# LEGISLATIVE ACTION Senate House Comm: RCS 03/25/2025

The Committee on Regulated Industries (Gruters) recommended the following:

### Senate Amendment (with title amendment)

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9 10 Delete lines 100 - 308

4 and insert:

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

- 16.713 Florida Gaming Control Commission; appointment and employment restrictions.-
- (2) PROHIBITIONS FOR EMPLOYEES AND COMMISSIONERS; PERSONS INELIGIBLE FOR APPOINTMENT TO AND EMPLOYMENT WITH THE



## COMMISSION.-

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- (a) A person may not, for the 2 years immediately preceding the date of appointment to or employment with the commission and while appointed to or employed with the commission:
- 1. Hold a permit or license issued under chapter 550 or a license issued under chapter 551 or chapter 849; be an officer, official, or employee of such permitholder or licensee; or be an ultimate equitable owner, as defined in s. 550.002(37), of such permitholder or licensee;
- 2. Be an officer, official, employee, or other person with duties or responsibilities relating to a gaming operation owned by an Indian tribe that has a valid and active compact with the state; be a contractor or subcontractor of such tribe or an entity employed, licensed, or contracted by such tribe; or be an ultimate equitable owner, as defined in s. 550.002(37), of such entity;
- 3. Be a registered lobbyist for the executive or legislative branch, except while a commissioner or employee of the commission when officially representing the commission or unless the person registered as a lobbyist for the executive or legislative branch while employed by a state agency as defined in s. 110.107 during the normal course of his or her employment with such agency and he or she has not lobbied on behalf of any entity other than a state agency during the 2 years immediately preceding the date of his or her appointment to or employment with the commission; or
- 4. Be a bingo game operator or an employee of a bingo game operator; or
  - 5. Be an employee, associate, owner, or contractor for any

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person or entity that conducts or facilitates an activity regulated, enforced, or investigated by the commission, including fantasy sports contests and other betting activities.

- (b) A person is ineligible for appointment to or employment with the commission if, within the 2 years immediately preceding such appointment or employment, he or she violated paragraph (a) or solicited or accepted employment with, acquired any direct or indirect interest in, or had any direct or indirect business association, partnership, or financial relationship with, or is a relative of:
- 1. Any person or entity who is an applicant, licensee, or registrant with the commission; or
- 2. Any officer, official, employee, or other person with duties or responsibilities relating to a gaming operation owned by an Indian tribe that has a valid and active compact with the state; any contractor or subcontractor of such tribe or an entity employed, licensed, or contracted by such tribe; or any ultimate equitable owner, as defined in s. 550.002(37), of such entity; or
- 3. Any person or entity that conducts or facilitates an activity regulated, enforced, or investigated by the commission, including fantasy sports contests and other betting activities.

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

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Section 3. Paragraph (b) of subsection (1) and paragraphs (b) and (c) of subsection (2) of section 16.715, Florida Statutes, are amended to read:

- 16.715 Florida Gaming Control Commission standards of conduct; ex parte communications.-
  - (1) STANDARDS OF CONDUCT.-
- (b) 1. A commissioner or employee of the commission may not accept anything from any business entity that, either directly or indirectly, owns or controls any person regulated by the commission or from any business entity that, either directly or indirectly, is an affiliate or subsidiary of any person regulated by the commission.
- 2. A commissioner or an employee may attend conferences, along with associated meals and events that are generally available to all conference participants, without payment of any fees in addition to the conference fee. Additionally, while attending a conference, a commissioner or an employee may attend meetings, meals, or events that are not sponsored, in whole or in part, by any representative of any person regulated by the commission and that are limited to commissioners or employees only, committee members, or speakers if the commissioner or employee is a member of a committee of the association of regulatory agencies which organized the conference or is a speaker at the conference. It is not a violation of this subparagraph for a commissioner or an employee to attend a conference for which conference participants who are employed by a person regulated by the commission have paid a higher conference registration fee than the commissioner or employee, or to attend a meal or event that is generally available to all

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conference participants without payment of any fees in addition to the conference fee and that is sponsored, in whole or in part, by a person regulated by the commission.

- 3. While employed, and for 2 years after service as a commissioner or for 2 years after employment with the commission, a commissioner or an employee may not accept any form of employment with or engage in any business activity with any business entity that, either directly or indirectly, owns or controls any person regulated by the commission; any person regulated by the commission; or any business entity that, either directly or indirectly, is an affiliate or subsidiary of any person regulated by the commission; or be an employee, associate, owner, or contractor for any person or entity that conducts or facilitates an activity regulated, enforced, or investigated by the commission, including fantasy sports contests and other betting activities.
- 4. While employed, and for 2 years after service as a commissioner or for 2 years after employment with the commission, a commissioner, an employee, or a relative living in the same household as a commissioner or an employee may not have any financial interest, other than shares in a mutual fund, in any person regulated by the commission; in any business entity that, either directly or indirectly, owns or controls any person regulated by the commission; or in any business entity that, either directly or indirectly, is an affiliate or a subsidiary of any person regulated by the commission; or be an employee, associate, owner, or contractor for any person or entity that conducts or facilitates an activity regulated, enforced, or investigated by the commission, including fantasy sports

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contests and other betting activities. If a commissioner, an employee, or a relative living in the same household as a commissioner or an employee acquires any financial interest prohibited by this subsection during the commissioner's term of office or the employee's employment with the commission as a result of events or actions beyond the commissioner's, the employee's, or the relative's control, he or she shall immediately sell such financial interest. For the purposes of this subsection, the term "relative" has the same meaning as in s. 16.713(2)(b).

