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1
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;

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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~~

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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

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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:

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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)

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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~~

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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

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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

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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

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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

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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~~

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

325 (4) In the event that a permitholder 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 permitholder'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 permitholder to control. Financial hardship to
332 the permitholder 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 permitholder are vacated, abandoned, or will not be used
337 for any reason, any permitholder 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 permitholder
347 licensed to conduct pari-mutuel wagering pursuant to the
348 provisions of this chapter; no commissioner ~~division director~~ or

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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

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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

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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

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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

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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),

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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:

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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

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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

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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

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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

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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

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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~~

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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

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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

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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

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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

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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.—

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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.

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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.

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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

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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

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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

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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

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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

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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.

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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

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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

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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.-

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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

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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

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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

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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

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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,

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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

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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.—

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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

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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

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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

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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,

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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

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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

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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:

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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),

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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.

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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.

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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

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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

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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

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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

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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

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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.

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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,

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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

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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

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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

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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

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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.

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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.

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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.

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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

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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

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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

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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)~~ (1) “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

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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

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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.

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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

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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),

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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

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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

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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

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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

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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.

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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 permitholder'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-

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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.

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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

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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

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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

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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.—

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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

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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,

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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.

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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

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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).

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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.

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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

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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,

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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.

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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

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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

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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

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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

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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

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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

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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

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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

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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 permitholder is authorized to conduct pari-
3837 mutuel wagering activities pursuant to such permitholder'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 permitholder 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

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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.

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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

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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

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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

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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.—

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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.

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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.