax on handle  
1012 for live jai alai performances paid to the commission ~~division~~  
1013 by a permitholder during the current state fiscal year exceeds  
1014 the total state tax revenues from wagering on live jai alai  
1015 performances paid or due by the permitholder in the last state

28-01067-22

2022854

1016 fiscal year in which the permitholder conducted a full schedule  
1017 of live games, the permitholder shall pay tax on handle for live  
1018 jai alai performances at a rate of 3.3 percent of the handle per  
1019 performance for the remainder of the current state fiscal year.  
1020 For purposes of this section, total state tax revenues on live  
1021 jai alai wagering shall include any admissions tax, tax on  
1022 handle, surtaxes on handle, and daily license fees. This  
1023 paragraph shall take effect July 1, 1993.

1024 (d) A permitholder who obtains a new permit issued by the  
1025 commission ~~division~~ subsequent to the 1991-1992 state fiscal  
1026 year and a permitholder whose permit has been converted to a jai  
1027 alai permit under the provisions of this chapter, shall, at such  
1028 time as the total of admissions tax, daily license fee, and tax  
1029 on handle for live jai alai performances paid to the commission  
1030 ~~division~~ by the permitholder during the current state fiscal  
1031 year exceeds the average total state tax revenues from wagering  
1032 on live jai alai performances for the first 3 consecutive jai  
1033 alai seasons paid to or due the commission ~~division~~ by the  
1034 permitholder and during which the permitholder conducted a full  
1035 schedule of live games, pay tax on handle for live jai alai  
1036 performances at a rate of 3.3 percent of the handle per  
1037 performance for the remainder of the current state fiscal year.

1038 (e) The payment of taxes pursuant to paragraphs (b), (c),  
1039 and (d) shall be calculated and commence beginning the day in  
1040 which the permitholder is first entitled to the reduced rate  
1041 specified in this section and the report of taxes required by s.  
1042 550.0951(5) is submitted to the commission ~~division~~.

1043 (3) (a) Notwithstanding the provisions of subsection (2) and  
1044 s. 550.0951(3)(c)1., any jai alai permitholder which is

28-01067-22

2022854

1045 restricted under Florida law from operating live performances on  
1046 a year-round basis is entitled to conduct wagering on live  
1047 performances at a tax rate of 3.85 percent of live handle. Such  
1048 permitholder is also entitled to conduct intertrack wagering as  
1049 a host permitholder on live jai alai games at its fronton at a  
1050 tax rate of 3.3 percent of handle at such time as the total tax  
1051 on intertrack handle paid to the commission ~~division~~ by the  
1052 permitholder during the current state fiscal year exceeds the  
1053 total tax on intertrack handle paid to the former Division of  
1054 Pari-mutuel Wagering by the permitholder during the 1992-1993  
1055 state fiscal year.

1056 Section 17. Paragraph (b) of subsection (3) of section  
1057 550.09512, Florida Statutes, is amended to read:

1058 550.09512 Harness horse taxes; abandoned interest in a  
1059 permit for nonpayment of taxes.—

1060 (3)

1061 (b) In order to maximize the tax revenues to the state, the  
1062 commission ~~division~~ shall reissue an escheated harness horse  
1063 permit to a qualified applicant pursuant to the provisions of  
1064 this chapter as for the issuance of an initial permit. However,  
1065 the provisions of this chapter relating to referendum  
1066 requirements for a pari-mutuel permit shall not apply to the  
1067 reissuance of an escheated harness horse permit. As specified in  
1068 the application and upon approval by the commission ~~division~~ of  
1069 an application for the permit, the new permitholder shall be  
1070 authorized to operate a harness horse facility anywhere in the  
1071 same county in which the escheated permit was authorized to be  
1072 operated, notwithstanding the provisions of s. 550.054(2)  
1073 relating to mileage limitations.

28-01067-22

2022854

1074 Section 18. Paragraphs (a), (b), (d), (e), and (f) of  
1075 subsection (2) of section 550.09514, Florida Statutes, are  
1076 amended to read:

1077 550.09514 Greyhound dogracing taxes; purse requirements.—

1078 (2) (a) The commission ~~division~~ shall determine for each  
1079 greyhound permitholder the annual purse percentage rate of live  
1080 handle for the state fiscal year 1993-1994 by dividing total  
1081 purses paid on live handle by the permitholder, exclusive of  
1082 payments made from outside sources, during the 1993-1994 state  
1083 fiscal year by the permitholder's live handle for the 1993-1994  
1084 state fiscal year. Each permitholder shall pay as purses for  
1085 live races conducted during its current race meet a percentage  
1086 of its live handle not less than the percentage determined under  
1087 this paragraph, exclusive of payments made by outside sources,  
1088 for its 1993-1994 state fiscal year.

1089 (b) Except as otherwise set forth herein, in addition to  
1090 the minimum purse percentage required by paragraph (a), each  
1091 permitholder shall pay as purses an annual amount equal to 75  
1092 percent of the daily license fees paid by each permitholder for  
1093 the 1994-1995 fiscal year. This purse supplement shall be  
1094 disbursed weekly during the permitholder's race meet in an  
1095 amount determined by dividing the annual purse supplement by the  
1096 number of performances approved for the permitholder pursuant to  
1097 its annual license and multiplying that amount by the number of  
1098 performances conducted each week. For the greyhound  
1099 permitholders in the county where there are two greyhound  
1100 permitholders located as specified in s. 550.615(6), such  
1101 permitholders shall pay in the aggregate an amount equal to 75  
1102 percent of the daily license fees paid by such permitholders for

28-01067-22

2022854

1103 the 1994-1995 fiscal year. These permitholders shall be jointly  
1104 and severally liable for such purse payments. The additional  
1105 purses provided by this paragraph must be used exclusively for  
1106 purses other than stakes. The commission ~~division~~ shall conduct  
1107 audits necessary to ensure compliance with this section.

1108 (d) The commission ~~division~~ shall require sufficient  
1109 documentation from each greyhound permitholder regarding purses  
1110 paid on live racing to assure that the annual purse percentage  
1111 rates paid by each permitholder on the live races are not  
1112 reduced below those paid during the 1993-1994 state fiscal year.  
1113 The commission ~~division~~ shall require sufficient documentation  
1114 from each greyhound permitholder to assure that the purses paid  
1115 by each permitholder on the greyhound intertrack and simulcast  
1116 broadcasts are in compliance with the requirements of paragraph  
1117 (c).

1118 (e) In addition to the purse requirements of paragraphs  
1119 (a)-(c), each greyhound permitholder shall pay as purses an  
1120 amount equal to one-third of the amount of the tax reduction on  
1121 live and simulcast handle applicable to such permitholder as a  
1122 result of the reductions in tax rates provided by this act  
1123 through the amendments to s. 550.0951(3). With respect to  
1124 intertrack wagering when the host and guest tracks are greyhound  
1125 permitholders not within the same market area, an amount equal  
1126 to the tax reduction applicable to the guest track handle as a  
1127 result of the reduction in tax rate provided by this act through  
1128 the amendment to s. 550.0951(3) shall be distributed to the  
1129 guest track, one-third of which amount shall be paid as purses  
1130 at the guest track. However, if the guest track is a greyhound  
1131 permitholder within the market area of the host or if the guest

28-01067-22

2022854

1132 track is not a greyhound permitholder, an amount equal to such  
1133 tax reduction applicable to the guest track handle shall be  
1134 retained by the host track, one-third of which amount shall be  
1135 paid as purses at the host track. These purse funds shall be  
1136 disbursed in the week received if the permitholder conducts at  
1137 least one live performance during that week. If the permitholder  
1138 does not conduct at least one live performance during the week  
1139 in which the purse funds are received, the purse funds shall be  
1140 disbursed weekly during the permitholder's next race meet in an  
1141 amount determined by dividing the purse amount by the number of  
1142 performances approved for the permitholder pursuant to its  
1143 annual license, and multiplying that amount by the number of  
1144 performances conducted each week. The commission ~~division~~ shall  
1145 conduct audits necessary to ensure compliance with this  
1146 paragraph.

1147 (f) Each greyhound permitholder shall, during the  
1148 permitholder's race meet, supply kennel operators and the  
1149 commission ~~Division of Pari-Mutuel Wagering~~ with a weekly report  
1150 showing purses paid on live greyhound races and all greyhound  
1151 intertrack and simulcast broadcasts, including both as a guest  
1152 and a host together with the handle or commission calculations  
1153 on which such purses were paid and the transmission costs of  
1154 sending the simulcast or intertrack broadcasts, so that the  
1155 kennel operators may determine statutory and contractual  
1156 compliance.

1157 Section 19. Paragraph (b) of subsection (3) of section  
1158 550.09515, Florida Statutes, is amended to read:

1159 550.09515 Thoroughbred horse taxes; abandoned interest in a  
1160 permit for nonpayment of taxes.—



28-01067-22

2022854

1161 (3)  
1162 (b) In order to maximize the tax revenues to the state, the  
1163 commission ~~division~~ shall reissue an escheated thoroughbred  
1164 horse permit to a qualified applicant pursuant to the provisions  
1165 of this chapter as for the issuance of an initial permit.  
1166 However, the provisions of this chapter relating to referendum  
1167 requirements for a pari-mutuel permit shall not apply to the  
1168 reissuance of an escheated thoroughbred horse permit. As  
1169 specified in the application and upon approval by the commission  
1170 ~~division~~ of an application for the permit, the new permitholder  
1171 shall be authorized to operate a thoroughbred horse facility  
1172 anywhere in the same county in which the escheated permit was  
1173 authorized to be operated, notwithstanding the provisions of s.  
1174 550.054(2) relating to mileage limitations.

1175 Section 20. Subsection (1), paragraph (b) of subsection  
1176 (2), paragraphs (a), (b), (c), (e), and (f) of subsection (5),  
1177 subsections (6), (7), and (8), and paragraphs (a), (c), and (d)  
1178 of subsection (10) of section 550.105, Florida Statutes, are  
1179 amended to read:

1180 550.105 Occupational licenses of racetrack employees; fees;  
1181 denial, suspension, and revocation of license; penalties and  
1182 fines.—

1183 (1) Each person connected with a racetrack or jai alai  
1184 fronton, as specified in paragraph (2)(a), shall purchase from  
1185 the commission ~~division~~ an occupational license. All moneys  
1186 collected pursuant to this section each fiscal year shall be  
1187 deposited into the Pari-mutuel Wagering Trust Fund. Pursuant to  
1188 the rules adopted by the commission ~~division~~, an occupational  
1189 license may be valid for a period of up to 3 years for a fee

28-01067-22

2022854

1190 that does not exceed the full occupational license fee for each  
1191 of the years for which the license is purchased. The  
1192 occupational license shall be valid during its specified term at  
1193 any pari-mutuel facility.

1194 (2)

1195 (b) The commission ~~division~~ shall adopt rules pertaining to  
1196 pari-mutuel occupational licenses, licensing periods, and  
1197 renewal cycles.

1198 (5) (a) The commission ~~division~~ may:

1199 1. Deny a license to or revoke, suspend, or place  
1200 conditions upon or restrictions on a license of any person who  
1201 has been refused a license by any other state racing commission  
1202 or racing authority;

1203 2. Deny, suspend, or place conditions on a license of any  
1204 person who is under suspension or has unpaid fines in another  
1205 jurisdiction;

1206  
1207 if the state racing commission or racing authority of such other  
1208 state or jurisdiction extends to the commission ~~division~~  
1209 reciprocal courtesy to maintain the disciplinary control.

1210 (b) The commission ~~division~~ may deny, suspend, revoke, or  
1211 declare ineligible any occupational license if the applicant for  
1212 or holder thereof has violated the provisions of this chapter or  
1213 the rules of the commission ~~division~~ governing the conduct of  
1214 persons connected with racetracks and frontons. In addition, the  
1215 commission ~~division~~ may deny, suspend, revoke, or declare  
1216 ineligible any occupational license if the applicant for such  
1217 license has been convicted in this state, in any other state, or  
1218 under the laws of the United States of a capital felony, a

28-01067-22

2022854

1219 felony, or an offense in any other state which would be a felony  
1220 under the laws of this state involving arson; trafficking in,  
1221 conspiracy to traffic in, smuggling, importing, conspiracy to  
1222 smuggle or import, or delivery, sale, or distribution of a  
1223 controlled substance; or a crime involving a lack of good moral  
1224 character, or has had a pari-mutuel license revoked by this  
1225 state or any other jurisdiction for an offense related to pari-  
1226 mutuel wagering.

1227 (c) The commission ~~division~~ may deny, declare ineligible,  
1228 or revoke any occupational license if the applicant for such  
1229 license has been convicted of a felony or misdemeanor in this  
1230 state, in any other state, or under the laws of the United  
1231 States, if such felony or misdemeanor is related to gambling or  
1232 bookmaking, as contemplated in s. 849.25, or involves cruelty to  
1233 animals. If the applicant establishes that she or he is of good  
1234 moral character, that she or he has been rehabilitated, and that  
1235 the crime she or he was convicted of is not related to pari-  
1236 mutuel wagering and is not a capital offense, the restrictions  
1237 excluding offenders may be waived by the director of the  
1238 commission ~~division~~.

1239 (e) If an occupational license will expire by commission  
1240 ~~division~~ rule during the period of a suspension the commission  
1241 ~~division~~ intends to impose, or if a license would have expired  
1242 but for pending administrative charges and the occupational  
1243 licensee is found to be in violation of any of the charges, the  
1244 license may be revoked and a time period of license  
1245 ineligibility may be declared. The commission ~~division~~ may bring  
1246 administrative charges against any person not holding a current  
1247 license for violations of statutes or rules which occurred while

28-01067-22

2022854

1248 such person held an occupational license, and the commission  
1249 ~~division~~ may declare such person ineligible to hold a license  
1250 for a period of time. The commission ~~division~~ may impose a civil  
1251 fine of up to \$1,000 for each violation of the rules of the  
1252 commission ~~division~~ in addition to or in lieu of any other  
1253 penalty provided for in this section. In addition to any other  
1254 penalty provided by law, the commission ~~division~~ may exclude  
1255 from all pari-mutuel facilities in this state, for a period not  
1256 to exceed the period of suspension, revocation, or  
1257 ineligibility, any person whose occupational license application  
1258 has been denied by the commission ~~division~~, who has been  
1259 declared ineligible to hold an occupational license, or whose  
1260 occupational license has been suspended or revoked by the  
1261 commission ~~division~~.

1262 (f) The commission ~~division~~ may cancel any occupational  
1263 license that has been voluntarily relinquished by the licensee.

1264 (6) In order to promote the orderly presentation of pari-  
1265 mutuel meets authorized in this chapter, the commission ~~division~~  
1266 may issue a temporary occupational license. The commission  
1267 ~~division~~ shall adopt rules to implement this subsection.  
1268 However, no temporary occupational license shall be valid for  
1269 more than 90 days, and no more than one temporary license may be  
1270 issued for any person in any year.

1271 (7) The commission ~~division~~ may deny, revoke, or suspend  
1272 any occupational license if the applicant therefor or holder  
1273 thereof accumulates unpaid obligations or defaults in  
1274 obligations, or issues drafts or checks that are dishonored or  
1275 for which payment is refused without reasonable cause, if such  
1276 unpaid obligations, defaults, or dishonored or refused drafts or

28-01067-22

2022854

1277 checks directly relate to the sport of jai alai or racing being  
1278 conducted at a pari-mutuel facility within this state.

1279 (8) The commission ~~division~~ may fine, or suspend or revoke,  
1280 or place conditions upon, the license of any licensee who under  
1281 oath knowingly provides false information regarding an  
1282 investigation by the commission ~~division~~.

1283 (10) (a) Upon application for an occupational license, the  
1284 commission ~~division~~ may require the applicant's full legal name;  
1285 any nickname, alias, or maiden name for the applicant; name of  
1286 the applicant's spouse; the applicant's date of birth, residence  
1287 address, mailing address, residence address and business phone  
1288 number, and social security number; disclosure of any felony or  
1289 any conviction involving bookmaking, illegal gambling, or  
1290 cruelty to animals; disclosure of any past or present  
1291 enforcement or actions by any racing or gaming agency against  
1292 the applicant; and any information the commission ~~division~~  
1293 determines is necessary to establish the identity of the  
1294 applicant or to establish that the applicant is of good moral  
1295 character. Fingerprints shall be taken in a manner approved by  
1296 the commission ~~division~~ and then shall be submitted to the  
1297 Federal Bureau of Investigation, or to the association of state  
1298 officials regulating pari-mutuel wagering pursuant to the  
1299 Federal Pari-mutuel Licensing Simplification Act of 1988. The  
1300 cost of processing fingerprints shall be borne by the applicant  
1301 and paid to the association of state officials regulating pari-  
1302 mutuel wagering from the trust fund to which the processing fees  
1303 are deposited. The commission ~~division~~, by rule, may require  
1304 additional information from licensees which is reasonably  
1305 necessary to regulate the industry. The commission ~~division~~ may,

28-01067-22

2022854

1306 by rule, exempt certain occupations or groups of persons from  
1307 the fingerprinting requirements.

1308 (c) The Department of Law Enforcement shall search all  
1309 arrest fingerprints received pursuant to s. 943.051 against the  
1310 fingerprints retained in the statewide automated biometric  
1311 identification system under paragraph (b). Any arrest record  
1312 that is identified with the retained fingerprints of a person  
1313 subject to the criminal history screening requirements of this  
1314 section shall be reported to the commission ~~division~~. Each  
1315 licensee shall pay a fee to the commission ~~division~~ for the cost  
1316 of retention of the fingerprints and the ongoing searches under  
1317 this paragraph. The commission ~~division~~ shall forward the  
1318 payment to the Department of Law Enforcement. The amount of the  
1319 fee to be imposed for performing these searches and the  
1320 procedures for the retention of licensee fingerprints shall be  
1321 as established by rule of the Department of Law Enforcement. The  
1322 commission ~~division~~ shall inform the Department of Law  
1323 Enforcement of any change in the license status of licensees  
1324 whose fingerprints are retained under paragraph (b).

1325 (d) The commission ~~division~~ shall request the Department of  
1326 Law Enforcement to forward the fingerprints to the Federal  
1327 Bureau of Investigation for a national criminal history records  
1328 check at least once every 5 years following issuance of a  
1329 license. If the fingerprints of a person who is licensed have  
1330 not been retained by the Department of Law Enforcement, the  
1331 person must file a complete set of fingerprints as provided in  
1332 paragraph (a). The commission ~~division~~ shall collect the fees  
1333 for the cost of the national criminal history records check  
1334 under this paragraph and forward the payment to the Department

28-01067-22

2022854

1335 of Law Enforcement. The cost of processing fingerprints and  
1336 conducting a criminal history records check under this paragraph  
1337 for a general occupational license shall be borne by the  
1338 applicant. The cost of processing fingerprints and conducting a  
1339 criminal history records check under this paragraph for a  
1340 business or professional occupational license shall be borne by  
1341 the person being checked. The Department of Law Enforcement may  
1342 invoice the commission ~~division~~ for the fingerprints submitted  
1343 each month. Under penalty of perjury, each person who is  
1344 licensed or who is fingerprinted as required by this section  
1345 must agree to inform the commission ~~division~~ within 48 hours if  
1346 he or she is convicted of or has entered a plea of guilty or  
1347 nolo contendere to any disqualifying offense, regardless of  
1348 adjudication.

1349 Section 21. Subsection (1) of section 550.1155, Florida  
1350 Statutes, is amended to read:

1351 550.1155 Authority of stewards, judges, panel of judges, or  
1352 player's manager to impose penalties against occupational  
1353 licensees; disposition of funds collected.—

1354 (1) The stewards at a horse racetrack or the judges, a  
1355 panel of judges, or a player's manager at a jai alai fronton may  
1356 impose a civil penalty against any occupational licensee for  
1357 violation of the pari-mutuel laws or any rule adopted by the  
1358 commission ~~division~~. The penalty may not exceed \$1,000 for each  
1359 count or separate offense or exceed 60 days of suspension for  
1360 each count or separate offense.

1361 Section 22. Subsection (2) and paragraph (a) of subsection  
1362 (3) of section 550.125, Florida Statutes, are amended to read:

1363 550.125 Uniform reporting system; bond requirement.—

28-01067-22

2022854\_\_

1364 (2) (a) Each permitholder that conducts race meetings or jai  
1365 alai exhibitions under this chapter shall keep records that  
1366 clearly show the total number of admissions and the total amount  
1367 of money contributed to each pari-mutuel pool on each race or  
1368 exhibition separately and the amount of money received daily  
1369 from admission fees and, within 120 days after the end of its  
1370 fiscal year, shall submit to the commission ~~division~~ a complete  
1371 annual report of its accounts, audited by a certified public  
1372 accountant licensed to practice in the state.

1373 (b) The commission ~~division~~ shall adopt rules specifying  
1374 the form and content of such reports, including, but not limited  
1375 to, requirements for a statement of assets and liabilities,  
1376 operating revenues and expenses, and net worth, which statement  
1377 must be audited by a certified public accountant licensed to  
1378 practice in this state, and any supporting informational  
1379 schedule found necessary by the commission ~~division~~ to verify  
1380 the foregoing financial statement, which informational schedule  
1381 must be attested to under oath by the permitholder or an officer  
1382 of record, to permit the commission ~~division~~ to:

1383 1. Assess the profitability and financial soundness of  
1384 permitholders, both individually and as an industry;

1385 2. Plan and recommend measures necessary to preserve and  
1386 protect the pari-mutuel revenues of the state; and

1387 3. Completely identify the holdings, transactions, and  
1388 investments of permitholders with other business entities.

