



127756

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/08/2024	.	
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	.	
	.	

The Committee on Fiscal Policy (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 546.11, Florida Statutes, is created to
read:

546.11 Short title.—Sections 546.11-546.19 may be cited as
the "Fantasy Sports Contest Amusement Act."

Section 2. Section 546.12, Florida Statutes, is created to
read:



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11 546.12 Legislative intent; findings.—It is the intent of
12 the Legislature to ensure public confidence in the integrity of
13 fantasy sports contests and contest operators. This act is
14 designed to regulate the contest operators and individuals who
15 participate in such contests and to enact consumer protections
16 related to fantasy sports contests. Furthermore, the Legislature
17 finds that fantasy sports contests, as that term is defined in
18 s. 546.13, involve the skill between contest participants.

19 Section 3. Section 546.13, Florida Statutes, is created to
20 read:

21 546.13 Definitions.—As used in ss. 546.11-546.19, the term:

22 (1) "Act" means the Fantasy Sports Contest Amusement Act,
23 ss. 546.11-546.19.

24 (2) "Commission" means the Florida Gaming Control
25 Commission.

26 (3) "Confidential information" means information related to
27 the playing of fantasy sports contests by contest participants
28 which is obtained solely as a result of a person's employment
29 with, or work as an agent of, a contest operator.

30 (4) "Contest operator" means a person or an entity that
31 offers fantasy sports contests for a cash prize to members of
32 the public, but does not include a noncommercial contest
33 operator in this state.

34 (5) "Contest participant" means a person who pays an entry
35 fee for the ability to participate in a fantasy or simulation
36 sports game or contest offered by a contest operator or
37 noncommercial contest operator.

38 (6) "Entry fee" means the cash or cash equivalent amount
39 that a person is required to pay to a contest operator or



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40 noncommercial contest operator to participate in a fantasy
41 sports contest.

42 (7) "Fantasy sports contest" means a fantasy or simulation
43 sports game or contest offered by a contest operator or a
44 noncommercial contest operator in which a contest participant
45 manages a fantasy or simulation sports team composed of athletes
46 from a professional sports organization and which meets each of
47 the following requirements:

48 (a) All prizes and awards offered to winning contest
49 participants are established and made known to the contest
50 participants in advance of the game or contest, and their value
51 is not determined by the number of contest participants or the
52 amount of any fees paid by those contest participants.

53 (b) All winning outcomes reflect the relative knowledge and
54 skill of the contest participants and are determined
55 predominantly by accumulated statistical results of the
56 performance of individuals, including athletes in the case of
57 sporting events.

58 (c) No winning outcome is based on the score, point spread,
59 or any performance or performances of any single actual team or
60 combination of such teams; solely on any single performance of
61 an individual athlete or player in a single actual event; on a
62 pari-mutuel event, as the term "pari-mutuel" is defined in s.
63 550.002; on a game of poker or other card game; or on the
64 performances of participants in collegiate, high school, or
65 youth sporting events.

66 (d) No casino graphics, themes, or titles, including, but
67 not limited to, depictions of slot machine-style symbols, cards,
68 dice, craps, roulette, or lotto, are displayed or depicted.



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69 (8) "Noncommercial contest operator" means a natural person
70 who organizes and conducts a fantasy or simulation sports game
71 in which contest participants are charged entry fees for the
72 right to participate; entry fees are collected, maintained, and
73 distributed by the same natural person; the total entry fees
74 collected, maintained, and distributed by such natural person do
75 not exceed \$1,500 per season or a total of \$10,000 per calendar
76 year; and all entry fees are returned to the contest
77 participants in the form of prizes.

78 Section 4. Section 546.14, Florida Statutes, is created to
79 read:

80 546.14 Enforcement and administration; rulemaking.—

81 (1) The commission shall enforce and administer this act.

82 (2) The commission may:

83 (a) Conduct investigations and monitor the operation and
84 play of fantasy sports contests.

85 (b) Review the books, accounts, and records of any current
86 or former contest operator.

87 (c) Deny, suspend, or revoke any license under this act for
88 any violation of state law or rule.

89 (d) Take testimony, issue summonses and subpoenas for any
90 witness, and issue subpoenas duces tecum in connection with any
91 matter within its jurisdiction.

