



LEGISLATIVE ACTION

Senate

House

Floor: WD/2R  
02/28/2024 04:42 PM

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Senator Martin moved the following:

**Senate Substitute for Amendment (523916)**

Delete lines 146 - 161  
and insert:

(b) If a person has received notice from the commission or any other law enforcement agency in this state that the operations at the establishment, premises, or other location violate subsection (2), and, within 72 hours of receiving such notice, fails to cease and desist such operations at the establishment, premises, or other location, or at any other location where such person is conducting operations that violate



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12 subsection (2), such person commits a felony of the third  
13 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
14 775.084, if:

15 1. At the time of the violation the person is knowingly  
16 acting as a manager; or

17 2. He or she has one prior conviction for a violation of  
18 this section.

19 (c) If a person has received notice from the commission or  
20 any other law enforcement agency in this state that the  
21 operations at the establishment, premises, or other location  
22 violate subsection (2), and, within 72 hours of receiving such  
23 notice, fails to cease and desist such operations at the  
24 establishment, premises, or other location, or at any other  
25 location where such person is conducting operations that violate  
26 subsection (2), such person commits a felony of the second  
27 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
28 775.084, if:

29 1.a. At the time of the violation the person is knowingly  
30 acting as a manager; and

31 b. The violation involves five or more slot machines or  
32 devices; or

33 2. He or she has two or more prior convictions for a  
34 violation of this section.

35 (d) For the purposes of this subsection, a person is deemed  
36 to receive notice as described in paragraph (b) or paragraph (c)  
37 at the time an agent of the commission or any other law  
38 enforcement agency serves the notice to the person by:

39 1. Hand delivery;

40 2. Certified mail, return receipt requested;



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41           3. Posting a notice to a conspicuous place on the exterior  
42 of the establishment, premises, or other location where the  
43 person is conducting operations that violate subsection (2),  
44 which notice must be posted by an agent of the commission or any  
45 other law enforcement agency; or  
46           4. Service of process pursuant to chapter 48.  
47           (e) The issuance of a notice as described in paragraph (b)  
48 or paragraph (c) does not constitute agency action for any  
49 purpose of chapter 120, including hearing rights under s.  
50 120.569 or s. 120.57.