1389 (c) The Auditor General and the Office of Program Policy  
1390 Analysis and Government Accountability may, pursuant to their  
1391 own authority or at the direction of the Legislative Auditing  
1392 Committee, audit, examine, and check the books and records of



28-01067-22

2022854

1393 any permitholder. These audit reports shall become part of, and  
1394 be maintained in, the commission ~~division~~ files.

1395 (d) The commission ~~division~~ shall annually review the books  
1396 and records of each permitholder and verify that the breaks and  
1397 unclaimed ticket payments made by each permitholder are true and  
1398 correct.

1399 (3) (a) Each permitholder to which a license is granted  
1400 under this chapter, at its own cost and expense, must, before  
1401 the license is delivered, give a bond in the penal sum of  
1402 \$50,000 payable to the Governor of the state and her or his  
1403 successors in office, with a surety or sureties to be approved  
1404 by the commission ~~division~~ and the Chief Financial Officer,  
1405 conditioned to faithfully make the payments to the Chief  
1406 Financial Officer in her or his capacity as treasurer of the  
1407 commission ~~division~~; to keep its books and records and make  
1408 reports as provided; and to conduct its racing in conformity  
1409 with this chapter. When the greatest amount of tax owed during  
1410 any month in the prior state fiscal year, in which a full  
1411 schedule of live racing was conducted, is less than \$50,000, the  
1412 commission ~~division~~ may assess a bond in a sum less than  
1413 \$50,000. The commission ~~division~~ may review the bond for  
1414 adequacy and require adjustments each fiscal year. The  
1415 commission ~~division~~ has the authority to adopt rules to  
1416 implement this paragraph and establish guidelines for such  
1417 bonds.

1418 Section 23. Subsection (1) of section 550.155, Florida  
1419 Statutes, is amended to read:

1420 550.155 Pari-mutuel pool within track enclosure; takeouts;  
1421 breaks; penalty for purchasing part of a pari-mutuel pool for or

28-01067-22

2022854

1422 through another in specified circumstances.-

1423 (1) Wagering on the results of a horserace, dograce, or on  
1424 the scores or points of a jai alai game and the sale of tickets  
1425 or other evidences showing an interest in or a contribution to a  
1426 pari-mutuel pool are allowed within the enclosure of any pari-  
1427 mutuel facility licensed and conducted under this chapter but  
1428 are not allowed elsewhere in this state, must be supervised by  
1429 the commission ~~division~~, and are subject to such reasonable  
1430 rules that the commission ~~division~~ prescribes.

1431 Section 24. Section 550.175, Florida Statutes, is amended  
1432 to read:

1433 550.175 Petition for election to revoke permit.-Upon  
1434 petition of 20 percent of the qualified electors of any county  
1435 wherein any pari-mutuel wagering has been licensed and conducted  
1436 under this chapter, the county commissioners of such county  
1437 shall provide for the submission to the electors of such county  
1438 at the then next succeeding general election the question of  
1439 whether any permit or permits theretofore granted shall be  
1440 continued or revoked, and if a majority of the electors voting  
1441 on such question in such election vote to cancel or recall the  
1442 permit theretofore given, the commission ~~division~~ may not  
1443 thereafter grant any license on the permit so recalled. Every  
1444 signature upon every recall petition must be signed in the  
1445 presence of the clerk of the board of county commissioners at  
1446 the office of the clerk of the circuit court of the county, and  
1447 the petitioner must present at the time of such signing her or  
1448 his registration receipt showing the petitioner's qualification  
1449 as an elector of the county at the time of the signing of the  
1450 petition. Not more than one permit may be included in any one

28-01067-22

2022854\_\_

1451 petition; and, in all elections in which the recall of more than  
1452 one permit is voted on, the voters shall be given an opportunity  
1453 to vote for or against the recall of each permit separately.  
1454 Nothing in this chapter shall be construed to prevent the  
1455 holding of later referendum or recall elections.

1456 Section 25. Subsections (1), (3), and (5) of section  
1457 550.1815, Florida Statutes, are amended to read:

1458 550.1815 Certain persons prohibited from holding racing or  
1459 jai alai permits; suspension and revocation.—

1460 (1) A corporation, general or limited partnership, sole  
1461 proprietorship, business trust, joint venture, or unincorporated  
1462 association, or other business entity may not hold any  
1463 horseracing or greyhound permit or jai alai fronton permit in  
1464 this state if any one of the persons or entities specified in  
1465 paragraph (a) has been determined by the commission ~~division~~ not  
1466 to be of good moral character or has been convicted of any  
1467 offense specified in paragraph (b).

1468 (a)1. The permitholder;

1469 2. An employee of the permitholder;

1470 3. The sole proprietor of the permitholder;

1471 4. A corporate officer or director of the permitholder;

1472 5. A general partner of the permitholder;

1473 6. A trustee of the permitholder;

1474 7. A member of an unincorporated association permitholder;

1475 8. A joint venturer of the permitholder;

1476 9. The owner of more than 5 percent of any equity interest  
1477 in the permitholder, whether as a common shareholder, general or  
1478 limited partner, voting trustee, or trust beneficiary; or

1479 10. An owner of any interest in the permit or permitholder,

28-01067-22

2022854

1480 including any immediate family member of the owner, or holder of  
1481 any debt, mortgage, contract, or concession from the  
1482 permitholder, who by virtue thereof is able to control the  
1483 business of the permitholder.

1484 (b)1. A felony in this state;

1485 2. Any felony in any other state which would be a felony if  
1486 committed in this state under the laws of this state;

1487 3. Any felony under the laws of the United States;

1488 4. A felony under the laws of another state if related to  
1489 gambling which would be a felony under the laws of this state if  
1490 committed in this state; or

1491 5. Bookmaking as defined in s. 849.25.

1492 (3) After notice and hearing, the commission ~~division~~ shall  
1493 refuse to issue or renew or shall suspend, as appropriate, any  
1494 permit found in violation of subsection (1). The order shall  
1495 become effective 120 days after service of the order upon the  
1496 permitholder and shall be amended to constitute a final order of  
1497 revocation unless the permitholder has, within that period of  
1498 time, either caused the divestiture, or agreed with the  
1499 convicted person upon a complete immediate divestiture, of her  
1500 or his holding, or has petitioned the circuit court as provided  
1501 in subsection (4) or, in the case of corporate officers or  
1502 directors of the holder or employees of the holder, has  
1503 terminated the relationship between the permitholder and those  
1504 persons mentioned. The commission ~~division~~ may, by order, extend  
1505 the 120-day period for divestiture, upon good cause shown, to  
1506 avoid interruption of any jai alai or race meeting or to  
1507 otherwise effectuate this section. If no action has been taken  
1508 by the permitholder within the 120-day period following the

28-01067-22

2022854

1509 issuance of the order of suspension, the commission ~~division~~  
1510 shall, without further notice or hearing, enter a final order of  
1511 revocation of the permit. When any permitholder or sole  
1512 proprietor of a permitholder is convicted of an offense  
1513 specified in paragraph (1)(b), the commission ~~department~~ may  
1514 approve a transfer of the permit to a qualified applicant, upon  
1515 a finding that revocation of the permit would impair the state's  
1516 revenue from the operation of the permit or otherwise be  
1517 detrimental to the interests of the state in the regulation of  
1518 the industry of pari-mutuel wagering. In such approval, no  
1519 public referendum is required, notwithstanding any other  
1520 provision of law. A petition for transfer after conviction must  
1521 be filed with the commission ~~department~~ within 30 days after  
1522 service upon the permitholder of the final order of revocation.  
1523 The timely filing of such a petition automatically stays any  
1524 revocation order until further order of the commission  
1525 ~~department~~.

1526 (5) The commission ~~division~~ shall make such rules for the  
1527 photographing, fingerprinting, and obtaining of personal data of  
1528 individuals described in paragraph (1)(a) and the obtaining of  
1529 such data regarding the business entities described in paragraph  
1530 (1)(a) as is necessary to effectuate the provisions of this  
1531 section.

1532 Section 26. Paragraph (a) of subsection (2), paragraph (c)  
1533 of subsection (3), and subsection (6) of section 550.24055,  
1534 Florida Statutes, are amended to read:

1535 550.24055 Use of controlled substances or alcohol  
1536 prohibited; testing of certain occupational licensees; penalty;  
1537 evidence of test or action taken and admissibility for criminal

28-01067-22

2022854

1538 prosecution limited.—

1539 (2) The occupational licensees, by applying for and holding  
1540 such licenses, are deemed to have given their consents to submit  
1541 to an approved chemical test of their breath for the purpose of  
1542 determining the alcoholic content of their blood and to a urine  
1543 or blood test for the purpose of detecting the presence of  
1544 controlled substances. Such tests shall only be conducted upon  
1545 reasonable cause that a violation has occurred as shall be  
1546 determined solely by the stewards at a horseracing meeting or  
1547 the judges or board of judges at a jai alai meet. The failure to  
1548 submit to such test may result in a suspension of the person's  
1549 occupational license for a period of 10 days or until this  
1550 section has been complied with, whichever is longer.

1551 (a) If there was at the time of the test 0.05 percent or  
1552 less by weight of alcohol in the person's blood, the person is  
1553 presumed not to have been under the influence of alcoholic  
1554 beverages to the extent that the person's normal faculties were  
1555 impaired, and no action of any sort may be taken by the  
1556 stewards, judges, or board of judges or the commission ~~division~~.

1557  
1558 All tests relating to alcohol must be performed in a manner  
1559 substantially similar, or identical, to the provisions of s.  
1560 316.1934 and rules adopted pursuant to that section. Following a  
1561 test of the urine or blood to determine the presence of a  
1562 controlled substance as defined in chapter 893, if a controlled  
1563 substance is found to exist, the stewards, judges, or board of  
1564 judges may take such action as is permitted in this section.

1565 (3) A violation of subsection (2) is subject to the  
1566 following penalties:

28-01067-22

2022854

1567 (c) If the second violation occurred within 1 year after  
1568 the first violation, then upon the finding of a third violation  
1569 of this section within 1 year after the second violation, the  
1570 stewards, judges, or board of judges may suspend the licensee  
1571 for up to 120 days; and the stewards, judges, or board of judges  
1572 shall forward the results of the tests under paragraphs (a) and  
1573 (b) and this violation to the commission ~~division~~. In addition  
1574 to the action taken by the stewards, judges, or board of judges,  
1575 the commission ~~division~~, after a hearing, may deny, suspend, or  
1576 revoke the occupational license of the licensee and may impose a  
1577 civil penalty of up to \$5,000 in addition to, or in lieu of, a  
1578 suspension or revocation, it being the intent of the Legislature  
1579 that the commission ~~division~~ shall have no authority over the  
1580 enforcement of this section until a licensee has committed the  
1581 third violation within 2 years after the first violation.

1582 (6) Evidence of any test or actions taken by the stewards,  
1583 judges, or board of judges or the commission ~~division~~ under this  
1584 section is inadmissible for any purpose in any court for  
1585 criminal prosecution, it being the intent of the Legislature to  
1586 provide a method and means by which the health, safety, and  
1587 welfare of those officiating at or participating in a race meet  
1588 or a jai alai game are sufficiently protected. However, this  
1589 subsection does not prohibit any person so authorized from  
1590 pursuing an independent investigation as a result of a ruling  
1591 made by the stewards, judges, or board of judges, or the  
1592 commission ~~division~~.

1593 Section 27. Paragraphs (a) and (b) of subsection (1),  
1594 subsection (2), paragraphs (a), (b), and (c) of subsection (3),  
1595 subsection (5), paragraphs (b) and (c) of subsection (6),

28-01067-22

2022854

1596 paragraphs (a), (b), (c), (d), and (e) of subsection (7), and  
1597 subsections (9), (10), (11), and (12) of section 550.2415,  
1598 Florida Statutes, are amended to read:

1599       550.2415 Racing of animals under certain conditions  
1600 prohibited; penalties; exceptions.—

1601       (1) (a) The racing of an animal that has been impermissibly  
1602 medicated or determined to have a prohibited substance present  
1603 is prohibited. It is a violation of this section for a person to  
1604 impermissibly medicate an animal or for an animal to have a  
1605 prohibited substance present resulting in a positive test for  
1606 such medications or substances based on samples taken from the  
1607 animal before or immediately after the racing of that animal.  
1608 Test results and the identities of the animals being tested and  
1609 of their trainers and owners of record are confidential and  
1610 exempt from s. 119.07(1) and from s. 24(a), Art. I of the State  
1611 Constitution for 10 days after testing of all samples collected  
1612 on a particular day has been completed and any positive test  
1613 results derived from such samples have been reported to the  
1614 director of the commission ~~division~~ or administrative action has  
1615 been commenced.

1616       (b) It is a violation of this section for a race-day  
1617 specimen to contain a level of a naturally occurring substance  
1618 which exceeds normal physiological concentrations. The  
1619 commission ~~division~~ may solicit input from the Department of  
1620 Agriculture and Consumer Services and adopt rules that specify  
1621 normal physiological concentrations of naturally occurring  
1622 substances in the natural untreated animal and rules that  
1623 specify acceptable levels of environmental contaminants and  
1624 trace levels of substances in test samples.



28-01067-22

2022854

1625           (2) Administrative action may be taken by the commission  
1626 ~~division~~ against an occupational licensee responsible pursuant  
1627 to rule of the commission ~~division~~ for the condition of an  
1628 animal that has been impermissibly medicated or drugged in  
1629 violation of this section.

1630           (3) (a) Upon the finding of a violation of this section, the  
1631 commission ~~division~~ may revoke or suspend the license or permit  
1632 of the violator or deny a license or permit to the violator;  
1633 impose a fine against the violator in an amount not exceeding  
1634 the purse or sweepstakes earned by the animal in the race at  
1635 issue or \$10,000, whichever is greater; require the full or  
1636 partial return of the purse, sweepstakes, and trophy of the race  
1637 at issue; or impose against the violator any combination of such  
1638 penalties. The finding of a violation of this section does not  
1639 prohibit a prosecution for criminal acts committed.

1640           (b) The commission ~~division~~, notwithstanding chapter 120,  
1641 may summarily suspend the license of an occupational licensee  
1642 responsible under this section or commission ~~division~~ rule for  
1643 the condition of a race animal if the commission ~~division~~  
1644 laboratory reports the presence of a prohibited substance in the  
1645 animal or its blood, urine, saliva, or any other bodily fluid,  
1646 either before a race in which the animal is entered or after a  
1647 race the animal has run.

1648           (c) If an occupational licensee is summarily suspended  
1649 under this section, the commission ~~division~~ shall offer the  
1650 licensee a prompt postsuspension hearing within 72 hours, at  
1651 which the commission ~~division~~ shall produce the laboratory  
1652 report and documentation which, on its face, establishes the  
1653 responsibility of the occupational licensee. Upon production of

28-01067-22

2022854

1654 the documentation, the occupational licensee has the burden of  
1655 proving his or her lack of responsibility.

1656 (5) The commission ~~division~~ shall implement a split-sample  
1657 procedure for testing animals under this section.

1658 (a) The commission ~~division~~ shall notify the owner or  
1659 trainer, the stewards, and the appropriate horsemen's  
1660 association of all drug test results. If a drug test result is  
1661 positive, and upon request by the affected trainer or owner of  
1662 the animal from which the sample was obtained, the commission  
1663 ~~division~~ shall send the split sample to an approved independent  
1664 laboratory for analysis. The commission ~~division~~ shall establish  
1665 standards and rules for uniform enforcement and shall maintain a  
1666 list of at least five approved independent laboratories for an  
1667 owner or trainer to select from if a drug test result is  
1668 positive.

1669 (b) If the commission ~~division~~ laboratory's findings are  
1670 not confirmed by the independent laboratory, no further  
1671 administrative or disciplinary action under this section may be  
1672 pursued.

1673 (c) If the independent laboratory confirms the commission  
1674 ~~division~~ laboratory's positive result, the commission ~~division~~  
1675 may commence administrative proceedings as prescribed in this  
1676 chapter and consistent with chapter 120. For purposes of this  
1677 subsection, the commission ~~department~~ shall in good faith  
1678 attempt to obtain a sufficient quantity of the test fluid to  
1679 allow both a primary test and a secondary test to be made.

1680 (d) For the testing of a racehorse, if there is an  
1681 insufficient quantity of the secondary (split) sample for  
1682 confirmation of the commission ~~division~~ laboratory's positive

28-01067-22

2022854

1683 result, the commission ~~division~~ may not take further action on  
1684 the matter against the owner or trainer, and any resulting  
1685 license suspension must be immediately lifted.

1686 (e) The commission ~~division~~ shall require its laboratory  
1687 and the independent laboratories to annually participate in an  
1688 externally administered quality assurance program designed to  
1689 assess testing proficiency in the detection and appropriate  
1690 quantification of medications, drugs, and naturally occurring  
1691 substances that may be administered to racing animals. The  
1692 administrator of the quality assurance program shall report its  
1693 results and findings to the commission ~~division~~ and the  
1694 Department of Agriculture and Consumer Services.

1695 (6)

1696 (b) Any act committed by any licensee that would constitute  
1697 cruelty to animals as defined in s. 828.02 involving any animal  
1698 constitutes a violation of this chapter. Imposition of any  
1699 penalty by the commission ~~division~~ for violation of this chapter  
1700 or any rule adopted by the commission ~~division~~ pursuant to this  
1701 chapter shall not prohibit a criminal prosecution for cruelty to  
1702 animals.

1703 (c) The commission ~~division~~ may inspect any area at a pari-  
1704 mutuel facility where racing animals are raced, trained, housed,  
1705 or maintained, including any areas where food, medications, or  
1706 other supplies are kept, to ensure the humane treatment of  
1707 racing animals and compliance with this chapter and the rules of  
1708 the commission ~~division~~.

1709 (7) (a) In order to protect the safety and welfare of racing  
1710 animals and the integrity of the races in which the animals  
1711 participate, the commission ~~division~~ shall adopt rules

28-01067-22

2022854

1712 establishing the conditions of use and maximum concentrations of  
1713 medications, drugs, and naturally occurring substances  
1714 identified in the Controlled Therapeutic Medication Schedule,  
1715 Version 2.1, revised April 17, 2014, adopted by the Association  
1716 of Racing Commissioners International, Inc. Controlled  
1717 therapeutic medications include only the specific medications  
1718 and concentrations allowed in biological samples which have been  
1719 approved by the Association of Racing Commissioners  
1720 International, Inc., as controlled therapeutic medications.

1721 (b) The commission ~~division~~ rules must designate the  
1722 appropriate biological specimens by which the administration of  
1723 medications, drugs, and naturally occurring substances is  
1724 monitored and must determine the testing methodologies,  
1725 including measurement uncertainties, for screening such  
1726 specimens to confirm the presence of medications, drugs, and  
1727 naturally occurring substances.

1728 (c) The commission ~~division~~ rules must include a  
1729 classification system for drugs and substances and a  
1730 corresponding penalty schedule for violations which incorporates  
1731 the Uniform Classification Guidelines for Foreign Substances,  
1732 Version 8.0, revised December 2014, by the Association of Racing  
1733 Commissioners International, Inc. The commission ~~division~~ shall  
1734 adopt laboratory screening limits approved by the Association of  
1735 Racing Commissioners International, Inc., for drugs and  
1736 medications that are not included as controlled therapeutic  
1737 medications, the presence of which in a sample may result in a  
1738 violation of this section.

1739 (d) The commission ~~division~~ rules must include conditions  
1740 for the use of furosemide to treat exercise-induced pulmonary

28-01067-22

2022854

1741 hemorrhage.

1742 (e) The commission ~~division~~ may solicit input from the  
1743 Department of Agriculture and Consumer Services in adopting the  
1744 rules required under this subsection. ~~Such rules must be adopted~~  
1745 ~~before January 1, 2016.~~

1746 (9) (a) The commission ~~division~~ may conduct a postmortem  
1747 examination of any animal that is injured at a permitted  
1748 racetrack while in training or in competition and that  
1749 subsequently expires or is destroyed. The commission ~~division~~  
1750 may conduct a postmortem examination of any animal that expires  
1751 while housed at a permitted racetrack, association compound, or  
1752 licensed farm. Trainers and owners shall be requested to comply  
1753 with this paragraph as a condition of licensure.

1754 (b) The commission ~~division~~ may take possession of the  
1755 animal upon death for postmortem examination. The commission  
1756 ~~division~~ may submit blood, urine, other bodily fluid specimens,  
1757 or other tissue specimens collected during a postmortem  
1758 examination for testing by the commission ~~division~~ laboratory or  
1759 its designee. Upon completion of the postmortem examination, the  
1760 carcass must be returned to the owner or disposed of at the  
1761 owner's option.

1762 (10) The presence of a prohibited substance in an animal,  
1763 found by the commission ~~division~~ laboratory in a bodily fluid  
1764 specimen collected after the race or during the postmortem  
1765 examination of the animal, which breaks down during a race  
1766 constitutes a violation of this section.

1767 (11) The cost of postmortem examinations, testing, and  
1768 disposal must be borne by the commission ~~division~~.

1769 (12) The commission ~~division~~ shall adopt rules to implement

28-01067-22

2022854

1770 this section.