92 (e) Monitor and ensure the proper collection and
93 safeguarding of entry fees and the payment of contest prizes in
94 accordance with consumer protection procedures enacted pursuant
95 to s. 546.16.

96 (f) Investigate any licensed or unlicensed person or entity
97 when such person or entity is advertising as offering or



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98 providing, or is engaged in conducting, a fantasy sports contest
99 that requires licensure under this act or when a contest
100 operator or noncommercial contest operator is engaged in
101 activities that do not comply with or are prohibited by this
102 act. The commission may issue an order to such licensed or
103 unlicensed person or entity or contest operator or noncommercial
104 contest operator to cease and desist the further conduct of such
105 activities, may seek an injunction, or may take other
106 appropriate action to enforce this act.

107 (3) The commission must revoke a contest operator's license
108 if the contest operator knowingly and willfully offers fantasy
109 sports contests that violate s. 546.13(7)(c).

110 (4) The commission shall adopt rules to implement and
111 administer this act.

112 Section 5. Section 546.15, Florida Statutes, is created to
113 read:

114 546.15 Licensing; renewal.—

115 (1) A contest operator must be licensed by the commission
116 to conduct fantasy sports contests within this state. Licenses
117 are effective for 1 year after issuance and must be renewed
118 annually. Applications for a license as a contest operator are
119 exempt from the 90-day licensing requirement of s. 120.60.
120 Within 120 days after receipt of a complete application, the
121 commission shall grant or deny the permit. A completed
122 application that is not acted upon within 120 days after receipt
123 is deemed approved, and the commission shall grant the license.

124 (2) The license application must include:

125 (a) The full name of the applicant.

126 (b) If the applicant is a corporation, the name of the



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127 state in which the applicant is incorporated and the names and
128 addresses of the officers, directors, and shareholders who hold
129 15 percent or more equity.

130 (c) If the applicant is a business entity other than a
131 corporation, the names and addresses of each principal, partner,
132 or shareholder who holds 15 percent or more equity, and any
133 person who individually or in concert with a relative
134 beneficially owns or controls, or has the power to vote or cause
135 the vote of, 15 percent or more equity. For the purposes of this
136 act, the term "relative" means a spouse, father, mother, son,
137 daughter, grandfather, grandmother, brother, sister, uncle,
138 aunt, cousin, nephew, niece, father-in-law, mother-in-law, son-
139 in-law, daughter-in-law, brother-in-law, sister-in-law,
140 stepfather, stepmother, stepson, stepdaughter, stepbrother,
141 stepsister, half brother, or half sister.

142 (d) The names and addresses of the ultimate equitable
143 owners of the corporation or other business entity if different
144 from those provided under paragraph (b) or paragraph (c), unless
145 the securities of the corporation or entity are registered
146 pursuant to s. 12 of the Securities Exchange Act of 1934, 15
147 U.S.C. ss. 78a-78kk, and either:

148 1. The corporation or entity files with the United States
149 Securities and Exchange Commission the reports required by s. 13
150 of that act; or

151 2. The securities of the corporation or entity are
152 regularly traded on an established securities market in the
153 United States.

154
155 As used in this section, the term "ultimate equitable owner"



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156 means a natural person who, directly or indirectly, owns or
157 controls 5 percent or more of an ownership interest in a
158 corporation, foreign corporation, or alien business
159 organization, regardless of whether such person owns or controls
160 such ownership through one or more natural persons or one or
161 more proxies, powers of attorney, nominees, corporations,
162 associations, partnerships, trusts, joint stock companies, or
163 other entities or devices, or any combination thereof.

164 (e) The estimated number of fantasy sports contests to be
165 conducted by the applicant annually.

166 (f) A statement of the assets and liabilities of the
167 applicant.

168 (g) If required by the commission, the names and addresses
169 of the officers and directors of any creditor of the applicant
170 and of stockholders who hold more than 10 percent of the stock
171 of the creditor.

172 (h) For each individual listed in the application pursuant
173 to paragraph (a), paragraph (b), paragraph (c), or paragraph
174 (d), a full set of fingerprints, to be submitted to the
175 commission or to a vendor, an entity, or an agency authorized
176 under s. 943.053(13).