- 5. A commissioner or an employee may not accept anything from a party in a proceeding currently pending before the commission.
- 6. A commissioner may not serve as the representative of any political party or on any executive committee or other governing body of a political party; serve as an executive officer or employee of any political party, committee, organization, or association; receive remuneration for activities on behalf of any candidate for public office; engage on behalf of any candidate for public office in the solicitation of votes or other activities on behalf of such candidacy; or become a candidate for election to any public office without first resigning from office.
- 7. A commissioner, during his or her term of office, may not make any public comment regarding the merits of any proceeding under ss. 120.569 and 120.57 currently pending before the commission.
- 8. A commissioner or an employee may not act in an unprofessional manner at any time during the performance of



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- 9. A commissioner or an employee must avoid impropriety in all activities and must act at all times in a manner that promotes public confidence in the integrity and impartiality of the commission.
- 10. A commissioner or an employee may not directly or indirectly, through staff or other means, solicit anything of value from any person regulated by the commission, or from any business entity that, whether directly or indirectly, is an affiliate or a subsidiary of any person regulated by the commission, or from any party appearing in a proceeding considered by the commission in the last 2 years.
- 11. A commissioner may not lobby the Governor or any agency of the state, members or employees of the Legislature, or any county or municipal government or governmental agency except to represent the commission in an official capacity.
  - (2) FORMER COMMISSIONERS AND EMPLOYEES.-
- (b) A commissioner, the executive director, or an employee of the commission may not, for the 2 years immediately following the date of resignation or termination from the commission:
- 1. Hold a permit or license issued under chapter 550, or a license issued under chapter 551 or chapter 849; be an officer, official, or employee of such permitholder or licensee; or be an ultimate equitable owner, as defined in s. 550.002(37), of such permitholder or licensee; or be an employee, associate, owner, or contractor for any person or entity that conducts or facilitates an activity regulated, enforced, or investigated by the commission, including fantasy sports contests and other betting activities;

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- 2. Accept employment by or compensation from a business entity that, directly or indirectly, owns or controls a person regulated by the commission; from a person regulated by the commission; from a business entity which, directly or indirectly, is an affiliate or subsidiary of a person regulated by the commission; or from a business entity or trade association that has been a party to a commission proceeding within the 2 years preceding the member's resignation or termination of service on the commission; from any person or entity that conducts or facilitates an activity regulated, enforced, or investigated by the commission, including fantasy sports contests and other betting activities; or
- 3. Be a bingo game operator or an employee of a bingo game operator.
- (c) A person employed by the commission may not, for the 2 years immediately following the date of termination or resignation from employment with the commission:
- 1. Hold a permit or license issued under chapter 550, or a license issued under chapter 551 or chapter 849; be an officer, official, or employee of such permitholder or licensee; or be an ultimate equitable owner, as defined in s. 550.002(37), of such permitholder or licensee; or be an employee, associate, owner, or contractor for any person or entity that conducts or facilitates an activity regulated, enforced, or investigated by the commission, including fantasy sports contests and other betting activities; or
- 2. Be a bingo game operator or an employee of a bingo game operator.
  - Section 4. Paragraph (i) of subsection (4) of section

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214 551.104, Florida Statutes, is amended to read:

551.104 License to conduct slot machine gaming.

- (4) As a condition of licensure and to maintain continued authority for the conduct of slot machine gaming, the slot machine licensee shall:
- (i) Create and file with the commission a written policy for:
- 1. Creating opportunities to purchase from vendors in this state, including minority vendors.
- 2. Creating opportunities for employment of residents of this state, including minority residents.
- 3. Ensuring opportunities for construction services from a small business as defined in s. 288.703 minority contractors.
- 4. Ensuring that opportunities for employment are offered on an equal, nondiscriminatory basis.
- 5. Training for employees on responsible gaming and working with a compulsive or addictive gambling prevention program to further its purposes as provided for in s. 551.118.
- 6. The implementation of a drug-testing program that includes, but is not limited to, requiring each employee to sign an agreement that he or she understands that the slot machine facility is a drug-free workplace.

The slot machine licensee shall use the Internet-based joblisting system of the Department of Commerce in advertising employment opportunities. Each slot machine licensee shall provide an annual report to the Florida Gaming Control Commission containing information indicating compliance with this paragraph in regard to minority persons.