1771 Section 28. Subsection (4) of section 550.2614, Florida  
1772 Statutes, is amended to read:

1773 550.2614 Distribution of certain funds to a horsemen's  
1774 association.—

1775 (4) The commission ~~division~~ shall adopt rules to facilitate  
1776 the orderly transfer of funds in accordance with this section.  
1777 The commission ~~division~~ shall also monitor the membership rolls  
1778 of the horsemen's association to ensure that complete, accurate,  
1779 and timely listings are maintained for the purposes specified in  
1780 this section.

1781 Section 29. Subsection (3) of section 550.26165, Florida  
1782 Statutes, is amended to read:

1783 550.26165 Breeders' awards.—

1784 (3) Breeders' associations shall submit their plans to the  
1785 commission ~~division~~ at least 60 days before the beginning of the  
1786 payment year. The payment year may be a calendar year or any 12-  
1787 month period, but once established, the yearly base may not be  
1788 changed except for compelling reasons. Once a plan is approved,  
1789 the commission ~~division~~ may not allow the plan to be amended  
1790 during the year, except for the most compelling reasons.

1791 Section 30. Paragraphs (b) and (d) of subsection (2),  
1792 subsections (3) and (4), paragraphs (a), (f), (g), and (h) of  
1793 subsection (5), paragraph (e) of subsection (6), and subsections  
1794 (7) and (8) of section 550.2625, Florida Statutes, are amended  
1795 to read:

1796 550.2625 Horseracing; minimum purse requirement, Florida  
1797 breeders' and owners' awards.—

1798 (2) Each permitholder conducting a horserace meet is

28-01067-22

2022854

1799 required to pay from the takeout withheld on pari-mutuel pools a  
1800 sum for purses in accordance with the type of race performed.

1801 (b)1. A permitholder conducting a harness horse race meet  
1802 under this chapter must pay to the purse pool from the takeout  
1803 withheld a purse requirement that totals an amount not less than  
1804 8.25 percent of all contributions to pari-mutuel pools conducted  
1805 during the race meet. An amount not less than 7.75 percent of  
1806 the total handle shall be paid from this purse pool as purses.

1807 2. An amount not to exceed 0.5 percent of the total handle  
1808 on all harness horse races that are subject to the purse  
1809 requirement of subparagraph 1., must be available for use to  
1810 provide medical, dental, surgical, life, funeral, or disability  
1811 insurance benefits for occupational licensees who work at tracks  
1812 in this state at which harness horse races are conducted. Such  
1813 insurance benefits must be paid from the purse pool specified in  
1814 subparagraph 1. An annual plan for payment of insurance benefits  
1815 from the purse pool, including qualifications for eligibility,  
1816 must be submitted by the Florida Standardbred Breeders and  
1817 Owners Association for approval to the commission ~~division~~. An  
1818 annual report of the implemented plan shall be submitted to the  
1819 commission ~~division~~. All records of the Florida Standardbred  
1820 Breeders and Owners Association concerning the administration of  
1821 the plan must be available for audit at the discretion of the  
1822 commission ~~division~~ to determine that the plan has been  
1823 implemented and administered as authorized. If the commission  
1824 ~~division~~ finds that the Florida Standardbred Breeders and Owners  
1825 Association has not complied with the provisions of this  
1826 section, the commission ~~division~~ may order the association to  
1827 cease and desist from administering the plan and shall appoint

28-01067-22

2022854

1828 the commission ~~division~~ as temporary administrator of the plan  
1829 until the commission ~~division~~ reestablishes administration of  
1830 the plan with the association.

1831 (d) The commission ~~division~~ shall adopt reasonable rules to  
1832 ensure the timely and accurate payment of all amounts withheld  
1833 by horserace permitholders regarding the distribution of purses,  
1834 owners' awards, and other amounts collected for payment to  
1835 owners and breeders. Each permitholder that fails to pay out all  
1836 moneys collected for payment to owners and breeders shall,  
1837 within 10 days after the end of the meet during which the  
1838 permitholder underpaid purses, deposit an amount equal to the  
1839 underpayment into a separate interest-bearing account to be  
1840 distributed to owners and breeders in accordance with commission  
1841 ~~division~~ rules.

1842 (3) Each horseracing permitholder conducting any  
1843 thoroughbred race under this chapter, including any intertrack  
1844 race taken pursuant to ss. 550.615-550.6305 or any interstate  
1845 simulcast taken pursuant to s. 550.3551(3) shall pay a sum equal  
1846 to 0.955 percent on all pari-mutuel pools conducted during any  
1847 such race for the payment of breeders', stallion, or special  
1848 racing awards as authorized in this chapter. This subsection  
1849 also applies to all Breeder's Cup races conducted outside this  
1850 state taken pursuant to s. 550.3551(3). On any race originating  
1851 live in this state which is broadcast out-of-state to any  
1852 location at which wagers are accepted pursuant to s.  
1853 550.3551(2), the host track is required to pay 3.475 percent of  
1854 the gross revenue derived from such out-of-state broadcasts as  
1855 breeders', stallion, or special racing awards. The Florida  
1856 Thoroughbred Breeders' Association is authorized to receive



28-01067-22

2022854

1857 these payments from the permitholders and make payments of  
1858 awards earned. The Florida Thoroughbred Breeders' Association  
1859 has the right to withhold up to 10 percent of the permitholder's  
1860 payments under this section as a fee for administering the  
1861 payments of awards and for general promotion of the industry.  
1862 The permitholder shall remit these payments to the Florida  
1863 Thoroughbred Breeders' Association by the 5th day of each  
1864 calendar month for such sums accruing during the preceding  
1865 calendar month and shall report such payments to the commission  
1866 ~~division~~ as prescribed by the commission ~~division~~. With the  
1867 exception of the 10-percent fee, the moneys paid by the  
1868 permitholders shall be maintained in a separate, interest-  
1869 bearing account, and such payments together with any interest  
1870 earned shall be used exclusively for the payment of breeders',  
1871 stallion, or special racing awards in accordance with the  
1872 following provisions:

1873 (a) The breeder of each Florida-bred thoroughbred horse  
1874 winning a thoroughbred horse race is entitled to an award of up  
1875 to, but not exceeding, 20 percent of the announced gross purse,  
1876 including nomination fees, eligibility fees, starting fees,  
1877 supplementary fees, and moneys added by the sponsor of the race.

1878 (b) The owner or owners of the sire of a Florida-bred  
1879 thoroughbred horse that wins a stakes race is entitled to a  
1880 stallion award of up to, but not exceeding, 20 percent of the  
1881 announced gross purse, including nomination fees, eligibility  
1882 fees, starting fees, supplementary fees, and moneys added by the  
1883 sponsor of the race.

1884 (c) The owners of thoroughbred horses participating in  
1885 thoroughbred stakes races, nonstakes races, or both may receive

28-01067-22

2022854

1886 a special racing award in accordance with the agreement  
1887 established pursuant to s. 550.26165(1).

1888 (d) In order for a breeder of a Florida-bred thoroughbred  
1889 horse to be eligible to receive a breeder's award, the horse  
1890 must have been registered as a Florida-bred horse with the  
1891 Florida Thoroughbred Breeders' Association, and the Jockey Club  
1892 certificate for the horse must show that it has been duly  
1893 registered as a Florida-bred horse as evidenced by the seal and  
1894 proper serial number of the Florida Thoroughbred Breeders'  
1895 Association registry. The Florida Thoroughbred Breeders'  
1896 Association shall be permitted to charge the registrant a  
1897 reasonable fee for this verification and registration.

1898 (e) In order for an owner of the sire of a thoroughbred  
1899 horse winning a stakes race to be eligible to receive a stallion  
1900 award, the stallion must have been registered with the Florida  
1901 Thoroughbred Breeders' Association, and the breeding of the  
1902 registered Florida-bred horse must have occurred in this state.  
1903 The stallion must be standing permanently in this state during  
1904 the period of time between February 1 and June 15 of each year  
1905 or, if the stallion is dead, must have stood permanently in this  
1906 state for a period of not less than 1 year immediately prior to  
1907 its death. The removal of a stallion from this state during the  
1908 period of time between February 1 and June 15 of any year for  
1909 any reason, other than exclusively for prescribed medical  
1910 treatment, as approved by the Florida Thoroughbred Breeders'  
1911 Association, renders the owner or owners of the stallion  
1912 ineligible to receive a stallion award under any circumstances  
1913 for offspring sired prior to removal; however, if a removed  
1914 stallion is returned to this state, all offspring sired

28-01067-22

2022854

1915 subsequent to the return make the owner or owners of the  
1916 stallion eligible for the stallion award but only for those  
1917 offspring sired subsequent to such return to this state. The  
1918 Florida Thoroughbred Breeders' Association shall maintain  
1919 complete records showing the date the stallion arrived in this  
1920 state for the first time, whether or not the stallion remained  
1921 in the state permanently, the location of the stallion, and  
1922 whether the stallion is still standing in this state and  
1923 complete records showing awards earned, received, and  
1924 distributed. The association may charge the owner, owners, or  
1925 breeder a reasonable fee for this service.

1926 (f) A permitholder conducting a thoroughbred horse race  
1927 under the provisions of this chapter shall, within 30 days after  
1928 the end of the race meet during which the race is conducted,  
1929 certify to the Florida Thoroughbred Breeders' Association such  
1930 information relating to the thoroughbred horses winning a stakes  
1931 or other horserace at the meet as may be required to determine  
1932 the eligibility for payment of breeders', stallion, and special  
1933 racing awards.

1934 (g) The Florida Thoroughbred Breeders' Association shall  
1935 maintain complete records showing the starters and winners in  
1936 all races conducted at thoroughbred tracks in this state; shall  
1937 maintain complete records showing awards earned, received, and  
1938 distributed; and may charge the owner, owners, or breeder a  
1939 reasonable fee for this service.

1940 (h) The Florida Thoroughbred Breeders' Association shall  
1941 annually establish a uniform rate and procedure for the payment  
1942 of breeders' and stallion awards and shall make breeders' and  
1943 stallion award payments in strict compliance with the

28-01067-22

2022854

1944 established uniform rate and procedure plan. The plan may set a  
1945 cap on winnings and may limit, exclude, or defer payments to  
1946 certain classes of races, such as the Florida stallion stakes  
1947 races, in order to assure that there are adequate revenues to  
1948 meet the proposed uniform rate. Such plan must include proposals  
1949 for the general promotion of the industry. Priority shall be  
1950 placed upon imposing such restrictions in lieu of allowing the  
1951 uniform rate to be less than 15 percent of the total purse  
1952 payment. The uniform rate and procedure plan must be approved by  
1953 the commission ~~division~~ before implementation. In the absence of  
1954 an approved plan and procedure, the authorized rate for  
1955 breeders' and stallion awards is 15 percent of the announced  
1956 gross purse for each race. Such purse must include nomination  
1957 fees, eligibility fees, starting fees, supplementary fees, and  
1958 moneys added by the sponsor of the race. If the funds in the  
1959 account for payment of breeders' and stallion awards are not  
1960 sufficient to meet all earned breeders' and stallion awards,  
1961 those breeders and stallion owners not receiving payments have  
1962 first call on any subsequent receipts in that or any subsequent  
1963 year.

1964 (i) The Florida Thoroughbred Breeders' Association shall  
1965 keep accurate records showing receipts and disbursements of such  
1966 payments and shall annually file a full and complete report to  
1967 the commission ~~division~~ showing such receipts and disbursements  
1968 and the sums withheld for administration. The commission  
1969 ~~division~~ may audit the records and accounts of the Florida  
1970 Thoroughbred Breeders' Association to determine that payments  
1971 have been made to eligible breeders and stallion owners in  
1972 accordance with this section.

28-01067-22

2022854

1973 (j) If the commission ~~division~~ finds that the Florida  
1974 Thoroughbred Breeders' Association has not complied with any  
1975 provision of this section, the commission ~~division~~ may order the  
1976 association to cease and desist from receiving funds and  
1977 administering funds received under this section. If the  
1978 commission ~~division~~ enters such an order, the permitholder shall  
1979 make the payments authorized in this section to the commission  
1980 ~~division~~ for deposit into the Pari-mutuel Wagering Trust Fund;  
1981 and any funds in the Florida Thoroughbred Breeders' Association  
1982 account shall be immediately paid to the commission ~~Division of~~  
1983 ~~Pari-mutuel Wagering~~ for deposit to the Pari-mutuel Wagering  
1984 Trust Fund. The commission ~~division~~ shall authorize payment from  
1985 these funds to any breeder or stallion owner entitled to an  
1986 award that has not been previously paid by the Florida  
1987 Thoroughbred Breeders' Association in accordance with the  
1988 applicable rate.

1989 (4) Each permitholder conducting a harness horse race under  
1990 this chapter shall pay a sum equal to the breaks on all pari-  
1991 mutuel pools conducted during that race for the payment of  
1992 breeders' awards, stallion awards, and stallion stakes and for  
1993 additional expenditures as authorized in this section. The  
1994 Florida Standardbred Breeders and Owners Association is  
1995 authorized to receive these payments from the permitholders and  
1996 make payments as authorized in this subsection. The Florida  
1997 Standardbred Breeders and Owners Association has the right to  
1998 withhold up to 10 percent of the permitholder's payments under  
1999 this section and under s. 550.2633 as a fee for administering  
2000 these payments. The permitholder shall remit these payments to  
2001 the Florida Standardbred Breeders and Owners Association by the

28-01067-22

2022854

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

2015 (a) The breeder of each Florida-bred standardbred horse  
2016 winning a harness horse race is entitled to an award of up to,  
2017 but not exceeding, 20 percent of the announced gross purse,  
2018 including nomination fees, eligibility fees, starting fees,  
2019 supplementary fees, and moneys added by the sponsor of the race.

2020 (b) The owner or owners of the sire of a Florida-bred  
2021 standardbred horse that wins a stakes race is entitled to a  
2022 stallion award of up to, but not exceeding, 20 percent of the  
2023 announced gross purse, including nomination fees, eligibility  
2024 fees, starting fees, supplementary fees, and moneys added by the  
2025 sponsor of the race.

2026 (c) In order for a breeder of a Florida-bred standardbred  
2027 horse to be eligible to receive a breeder's award, the horse  
2028 winning the race must have been registered as a Florida-bred  
2029 horse with the Florida Standardbred Breeders and Owners  
2030 Association and a registration certificate under seal for the

28-01067-22

2022854

2031 winning horse must show that the winner has been duly registered  
2032 as a Florida-bred horse as evidenced by the seal and proper  
2033 serial number of the United States Trotting Association  
2034 registry. The Florida Standardbred Breeders and Owners  
2035 Association shall be permitted to charge the registrant a  
2036 reasonable fee for this verification and registration.

2037 (d) In order for an owner of the sire of a standardbred  
2038 horse winning a stakes race to be eligible to receive a stallion  
2039 award, the stallion must have been registered with the Florida  
2040 Standardbred Breeders and Owners Association, and the breeding  
2041 of the registered Florida-bred horse must have occurred in this  
2042 state. The stallion must be standing permanently in this state  
2043 or, if the stallion is dead, must have stood permanently in this  
2044 state for a period of not less than 1 year immediately prior to  
2045 its death. The removal of a stallion from this state for any  
2046 reason, other than exclusively for prescribed medical treatment,  
2047 renders the owner or the owners of the stallion ineligible to  
2048 receive a stallion award under any circumstances for offspring  
2049 sired prior to removal; however, if a removed stallion is  
2050 returned to this state, all offspring sired subsequent to the  
2051 return make the owner or owners of the stallion eligible for the  
2052 stallion award but only for those offspring sired subsequent to  
2053 such return to this state. The Florida Standardbred Breeders and  
2054 Owners Association shall maintain complete records showing the  
2055 date the stallion arrived in this state for the first time,  
2056 whether or not the stallion remained in the state permanently,  
2057 the location of the stallion, and whether the stallion is still  
2058 standing in this state and complete records showing awards  
2059 earned, received, and distributed. The association may charge

28-01067-22

2022854

2060 the owner, owners, or breeder a reasonable fee for this service.

2061 (e) A permitholder conducting a harness horse race under  
2062 this chapter shall, within 30 days after the end of the race  
2063 meet during which the race is conducted, certify to the Florida  
2064 Standardbred Breeders and Owners Association such information  
2065 relating to the horse winning a stakes or other horserace at the  
2066 meet as may be required to determine the eligibility for payment  
2067 of breeders' awards and stallion awards.

2068 (f) The Florida Standardbred Breeders and Owners  
2069 Association shall maintain complete records showing the starters  
2070 and winners in all races conducted at harness horse racetracks  
2071 in this state; shall maintain complete records showing awards  
2072 earned, received, and distributed; and may charge the owner,  
2073 owners, or breeder a reasonable fee for this service.

2074 (g) The Florida Standardbred Breeders and Owners  
2075 Association shall annually establish a uniform rate and  
2076 procedure for the payment of breeders' awards, stallion awards,  
2077 stallion stakes, additional purses, and prizes for, and for the  
2078 general promotion of owning and breeding of, Florida-bred  
2079 standardbred horses and shall make award payments and  
2080 allocations in strict compliance with the established uniform  
2081 rate and procedure. The plan may set a cap on winnings, and may  
2082 limit, exclude, or defer payments to certain classes of races,  
2083 such as the Florida Breeders' stakes races, in order to assure  
2084 that there are adequate revenues to meet the proposed uniform  
2085 rate. Priority shall be placed on imposing such restrictions in  
2086 lieu of allowing the uniform rate allocated to payment of  
2087 breeder and stallion awards to be less than 10 percent of the  
2088 total purse payment. The uniform rate and procedure must be



28-01067-22

2022854

2089 approved by the commission ~~division~~ before implementation. In  
2090 the absence of an approved plan and procedure, the authorized  
2091 rate for breeders' and stallion awards is 10 percent of the  
2092 announced gross purse for each race. Such purse must include  
2093 nomination fees, eligibility fees, starting fees, supplementary  
2094 fees, and moneys added by the sponsor of the race. If the funds  
2095 in the account for payment of breeders' and stallion awards are  
2096 not sufficient to meet all earned breeders' and stallion awards,  
2097 those breeders and stallion owners not receiving payments have  
2098 first call on any subsequent receipts in that or any subsequent  
2099 year.

2100 (h) The Florida Standardbred Breeders and Owners  
2101 Association shall keep accurate records showing receipts and  
2102 disbursements of such payments and shall annually file a full  
2103 and complete report to the commission ~~division~~ showing such  
2104 receipts and disbursements and the sums withheld for  
2105 administration. The commission ~~division~~ may audit the records  
2106 and accounts of the Florida Standardbred Breeders and Owners  
2107 Association to determine that payments have been made to  
2108 eligible breeders, stallion owners, and owners of Florida-bred  
2109 standardbred horses in accordance with this section.

2110 (i) If the commission ~~division~~ finds that the Florida  
2111 Standardbred Breeders and Owners Association has not complied  
2112 with any provision of this section, the commission ~~division~~ may  
2113 order the association to cease and desist from receiving funds  
2114 and administering funds received under this section and under s.  
2115 550.2633. If the commission ~~division~~ enters such an order, the  
2116 permitholder shall make the payments authorized in this section  
2117 and s. 550.2633 to the commission ~~division~~ for deposit into the

28-01067-22

2022854

2118 Pari-mutuel Wagering Trust Fund; and any funds in the Florida  
2119 Standardbred Breeders and Owners Association account shall be  
2120 immediately paid to the commission ~~division~~ for deposit to the  
2121 Pari-mutuel Wagering Trust Fund. The commission ~~division~~ shall  
2122 authorize payment from these funds to any breeder, stallion  
2123 owner, or owner of a Florida-bred standardbred horse entitled to  
2124 an award that has not been previously paid by the Florida  
2125 Standardbred Breeders and Owners Association in accordance with  
2126 the applicable rate.

2127 (j) The board of directors of the Florida Standardbred  
2128 Breeders and Owners Association may authorize the release of up  
2129 to 25 percent of the funds available for breeders' awards,  
2130 stallion awards, stallion stakes, additional purses, and prizes  
2131 for, and for the general promotion of owning and breeding of,  
2132 Florida-bred standardbred horses to be used for purses for, and  
2133 promotion of, Florida-bred standardbred horses at race meetings  
2134 at which there is no pari-mutuel wagering unless, and to the  
2135 extent that, such release would render the funds available for  
2136 such awards insufficient to pay the breeders' and stallion  
2137 awards earned pursuant to the annual plan of the association.  
2138 Any such funds so released and used for purses are not  
2139 considered to be an "announced gross purse" as that term is used  
2140 in paragraphs (a) and (b), and no breeders' or stallion awards,  
2141 stallion stakes, or owner awards are required to be paid for  
2142 standardbred horses winning races in meetings at which there is  
2143 no pari-mutuel wagering. The amount of purses to be paid from  
2144 funds so released and the meets eligible to receive such funds  
2145 for purses must be approved by the board of directors of the  
2146 Florida Standardbred Breeders and Owners Association.

28-01067-22

2022854

2147 (5) (a) Except as provided in subsections (7) and (8), each  
2148 permitholder conducting a quarter horse race meet under this  
2149 chapter shall pay a sum equal to the breaks plus a sum equal to  
2150 1 percent of all pari-mutuel pools conducted during that race  
2151 for supplementing and augmenting purses and prizes and for the  
2152 general promotion of owning and breeding of racing quarter  
2153 horses in this state as authorized in this section. The Florida  
2154 Quarter Horse Breeders and Owners Association is authorized to  
2155 receive these payments from the permitholders and make payments  
2156 as authorized in this subsection. The Florida Quarter Horse  
2157 Breeders and Owners Association, Inc., referred to in this  
2158 chapter as the Florida Quarter Horse Breeders and Owners  
2159 Association, has the right to withhold up to 10 percent of the  
2160 permitholder's payments under this section and under s. 550.2633  
2161 as a fee for administering these payments. The permitholder  
2162 shall remit these payments to the Florida Quarter Horse Breeders  
2163 and Owners Association by the 5th day of each calendar month for  
2164 such sums accruing during the preceding calendar month and shall  
2165 report such payments to the commission ~~division~~ as prescribed by  
2166 the commission ~~division~~. With the exception of the 5-percent fee  
2167 for administering the payments, the moneys paid by the  
2168 permitholders shall be maintained in a separate, interest-  
2169 bearing account.