177 1. The commission, vendor, entity, or agency shall forward
178 the fingerprints to the Department of Law Enforcement for state
179 processing, and the Department of Law Enforcement shall forward
180 the fingerprints to the Federal Bureau of Investigation for
181 national processing.

182 2. Fingerprints submitted to the Department of Law
183 Enforcement pursuant to this paragraph must be retained by the
184 Department of Law Enforcement as provided in s. 943.05(2)(g) and



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185 (h) and, when the Department of Law Enforcement begins
186 participation in the program, must be enrolled in the Federal
187 Bureau of Investigation's national retained print arrest
188 notification program. The Department of Law Enforcement shall
189 report to the commission any arrest record identified.

190 (i) For each foreign national, such documents as are
191 necessary to allow the commission to conduct criminal history
192 records checks in the individual's home country. The applicant
193 must pay the full cost of processing fingerprints and required
194 documentation.

195 (3) The application for renewal must contain all revisions
196 to the information submitted in the prior year's application
197 which are necessary to maintain such information as both
198 accurate and current.

199 (4) The applicant for renewal must attest that any
200 revisions do not affect the applicant's qualifications for
201 license renewal.

202 (5) Upon determination by the commission that the
203 application for renewal is complete and qualifications have been
204 met, including payment of the renewal fee, the fantasy sports
205 contests license must be renewed annually.

206 (6) A person or an entity is not eligible for licensure as
207 a contest operator or for licensure renewal if an individual
208 required to be listed pursuant to paragraph (2) (a), paragraph
209 (2) (b), paragraph (2) (c), or paragraph (2) (d) is determined by
210 the commission, after investigation, not to be of good moral
211 character or is found to have been convicted of a felony in this
212 state, any offense in another jurisdiction which would be
213 considered a felony if committed in this state, or a felony



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214 under the laws of the United States. As used in this subsection,
215 the term "convicted" means having been found guilty, with or
216 without adjudication of guilt, as a result of a jury verdict,
217 nonjury trial, or entry of a plea of guilty or nolo contendere.

218 (7) The commission, notwithstanding chapter 120, may
219 summarily suspend the license of a contest operator if the
220 contest operator fails to pay any administrative fine imposed by
221 entry of a final order by the commission within 30 calendar days
222 of the date of the final order, unless a notice of appeal of
223 such final order has been filed and is pending. Subsequent to
224 the conclusion of any such appeal, the license of a contest
225 operator may not be renewed, and an application for licensure as
226 a contest operator may not be approved, if the contest operator
227 or the applicant for licensure as a contest operator is liable
228 for an outstanding administrative fine imposed under this act.

229 (8) Changes in ownership of or interest in a fantasy sports
230 contests license of 5 percent or more of the stock or other
231 evidence of ownership or equity in the contest operator must be
232 approved by the commission before such change, unless the owner
233 is an existing owner of that license who was previously approved
234 by the commission. Changes in ownership of or interest in a
235 fantasy sports contests license of less than 5 percent must be
236 reported to the commission within 20 days after the change. The
237 commission may then conduct an investigation to ensure that the
238 license is properly updated to show the change in ownership or
239 interest.

240 Section 6. Section 546.16, Florida Statutes, is created to
241 read:

242 546.16 Consumer protection.-



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243 (1) A contest operator shall implement procedures for
244 fantasy sports contests which:
245 (a) Prevent its employees, their relatives, or persons
246 living in the same household as the employees from competing in
247 a fantasy sports contest in which a cash prize is awarded.
248 However, a contest operator may offer to its employees fantasy
249 sports contests in which the employees are the sole contest
250 participants. For the purposes of this paragraph, the term
251 "relative" means a spouse, father, mother, son, daughter,
252 grandfather, grandmother, brother, sister, uncle, aunt, cousin,
253 nephew, niece, father-in-law, mother-in-law, son-in-law,
254 daughter-in-law, brother-in-law, sister-in-law, stepfather,
255 stepmother, stepson, stepdaughter, stepbrother, stepsister, half
256 brother, or half sister.
257 (b) Prohibit the contest operator, its employees, or its
258 agents from competing against contest participants or being a
259 contest participant in a fantasy sports contest that the contest
260 operator offers.
261 (c) Prevent its employees or agents from sharing with a
262 third party confidential information that could affect fantasy
263 sports contest play, until the information has been made
264 publicly available.
265 (d) Verify that contest participants are 21 years of age or
266 older.
267 (e) Restrict an individual who is a player, a game
268 official, or other participant in a real-world game or
269 competition from participating in a fantasy sports contest that
270 is determined, in whole or in part, on the performance of that
271 individual, the individual's real-world team, or the accumulated



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272 statistical results of the sport or competition in which he or
273 she is a player, game official, or other participant.

274 (f) Allow individuals to restrict or prevent their own
275 access to fantasy sports contests and take reasonable steps to
276 prevent those individuals from entering a fantasy sports
277 contest.

278 (g) Limit the number of entries a single contest
279 participant may submit to each fantasy sports contest and take
280 reasonable steps to prevent contest participants from submitting
281 more than the allowable number of entries.

282 (h) Segregate contest participants' funds from operational
283 funds or maintain a reserve in the form of cash, cash
284 equivalents, payment processor reserves, payment processor
285 receivables, an irrevocable letter of credit, a bond, or a
286 combination thereof in the total amount of deposits in contest
287 participants' accounts for the benefit and protection of
288 authorized contest participants' funds held in fantasy sports
289 contest accounts.

290 (2) (a) A contest operator shall annually contract with a
291 third party to perform an independent audit, consistent with the
292 standards established by the American Institute of Certified
293 Public Accountants, to ensure compliance with this act. The
294 contest operator shall submit the results of the independent
295 audit to the commission no later than 120 days after the end of
296 each annual licensing period.

297 (b) Any data source and the corresponding data to determine
298 the results of all fantasy sports contests offered by contest
299 operators, other than noncommercial contest operators, must be
300 complete, accurate, reliable, and appropriate to settle the



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301 outcome of the fantasy sports contests for which they are used.

302 Section 7. Section 546.17, Florida Statutes, is created to
303 read:

304 546.17 Records and reports.—Each contest operator shall
305 keep and maintain daily records of its operations and shall
306 maintain such records for at least 3 years. The records must
307 sufficiently detail all financial transactions required to
308 determine compliance with this act and must be available for
309 audit and inspection by the commission or other law enforcement
310 agencies during the contest operator's regular business hours.
311 The commission shall adopt rules to implement this section.

312 Section 8. Section 546.18, Florida Statutes, is created to
313 read:

314 546.18 Prohibitions.—

315 (1) As used in this section, the term:

316 (a) "Proposition selection" means a contest participant
317 choosing whether one or more identified instances or statistical
318 achievements within a sporting event, competition, or contest
319 will or will not occur, be achieved, or be surpassed, or
320 engaging in any other in-play wagering in which a contest
321 participant wagers on a specific outcome or combinations of
322 outcomes within such sporting event, competition, or contest.

323 (b) "Sports betting" means wagering on any past or future
324 professional sport or athletic event, competition, or contest;
325 any Olympic or international sports competition event; any
326 collegiate sport or athletic event; any motor vehicle race; or
327 any portion of any of the foregoing, including, but not limited
328 to, the individual performance statistics of an athlete or other
329 individual participant in any event or combination of events, or



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330 any other in-play wagering with respect to any such sporting
331 event, competition, or contest.

332 (2) A contest operator may not offer a fantasy sports
333 contest that includes any of the following:

334 (a) A contest participant making a proposition selection or
335 having the effect of mimicking a proposition selection.

336 (b) Any fantasy sports contest in which a contest
337 participant competes against the contest operator.

338 (c) A selection or assembly of a fantasy or simulation
339 sports team which does not involve the knowledge and skill of a
340 contest participant, including, but not limited to, any of the
341 following:

342 1. Auto draft functionality, except for a fantasy sports
343 contest in which a contest participant is required to exert
344 knowledge and skill to rank, prioritize, or queue athletes
345 before the draft or to assemble one or more fantasy or
346 simulation sports teams from a pool of athletes drafted by a
347 contest participant;

348 2. A contest participant selecting a fantasy or simulation
349 sports team preselected by a contest operator; or

350 3. Any other means of fantasy or simulation sports team
351 selection or assembly that does not involve the input or control
352 of a contest participant.