2170 (f) The Florida Quarter Horse Breeders and Owners  
2171 Association shall keep accurate records showing receipts and  
2172 disbursements of payments made under this section and shall  
2173 annually file a full and complete report to the commission  
2174 ~~division~~ showing such receipts and disbursements and the sums  
2175 withheld for administration. The commission ~~division~~ may audit

28-01067-22

2022854

2176 the records and accounts of the Florida Quarter Horse Breeders  
2177 and Owners Association to determine that payments have been made  
2178 in accordance with this section.

2179 (g) The Florida Quarter Horse Breeders and Owners  
2180 Association shall annually establish a plan for supplementing  
2181 and augmenting purses and prizes and for the general promotion  
2182 of owning and breeding Florida-bred racing quarter horses and  
2183 shall make award payments and allocations in strict compliance  
2184 with the annual plan. The annual plan must be approved by the  
2185 commission ~~division~~ before implementation. If the funds in the  
2186 account for payment of purses and prizes are not sufficient to  
2187 meet all purses and prizes to be awarded, those breeders and  
2188 owners not receiving payments have first call on any subsequent  
2189 receipts in that or any subsequent year.

2190 (h) If the commission ~~division~~ finds that the Florida  
2191 Quarter Horse Breeders and Owners Association has not complied  
2192 with any provision of this section, the commission ~~division~~ may  
2193 order the association to cease and desist from receiving funds  
2194 and administering funds received under this section and s.  
2195 550.2633. If the commission ~~division~~ enters such an order, the  
2196 permitholder shall make the payments authorized in this section  
2197 and s. 550.2633 to the commission ~~division~~ for deposit into the  
2198 Pari-mutuel Wagering Trust Fund, and any funds in the Florida  
2199 Quarter Horse Breeders and Owners Association account shall be  
2200 immediately paid to the commission ~~division~~ for deposit to the  
2201 Pari-mutuel Wagering Trust Fund. The commission ~~division~~ shall  
2202 authorize payment from these funds to any breeder or owner of a  
2203 quarter horse entitled to an award that has not been previously  
2204 paid by the Florida Quarter Horse Breeders and Owners

28-01067-22

2022854

2205 Association in accordance with this section.

2206 (6)

2207 (e) This subsection governs owners' awards paid on  
2208 thoroughbred horse races only in this state, unless a written  
2209 agreement is filed with the commission ~~division~~ establishing the  
2210 rate, procedures, and eligibility requirements for owners'  
2211 awards, including place of finish, class of race, maximum purse,  
2212 and maximum award, and the agreement is entered into by the  
2213 permitholder, the Florida Thoroughbred Breeders' Association,  
2214 and the association representing a majority of the racehorse  
2215 owners and trainers at the permitholder's location.

2216 (7) (a) Each permitholder that conducts race meets under  
2217 this chapter and runs Appaloosa races shall pay to the  
2218 commission ~~division~~ a sum equal to the breaks plus a sum equal  
2219 to 1 percent of the total contributions to each pari-mutuel pool  
2220 conducted on each Appaloosa race. The payments shall be remitted  
2221 to the commission ~~division~~ by the 5th day of each calendar month  
2222 for sums accruing during the preceding calendar month.

2223 (b) The commission ~~division~~ shall deposit these collections  
2224 to the credit of the General Inspection Trust Fund in a special  
2225 account to be known as the "Florida Appaloosa Racing Promotion  
2226 Account." The Department of Agriculture and Consumer Services  
2227 shall administer the funds and adopt suitable and reasonable  
2228 rules for the administration thereof. The moneys in the Florida  
2229 Appaloosa Racing Promotion Account shall be allocated solely for  
2230 supplementing and augmenting purses and prizes and for the  
2231 general promotion of owning and breeding of racing Appaloosas in  
2232 this state; and the moneys may not be used to defray any expense  
2233 of the Department of Agriculture and Consumer Services in the

28-01067-22

2022854

2234 administration of this chapter.

2235 (8) Each permitholder that conducts race meets under this  
2236 chapter and runs Arabian horse races shall pay to the commission  
2237 ~~division~~ a sum equal to the breaks plus a sum equal to 1 percent  
2238 of the total contributions to each pari-mutuel pool conducted on  
2239 each Arabian horse race. The payments shall be remitted to the  
2240 commission ~~division~~ by the 5th day of each calendar month for  
2241 sums accruing during the preceding calendar month.

2242 Section 31. Subsections (1), (3), (5), and (6), paragraph  
2243 (a) of subsection (8), and subsections (9), (10), and (11) of  
2244 section 550.26352, Florida Statutes, are amended to read:

2245 550.26352 Breeders' Cup Meet; pools authorized; conflicts;  
2246 taxes; credits; transmission of races; rules; application.-

2247 (1) Notwithstanding any provision of this chapter to the  
2248 contrary, there is hereby created a special thoroughbred race  
2249 meet which shall be designated as the "Breeders' Cup Meet." The  
2250 Breeders' Cup Meet shall be conducted at the facility of the  
2251 Florida permitholder selected by Breeders' Cup Limited to  
2252 conduct the Breeders' Cup Meet. The Breeders' Cup Meet shall  
2253 consist of 3 days: the day on which the Breeders' Cup races are  
2254 conducted, the preceding day, and the subsequent day. Upon the  
2255 selection of the Florida permitholder as host for the Breeders'  
2256 Cup Meet and application by the selected permitholder, the  
2257 commission ~~division~~ shall issue a license to the selected  
2258 permitholder to operate the Breeders' Cup Meet. Notwithstanding  
2259 s. 550.09515(2)(a), the Breeders' Cup Meet may be conducted on  
2260 dates which the selected permitholder is not otherwise  
2261 authorized to conduct a race meet.

2262 (3) If the permitholder conducting the Breeders' Cup Meet

28-01067-22

2022854

2263 is located within 35 miles of one or more permitholders  
2264 scheduled to conduct a thoroughbred race meet on any of the 3  
2265 days of the Breeders' Cup Meet, then operation on any of those 3  
2266 days by the other permitholders is prohibited. As compensation  
2267 for the loss of racing days caused thereby, such operating  
2268 permitholders shall receive a credit against the taxes otherwise  
2269 due and payable to the state under ss. 550.0951 and 550.09515.  
2270 This credit shall be in an amount equal to the operating loss  
2271 determined to have been suffered by the operating permitholders  
2272 as a result of not operating on the prohibited racing days, but  
2273 shall not exceed a total of \$950,000. The determination of the  
2274 amount to be credited shall be made by the commission ~~division~~  
2275 upon application by the operating permitholder. The tax credits  
2276 provided in this subsection shall not be available unless an  
2277 operating permitholder is required to close a bona fide meet  
2278 consisting in part of no fewer than 10 scheduled performances in  
2279 the 15 days immediately preceding or 10 scheduled performances  
2280 in the 15 days immediately following the Breeders' Cup Meet.  
2281 Such tax credit shall be in lieu of any other compensation or  
2282 consideration for the loss of racing days. There shall be no  
2283 replacement or makeup of any lost racing days.

2284 (5) The permitholder conducting the Breeders' Cup Meet  
2285 shall receive a credit against the taxes otherwise due and  
2286 payable to the state under ss. 550.0951 and 550.09515 generated  
2287 during said permitholder's next ensuing regular thoroughbred  
2288 race meet. This credit shall be in an amount not to exceed  
2289 \$950,000 and shall be utilized by the permitholder to pay the  
2290 purses offered by the permitholder during the Breeders' Cup Meet  
2291 in excess of the purses which the permitholder is otherwise

28-01067-22

2022854

2292 required by law to pay. The amount to be credited shall be  
2293 determined by the commission ~~division~~ upon application of the  
2294 permitholder which is subject to audit by the commission  
2295 ~~division~~.

2296 (6) The permitholder conducting the Breeders' Cup Meet  
2297 shall receive a credit against the taxes otherwise due and  
2298 payable to the state under ss. 550.0951 and 550.09515 generated  
2299 during said permitholder's next ensuing regular thoroughbred  
2300 race meet. This credit shall be in an amount not to exceed  
2301 \$950,000 and shall be utilized by the permitholder for such  
2302 capital improvements and extraordinary expenses as may be  
2303 necessary for operation of the Breeders' Cup Meet. The amount to  
2304 be credited shall be determined by the commission ~~division~~ upon  
2305 application of the permitholder which is subject to audit by the  
2306 commission ~~division~~.

2307 (8) (a) Pursuant to s. 550.3551(2), the permitholder  
2308 conducting the Breeders' Cup Meet is authorized to transmit  
2309 broadcasts of the races conducted during the Breeders' Cup Meet  
2310 to locations outside of this state for wagering purposes. The  
2311 commission ~~division~~ may approve broadcasts to pari-mutuel  
2312 permitholders and other betting systems authorized under the  
2313 laws of any other state or country. Wagers accepted by any out-  
2314 of-state pari-mutuel permitholder or betting system on any races  
2315 broadcast under this section may be, but are not required to be,  
2316 commingled with the pari-mutuel pools of the permitholder  
2317 conducting the Breeders' Cup Meet. The calculation of any payoff  
2318 on national pari-mutuel pools with commingled wagers may be  
2319 performed by the permitholder's totalisator contractor at a  
2320 location outside of this state. Pool amounts from wagers placed



28-01067-22

2022854

2321 at pari-mutuel facilities or other betting systems in foreign  
2322 countries before being commingled with the pari-mutuel pool of  
2323 the Florida permitholder conducting the Breeders' Cup Meet shall  
2324 be calculated by the totalisator contractor and transferred to  
2325 the commingled pool in United States currency in cycles  
2326 customarily used by the permitholder. Pool amounts from wagers  
2327 placed at any foreign pari-mutuel facility or other betting  
2328 system shall not be commingled with a Florida pool until a  
2329 determination is made by the commission ~~division~~ that the  
2330 technology utilized by the totalisator contractor is adequate to  
2331 assure commingled pools will result in the calculation of  
2332 accurate payoffs to Florida bettors. Any totalisator contractor  
2333 at a location outside of this state shall comply with the  
2334 provisions of s. 550.495 relating to totalisator licensing.

2335 (9) The exemption from the tax credits provided in  
2336 subsections (5) and (6) shall not be granted and shall not be  
2337 claimed by the permitholder until an audit is completed by the  
2338 commission ~~division~~. The commission ~~division~~ is required to  
2339 complete the audit within 30 days of receipt of the necessary  
2340 documentation from the permitholder to verify the permitholder's  
2341 claim for tax credits. If the documentation submitted by the  
2342 permitholder is incomplete or is insufficient to document the  
2343 permitholder's claim for tax credits, the commission ~~division~~  
2344 may request such additional documentation as is necessary to  
2345 complete the audit. Upon receipt of the commission's ~~division's~~  
2346 written request for additional documentation, the 30-day time  
2347 limitation will commence anew.

2348 (10) The commission ~~division~~ is authorized to adopt such  
2349 rules as are necessary to facilitate the conduct of the

28-01067-22

2022854

2350 Breeders' Cup Meet as authorized in this section. Included  
2351 within this grant of authority shall be the adoption or waiver  
2352 of rules regarding the overall conduct of racing during the  
2353 Breeders' Cup Meet so as to ensure the integrity of the races,  
2354 licensing for all participants, special stabling and training  
2355 requirements for foreign horses, commingling of pari-mutuel  
2356 pools, and audit requirements for tax credits and other  
2357 benefits.

2358 (11) Any dispute between the commission ~~division~~ and any  
2359 permitholder regarding the tax credits authorized under  
2360 subsection (3), subsection (5), or subsection (6) shall be  
2361 determined by a hearing officer of the Division of  
2362 Administrative Hearings under the provisions of s. 120.57(1).

2363 Section 32. Subsections (1), (5), (6), and (8) of section  
2364 550.2704, Florida Statutes, are amended to read:

2365 550.2704 Jai Alai Tournament of Champions Meet.—

2366 (1) Notwithstanding any provision of this chapter, there is  
2367 hereby created a special jai alai meet which shall be designated  
2368 as the "Jai Alai Tournament of Champions Meet" and which shall  
2369 be hosted by the Florida jai alai permitholders selected by the  
2370 National Association of Jai Alai Frontons, Inc., to conduct such  
2371 meet. The meet shall consist of three qualifying performances  
2372 and a final performance, each of which is to be conducted on  
2373 different days. Upon the selection of the Florida permitholders  
2374 for the meet, and upon application by the selected  
2375 permitholders, the commission ~~Division of Pari-mutuel Wagering~~  
2376 shall issue a license to each of the selected permitholders to  
2377 operate the meet. The meet may be conducted during a season in  
2378 which the permitholders selected to conduct the meet are not

28-01067-22

2022854

2379 otherwise authorized to conduct a meet. Notwithstanding anything  
2380 herein to the contrary, any Florida permitholder who is to  
2381 conduct a performance which is a part of the Jai Alai Tournament  
2382 of Champions Meet shall not be required to apply for the license  
2383 for said meet if it is to be run during the regular season for  
2384 which such permitholder has a license.

2385 (5) In addition to the credit authorized in subsection (4),  
2386 the Jai Alai Tournament of Champions Meet permitholders shall  
2387 receive a credit against the taxes, otherwise due and payable  
2388 under s. 550.0951 or s. 550.09511, generated during said  
2389 permitholders' current regular meet, in an amount not to exceed  
2390 the aggregate amount of \$150,000, which shall be prorated  
2391 equally between the permitholders, and shall be utilized by the  
2392 permitholders for such capital improvements and extraordinary  
2393 expenses, including marketing expenses, as may be necessary for  
2394 the operation of the meet. The determination of the amount to be  
2395 credited shall be made by the commission ~~division~~ upon  
2396 application of said permitholders.

2397 (6) The permitholder shall be entitled to said  
2398 permitholder's pro rata share of the \$150,000 tax credit  
2399 provided in subsection (5) without having to make application,  
2400 so long as appropriate documentation to substantiate said  
2401 expenditures thereunder is provided to the commission ~~division~~  
2402 within 30 days following said Jai Alai Tournament of Champions  
2403 Meet.

2404 (8) The commission ~~division~~ is authorized to adopt such  
2405 rules as are necessary to facilitate the conduct of the Jai Alai  
2406 Tournament of Champions Meet as authorized in this section.  
2407 Included within this grant of authority shall be the adoption of

28-01067-22

2022854

2408 rules regarding the overall conduct of the tournament so as to  
2409 ensure the integrity of the event, licensing for participants,  
2410 commingling of pari-mutuel pools, and audit requirements for tax  
2411 credits and exemptions.

2412 Section 33. Subsections (3) and (5) of section 550.334,  
2413 Florida Statutes, are amended to read:

2414 550.334 Quarter horse racing; substitutions.—

2415 (3) Quarter horses participating in such races must be duly  
2416 registered by the American Quarter Horse Association, and before  
2417 each race such horses must be examined and declared in fit  
2418 condition by a qualified person designated by the commission  
2419 ~~division~~.

2420 (5) Any quarter horse racing permit holder operating under a  
2421 valid permit issued by the commission ~~division~~ is authorized to  
2422 substitute races of other breeds of horses which are,  
2423 respectively, registered with the American Paint Horse  
2424 Association, Appaloosa Horse Club, Arabian Horse Registry of  
2425 America, Palomino Horse Breeders of America, United States  
2426 Trotting Association, Florida Cracker Horse Association, or  
2427 Jockey Club for no more than 50 percent of the quarter horse  
2428 races during its meet.

2429 Section 34. Subsection (2) of section 550.3345, Florida  
2430 Statutes, is amended to read:

2431 550.3345 Conversion of quarter horse permit to a limited  
2432 thoroughbred permit.—

2433 (2) Notwithstanding any other provision of law, the holder  
2434 of a quarter horse racing permit issued under s. 550.334 may,  
2435 within 1 year after the effective date of this section, apply to  
2436 the commission ~~division~~ for a transfer of the quarter horse

28-01067-22

2022854

2437 racing permit to a not-for-profit corporation formed under state  
2438 law to serve the purposes of the state as provided in subsection  
2439 (1). The board of directors of the not-for-profit corporation  
2440 must be comprised of 11 members, 4 of whom shall be designated  
2441 by the applicant, 4 of whom shall be designated by the Florida  
2442 Thoroughbred Breeders' Association, and 3 of whom shall be  
2443 designated by the other 8 directors, with at least 1 of these 3  
2444 members being an authorized representative of another  
2445 thoroughbred permitholder in this state. The not-for-profit  
2446 corporation shall submit an application to the commission  
2447 ~~division~~ for review and approval of the transfer in accordance  
2448 with s. 550.054. Upon approval of the transfer by the commission  
2449 ~~division~~, and notwithstanding any other provision of law to the  
2450 contrary, the not-for-profit corporation may, within 1 year  
2451 after its receipt of the permit, request that the commission  
2452 ~~division~~ convert the quarter horse racing permit to a permit  
2453 authorizing the holder to conduct pari-mutuel wagering meets of  
2454 thoroughbred racing. Neither the transfer of the quarter horse  
2455 racing permit nor its conversion to a limited thoroughbred  
2456 permit shall be subject to the mileage limitation or the  
2457 ratification election as set forth under s. 550.054(2) or s.  
2458 550.0651. Upon receipt of the request for such conversion, the  
2459 commission ~~division~~ shall timely issue a converted permit. The  
2460 converted permit and the not-for-profit corporation shall be  
2461 subject to the following requirements:

2462 (a) All net revenues derived by the not-for-profit  
2463 corporation under the thoroughbred horse racing permit and any  
2464 license issued to the not-for-profit corporation under chapter  
2465 849, after the funding of operating expenses and capital

28-01067-22

2022854

2466 improvements, shall be dedicated to the enhancement of  
2467 thoroughbred purses and breeders', stallion, and special racing  
2468 awards under this chapter; the general promotion of the  
2469 thoroughbred horse breeding industry; and the care in this state  
2470 of thoroughbred horses retired from racing.

2471 (b) From December 1 through April 30, no live thoroughbred  
2472 racing may be conducted under the permit on any day during which  
2473 another thoroughbred permitholder is conducting live  
2474 thoroughbred racing within 125 air miles of the not-for-profit  
2475 corporation's pari-mutuel facility unless the other thoroughbred  
2476 permitholder gives its written consent.

2477 (c) After the conversion of the quarter horse racing permit  
2478 and the issuance of its initial license to conduct pari-mutuel  
2479 wagering meets of thoroughbred racing, the not-for-profit  
2480 corporation shall annually apply to the commission ~~division~~ for  
2481 a license pursuant to s. 550.5251.

2482 (d) Racing under the permit may take place only at the  
2483 location for which the original quarter horse racing permit was  
2484 issued, which may be leased by the not-for-profit corporation  
2485 for that purpose; however, the not-for-profit corporation may,  
2486 without the conduct of any ratification election pursuant to s.  
2487 550.054(13) or s. 550.0651, move the location of the permit to  
2488 another location in the same county provided that such  
2489 relocation is approved under the zoning and land use regulations  
2490 of the applicable county or municipality.

2491 (e) A permit converted under this section and a license  
2492 issued to the not-for-profit corporation under chapter 849 are  
2493 not eligible for transfer to another person or entity.

2494 Section 35. Section 550.3355, Florida Statutes, is amended

28-01067-22

2022854

2495 to read:

2496 550.3355 Harness track licenses for summer quarter horse  
2497 racing.—Any harness track licensed to operate under the  
2498 provisions of s. 550.375 may make application for, and shall be  
2499 issued by the commission ~~division~~, a license to operate not more  
2500 than 50 quarter horse racing days during the summer season,  
2501 which shall extend from July 1 until October 1 of each year.  
2502 However, this license to operate quarter horse racing for 50  
2503 days is in addition to the racing days and dates provided in s.  
2504 550.375 for harness racing during the winter seasons; and, it  
2505 does not affect the right of such licensee to operate harness  
2506 racing at the track as provided in s. 550.375 during the winter  
2507 season. All provisions of this chapter governing quarter horse  
2508 racing not in conflict herewith apply to the operation of  
2509 quarter horse meetings authorized hereunder, except that all  
2510 quarter horse racing permitted hereunder shall be conducted at  
2511 night.

2512 Section 36. Paragraph (a) of subsection (6) and subsections  
2513 (10) and (13) of section 550.3551, Florida Statutes, are amended  
2514 to read:

2515 550.3551 Transmission of racing and jai alai information;  
2516 commingling of pari-mutuel pools.—

2517 (6) (a) A permitholder conducting live races or games may  
2518 not conduct fewer than eight live races or games on any  
2519 authorized race day except as provided in this subsection. A  
2520 thoroughbred permitholder may not conduct fewer than eight live  
2521 races on any race day without the written approval of the  
2522 Florida Thoroughbred Breeders' Association and the Florida  
2523 Horsemen's Benevolent and Protective Association, Inc., unless

28-01067-22

2022854

2524 it is determined by the commission ~~department~~ that another  
2525 entity represents a majority of the thoroughbred racehorse  
2526 owners and trainers in the state. If conducting live racing, a  
2527 harness permitholder may conduct fewer than eight live races on  
2528 any authorized race day. Any harness horse permitholder may  
2529 receive full-card broadcasts of harness horse races conducted at  
2530 harness racetracks outside this state at the harness track of  
2531 the permitholder and accept wagers on such harness races.