353 (d) Any fantasy sports contests that involve, result in, or
354 have the effect of mimicking sports betting.

355 (e) Any fantasy sports contest in which any statistical
356 results of the performance of any individual athletes that
357 determine the outcome of the fantasy or simulation sports game
358 have been partially or completely determined and are publicly



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359 known at the time any entry fee from any contest participant is
360 to be collected.

361 (f) Any fantasy sports contests prohibited by the
362 commission or by state or federal law.

363 (3) A fantasy sports contest operator may not offer a
364 fantasy sports contest to any person located on Indian lands in
365 Florida that are regulated under the Indian Gaming Regulatory
366 Act defined in s. 285.710 and codified at 25 U.S.C., ss. 2701 et
367 seq. and 18 U.S.C., ss. 1166-1168. For the purposes of
368 identifying Indian lands, the commission may, but is not
369 required to, provide descriptions of such Indian lands to a
370 fantasy contest operator seeking to operate in this state.

371 Section 9. Section 546.19, Florida Statutes, is created to
372 read:

373 546.19 Penalties; applicability; exemption.—

374 (1) (a) Except as provided in paragraph (b), a contest
375 operator who knowingly and willfully violates this act is
376 subject to an administrative fine not to exceed \$25,000 for each
377 violation and not to exceed \$5,000,000 in the aggregate. For
378 other violations of this act, a contest operator or an employee
379 or agent thereof is subject to an administrative fine not to
380 exceed \$5,000 for each day of the violation and not to exceed
381 \$100,000 in the aggregate. All fines imposed and collected under
382 this subsection must be deposited with the Chief Financial
383 Officer to the credit of the General Revenue Fund. An action to
384 recover such penalties may be brought by the commission or the
385 Department of Legal Affairs in the name and on behalf of the
386 state.

387 (b) A contest operator, or an employee or agent thereof,



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388 who knowingly violates s. 546.18 commits a felony of the third
389 degree, punishable as provided in s. 775.082, s. 775.083, or s.
390 775.084.

391 (c) The penalty provisions established in this subsection
392 do not apply to violations committed by a contest operator which
393 occurred before the issuance of a license under this act if the
394 contest operator applies for a license within 90 days after the
395 date the commission begins accepting applications and receives a
396 license within 240 days after such date.

397 (2) Any person, other than a person who is a noncommercial
398 contest operator as defined in this act, who operates a fantasy
399 sports contest without a valid license issued as provided in
400 this act commits a felony of the third degree, punishable as
401 provided in s. 775.082, s. 775.083, or s. 775.084.

402 (3) The commission, any state attorney, the statewide
403 prosecutor, or the Attorney General may seek a temporary or
404 permanent injunction restraining further violation of this
405 section, and such injunction shall be issued without bond.

406 Section 10. Paragraph (b) of subsection (3) of section
407 16.71, Florida Statutes, is amended to read:

408 16.71 Florida Gaming Control Commission; creation;
409 meetings; membership.—

410 (3) REQUIREMENTS FOR APPOINTMENT; PROHIBITIONS.—

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

414 1. Any person that holds a permit or license issued under
415 chapter 550, or a license issued under chapter 546, chapter 551,
416 or chapter 849; an officer, official, or employee of such



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417 permitholder or licensee; or an ultimate equitable owner, as
418 defined in s. 546.15(2) or s. 550.002(37), as applicable, of
419 such permitholder or licensee;

420 2. Any officer, official, employee, or other person with
421 duties or responsibilities relating to a gaming operation owned
422 by an Indian tribe that has a valid and active compact with the
423 state; a contractor or subcontractor of such tribe or an entity
424 employed, licensed, or contracted by such tribe; or an ultimate
425 equitable owner, as defined in s. 546.15(2) or s. 550.002(37),
426 as applicable, of such entity; or

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

430 Section 11. Paragraph (i) of subsection (1) of section
431 16.712, Florida Statutes, is amended to read:

432 16.712 Florida Gaming Control Commission authorizations,
433 duties, and responsibilities.—

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

435 (i) Receive and review violations reported by a state or
436 local law enforcement agency, the Department of Law Enforcement,
437 the Department of Legal Affairs, the Department of Agriculture
438 and Consumer Services, the Department of Business and
439 Professional Regulation, the Department of the Lottery, the
440 Seminole Tribe of Florida, or any person licensed under chapter
441 24, part II of chapter 285, chapter 546, chapter 550, chapter
442 551, or chapter 849 and determine whether such violation is
443 appropriate for referral to the Office of Statewide Prosecution.

444 Section 12. Paragraph (d) of subsection (1) and paragraph
445 (a) of subsection (2) of section 16.713, Florida Statutes, are



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446 amended to read:

447 16.713 Florida Gaming Control Commission; appointment and
448 employment restrictions.—

449 (1) PERSONS INELIGIBLE FOR APPOINTMENT TO THE COMMISSION.—

450 The following persons are ineligible for appointment to the
451 commission:

452 (d) A person who has had a license or permit issued under
453 chapter 546, chapter 550, chapter 551, or chapter 849 or a
454 gaming license issued by any other jurisdiction denied,
455 suspended, or revoked.

456 (2) PROHIBITIONS FOR EMPLOYEES AND COMMISSIONERS; PERSONS
457 INELIGIBLE FOR APPOINTMENT TO AND EMPLOYMENT WITH THE
458 COMMISSION.—

459 (a) A person may not, for the 2 years immediately preceding
460 the date of appointment to or employment with the commission and
461 while appointed to or employed with the commission:

462 1. Hold a permit or license issued under chapter 550 or a
463 license issued under chapter 546, chapter 551, or chapter 849;
464 be an officer, official, or employee of such permitholder or
465 licensee; or be an ultimate equitable owner, as defined in s.
466 546.15(2) or s. 550.002(37), as applicable, of such permitholder
467 or licensee;

468 2. Be an officer, official, employee, or other person with
469 duties or responsibilities relating to a gaming operation owned
470 by an Indian tribe that has a valid and active compact with the
471 state; be a contractor or subcontractor of such tribe or an
472 entity employed, licensed, or contracted by such tribe; or be an
473 ultimate equitable owner, as defined in s. 546.15(2) or s.
474 550.002(37), as applicable, of such entity;



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475 3. Be a registered lobbyist for the executive or
476 legislative branch, except while a commissioner or employee of
477 the commission when officially representing the commission or
478 unless the person registered as a lobbyist for the executive or
479 legislative branch while employed by a state agency as defined
480 in s. 110.107 during the normal course of his or her employment
481 with such agency and he or she has not lobbied on behalf of any
482 entity other than a state agency during the 2 years immediately
483 preceding the date of his or her appointment to or employment
484 with the commission; or

485 4. Be a bingo game operator or an employee of a bingo game
486 operator.

487
488 For the purposes of this subsection, the term "relative" means a
489 spouse, father, mother, son, daughter, grandfather, grandmother,
490 brother, sister, uncle, aunt, cousin, nephew, niece, father-in-
491 law, mother-in-law, son-in-law, daughter-in-law, brother-in-law,
492 sister-in-law, stepfather, stepmother, stepson, stepdaughter,
493 stepbrother, stepsister, half brother, or half sister.

494 Section 13. Paragraphs (b) and (c) of subsection (2) of
495 section 16.715, Florida Statutes, are amended to read:

496 16.715 Florida Gaming Control Commission standards of
497 conduct; ex parte communications.—

498 (2) FORMER COMMISSIONERS AND EMPLOYEES.—

499 (b) A commissioner may not, for the 2 years immediately
500 following the date of resignation or termination from the
501 commission:

502 1. Hold a permit or license issued under chapter 550, or a
503 license issued under chapter 546, chapter 551, or chapter 849;



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504 be an officer, official, or employee of such permitholder or
505 licensee; or be an ultimate equitable owner, as defined in s.
506 546.15(2) or s. 550.002(37), as applicable, of such permitholder
507 or licensee;

508 2. Accept employment by or compensation from a business
509 entity that, directly or indirectly, owns or controls a person
510 regulated by the commission; from a person regulated by the
511 commission; from a business entity which, directly or
512 indirectly, is an affiliate or subsidiary of a person regulated
513 by the commission; or from a business entity or trade
514 association that has been a party to a commission proceeding
515 within the 2 years preceding the member's resignation or
516 termination of service on the commission; or

517 3. Be a bingo game operator or an employee of a bingo game
518 operator.