2532 (10) The commission ~~division~~ may adopt rules necessary to  
2533 facilitate commingling of pari-mutuel pools, to ensure the  
2534 proper calculation of payoffs in circumstances in which  
2535 different commission percentages are applicable and to regulate  
2536 the distribution of net proceeds between the horse track and, in  
2537 this state, the horsemen's associations.

2538 (13) This section does not prohibit the commingling of  
2539 national pari-mutuel pools by a totalisator company that is  
2540 licensed under this chapter. Such commingling of national pools  
2541 is subject to commission ~~division~~ review and approval and must  
2542 be performed in accordance with rules adopted by the commission  
2543 ~~division~~ to ensure accurate calculation and distribution of the  
2544 pools.

2545 Section 37. Subsections (3), (4), and (5) of section  
2546 550.3615, Florida Statutes, are amended to read:

2547 550.3615 Bookmaking on the grounds of a permitholder;  
2548 penalties; reinstatement; duties of track employees; penalty;  
2549 exceptions.—

2550 (3) Any person who has been convicted of bookmaking in this  
2551 state or any other state of the United States or any foreign  
2552 country shall be denied admittance to and shall not attend any



28-01067-22

2022854

2553 pari-mutuel facility in this state during its racing seasons or  
2554 operating dates, including any practice or preparational days,  
2555 for a period of 2 years after the date of conviction or the date  
2556 of final appeal. Following the conclusion of the period of  
2557 ineligibility, the director of the commission ~~division~~ may  
2558 authorize the reinstatement of an individual following a hearing  
2559 on readmittance. Any such person who knowingly violates this  
2560 subsection commits a misdemeanor of the first degree, punishable  
2561 as provided in s. 775.082 or s. 775.083.

2562 (4) If the activities of a person show that this law is  
2563 being violated, and such activities are either witnessed by or  
2564 are common knowledge of any pari-mutuel facility employee, it is  
2565 the duty of that employee to bring the matter to the immediate  
2566 attention of the permit holder, manager, or her or his designee,  
2567 who shall notify a law enforcement agency having jurisdiction.  
2568 Willful failure by the pari-mutuel facility employee to comply  
2569 with the provisions of this subsection is a ground for the  
2570 commission ~~division~~ to suspend or revoke that employee's license  
2571 for pari-mutuel facility employment.

2572 (5) Each permittee shall display, in conspicuous places at  
2573 a pari-mutuel facility and in all race and jai alai daily  
2574 programs, a warning to all patrons concerning the prohibition  
2575 and penalties of bookmaking contained in this section and s.  
2576 849.25. The commission ~~division~~ shall adopt rules concerning the  
2577 uniform size of all warnings and the number of placements  
2578 throughout a pari-mutuel facility. Failure on the part of the  
2579 permittee to display such warnings may result in the imposition  
2580 of a \$500 fine by the commission ~~division~~ for each offense.

2581 Section 38. Subsections (2) and (3) of section 550.375,

28-01067-22

2022854

2582 Florida Statutes, are amended to read:

2583 550.375 Operation of certain harness tracks.—

2584 (2) Any permittee or licensee authorized under this section  
2585 to transfer the location of its permit may conduct harness  
2586 racing only between the hours of 7 p.m. and 2 a.m. A permit so  
2587 transferred applies only to the locations provided in this  
2588 section. The provisions of this chapter which prohibit the  
2589 location and operation of a licensed harness track permittee and  
2590 licensee within 100 air miles of the location of a racetrack  
2591 authorized to conduct racing under this chapter and which  
2592 prohibit the commission ~~division~~ from granting any permit to a  
2593 harness track at a location in the area in which there are three  
2594 horse tracks located within 100 air miles thereof do not apply  
2595 to a licensed harness track that is required by the terms of  
2596 this section to race between the hours of 7 p.m. and 2 a.m.

2597 (3) A permit may not be issued by the commission ~~division~~  
2598 for the operation of a harness track within 75 air miles of a  
2599 location of a harness track licensed and operating under this  
2600 chapter.

2601 Section 39. Subsection (1), paragraphs (a), (b), (c), (d),  
2602 (e), and (g) of subsection (2), and subsections (3), (4), and  
2603 (5) of section 550.495, Florida Statutes, are amended to read:

2604 550.495 Totalisator licensing.—

2605 (1) A totalisator may not be operated at a pari-mutuel  
2606 facility in this state, or at a facility located in or out of  
2607 this state which is used as the primary totalisator for a race  
2608 or game conducted in this state, unless the totalisator company  
2609 possesses a business license issued by the commission ~~division~~.

2610 (2) (a) Each totalisator company must apply to the

28-01067-22

2022854

2611 commission ~~division~~ for an annual business license. The  
2612 application must include such information as the commission  
2613 ~~division~~ by rule requires.

2614 (b) As a part of its license application, each totalisator  
2615 company must agree in writing to pay to the commission ~~division~~  
2616 an amount equal to the loss of any state revenues from missed or  
2617 canceled races, games, or performances due to acts of the  
2618 totalisator company or its agents or employees or failures of  
2619 the totalisator system, except for circumstances beyond the  
2620 control of the totalisator company or agent or employee, as  
2621 determined by the commission ~~division~~.

2622 (c) Each totalisator company must file with the commission  
2623 ~~division~~ a performance bond, acceptable to the commission  
2624 ~~division~~, in the sum of \$250,000 issued by a surety approved by  
2625 the commission ~~division~~ or must file proof of insurance,  
2626 acceptable to the commission ~~division~~, against financial loss in  
2627 the amount of \$250,000, insuring the state against such a  
2628 revenue loss.

2629 (d) In the event of a loss of state tax revenues, the  
2630 commission ~~division~~ shall determine:

2631 1. The estimated revenue lost as a result of missed or  
2632 canceled races, games, or performances;

2633 2. The number of races, games, or performances which is  
2634 practicable for the permitholder to conduct in an attempt to  
2635 mitigate the revenue loss; and

2636 3. The amount of the revenue loss which the makeup races,  
2637 games, or performances will not recover and for which the  
2638 totalisator company is liable.

2639 (e) Upon the making of such determinations, the commission

28-01067-22

2022854

2640 ~~division~~ shall issue to the totalisator company and to the  
2641 affected permitholder an order setting forth the determinations  
2642 of the commission ~~division~~.

2643 (g) Upon the failure of the totalisator company to make the  
2644 payment found to be due the state, the commission ~~division~~ may  
2645 cause the forfeiture of the bond or may proceed against the  
2646 insurance contract, and the proceeds of the bond or contract  
2647 shall be deposited into the Pari-mutuel Wagering Trust Fund. If  
2648 that bond was not posted or insurance obtained, the commission  
2649 ~~division~~ may proceed against any assets of the totalisator  
2650 company to collect the amounts due under this subsection.

2651 (3) If the applicant meets the requirements of this section  
2652 and commission ~~division~~ rules and pays the license fee, the  
2653 commission ~~division~~ shall issue the license.

2654 (4) Each totalisator company shall conduct operations in  
2655 accordance with rules adopted by the commission ~~division~~, in  
2656 such form, content, and frequency as the commission ~~division~~ by  
2657 rule determines.

2658 (5) The commission ~~division~~ and its representatives may  
2659 enter and inspect any area of the premises of a licensed  
2660 totalisator company, and may examine totalisator records, during  
2661 the licensee's regular business or operating hours.

2662 Section 40. Paragraphs (a) and (b) of subsection (1) and  
2663 subsections (2), (3), (4), (5), and (6) of section 550.505,  
2664 Florida Statutes, are amended to read:

2665 550.505 Nonwagering permits.—

2666 (1) (a) Except as provided in this section, permits and  
2667 licenses issued by the commission ~~division~~ are intended to be  
2668 used for pari-mutuel wagering operations in conjunction with

28-01067-22

2022854

2669 horseraces, dograces, or jai alai performances.

2670 (b) Subject to the requirements of this section, the  
2671 commission ~~division~~ is authorized to issue permits for the  
2672 conduct of horseracing meets without pari-mutuel wagering or any  
2673 other form of wagering being conducted in conjunction therewith.  
2674 Such permits shall be known as nonwagering permits and may be  
2675 issued only for horseracing meets. A horseracing permitholder  
2676 need not obtain an additional permit from the commission  
2677 ~~division~~ for conducting nonwagering racing under this section,  
2678 but must apply to the commission ~~division~~ for the issuance of a  
2679 license under this section. The holder of a nonwagering permit  
2680 is prohibited from conducting pari-mutuel wagering or any other  
2681 form of wagering in conjunction with racing conducted under the  
2682 permit. Nothing in this subsection prohibits horseracing for any  
2683 stake, purse, prize, or premium.

2684 (2) (a) Any person not prohibited from holding any type of  
2685 pari-mutuel permit under s. 550.1815 shall be allowed to apply  
2686 to the commission ~~division~~ for a nonwagering permit. The  
2687 applicant must demonstrate that the location or locations where  
2688 the nonwagering permit will be used are available for such use  
2689 and that the applicant has the financial ability to satisfy the  
2690 reasonably anticipated operational expenses of the first racing  
2691 year following final issuance of the nonwagering permit. If the  
2692 racing facility is already built, the application must contain a  
2693 statement, with reasonable supporting evidence, that the  
2694 nonwagering permit will be used for horseracing within 1 year  
2695 after the date on which it is granted. If the facility is not  
2696 already built, the application must contain a statement, with  
2697 reasonable supporting evidence, that substantial construction

28-01067-22

2022854

2698 will be started within 1 year after the issuance of the  
2699 nonwagering permit.

2700 (b) The commission ~~division~~ may conduct an eligibility  
2701 investigation to determine if the applicant meets the  
2702 requirements of paragraph (a).

2703 (3) (a) Upon receipt of a nonwagering permit, the  
2704 permitholder must apply to the commission ~~division~~ before June 1  
2705 of each year for an annual nonwagering license for the next  
2706 succeeding calendar year. Such application must set forth the  
2707 days and locations at which the permitholder will conduct  
2708 nonwagering horseracing and must indicate any changes in  
2709 ownership or management of the permitholder occurring since the  
2710 date of application for the prior license.

2711 (b) On or before August 1 of each year, the commission  
2712 ~~division~~ shall issue a license authorizing the nonwagering  
2713 permitholder to conduct nonwagering horseracing during the  
2714 succeeding calendar year during the period and for the number of  
2715 days set forth in the application, subject to all other  
2716 provisions of this section.

2717 (c) The commission ~~division~~ may conduct an eligibility  
2718 investigation to determine the qualifications of any new  
2719 ownership or management interest in the permit.

2720 (4) Upon the approval of racing dates by the commission  
2721 ~~division~~, the commission ~~division~~ shall issue an annual  
2722 nonwagering license to the nonwagering permitholder.

2723 (5) Only horses registered with an established breed  
2724 registration organization, which organization shall be approved  
2725 by the commission ~~division~~, shall be raced at any race meeting  
2726 authorized by this section.

28-01067-22

2022854

2727           (6) The commission ~~division~~ may order any person  
2728 participating in a nonwagering meet to cease and desist from  
2729 participating in such meet if the commission ~~division~~ determines  
2730 the person to be not of good moral character in accordance with  
2731 s. 550.1815. The commission ~~division~~ may order the operators of  
2732 a nonwagering meet to cease and desist from operating the meet  
2733 if the commission ~~division~~ determines the meet is being operated  
2734 for any illegal purpose.

2735           Section 41. Subsection (1) of section 550.5251, Florida  
2736 Statutes, is amended to read:

2737           550.5251 Florida thoroughbred racing; certain permits;  
2738 operating days.—

2739           (1) Each thoroughbred permitholder shall annually, during  
2740 the period commencing December 15 of each year and ending  
2741 January 4 of the following year, file in writing with the  
2742 commission ~~division~~ its application to conduct one or more  
2743 thoroughbred racing meetings during the thoroughbred racing  
2744 season commencing on the following July 1. Each application  
2745 shall specify the number and dates of all performances that the  
2746 permitholder intends to conduct during that thoroughbred racing  
2747 season. On or before March 15 of each year, the commission  
2748 ~~division~~ shall issue a license authorizing each permitholder to  
2749 conduct performances on the dates specified in its application.  
2750 Up to February 28 of each year, each permitholder may request  
2751 and shall be granted changes in its authorized performances; but  
2752 thereafter, as a condition precedent to the validity of its  
2753 license and its right to retain its permit, each permitholder  
2754 must operate the full number of days authorized on each of the  
2755 dates set forth in its license.

28-01067-22

2022854

2756 Section 42. Subsection (3) of section 550.625, Florida  
2757 Statutes, is amended to read:

2758 550.625 Intertrack wagering; purses; breeders' awards.—If a  
2759 host track is a horse track:

2760 (3) The payment to a breeders' organization shall be  
2761 combined with any other amounts received by the respective  
2762 breeders' and owners' associations as so designated. Each  
2763 breeders' and owners' association receiving these funds shall be  
2764 allowed to withhold the same percentage as set forth in s.  
2765 550.2625 to be used for administering the payment of awards and  
2766 for the general promotion of their respective industries. If the  
2767 total combined amount received for thoroughbred breeders' awards  
2768 exceeds 15 percent of the purse required to be paid under  
2769 subsection (1), the breeders' and owners' association, as so  
2770 designated, notwithstanding any other provision of law, shall  
2771 submit a plan to the commission ~~division~~ for approval which  
2772 would use the excess funds in promoting the breeding industry by  
2773 increasing the purse structure for Florida-breds. Preference  
2774 shall be given to the track generating such excess.

2775 Section 43. Subsection (5) and paragraph (g) of subsection  
2776 (9) of section 550.6305, Florida Statutes, are amended to read:

2777 550.6305 Intertrack wagering; guest track payments;  
2778 accounting rules.—

2779 (5) The commission ~~division~~ shall adopt rules providing an  
2780 expedient accounting procedure for the transfer of the pari-  
2781 mutuel pool in order to properly account for payment of state  
2782 taxes, payment to the guest track, payment to the host track,  
2783 payment of purses, payment to breeders' associations, payment to  
2784 horsemen's associations, and payment to the public.



28-01067-22

2022854

2785 (9) A host track that has contracted with an out-of-state  
2786 horse track to broadcast live races conducted at such out-of-  
2787 state horse track pursuant to s. 550.3551(5) may broadcast such  
2788 out-of-state races to any guest track and accept wagers thereon  
2789 in the same manner as is provided in s. 550.3551.

2790 (g)1. Any thoroughbred permitholder which accepts wagers on  
2791 a simulcast signal must make the signal available to any  
2792 permitholder that is eligible to conduct intertrack wagering  
2793 under the provisions of ss. 550.615-550.6345.

2794 2. Any thoroughbred permitholder which accepts wagers on a  
2795 simulcast signal received after 6 p.m. must make such signal  
2796 available to any permitholder that is eligible to conduct  
2797 intertrack wagering under the provisions of ss. 550.615-  
2798 550.6345, including any permitholder located as specified in s.  
2799 550.615(6). Such guest permitholders are authorized to accept  
2800 wagers on such simulcast signal, notwithstanding any other  
2801 provision of this chapter to the contrary.

2802 3. Any thoroughbred permitholder which accepts wagers on a  
2803 simulcast signal received after 6 p.m. must make such signal  
2804 available to any permitholder that is eligible to conduct  
2805 intertrack wagering under the provisions of ss. 550.615-  
2806 550.6345, including any permitholder located as specified in s.  
2807 550.615(9). Such guest permitholders are authorized to accept  
2808 wagers on such simulcast signals for a number of performances  
2809 not to exceed that which constitutes a full schedule of live  
2810 races for a quarter horse permitholder pursuant to s.  
2811 550.002(10) ~~550.002(11)~~, notwithstanding any other provision of  
2812 this chapter to the contrary, except that the restrictions  
2813 provided in s. 550.615(9)(a) apply to wagers on such simulcast

28-01067-22

2022854

2814 signals.

2815

2816 No thoroughbred permitholder shall be required to continue to  
2817 rebroadcast a simulcast signal to any in-state permitholder if  
2818 the average per performance gross receipts returned to the host  
2819 permitholder over the preceding 30-day period were less than  
2820 \$100. Subject to the provisions of s. 550.615(4), as a condition  
2821 of receiving rebroadcasts of thoroughbred simulcast signals  
2822 under this paragraph, a guest permitholder must accept  
2823 intertrack wagers on all live races conducted by all then-  
2824 operating thoroughbred permitholders.

2825 Section 44. Subsections (1) and (2) of section 550.6308,  
2826 Florida Statutes, are amended to read:

2827 550.6308 Limited intertrack wagering license.—In  
2828 recognition of the economic importance of the thoroughbred  
2829 breeding industry to this state, its positive impact on tourism,  
2830 and of the importance of a permanent thoroughbred sales facility  
2831 as a key focal point for the activities of the industry, a  
2832 limited license to conduct intertrack wagering is established to  
2833 ensure the continued viability and public interest in  
2834 thoroughbred breeding in Florida.

2835 (1) Upon application to the commission ~~division~~ on or  
2836 before January 31 of each year, any person that is licensed to  
2837 conduct public sales of thoroughbred horses pursuant to s.  
2838 535.01 and that has conducted at least 8 days of thoroughbred  
2839 horse sales at a permanent sales facility in this state for at  
2840 least 3 consecutive years before such application shall be  
2841 issued a license, subject to the conditions set forth in this  
2842 section, to conduct intertrack wagering at such a permanent

28-01067-22

2022854

2843 sales facility. No more than one such license may be issued, and  
2844 no such license may be issued for a facility located within 50  
2845 miles of any thoroughbred permitholder's track.

2846 (2) If more than one application is submitted for such  
2847 license, the commission ~~division~~ shall determine which applicant  
2848 shall be granted the license. In making its determination, the  
2849 commission ~~division~~ shall grant the license to the applicant  
2850 demonstrating superior capabilities, as measured by the length  
2851 of time the applicant has been conducting thoroughbred sales  
2852 within this state or elsewhere, the applicant's total volume of  
2853 thoroughbred horse sales, within this state or elsewhere, the  
2854 length of time the applicant has maintained a permanent  
2855 thoroughbred sales facility in this state, and the quality of  
2856 the facility.

2857 Section 45. Subsection (2) of section 550.70, Florida  
2858 Statutes, is amended to read:

2859 550.70 Jai alai general provisions; chief court judges  
2860 required; extension of time to construct fronton; amateur jai  
2861 alai contests permitted under certain conditions; playing days'  
2862 limitations; locking of pari-mutuel machines.-

2863 (2) The time within which the holder of a ratified permit  
2864 for jai alai or pelota has to construct and complete a fronton  
2865 may be extended by the commission ~~division~~ for a period of 24  
2866 months after the date of the issuance of the permit, anything to  
2867 the contrary in any statute notwithstanding.

2868 Section 46. Subsection (3) of section 550.902, Florida  
2869 Statutes, is amended to read:

2870 550.902 Purposes.-The purposes of this compact are to:

2871 (3) Authorize the Florida Gaming Control Commission

28-01067-22

2022854

2872 ~~Department of Business and Professional Regulation~~ to  
2873 participate in this compact.

2874 Section 47. Subsection (1) of section 551.102, Florida  
2875 Statutes, is redesignated as subsection (3), subsection (3) of  
2876 that section is redesignated as subsection (1) and amended, and  
2877 subsections (11) and (12) are amended to read:

2878 551.102 Definitions.—As used in this chapter, the term:

2879 ~~(1) (3)~~ “Commission Division” means the Florida Gaming  
2880 Control Commission Division of Pari-mutuel Wagering of the  
2881 Department of Business and Professional Regulation.

2882 (11) “Slot machine license” means a license issued by the  
2883 commission division authorizing a pari-mutuel permitholder to  
2884 place and operate slot machines as provided by s. 23, Art. X of  
2885 the State Constitution, the provisions of this chapter, and  
2886 commission division rules.

2887 (12) “Slot machine licensee” means a pari-mutuel  
2888 permitholder who holds a license issued by the commission  
2889 division pursuant to this chapter that authorizes such person to  
2890 possess a slot machine within facilities specified in s. 23,  
2891 Art. X of the State Constitution and allows slot machine gaming.

2892 Section 48. Section 551.103, Florida Statutes, is amended  
2893 to read:

2894 551.103 Powers and duties of the commission division and  
2895 law enforcement.—

2896 (1) The commission division shall adopt, pursuant to the  
2897 provisions of ss. 120.536(1) and 120.54, all rules necessary to  
2898 implement, administer, and regulate slot machine gaming as  
2899 authorized in this chapter. Such rules must include:

2900 (a) Procedures for applying for a slot machine license and

28-01067-22

2022854

2901 renewal of a slot machine license.

2902 (b) Technical requirements and the qualifications contained  
2903 in this chapter that are necessary to receive a slot machine  
2904 license or slot machine occupational license.