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

522 1. Hold a permit or license issued under chapter 550, or a
523 license issued under chapter 546, chapter 551, or chapter 849;
524 be an officer, official, or employee of such permitholder or
525 licensee; or be an ultimate equitable owner, as defined in s.
526 546.15(2) or s. 550.002(37), as applicable, of such permitholder
527 or licensee; or

528 2. Be a bingo game operator or an employee of a bingo game
529 operator.

530 Section 14. Subsection (7) is added to section 849.142,
531 Florida Statutes, to read:

532 849.142 Exempted activities.—Sections 849.01, 849.08,



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533 849.09, 849.11, 849.14, and 849.25 do not apply to participation
534 in or the conduct of any of the following activities:

535 (7) Fantasy sports contests conducted pursuant to chapter
536 546.

537 Section 15. This act shall take effect July 1, 2024.

538

539 ===== T I T L E A M E N D M E N T =====

540 And the title is amended as follows:

541 Delete everything before the enacting clause
542 and insert:

543 A bill to be entitled
544 An act relating to the Fantasy Sports Contest
545 Amusement Act; creating s. 546.12, F.S.; providing
546 legislative findings and intent; creating s. 546.13,
547 F.S.; defining terms; creating s. 546.14, F.S.;
548 requiring the Florida Gaming Control Commission to
549 enforce and administer the act; authorizing the
550 commission to take certain actions; requiring the
551 commission to revoke a contest operator's license
552 under certain circumstances; requiring the commission
553 to adopt rules; creating s. 546.15, F.S.; providing
554 application requirements for fantasy sports contest
555 operator licenses; exempting such applications from a
556 specified requirement; providing that specified
557 persons or entities are not eligible for licensure
558 under certain circumstances; defining terms;
559 specifying that a contest operator's license is
560 suspended under certain circumstances; providing an
561 exception; requiring that certain changes in ownership



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562 or interest be approved by the commission; requiring
563 contest operators to report to the commission certain
564 changes in ownership or interest; authorizing the
565 commission to conduct investigations; creating s.
566 546.16, F.S.; requiring a contest operator to
567 implement specified consumer protection procedures;
568 defining the term "relative"; requiring a contest
569 operator to annually contract with a third party to
570 perform an independent audit; requiring a contest
571 operator to submit the audit results to the commission
572 within a certain timeframe; requiring a contest
573 operator to use data sources that meet specified
574 requirements; creating s. 546.17, F.S.; requiring
575 contest operators to keep and maintain certain records
576 for a specified period; providing a requirement for
577 such records; requiring that such records be available
578 for audit and inspection; requiring the commission to
579 adopt rules; creating s. 546.18, F.S.; defining terms;
580 prohibiting contest operators from offering certain
581 fantasy sports contests; creating s. 546.19, F.S.;
582 providing civil penalties; providing applicability;
583 providing criminal penalties for certain persons who
584 offer or operate a fantasy sports contest in violation
585 of this act; authorizing the commission, a state
586 attorney, the statewide prosecutor, or the Attorney
587 General to seek an injunction restraining any further
588 violations of this act; amending s. 16.71, F.S.;

589 prohibiting the Governor from soliciting or requesting
590 certain information from a person who holds a license



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591 to conduct fantasy sports contests; amending s.
592 16.712, F.S.; conforming provisions to changes made by
593 the act; amending s. 16.713, F.S.; revising
594 prohibitions relating to appointment to and employment
595 with the commission to include prohibitions relating
596 to fantasy sports contests licenses; amending s.
597 16.715, F.S.; revising prohibitions relating to former
598 commissioners and employees of the commission to
599 include prohibitions relating to fantasy sports
600 contests licenses; amending s. 849.142, F.S.;
601 providing that specified provisions do not apply to
602 participation in or the conduct of fantasy sports
603 contests; providing an effective date.