2905 (c) Procedures to scientifically test and technically  
2906 evaluate slot machines for compliance with this chapter. The  
2907 commission ~~division~~ may contract with an independent testing  
2908 laboratory to conduct any necessary testing under this section.  
2909 An independent testing laboratory shall not be owned or  
2910 controlled by a licensee. The use of an independent testing  
2911 laboratory for any purpose related to the conduct of slot  
2912 machine gaming by a licensee under this chapter shall be made  
2913 from a list of one or more laboratories approved by the  
2914 commission ~~division~~.

2915 (d) Procedures relating to slot machine revenues, including  
2916 verifying and accounting for such revenues, auditing, and  
2917 collecting taxes and fees consistent with this chapter.

2918 (e) Procedures for regulating, managing, and auditing the  
2919 operation, financial data, and program information relating to  
2920 slot machine gaming that allow the commission ~~division~~ and the  
2921 Department of Law Enforcement to audit the operation, financial  
2922 data, and program information of a slot machine licensee, as  
2923 required by the commission ~~division~~ or the Department of Law  
2924 Enforcement, and provide the commission ~~division~~ and the  
2925 Department of Law Enforcement with the ability to monitor, at  
2926 any time on a real-time basis, wagering patterns, payouts, tax  
2927 collection, and compliance with any rules adopted by the  
2928 commission ~~division~~ for the regulation and control of slot  
2929 machines operated under this chapter. Such continuous and

28-01067-22

2022854

2930 complete access, at any time on a real-time basis, shall include  
2931 the ability of either the commission ~~division~~ or the Department  
2932 of Law Enforcement to suspend play immediately on particular  
2933 slot machines if monitoring of the facilities-based computer  
2934 system indicates possible tampering or manipulation of those  
2935 slot machines or the ability to suspend play immediately of the  
2936 entire operation if the tampering or manipulation is of the  
2937 computer system itself. The commission ~~division~~ shall notify the  
2938 Department of Law Enforcement or the Department of Law  
2939 Enforcement shall notify the commission ~~division~~, as  
2940 appropriate, whenever there is a suspension of play under this  
2941 paragraph. The commission ~~division~~ and the Department of Law  
2942 Enforcement shall exchange such information necessary for and  
2943 cooperate in the investigation of the circumstances requiring  
2944 suspension of play under this paragraph.

2945 (f) Procedures for requiring each licensee at his or her  
2946 own cost and expense to supply the commission ~~division~~ with a  
2947 bond having the penal sum of \$2 million payable to the Governor  
2948 and his or her successors in office for each year of the  
2949 licensee's slot machine operations. Any bond shall be issued by  
2950 a surety or sureties approved by the commission ~~division~~ and the  
2951 Chief Financial Officer, conditioned to faithfully make the  
2952 payments to the Chief Financial Officer in his or her capacity  
2953 as treasurer of the commission ~~division~~. The licensee shall be  
2954 required to keep its books and records and make reports as  
2955 provided in this chapter and to conduct its slot machine  
2956 operations in conformity with this chapter and all other  
2957 provisions of law. Such bond shall be separate and distinct from  
2958 the bond required in s. 550.125.

28-01067-22

2022854

2959 (g) Procedures for requiring licensees to maintain  
2960 specified records and submit any data, information, record, or  
2961 report, including financial and income records, required by this  
2962 chapter or determined by the commission ~~division~~ to be necessary  
2963 to the proper implementation and enforcement of this chapter.

2964 (h) A requirement that the payout percentage of a slot  
2965 machine be no less than 85 percent.

2966 (i) Minimum standards for security of the facilities,  
2967 including floor plans, security cameras, and other security  
2968 equipment.

2969 (j) Procedures for requiring slot machine licensees to  
2970 implement and establish drug-testing programs for all slot  
2971 machine occupational licensees.

2972 (2) The commission ~~division~~ shall conduct such  
2973 investigations necessary to fulfill its responsibilities under  
2974 the provisions of this chapter.

2975 (3) The Department of Law Enforcement and local law  
2976 enforcement agencies shall have concurrent jurisdiction to  
2977 investigate criminal violations of this chapter and may  
2978 investigate any other criminal violation of law occurring at the  
2979 facilities of a slot machine licensee, and such investigations  
2980 may be conducted in conjunction with the appropriate state  
2981 attorney.

2982 (4) (a) The commission ~~division~~, the Department of Law  
2983 Enforcement, and local law enforcement agencies shall have  
2984 unrestricted access to the slot machine licensee's facility at  
2985 all times and shall require of each slot machine licensee strict  
2986 compliance with the laws of this state relating to the  
2987 transaction of such business. The commission ~~division~~, the

28-01067-22

2022854

2988 Department of Law Enforcement, and local law enforcement  
2989 agencies may:

2990 1. Inspect and examine premises where slot machines are  
2991 offered for play.

2992 2. Inspect slot machines and related equipment and  
2993 supplies.

2994 (b) In addition, the commission ~~division~~ may:

2995 1. Collect taxes, assessments, fees, and penalties.

2996 2. Deny, revoke, suspend, or place conditions on the  
2997 license of a person who violates any provision of this chapter  
2998 or rule adopted pursuant thereto.

2999 (5) The commission ~~division~~ shall revoke or suspend the  
3000 license of any person who is no longer qualified or who is  
3001 found, after receiving a license, to have been unqualified at  
3002 the time of application for the license.

3003 (6) This section does not:

3004 (a) Prohibit the Department of Law Enforcement or any law  
3005 enforcement authority whose jurisdiction includes a licensed  
3006 facility from conducting investigations of criminal activities  
3007 occurring at the facility of the slot machine licensee;

3008 (b) Restrict access to the slot machine licensee's facility  
3009 by the Department of Law Enforcement or any local law  
3010 enforcement authority whose jurisdiction includes the slot  
3011 machine licensee's facility; or

3012 (c) Restrict access by the Department of Law Enforcement or  
3013 local law enforcement authorities to information and records  
3014 necessary to the investigation of criminal activity that are  
3015 contained within the slot machine licensee's facility.

3016 Section 49. Subsections (1) and (2), paragraphs (b), (c),



28-01067-22

2022854

3017 (d), (e), (f), (g), (h), and (i) of subsection (4), subsections  
3018 (6), (7), (8), and (9), and paragraphs (a) and (b) of subsection  
3019 (10) of section 551.104, Florida Statutes, are amended to read:

3020 551.104 License to conduct slot machine gaming.—

3021 (1) Upon application and a finding by the commission  
3022 ~~division~~ after investigation that the application is complete  
3023 and the applicant is qualified and payment of the initial  
3024 license fee, the commission ~~division~~ may issue a license to  
3025 conduct slot machine gaming in the designated slot machine  
3026 gaming area of the eligible facility. Once licensed, slot  
3027 machine gaming may be conducted subject to the requirements of  
3028 this chapter and rules adopted pursuant thereto.

3029 (2) An application may be approved by the commission  
3030 ~~division~~ only after the voters of the county where the  
3031 applicant's facility is located have authorized by referendum  
3032 slot machines within pari-mutuel facilities in that county as  
3033 specified in s. 23, Art. X of the State Constitution.

3034 (4) As a condition of licensure and to maintain continued  
3035 authority for the conduct of slot machine gaming, the slot  
3036 machine licensee shall:

3037 (b) Continue to be in compliance with chapter 550, where  
3038 applicable, and maintain the pari-mutuel permit and license in  
3039 good standing pursuant to the provisions of chapter 550.  
3040 Notwithstanding any contrary provision of law and in order to  
3041 expedite the operation of slot machines at eligible facilities,  
3042 any eligible facility shall be entitled within 60 days after the  
3043 effective date of this act to amend its 2006-2007 pari-mutuel  
3044 wagering operating license issued by the commission ~~division~~  
3045 under ss. 550.0115 and 550.01215. The commission ~~division~~ shall

28-01067-22

2022854

3046 issue a new license to the eligible facility to effectuate any  
3047 approved change.

3048 (c) If a thoroughbred permitholder, conduct no fewer than a  
3049 full schedule of live racing or games as defined in s.  
3050 550.002(10) ~~550.002(11)~~. A permitholder's responsibility to  
3051 conduct live races or games shall be reduced by the number of  
3052 races or games that could not be conducted due to the direct  
3053 result of fire, strike, war, hurricane, pandemic, or other  
3054 disaster or event beyond the control of the permitholder.

3055 (d) Upon approval of any changes relating to the pari-  
3056 mutuel permit by the commission ~~division~~, be responsible for  
3057 providing appropriate current and accurate documentation on a  
3058 timely basis to the commission ~~division~~ in order to continue the  
3059 slot machine license in good standing. Changes in ownership or  
3060 interest of a slot machine license of 5 percent or more of the  
3061 stock or other evidence of ownership or equity in the slot  
3062 machine license or any parent corporation or other business  
3063 entity that in any way owns or controls the slot machine license  
3064 shall be approved by the commission ~~division~~ prior to such  
3065 change, unless the owner is an existing holder of that license  
3066 who was previously approved by the commission ~~division~~. Changes  
3067 in ownership or interest of a slot machine license of less than  
3068 5 percent, unless such change results in a cumulative total of 5  
3069 percent or more, shall be reported to the commission ~~division~~  
3070 within 20 days after the change. The commission ~~division~~ may  
3071 then conduct an investigation to ensure that the license is  
3072 properly updated to show the change in ownership or interest. No  
3073 reporting is required if the person is holding 5 percent or less  
3074 equity or securities of a corporate owner of the slot machine

28-01067-22

2022854

3075 licensee that has its securities registered pursuant to s. 12 of  
3076 the Securities Exchange Act of 1934, 15 U.S.C. ss. 78a-78kk, and  
3077 if such corporation or entity files with the United States  
3078 Securities and Exchange Commission the reports required by s. 13  
3079 of that act or if the securities of the corporation or entity  
3080 are regularly traded on an established securities market in the  
3081 United States. A change in ownership or interest of less than 5  
3082 percent which results in a cumulative ownership or interest of 5  
3083 percent or more shall be approved by the commission ~~division~~  
3084 prior to such change unless the owner is an existing holder of  
3085 the license who was previously approved by the commission  
3086 ~~division~~.

3087 (e) Allow the commission ~~division~~ and the Department of Law  
3088 Enforcement unrestricted access to and right of inspection of  
3089 facilities of a slot machine licensee in which any activity  
3090 relative to the conduct of slot machine gaming is conducted.

3091 (f) Ensure that the facilities-based computer system that  
3092 the licensee will use for operational and accounting functions  
3093 of the slot machine facility is specifically structured to  
3094 facilitate regulatory oversight. The facilities-based computer  
3095 system shall be designed to provide the commission ~~division~~ and  
3096 the Department of Law Enforcement with the ability to monitor,  
3097 at any time on a real-time basis, the wagering patterns,  
3098 payouts, tax collection, and such other operations as necessary  
3099 to determine whether the facility is in compliance with  
3100 statutory provisions and rules adopted by the commission  
3101 ~~division~~ for the regulation and control of slot machine gaming.  
3102 The commission ~~division~~ and the Department of Law Enforcement  
3103 shall have complete and continuous access to this system. Such

28-01067-22

2022854

3104 access shall include the ability of either the commission  
3105 ~~division~~ or the Department of Law Enforcement to suspend play  
3106 immediately on particular slot machines if monitoring of the  
3107 system indicates possible tampering or manipulation of those  
3108 slot machines or the ability to suspend play immediately of the  
3109 entire operation if the tampering or manipulation is of the  
3110 computer system itself. The computer system shall be reviewed  
3111 and approved by the commission ~~division~~ to ensure necessary  
3112 access, security, and functionality. The commission ~~division~~ may  
3113 adopt rules to provide for the approval process.

3114 (g) Ensure that each slot machine is protected from  
3115 manipulation or tampering to affect the random probabilities of  
3116 winning plays. The commission ~~division~~ or the Department of Law  
3117 Enforcement shall have the authority to suspend play upon  
3118 reasonable suspicion of any manipulation or tampering. When play  
3119 has been suspended on any slot machine, the commission ~~division~~  
3120 or the Department of Law Enforcement may examine any slot  
3121 machine to determine whether the machine has been tampered with  
3122 or manipulated and whether the machine should be returned to  
3123 operation.

3124 (h) Submit a security plan, including the facilities' floor  
3125 plan, the locations of security cameras, and a listing of all  
3126 security equipment that is capable of observing and  
3127 electronically recording activities being conducted in the  
3128 facilities of the slot machine licensee. The security plan must  
3129 meet the minimum security requirements as determined by the  
3130 commission ~~division~~ under s. 551.103(1)(i) and be implemented  
3131 prior to operation of slot machine gaming. The slot machine  
3132 licensee's facilities must adhere to the security plan at all

28-01067-22

2022854

3133 times. Any changes to the security plan must be submitted by the  
3134 licensee to the commission ~~division~~ prior to implementation. The  
3135 commission ~~division~~ shall furnish copies of the security plan  
3136 and changes in the plan to the Department of Law Enforcement.

3137 (i) Create and file with the commission ~~division~~ a written  
3138 policy for:

3139 1. Creating opportunities to purchase from vendors in this  
3140 state, including minority vendors.

3141 2. Creating opportunities for employment of residents of  
3142 this state, including minority residents.

3143 3. Ensuring opportunities for construction services from  
3144 minority contractors.

3145 4. Ensuring that opportunities for employment are offered  
3146 on an equal, nondiscriminatory basis.

3147 5. Training for employees on responsible gaming and working  
3148 with a compulsive or addictive gambling prevention program to  
3149 further its purposes as provided for in s. 551.118.

3150 6. The implementation of a drug-testing program that  
3151 includes, but is not limited to, requiring each employee to sign  
3152 an agreement that he or she understands that the slot machine  
3153 facility is a drug-free workplace.

3154  
3155 The slot machine licensee shall use the Internet-based job-  
3156 listing system of the Department of Economic Opportunity in  
3157 advertising employment opportunities. ~~Beginning in June 2007,~~  
3158 Each slot machine licensee shall provide an annual report to the  
3159 Florida Gaming Control Commission ~~division~~ containing  
3160 information indicating compliance with this paragraph in regard  
3161 to minority persons.

28-01067-22

2022854

3162 (6) A slot machine licensee shall keep and maintain  
3163 permanent daily records of its slot machine operation and shall  
3164 maintain such records for a period of not less than 5 years.  
3165 These records must include all financial transactions and  
3166 contain sufficient detail to determine compliance with the  
3167 requirements of this chapter. All records shall be available for  
3168 audit and inspection by the commission ~~division~~, the Department  
3169 of Law Enforcement, or other law enforcement agencies during the  
3170 licensee's regular business hours.

3171 (7) A slot machine licensee shall file with the commission  
3172 ~~division~~ a monthly report containing the required records of  
3173 such slot machine operation. The required reports shall be  
3174 submitted on forms prescribed by the commission ~~division~~ and  
3175 shall be due at the same time as the monthly pari-mutuel reports  
3176 are due to the commission ~~division~~, and the reports shall be  
3177 deemed public records once filed.

3178 (8) A slot machine licensee shall file with the commission  
3179 ~~division~~ an audit of the receipt and distribution of all slot  
3180 machine revenues provided by an independent certified public  
3181 accountant verifying compliance with all financial and auditing  
3182 provisions of this chapter and the associated rules adopted  
3183 under this chapter. The audit must include verification of  
3184 compliance with all statutes and rules regarding all required  
3185 records of slot machine operations. Such audit shall be filed  
3186 within 60 days after the completion of the permit holder's pari-  
3187 mutuel meet.

3188 (9) The commission ~~division~~ may share any information with  
3189 the Department of Law Enforcement, any other law enforcement  
3190 agency having jurisdiction over slot machine gaming or pari-

28-01067-22

2022854

3191 mutuel activities, or any other state or federal law enforcement  
3192 agency the commission ~~division~~ or the Department of Law  
3193 Enforcement deems appropriate. Any law enforcement agency having  
3194 jurisdiction over slot machine gaming or pari-mutuel activities  
3195 may share any information obtained or developed by it with the  
3196 commission ~~division~~.

3197 (10)(a)1. No slot machine license or renewal thereof shall  
3198 be issued to an applicant holding a permit under chapter 550 to  
3199 conduct pari-mutuel wagering meets of thoroughbred racing unless  
3200 the applicant has on file with the commission ~~division~~ a binding  
3201 written agreement between the applicant and the Florida  
3202 Horsemen's Benevolent and Protective Association, Inc.,  
3203 governing the payment of purses on live thoroughbred races  
3204 conducted at the licensee's pari-mutuel facility. In addition,  
3205 no slot machine license or renewal thereof shall be issued to  
3206 such an applicant unless the applicant has on file with the  
3207 commission ~~division~~ a binding written agreement between the  
3208 applicant and the Florida Thoroughbred Breeders' Association,  
3209 Inc., governing the payment of breeders', stallion, and special  
3210 racing awards on live thoroughbred races conducted at the  
3211 licensee's pari-mutuel facility. The agreement governing purses  
3212 and the agreement governing awards may direct the payment of  
3213 such purses and awards from revenues generated by any wagering  
3214 or gaming the applicant is authorized to conduct under Florida  
3215 law. All purses and awards shall be subject to the terms of  
3216 chapter 550. All sums for breeders', stallion, and special  
3217 racing awards shall be remitted monthly to the Florida  
3218 Thoroughbred Breeders' Association, Inc., for the payment of  
3219 awards subject to the administrative fee authorized in s.

28-01067-22

2022854

3220 550.2625(3).

3221 2. No slot machine license or renewal thereof shall be  
3222 issued to an applicant holding a permit under chapter 550 to  
3223 conduct pari-mutuel wagering meets of quarter horse racing  
3224 unless the applicant has on file with the commission ~~division~~ a  
3225 binding written agreement between the applicant and the Florida  
3226 Quarter Horse Racing Association or the association representing  
3227 a majority of the horse owners and trainers at the applicant's  
3228 eligible facility, governing the payment of purses on live  
3229 quarter horse races conducted at the licensee's pari-mutuel  
3230 facility. The agreement governing purses may direct the payment  
3231 of such purses from revenues generated by any wagering or gaming  
3232 the applicant is authorized to conduct under Florida law. All  
3233 purses shall be subject to the terms of chapter 550.

3234 (b) The commission ~~division~~ shall suspend a slot machine  
3235 license if one or more of the agreements required under  
3236 paragraph (a) are terminated or otherwise cease to operate or if  
3237 the commission ~~division~~ determines that the licensee is  
3238 materially failing to comply with the terms of such an  
3239 agreement. Any such suspension shall take place in accordance  
3240 with chapter 120.

3241 Section 50. Subsection (1) of section 551.1045, Florida  
3242 Statutes, is amended to read:

3243 551.1045 Temporary licenses.—

3244 (1) Notwithstanding any provision of s. 120.60 to the  
3245 contrary, the commission ~~division~~ may issue a temporary  
3246 occupational license upon the receipt of a complete application  
3247 from the applicant and a determination that the applicant has  
3248 not been convicted of or had adjudication withheld on any



28-01067-22

2022854

3249 disqualifying criminal offense. The temporary occupational  
3250 license remains valid until such time as the commission ~~division~~  
3251 grants an occupational license or notifies the applicant of its  
3252 intended decision to deny the applicant a license pursuant to  
3253 the provisions of s. 120.60. The commission ~~division~~ shall adopt  
3254 rules to administer this subsection. However, not more than one  
3255 temporary license may be issued for any person in any year.

3256 Section 51. Subsection (3) of section 551.105, Florida  
3257 Statutes, is amended to read:

3258 551.105 Slot machine license renewal.-

3259 (3) Upon determination by the commission ~~division~~ that the  
3260 application for renewal is complete and qualifications have been  
3261 met, including payment of the renewal fee, the slot machine  
3262 license shall be renewed annually.

3263 Section 52. Paragraph (a) of subsection (1), paragraph (b)  
3264 of subsection (2), and subsections (3), (4), and (5) of section  
3265 551.106, Florida Statutes, are amended to read:

3266 551.106 License fee; tax rate; penalties.-

3267 (1) LICENSE FEE.-

3268 (a) Upon submission of the initial application for a slot  
3269 machine license and annually thereafter, on the anniversary date  
3270 of the issuance of the initial license, the licensee must pay to  
3271 the commission ~~division~~ a nonrefundable license fee of \$3  
3272 million for the succeeding 12 months of licensure. ~~In the 2010-~~  
3273 ~~2011 fiscal year, the licensee must pay the division a~~  
3274 ~~nonrefundable license fee of \$2.5 million for the succeeding 12~~  
3275 ~~months of licensure. In the 2011-2012 fiscal year and for every~~  
3276 ~~fiscal year thereafter, The licensee must pay the commission~~  
3277 ~~division~~ a nonrefundable license fee of \$2 million for the

28-01067-22

2022854

3278 succeeding 12 months of licensure. The license fee shall be  
3279 deposited into the Pari-mutuel Wagering Trust Fund ~~of the~~  
3280 ~~Department of Business and Professional Regulation~~ to be used by  
3281 the commission ~~division~~ and the Department of Law Enforcement  
3282 for investigations, regulation of slot machine gaming, and  
3283 enforcement of slot machine gaming provisions under this  
3284 chapter. These payments shall be accounted for separately from  
3285 taxes or fees paid pursuant to the provisions of chapter 550.

3286 (2) TAX ON SLOT MACHINE REVENUES.—

3287 (b) The slot machine revenue tax imposed by this section  
3288 shall be paid to the commission ~~division~~ for deposit into the  
3289 Pari-mutuel Wagering Trust Fund for immediate transfer by the  
3290 Chief Financial Officer for deposit into the Educational  
3291 Enhancement Trust Fund of the Department of Education. Any  
3292 interest earnings on the tax revenues shall also be transferred  
3293 to the Educational Enhancement Trust Fund.

3294 (3) PAYMENT AND DISPOSITION OF TAXES.—Payment for the tax  
3295 on slot machine revenues imposed by this section shall be paid  
3296 to the commission ~~division~~. The commission ~~division~~ shall  
3297 deposit these sums with the Chief Financial Officer, to the  
3298 credit of the Pari-mutuel Wagering Trust Fund. The slot machine  
3299 licensee shall remit to the commission ~~division~~ payment for the  
3300 tax on slot machine revenues. Such payments shall be remitted by  
3301 3 p.m. Wednesday of each week for taxes imposed and collected  
3302 for the preceding week ending on Sunday. Beginning on July 1,  
3303 2012, the slot machine licensee shall remit to the commission  
3304 ~~division~~ payment for the tax on slot machine revenues by 3 p.m.  
3305 on the 5th day of each calendar month for taxes imposed and  
3306 collected for the preceding calendar month. If the 5th day of

28-01067-22

2022854

3307 the calendar month falls on a weekend, payments shall be  
3308 remitted by 3 p.m. the first Monday following the weekend. The  
3309 slot machine licensee shall file a report under oath by the 5th  
3310 day of each calendar month for all taxes remitted during the  
3311 preceding calendar month. Such payments shall be accompanied by  
3312 a report under oath showing all slot machine gaming activities  
3313 for the preceding calendar month and such other information as  
3314 may be prescribed by the commission ~~division~~.

3315 (4) TO PAY TAX; PENALTIES.—A slot machine licensee who  
3316 fails to make tax payments as required under this section is  
3317 subject to an administrative penalty of up to \$10,000 for each  
3318 day the tax payment is not remitted. All administrative  
3319 penalties imposed and collected shall be deposited into the  
3320 Pari-mutuel Wagering Trust Fund ~~of the Department of Business~~  
3321 ~~and Professional Regulation~~. If any slot machine licensee fails  
3322 to pay penalties imposed by order of the commission ~~division~~  
3323 under this subsection, the commission ~~division~~ may suspend,  
3324 revoke, or refuse to renew the license of the slot machine  
3325 licensee.

3326 (5) SUBMISSION OF FUNDS.—The commission ~~division~~ may  
3327 require slot machine licensees to remit taxes, fees, fines, and  
3328 assessments by electronic funds transfer.

3329 Section 53. Paragraph (b) of subsection (2), paragraphs  
3330 (a), (c), and (d) of subsection (4), subsection (5), paragraphs  
3331 (a) and (b) of subsection (6), and subsections (7), (9), (10),  
3332 and (11) of section 551.107, Florida Statutes, are amended to  
3333 read:

3334 551.107 Slot machine occupational license; findings;  
3335 application; fee.—

28-01067-22

2022854

3336 (2)

3337 (b) The commission ~~division~~ may issue one license to

3338 combine licenses under this section with pari-mutuel

3339 occupational licenses and cardroom licenses pursuant to s.

3340 550.105(2) (b). The commission ~~division~~ shall adopt rules

3341 pertaining to occupational licenses under this subsection. Such

3342 rules may specify, but need not be limited to, requirements and

3343 restrictions for licensed occupations and categories, procedures

3344 to apply for any license or combination of licenses,

3345 disqualifying criminal offenses for a licensed occupation or

3346 categories of occupations, and which types of occupational

3347 licenses may be combined into a single license under this

3348 section. The fingerprinting requirements of subsection (7) apply

3349 to any combination license that includes slot machine license

3350 privileges under this section. The commission ~~division~~ may not

3351 adopt a rule allowing the issuance of an occupational license to

3352 any person who does not meet the minimum background

3353 qualifications under this section.

3354 (4) (a) A person seeking a slot machine occupational license

3355 or renewal thereof shall make application on forms prescribed by

3356 the commission ~~division~~ and include payment of the appropriate

3357 application fee. Initial and renewal applications for slot

3358 machine occupational licenses must contain all information that

3359 the commission ~~division~~, by rule, determines is required to

3360 ensure eligibility.

3361 (c) Pursuant to rules adopted by the commission ~~division~~,

3362 any person may apply for and, if qualified, be issued a slot

3363 machine occupational license valid for a period of 3 years upon

3364 payment of the full occupational license fee for each of the 3

28-01067-22

2022854

3365 years for which the license is issued. The slot machine  
3366 occupational license is valid during its specified term at any  
3367 licensed facility where slot machine gaming is authorized to be  
3368 conducted.

3369 (d) The slot machine occupational license fee for initial  
3370 application and annual renewal shall be determined by rule of  
3371 the commission ~~division~~ but may not exceed \$50 for a general or  
3372 professional occupational license for an employee of the slot  
3373 machine licensee or \$1,000 for a business occupational license  
3374 for nonemployees of the licensee providing goods or services to  
3375 the slot machine licensee. License fees for general occupational  
3376 licensees shall be paid by the slot machine licensee. Failure to  
3377 pay the required fee constitutes grounds for disciplinary action  
3378 by the commission ~~division~~ against the slot machine licensee,  
3379 but it is not a violation of this chapter or rules of the  
3380 commission ~~division~~ by the general occupational licensee and  
3381 does not prohibit the initial issuance or the renewal of the  
3382 general occupational license.

3383 (5) The commission ~~division~~ may:

3384 (a) Deny an application for, or revoke, suspend, or place  
3385 conditions or restrictions on, a license of a person or entity  
3386 that has been refused a license by any other state gaming  
3387 commission, governmental department, agency, or other authority  
3388 exercising regulatory jurisdiction over the gaming of another  
3389 state or jurisdiction; or

3390 (b) Deny an application for, or suspend or place conditions  
3391 on, a license of any person or entity that is under suspension  
3392 or has unpaid fines in another state or jurisdiction.

3393 (6) (a) The commission ~~division~~ may deny, suspend, revoke,

28-01067-22

2022854

3394 or refuse to renew any slot machine occupational license if the  
3395 applicant for such license or the licensee has violated the  
3396 provisions of this chapter or the rules of the commission  
3397 ~~division~~ governing the conduct of persons connected with slot  
3398 machine gaming. In addition, the commission ~~division~~ may deny,  
3399 suspend, revoke, or refuse to renew any slot machine  
3400 occupational license if the applicant for such license or the  
3401 licensee has been convicted in this state, in any other state,  
3402 or under the laws of the United States of a capital felony, a  
3403 felony, or an offense in any other state that would be a felony  
3404 under the laws of this state involving arson; trafficking in,  
3405 conspiracy to traffic in, smuggling, importing, conspiracy to  
3406 smuggle or import, or delivery, sale, or distribution of a  
3407 controlled substance; racketeering; or a crime involving a lack  
3408 of good moral character, or has had a gaming license revoked by  
3409 this state or any other jurisdiction for any gaming-related  
3410 offense.

3411 (b) The commission ~~division~~ may deny, revoke, or refuse to  
3412 renew any slot machine occupational license if the applicant for  
3413 such license or the licensee has been convicted of a felony or  
3414 misdemeanor in this state, in any other state, or under the laws  
3415 of the United States if such felony or misdemeanor is related to  
3416 gambling or bookmaking as described in s. 849.25.

3417 (7) Fingerprints for all slot machine occupational license  
3418 applications shall be taken in a manner approved by the  
3419 commission ~~division~~ and shall be submitted electronically to the  
3420 Department of Law Enforcement for state processing and the  
3421 Federal Bureau of Investigation for national processing for a  
3422 criminal history record check. All persons as specified in s.

28-01067-22

2022854\_\_

3423 550.1815(1) (a) employed by or working within a licensed premises  
3424 shall submit fingerprints for a criminal history record check  
3425 and may not have been convicted of any disqualifying criminal  
3426 offenses specified in subsection (6). Commission ~~Division~~  
3427 employees and law enforcement officers assigned by their  
3428 employing agencies to work within the premises as part of their  
3429 official duties are excluded from the criminal history record  
3430 check requirements under this subsection. For purposes of this  
3431 subsection, the term "convicted" means having been found guilty,  
3432 with or without adjudication of guilt, as a result of a jury  
3433 verdict, nonjury trial, or entry of a plea of guilty or nolo  
3434 contendere.

3435 (a) Fingerprints shall be taken in a manner approved by the  
3436 commission ~~division~~ upon initial application, or as required  
3437 thereafter by rule of the commission ~~division~~, and shall be  
3438 submitted electronically to the Department of Law Enforcement  
3439 for state processing. The Department of Law Enforcement shall  
3440 forward the fingerprints to the Federal Bureau of Investigation  
3441 for national processing. The results of the criminal history  
3442 record check shall be returned to the commission ~~division~~ for  
3443 purposes of screening. Licensees shall provide necessary  
3444 equipment approved by the Department of Law Enforcement to  
3445 facilitate such electronic submission. The commission ~~division~~  
3446 requirements under this subsection shall be instituted in  
3447 consultation with the Department of Law Enforcement.

3448 (b) The cost of processing fingerprints and conducting a  
3449 criminal history record check for a general occupational license  
3450 shall be borne by the slot machine licensee. The cost of  
3451 processing fingerprints and conducting a criminal history record

28-01067-22

2022854

3452 check for a business or professional occupational license shall  
3453 be borne by the person being checked. The Department of Law  
3454 Enforcement may invoice the commission ~~division~~ for the  
3455 fingerprints submitted each month.

3456 (c) All fingerprints submitted to the Department of Law  
3457 Enforcement and required by this section shall be retained by  
3458 the Department of Law Enforcement and entered into the statewide  
3459 automated biometric identification system as authorized by s.  
3460 943.05(2)(b) and shall be available for all purposes and uses  
3461 authorized for arrest fingerprints entered into the statewide  
3462 automated biometric identification system pursuant to s.  
3463 943.051.

3464 (d) The Department of Law Enforcement shall search all  
3465 arrest fingerprints received pursuant to s. 943.051 against the  
3466 fingerprints retained in the statewide automated biometric  
3467 identification system under paragraph (c). Any arrest record  
3468 that is identified with the retained fingerprints of a person  
3469 subject to the criminal history screening requirements of this  
3470 section shall be reported to the commission ~~division~~. Each  
3471 licensed facility shall pay a fee to the commission ~~division~~ for  
3472 the cost of retention of the fingerprints and the ongoing  
3473 searches under this paragraph. The commission ~~division~~ shall  
3474 forward the payment to the Department of Law Enforcement. The  
3475 amount of the fee to be imposed for performing these searches  
3476 and the procedures for the retention of licensee fingerprints  
3477 shall be as established by rule of the Department of Law  
3478 Enforcement. The commission ~~division~~ shall inform the Department  
3479 of Law Enforcement of any change in the license status of  
3480 licensees whose fingerprints are retained under paragraph (c).



28-01067-22

2022854

3481 (e) The commission ~~division~~ shall request the Department of  
3482 Law Enforcement to forward the fingerprints to the Federal  
3483 Bureau of Investigation for a national criminal history records  
3484 check every 3 years following issuance of a license. If the  
3485 fingerprints of a person who is licensed have not been retained  
3486 by the Department of Law Enforcement, the person must file a  
3487 complete set of fingerprints as provided for in paragraph (a).  
3488 The commission ~~division~~ shall collect the fees for the cost of  
3489 the national criminal history record check under this paragraph  
3490 and shall forward the payment to the Department of Law  
3491 Enforcement. The cost of processing fingerprints and conducting  
3492 a criminal history record check under this paragraph for a  
3493 general occupational license shall be borne by the slot machine  
3494 licensee. The cost of processing fingerprints and conducting a  
3495 criminal history record check under this paragraph for a  
3496 business or professional occupational license shall be borne by  
3497 the person being checked. The Department of Law Enforcement may  
3498 invoice the commission ~~division~~ for the fingerprints submitted  
3499 each month. Under penalty of perjury, each person who is  
3500 licensed or who is fingerprinted as required by this section  
3501 must agree to inform the commission ~~division~~ within 48 hours if  
3502 he or she is convicted of or has entered a plea of guilty or  
3503 nolo contendere to any disqualifying offense, regardless of  
3504 adjudication.

3505 (9) The commission ~~division~~ may deny, revoke, or suspend  
3506 any occupational license if the applicant or holder of the  
3507 license accumulates unpaid obligations, defaults in obligations,  
3508 or issues drafts or checks that are dishonored or for which  
3509 payment is refused without reasonable cause.

28-01067-22

2022854

3510           (10) The commission ~~division~~ may fine or suspend, revoke,  
3511 or place conditions upon the license of any licensee who  
3512 provides false information under oath regarding an application  
3513 for a license or an investigation by the commission ~~division~~.

3514           (11) The commission ~~division~~ may impose a civil fine of up  
3515 to \$5,000 for each violation of this chapter or the rules of the  
3516 commission ~~division~~ in addition to or in lieu of any other  
3517 penalty provided for in this section. The commission ~~division~~  
3518 may adopt a penalty schedule for violations of this chapter or  
3519 any rule adopted pursuant to this chapter for which it would  
3520 impose a fine in lieu of a suspension and adopt rules allowing  
3521 for the issuance of citations, including procedures to address  
3522 such citations, to persons who violate such rules. In addition  
3523 to any other penalty provided by law, the commission ~~division~~  
3524 may exclude from all licensed slot machine facilities in this  
3525 state, for a period not to exceed the period of suspension,  
3526 revocation, or ineligibility, any person whose occupational  
3527 license application has been declared ineligible to hold an  
3528 occupational license or whose occupational license has been  
3529 suspended or revoked by the commission ~~division~~.

3530           Section 54. Subsections (1) and (4) of section 551.108,  
3531 Florida Statutes, are amended to read:

3532           551.108 Prohibited relationships.—

3533           (1) A person employed by or performing any function on  
3534 behalf of the commission ~~division~~ may not:

3535           (a) Be an officer, director, owner, or employee of any  
3536 person or entity licensed by the commission ~~division~~.

3537           (b) Have or hold any interest, direct or indirect, in or  
3538 engage in any commerce or business relationship with any person

28-01067-22

2022854

3539 licensed by the commission ~~division~~.

3540 (4) An employee of the commission ~~division~~ or relative  
3541 living in the same household as such employee of the commission  
3542 ~~division~~ may not wager at any time on a slot machine located at  
3543 a facility licensed by the commission ~~division~~.

3544 Section 55. Subsections (2) and (7) of section 551.109,  
3545 Florida Statutes, are amended to read:

3546 551.109 Prohibited acts; penalties.—

3547 (2) Except as otherwise provided by law and in addition to  
3548 any other penalty, any person who possesses a slot machine  
3549 without the license required by this chapter or who possesses a  
3550 slot machine at any location other than at the slot machine  
3551 licensee's facility is subject to an administrative fine or  
3552 civil penalty of up to \$10,000 per machine. The prohibition in  
3553 this subsection does not apply to:

3554 (a) Slot machine manufacturers or slot machine distributors  
3555 that hold appropriate licenses issued by the commission ~~division~~  
3556 who are authorized to maintain a slot machine storage and  
3557 maintenance facility at any location in a county in which slot  
3558 machine gaming is authorized by this chapter. The commission  
3559 ~~division~~ may adopt rules regarding security and access to the  
3560 storage facility and inspections by the commission ~~division~~.

3561 (b) Certified educational facilities that are authorized to  
3562 maintain slot machines for the sole purpose of education and  
3563 licensure, if any, of slot machine technicians, inspectors, or  
3564 investigators. The commission ~~division~~ and the Department of Law  
3565 Enforcement may possess slot machines for training and testing  
3566 purposes. The commission ~~division~~ may adopt rules regarding the  
3567 regulation of any such slot machines used for educational,

28-01067-22

2022854

3568 training, or testing purposes.

3569 (7) All penalties imposed and collected under this section  
3570 must be deposited into the Pari-mutuel Wagering Trust Fund ~~of~~  
3571 ~~the Department of Business and Professional Regulation.~~

3572 Section 56. Section 551.112, Florida Statutes, is amended  
3573 to read:

3574 551.112 Exclusions of certain persons.—In addition to the  
3575 power to exclude certain persons from any facility of a slot  
3576 machine licensee in this state, the commission ~~division~~ may  
3577 exclude any person from any facility of a slot machine licensee  
3578 in this state for conduct that would constitute, if the person  
3579 were a licensee, a violation of this chapter or the rules of the  
3580 commission ~~division~~. The commission ~~division~~ may exclude from  
3581 any facility of a slot machine licensee any person who has been  
3582 ejected from a facility of a slot machine licensee in this state  
3583 or who has been excluded from any facility of a slot machine  
3584 licensee or gaming facility in another state by the governmental  
3585 department, agency, commission, or authority exercising  
3586 regulatory jurisdiction over the gaming in such other state.  
3587 This section does not abrogate the common law right of a slot  
3588 machine licensee to exclude a patron absolutely in this state.

3589 Section 57. Subsections (3) and (5) of section 551.114,  
3590 Florida Statutes, are amended to read:

3591 551.114 Slot machine gaming areas.—

3592 (3) The commission ~~division~~ shall require the posting of  
3593 signs warning of the risks and dangers of gambling, showing the  
3594 odds of winning, and informing patrons of the toll-free  
3595 telephone number available to provide information and referral  
3596 services regarding compulsive or problem gambling.

28-01067-22

2022854\_\_

3597 (5) The permitholder shall provide adequate office space at  
3598 no cost to the commission ~~division~~ and the Department of Law  
3599 Enforcement for the oversight of slot machine operations. The  
3600 commission ~~division~~ shall adopt rules establishing the criteria  
3601 for adequate space, configuration, and location and needed  
3602 electronic and technological requirements for office space  
3603 required by this subsection.

3604 Section 58. Section 551.117, Florida Statutes, is amended  
3605 to read:

3606 551.117 Penalties.—The commission ~~division~~ may revoke or  
3607 suspend any slot machine license issued under this chapter upon  
3608 the willful violation by the slot machine licensee of any  
3609 provision of this chapter or of any rule adopted under this  
3610 chapter. In lieu of suspending or revoking a slot machine  
3611 license, the commission ~~division~~ may impose a civil penalty  
3612 against the slot machine licensee for a violation of this  
3613 chapter or any rule adopted by the commission ~~division~~. Except  
3614 as otherwise provided in this chapter, the penalty so imposed  
3615 may not exceed \$100,000 for each count or separate offense. All  
3616 penalties imposed and collected must be deposited into the Pari-  
3617 mutuel Wagering Trust Fund ~~of the Department of Business and~~  
3618 ~~Professional Regulation.~~

3619 Section 59. Subsections (2) and (3) of section 551.118,  
3620 Florida Statutes, are amended to read:

3621 551.118 Compulsive or addictive gambling prevention  
3622 program.—

3623 (2) The commission ~~division~~ shall, subject to competitive  
3624 bidding, contract for provision of services related to the  
3625 prevention of compulsive and addictive gambling. The contract

28-01067-22

2022854

3626 shall provide for an advertising program to encourage  
3627 responsible gaming practices and to publicize a gambling  
3628 telephone help line. Such advertisements must be made both  
3629 publicly and inside the designated slot machine gaming areas of  
3630 the licensee's facilities. The terms of any contract for the  
3631 provision of such services shall include accountability  
3632 standards that must be met by any private provider. The failure  
3633 of any private provider to meet any material terms of the  
3634 contract, including the accountability standards, shall  
3635 constitute a breach of contract or grounds for nonrenewal. The  
3636 commission ~~division~~ may consult with the Department of the  
3637 Lottery in the development of the program and the development  
3638 and analysis of any procurement for contractual services for the  
3639 compulsive or addictive gambling prevention program.

3640 (3) The compulsive or addictive gambling prevention program  
3641 shall be funded from an annual nonrefundable regulatory fee of  
3642 \$250,000 paid by the licensee to the commission ~~division~~.

3643 Section 60. Paragraph (c) of subsection (4) of section  
3644 551.121, Florida Statutes, is amended to read:

3645 551.121 Prohibited activities and devices; exceptions.—

3646 (4)

3647 (c) Outside the designated slot machine gaming areas, a  
3648 slot machine licensee or operator may accept or cash a check for  
3649 an employee of the facility who is prohibited from wagering on a  
3650 slot machine under s. 551.108(5), a check made directly payable  
3651 to a person licensed by the commission ~~division~~, or a check made  
3652 directly payable to the slot machine licensee or operator from:

3653 1. A pari-mutuel patron; or

3654 2. A pari-mutuel facility in this state or in another

28-01067-22

2022854

3655 state.

3656 Section 61. Section 551.122, Florida Statutes, is amended  
3657 to read:

3658 551.122 Rulemaking.—The commission ~~division~~ may adopt rules  
3659 pursuant to ss. 120.536(1) and 120.54 to administer the  
3660 provisions of this chapter.

3661 Section 62. Section 551.123, Florida Statutes, is amended  
3662 to read:

3663 551.123 Legislative authority; administration of chapter.—  
3664 The Legislature finds and declares that it has exclusive  
3665 authority over the conduct of all wagering occurring at a slot  
3666 machine facility in this state. As provided by law, only the  
3667 Florida Gaming Control Commission ~~Division of Pari-mutuel~~  
3668 ~~Wagering~~ and other authorized state agencies shall administer  
3669 this chapter and regulate the slot machine gaming industry,  
3670 including operation of slot machine facilities, games, slot  
3671 machines, and facilities-based computer systems authorized in  
3672 this chapter and the rules adopted by the commission ~~division~~.

3673 Section 63. Subsection (5) of section 565.02, Florida  
3674 Statutes, is amended to read:

3675 565.02 License fees; vendors; clubs; caterers; and others.—

3676 (5) A caterer at a pari-mutuel facility licensed under  
3677 chapter 550 may obtain a license upon the payment of an annual  
3678 state license tax of \$675. Such caterer's license shall permit  
3679 sales only within the enclosure in which pari-mutuel wagering is  
3680 conducted under the authority of the Florida Gaming Control  
3681 Commission ~~Division of Pari-mutuel Wagering of the Department of~~  
3682 ~~Business and Professional Regulation~~. Except as otherwise  
3683 provided in this subsection, caterers licensed hereunder shall

28-01067-22

2022854

3684 be treated as vendors licensed to sell by the drink the  
3685 beverages mentioned herein and shall be subject to all the  
3686 provisions hereof relating to such vendors.

3687 Section 64. Subsections (3) and (4) of section 817.37,  
3688 Florida Statutes, are amended to read:

3689 817.37 Touting; defining; providing punishment; ejection  
3690 from racetracks.—

3691 (3) Any person who in the commission of touting falsely  
3692 uses the name of any official of the Florida Gaming Control  
3693 Commission ~~Division of Pari-mutuel Wagering~~, its inspectors or  
3694 attaches, or of any official of any racetrack association, or  
3695 the names of any owner, trainer, jockey, or other person  
3696 licensed by the Florida Gaming Control Commission ~~Division of~~  
3697 ~~Pari-mutuel Wagering~~, as the source of any information or  
3698 purported information shall be guilty of a felony of the third  
3699 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
3700 775.084.

3701 (4) Any person who has been convicted of touting by any  
3702 court, and the record of whose conviction on such charge is on  
3703 file in the office of the Florida Gaming Control Commission  
3704 ~~Division of Pari-mutuel Wagering~~, any court of this state, or of  
3705 the Federal Bureau of Investigation, or any person who has been  
3706 ejected from any racetrack of this or any other state for  
3707 touting or practices inimical to the public interest shall be  
3708 excluded from all racetracks in this state and if such person  
3709 returns to a racetrack he or she shall be guilty of a  
3710 misdemeanor of the second degree, punishable as provided in s.  
3711 775.082 or s. 775.083. Any such person who refuses to leave such  
3712 track when ordered to do so by inspectors of the Florida Gaming



28-01067-22

2022854

3713 Control Commission ~~Division of Pari-mutuel Wagering~~ or by any  
3714 peace officer, or by an accredited attache of a racetrack or  
3715 association shall be guilty of a separate offense which shall be  
3716 a misdemeanor of the second degree, punishable as provided in s.  
3717 775.083.

3718 Section 65. Paragraphs (f) and (g) of subsection (2),  
3719 subsection (4), paragraphs (a), (d), and (e) of subsection (5),  
3720 paragraphs (a), (b), (d), (e), (f), (g), and (h) of subsection  
3721 (6), paragraphs (a), (f), and (h) of subsection (7), subsection  
3722 (11), paragraphs (b), (c), (d), (e), and (h) of subsection (13),  
3723 subsection (14), paragraph (b) of subsection (15), paragraph (a)  
3724 of subsection (16), and paragraph (a) of subsection (17) of  
3725 section 849.086, Florida Statutes, are amended to read:

3726 849.086 Cardrooms authorized.—

3727 (2) DEFINITIONS.—As used in this section:

3728 (f) "Cardroom operator" means a licensed pari-mutuel  
3729 permitholder which holds a valid permit and license issued by  
3730 the Florida Gaming Control Commission ~~division~~ pursuant to  
3731 chapter 550 and which also holds a valid cardroom license issued  
3732 by the commission ~~division~~ pursuant to this section which  
3733 authorizes such person to operate a cardroom and to conduct  
3734 authorized games in such cardroom.

3735 (g) "Commission ~~Division~~" means the Florida Gaming Control  
3736 Commission ~~Division of Pari-mutuel Wagering of the Department of~~  
3737 ~~Business and Professional Regulation~~.

3738 (4) AUTHORITY OF COMMISSION ~~DIVISION~~.—The commission  
3739 ~~Division of Pari-mutuel Wagering of the Department of Business~~  
3740 ~~and Professional Regulation~~ shall administer this section and  
3741 regulate the operation of cardrooms under this section and the

28-01067-22

2022854

3742 rules adopted pursuant thereto, and is hereby authorized to:

3743 (a) Adopt rules, including, but not limited to: the  
3744 issuance of cardroom and employee licenses for cardroom  
3745 operations; the operation of a cardroom; recordkeeping and  
3746 reporting requirements; and the collection of all fees and taxes  
3747 imposed by this section.

3748 (b) Conduct investigations and monitor the operation of  
3749 cardrooms and the playing of authorized games therein.

3750 (c) Review the books, accounts, and records of any current  
3751 or former cardroom operator.

3752 (d) Suspend or revoke any license or permit, after hearing,  
3753 for any violation of the provisions of this section or the  
3754 administrative rules adopted pursuant thereto.

3755 (e) Take testimony, issue summons and subpoenas for any  
3756 witness, and issue subpoenas duces tecum in connection with any  
3757 matter within its jurisdiction.

3758 (f) Monitor and ensure the proper collection of taxes and  
3759 fees imposed by this section. Permitholder internal controls are  
3760 mandated to ensure no compromise of state funds. To that end, a  
3761 roaming commission ~~division~~ auditor will monitor and verify the  
3762 cash flow and accounting of cardroom revenue for any given  
3763 operating day.

3764 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may  
3765 operate a cardroom in this state unless such person holds a  
3766 valid cardroom license issued pursuant to this section.

3767 (a) Only those persons holding a valid cardroom license  
3768 issued by the commission ~~division~~ may operate a cardroom. A  
3769 cardroom license may only be issued to a licensed pari-mutuel  
3770 permitholder, and an authorized cardroom may only be operated at

28-01067-22

2022854

3771 the same facility at which the permitholder is authorized under  
3772 its valid pari-mutuel wagering permit to conduct pari-mutuel  
3773 wagering activities. An initial cardroom license shall be issued  
3774 to a pari-mutuel permitholder only after its facilities are in  
3775 place and after it conducts its first day of pari-mutuel  
3776 activities on racing or games.

3777 (d) Persons seeking a license or a renewal thereof to  
3778 operate a cardroom shall make application on forms prescribed by  
3779 the commission ~~division~~. Applications for cardroom licenses  
3780 shall contain all of the information the commission ~~division~~, by  
3781 rule, may determine is required to ensure eligibility.

3782 (e) The annual cardroom license fee for each facility shall  
3783 be \$1,000 for each table to be operated at the cardroom. The  
3784 license fee shall be deposited by the commission ~~division~~ with  
3785 the Chief Financial Officer to the credit of the Pari-mutuel  
3786 Wagering Trust Fund.

3787 (6) BUSINESS AND EMPLOYEE OCCUPATIONAL LICENSE REQUIRED;  
3788 APPLICATION; FEES.—

3789 (a) A person employed or otherwise working in a cardroom as  
3790 a cardroom manager, floor supervisor, pit boss, dealer, or any  
3791 other activity related to cardroom operations while the facility  
3792 is conducting card playing or games of dominoes must hold a  
3793 valid cardroom employee occupational license issued by the  
3794 commission ~~division~~. Food service, maintenance, and security  
3795 employees with a current pari-mutuel occupational license and a  
3796 current background check will not be required to have a cardroom  
3797 employee occupational license.

3798 (b) Any cardroom management company or cardroom distributor  
3799 associated with cardroom operations must hold a valid cardroom

28-01067-22

2022854

3800 business occupational license issued by the commission ~~division~~.

3801 (d) The commission ~~division~~ shall establish, by rule, a  
3802 schedule for the renewal of cardroom occupational licenses.  
3803 Cardroom occupational licenses are not transferable.

3804 (e) Persons seeking cardroom occupational licenses, or  
3805 renewal thereof, shall make application on forms prescribed by  
3806 the commission ~~division~~. Applications for cardroom occupational  
3807 licenses shall contain all of the information the commission  
3808 ~~division~~, by rule, may determine is required to ensure  
3809 eligibility.

3810 (f) The commission ~~division~~ shall adopt rules regarding  
3811 cardroom occupational licenses. The provisions specified in s.  
3812 550.105(4), (5), (6), (7), (8), and (10) relating to licensure  
3813 shall be applicable to cardroom occupational licenses.

3814 (g) The commission ~~division~~ may deny, declare ineligible,  
3815 or revoke any cardroom occupational license if the applicant or  
3816 holder thereof has been found guilty or had adjudication  
3817 withheld in this state or any other state, or under the laws of  
3818 the United States of a felony or misdemeanor involving forgery,  
3819 larceny, extortion, conspiracy to defraud, or filing false  
3820 reports to a government agency, racing or gaming commission or  
3821 authority.

3822 (h) Fingerprints for all cardroom occupational license  
3823 applications shall be taken in a manner approved by the  
3824 commission ~~division~~ and then shall be submitted to the Florida  
3825 Department of Law Enforcement and the Federal Bureau of  
3826 Investigation for a criminal records check upon initial  
3827 application and at least every 5 years thereafter. The  
3828 commission ~~division~~ may by rule require an annual record check

28-01067-22

2022854

3829 of all renewal applications for a cardroom occupational license.  
3830 The cost of processing fingerprints and conducting a record  
3831 check shall be borne by the applicant.

3832 (7) CONDITIONS FOR OPERATING A CARDROOM.—

3833 (a) A cardroom may be operated only at the location  
3834 specified on the cardroom license issued by the commission  
3835 ~~division~~, and such location may only be the location at which  
3836 the pari-mutuel permit holder is authorized to conduct pari-  
3837 mutuel wagering activities pursuant to such permit holder's valid  
3838 pari-mutuel permit or as otherwise authorized by law.

3839 (f) The cardroom facility is subject to inspection by the  
3840 commission ~~division~~ or any law enforcement agency during the  
3841 licensee's regular business hours. The inspection must  
3842 specifically include the permit holder internal control  
3843 procedures approved by the commission ~~division~~.

3844 (h) Poker games played in a designated player manner in  
3845 which one player is permitted, but not required, to cover other  
3846 players' wagers must comply with the following restrictions:

3847 1. Poker games to be played in a designated player manner  
3848 must have been identified in cardroom license applications  
3849 approved by the former Division of Pari-mutuel Wagering ~~division~~  
3850 on or before March 15, 2018, or, if a substantially similar  
3851 poker game, identified in cardroom license applications approved  
3852 by the former Division of Pari-mutuel Wagering ~~division~~ on or  
3853 before April 1, 2021.

3854 2. If the cardroom is located in a county where slot  
3855 machine gaming is authorized under chapter 285 or chapter 551,  
3856 the cardroom operator is limited to offering no more than 10  
3857 tables for the play of poker games in a designated player

28-01067-22

2022854

3858 manner.

3859 3. If the cardroom is located in a county where slot  
3860 machine gaming is not authorized under chapter 285 or chapter  
3861 551, the cardroom operator is limited to offering no more than  
3862 30 tables for the play of poker games in a designated player  
3863 manner.

3864 4. There may not be more than nine players and the  
3865 nonplayer dealer at each table.

3866 (11) RECORDS AND REPORTS.—

3867 (a) Each licensee operating a cardroom shall keep and  
3868 maintain permanent daily records of its cardroom operation and  
3869 shall maintain such records for a period of not less than 3  
3870 years. These records shall include all financial transactions  
3871 and contain sufficient detail to determine compliance with the  
3872 requirements of this section. All records shall be available for  
3873 audit and inspection by the commission ~~division~~ or other law  
3874 enforcement agencies during the licensee's regular business  
3875 hours. The information required in such records shall be  
3876 determined by commission ~~division~~ rule.

3877 (b) Each licensee operating a cardroom shall file with the  
3878 commission ~~division~~ a report containing the required records of  
3879 such cardroom operation. Such report shall be filed monthly by  
3880 licensees. The required reports shall be submitted on forms  
3881 prescribed by the commission ~~division~~ and shall be due at the  
3882 same time as the monthly pari-mutuel reports are due to the  
3883 commission ~~division~~, and such reports shall contain any  
3884 additional information deemed necessary by the commission  
3885 ~~division~~, and the reports shall be deemed public records once  
3886 filed.

28-01067-22

2022854

3887 (13) TAXES AND OTHER PAYMENTS.—

3888 (b) An admission tax equal to 15 percent of the admission  
3889 charge for entrance to the licensee's cardroom facility, or 10  
3890 cents, whichever is greater, is imposed on each person entering  
3891 the cardroom. This admission tax shall apply only if a separate  
3892 admission fee is charged for entry to the cardroom facility. If  
3893 a single admission fee is charged which authorizes entry to both  
3894 or either the pari-mutuel facility and the cardroom facility,  
3895 the admission tax shall be payable only once and shall be  
3896 payable pursuant to chapter 550. The cardroom licensee shall be  
3897 responsible for collecting the admission tax. An admission tax  
3898 is imposed on any free passes or complimentary cards issued to  
3899 guests by licensees in an amount equal to the tax imposed on the  
3900 regular and usual admission charge for entrance to the  
3901 licensee's cardroom facility. A cardroom licensee may issue tax-  
3902 free passes to its officers, officials, and employees or other  
3903 persons actually engaged in working at the cardroom, including  
3904 accredited press representatives such as reporters and editors,  
3905 and may also issue tax-free passes to other cardroom licensees  
3906 for the use of their officers and officials. The licensee shall  
3907 file with the commission ~~division~~ a list of all persons to whom  
3908 tax-free passes are issued.

3909 (c) Payment of the admission tax and gross receipts tax  
3910 imposed by this section shall be paid to the commission  
3911 ~~division~~. The commission ~~division~~ shall deposit these sums with  
3912 the Chief Financial Officer, one-half being credited to the  
3913 Pari-mutuel Wagering Trust Fund and one-half being credited to  
3914 the General Revenue Fund. The cardroom licensee shall remit to  
3915 the commission ~~division~~ payment for the admission tax, the gross

28-01067-22

2022854

3916 receipts tax, and the licensee fees. Such payments shall be  
3917 remitted to the commission ~~division~~ on the fifth day of each  
3918 calendar month for taxes and fees imposed for the preceding  
3919 month's cardroom activities. Licensees shall file a report under  
3920 oath by the fifth day of each calendar month for all taxes  
3921 remitted during the preceding calendar month. Such report shall,  
3922 under oath, indicate the total of all admissions, the cardroom  
3923 activities for the preceding calendar month, and such other  
3924 information as may be prescribed by the commission ~~division~~.

3925 (d)1. Each jai alai permitholder that conducts live  
3926 performances and operates a cardroom facility shall use at least  
3927 4 percent of such permitholder's cardroom monthly gross receipts  
3928 to supplement jai alai prize money during the permitholder's  
3929 next ensuing pari-mutuel meet.

3930 2. Each thoroughbred permitholder or harness horse racing  
3931 permitholder that conducts live performances and operates a  
3932 cardroom facility shall use at least 50 percent of such  
3933 permitholder's cardroom monthly net proceeds as follows: 47  
3934 percent to supplement purses and 3 percent to supplement  
3935 breeders' awards during the permitholder's next ensuing racing  
3936 meet.

3937 3. No cardroom license or renewal thereof shall be issued  
3938 to an applicant holding a permit under chapter 550 to conduct  
3939 pari-mutuel wagering meets of quarter horse racing and  
3940 conducting live performances unless the applicant has on file  
3941 with the commission ~~division~~ a binding written agreement between  
3942 the applicant and the Florida Quarter Horse Racing Association  
3943 or the association representing a majority of the horse owners  
3944 and trainers at the applicant's eligible facility, governing the



28-01067-22

2022854

3945 payment of purses on live quarter horse races conducted at the  
3946 licensee's pari-mutuel facility. The agreement governing purses  
3947 may direct the payment of such purses from revenues generated by  
3948 any wagering or gaming the applicant is authorized to conduct  
3949 under Florida law. All purses shall be subject to the terms of  
3950 chapter 550.

3951 (e) The failure of any licensee to make payments as  
3952 prescribed in paragraph (c) is a violation of this section, and  
3953 the licensee may be subjected by the commission ~~division~~ to a  
3954 civil penalty of up to \$1,000 for each day the tax payment is  
3955 not remitted. All penalties imposed and collected shall be  
3956 deposited in the General Revenue Fund. If a licensee fails to  
3957 pay penalties imposed by order of the commission ~~division~~ under  
3958 this subsection, the commission ~~division~~ may suspend or revoke  
3959 the license of the cardroom operator or deny issuance of any  
3960 further license to the cardroom operator.

3961 (h) One-quarter of the moneys deposited into the Pari-  
3962 mutuel Wagering Trust Fund pursuant to paragraph (g) shall, by  
3963 October 1 of each year, be distributed to the local government  
3964 that approved the cardroom under subsection (16); however, if  
3965 two or more pari-mutuel racetracks are located within the same  
3966 incorporated municipality, the cardroom funds shall be  
3967 distributed to the municipality. If a pari-mutuel facility is  
3968 situated in such a manner that it is located in more than one  
3969 county, the site of the cardroom facility shall determine the  
3970 location for purposes of disbursement of tax revenues under this  
3971 paragraph. The commission ~~division~~ shall, by September 1 of each  
3972 year, determine: the amount of taxes deposited into the Pari-  
3973 mutuel Wagering Trust Fund pursuant to this section from each

28-01067-22

2022854

3974 cardroom licensee; the location by county of each cardroom;  
3975 whether the cardroom is located in the unincorporated area of  
3976 the county or within an incorporated municipality; and, the  
3977 total amount to be distributed to each eligible county and  
3978 municipality.

3979 (14) SUSPENSION, REVOCATION, OR DENIAL OF LICENSE; FINE.—

3980 (a) The commission ~~division~~ may deny a license or the  
3981 renewal thereof, or may suspend or revoke any license, when the  
3982 applicant has: violated or failed to comply with the provisions  
3983 of this section or any rules adopted pursuant thereto; knowingly  
3984 caused, aided, abetted, or conspired with another to cause any  
3985 person to violate this section or any rules adopted pursuant  
3986 thereto; or obtained a license or permit by fraud,  
3987 misrepresentation, or concealment; or if the holder of such  
3988 license or permit is no longer eligible under this section.

3989 (b) If a pari-mutuel permitholder's pari-mutuel permit or  
3990 license is suspended or revoked by the commission ~~division~~  
3991 pursuant to chapter 550, the commission ~~division~~ may, but is not  
3992 required to, suspend or revoke such permitholder's cardroom  
3993 license. If a cardroom operator's license is suspended or  
3994 revoked pursuant to this section, the commission ~~division~~ may,  
3995 but is not required to, suspend or revoke such licensee's pari-  
3996 mutuel permit or license.

3997 (c) Notwithstanding any other provision of this section,  
3998 the commission ~~division~~ may impose an administrative fine not to  
3999 exceed \$1,000 for each violation against any person who has  
4000 violated or failed to comply with the provisions of this section  
4001 or any rules adopted pursuant thereto.

4002 (15) CRIMINAL PENALTY; INJUNCTION.—

28-01067-22

2022854

4003 (b) The commission ~~division~~, any state attorney, the  
4004 statewide prosecutor, or the Attorney General may apply for a  
4005 temporary or permanent injunction restraining further violation  
4006 of this section, and such injunction shall issue without bond.

4007 (16) LOCAL GOVERNMENT APPROVAL.—

4008 (a) The commission ~~Division of Pari-mutuel Wagering~~ shall  
4009 not issue any initial license under this section except upon  
4010 proof in such form as the commission ~~division~~ may prescribe that  
4011 the local government where the applicant for such license  
4012 desires to conduct cardroom gaming has voted to approve such  
4013 activity by a majority vote of the governing body of the  
4014 municipality or the governing body of the county if the facility  
4015 is not located in a municipality.

4016 (17) CHANGE OF LOCATION; REFERENDUM.—

4017 (a) Notwithstanding any provisions of this section, no  
4018 cardroom gaming license issued under this section shall be  
4019 transferred, or reissued when such reissuance is in the nature  
4020 of a transfer, so as to permit or authorize a licensee to change  
4021 the location of the cardroom except upon proof in such form as  
4022 the commission ~~division~~ may prescribe that a referendum election  
4023 has been held:

4024 1. If the proposed new location is within the same county  
4025 as the already licensed location, in the county where the  
4026 licensee desires to conduct cardroom gaming and that a majority  
4027 of the electors voting on the question in such election voted in  
4028 favor of the transfer of such license. However, the commission  
4029 ~~division~~ shall transfer, without requirement of a referendum  
4030 election, the cardroom license of any permit holder that  
4031 relocated its permit pursuant to s. 550.0555.

28-01067-22

2022854

4032           2. If the proposed new location is not within the same  
4033 county as the already licensed location, in the county where the  
4034 licensee desires to conduct cardroom gaming and that a majority  
4035 of the electors voting on that question in each such election  
4036 voted in favor of the transfer of such license.

4037 Reviser's Note.—Amended pursuant to the directive of the  
4038 Legislature to the Division of Law Revision in s. 13, ch.  
4039 2021-269, Laws of Florida, to replace references to the  
4040 Division of Pari-mutuel Wagering and references to the  
4041 Department of Business and Professional Regulation relating  
4042 to gaming with references to the Florida Gaming Control  
4043 Commission to conform the Florida Statutes to the transfer  
4044 of duties in s. 11, ch. 2021-269.  
4045 Section 66. This act shall take effect July 1, 2022.