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Section 5. Section 838.12, Florida Statutes, is amended, to read:

838.12 Bribery in athletic contests.-

- (1) Whoever gives, promises, offers or conspires to give, promise or offer, to anyone who participates or expects to participate in any professional or amateur game, contest, match, race or sport; or to any umpire, referee, judge or other official of such game, contest, match, race or sport; or to any owner, manager, coach or trainer of, or to any relative of, or to any person having any direct, indirect, remote or possible connection with, any team, individual, participant or prospective participant in any such professional or amateur game, contest, match, race or sport, or the officials aforesaid, any bribe, money, goods, present, reward or any valuable thing whatsoever, or any promise, contract or agreement whatsoever, with intent to influence him or her or them to lose or cause to be lost any game, contest, match, race or sport, or to limit his or her or their or any person's or any team's margin of victory in any game, contest, match, race, or sport, or to fix or throw any game, contest, match, race or sport, commits shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (2) Any participant or prospective participant in any professional or amateur game, contest, match, race or sport; or any umpire, referee, judge or other official of such game, contest, match, race or sport; or any owner, manager, coach or trainer of, or any relative of, or any person having any direct, indirect, remote or possible connection with, any team, individual, participant or prospective participant in any such

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professional or amateur game, contest, match, race or sport, or the officials aforesaid; who in any way solicits, receives or accepts, or agrees to receive or accept, or who conspires to receive or accept, any bribe, money, goods, present, reward or any valuable thing whatsoever, or any promise, contract or agreement whatsoever, with intent to lose or cause to be lost any game, contest, match, race or sport, or to limit his, her, their or any person's or any team's margin of victory in any game, contest, match, race or sport, or to fix or throw any game, contest, match, race or sport, commits shall be quilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) A person who stakes, bets, or wagers any money or other thing of value upon the result of any professional or amateur game, contest, match, race, or sport with knowledge that the results of such professional or amateur game, contest, match, race, or sport are prearranged or predetermined as described in subsection (1) or subsection (2) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 6. Section 843.08, Florida Statutes, is amended to read:

843.08 False personation.—A person who falsely assumes or pretends to be a firefighter, a sheriff, an officer of the Florida Highway Patrol, an officer of the Fish and Wildlife Conservation Commission, an officer of the Department of Environmental Protection, an officer of the Department of Financial Services, any personnel or representative of the Division of Investigative and Forensic Services, any personnel

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or representative of the Florida Gaming Control Commission, an officer of the Department of Corrections, a correctional probation officer, a deputy sheriff, a state attorney or an assistant state attorney, a statewide prosecutor or an assistant statewide prosecutor, a state attorney investigator, a coroner, a police officer, a lottery special agent or lottery investigator, a beverage enforcement agent, a school guardian as described in s. 30.15(1)(k), a security officer licensed under chapter 493, any member of the Florida Commission on Offender Review or any administrative aide or supervisor employed by the commission, any personnel or representative of the Department of Law Enforcement, or a federal law enforcement officer as defined in s. 901.1505, and takes upon himself or herself to act as such, or to require any other person to aid or assist him or her in a matter pertaining to the duty of any such officer, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. However, a person who falsely personates any such officer during the course of the commission of a felony commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. If the commission of the felony results in the death or personal injury of another human being, the person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. In determining whether a defendant has violated this section, the court or jury may consider any relevant evidence, including, but not limited to, whether the defendant used lights in violation of s. 316.2397 or s. 843.081. Section 7. Section 849.01, Florida Statutes, is amended to read:

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849.01 Keeping gambling houses, etc.—Whoever by herself or himself, her or his servant, clerk or agent, or in any other manner has, keeps, exercises or maintains a gaming table or room, or gaming implements or apparatus, or house, booth, tent, shelter or other place for the purpose of gaming or gambling or in any place of which she or he may directly or indirectly have charge, control or management, either exclusively or with others, procures, suffers or permits any person to play for money or other valuable thing at any game whatever, whether heretofore prohibited or not, commits a felony misdemeanor of the third second degree, punishable as provided in s. 775.082, <del>or</del> s. 775.083, or s. 775.084.

Section 8. Section 849.02, Florida Statutes, is amended to read:

- 849.02 Agents or employees of keeper of gambling house.—A person who Whoever acts as servant, clerk, agent, or employee of any person in the violation of s. 849.01 commits:
- (1) For a first offense, a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.
- (2) For a second offense, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (3) For a third or subsequent offense, a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084 shall be punished in the manner and to the extent therein mentioned.
- Section 9. Section 849.03, Florida Statutes, is amended to read:
- 849.03 Renting house for gambling purposes.—A person who Whoever, whether as owner or agent, knowingly rents to another a

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house, room, booth, tent, shelter or place for the purpose of gaming commits:

- (1) For a first offense, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084 shall be punished in the manner and to the extent mentioned in s. 849.01.
- (2) For a second or subsequent violation, a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 10. Section 849.08, Florida Statutes, is amended to read:

849.08 Gambling.-

- (1) As used in this section, the term:
- (a) "Internet gambling" means to play or engage in any game in which money or other thing of value is awarded based on chance, regardless of any application of skill, that is available on the Internet and accessible on a mobile device, computer terminal, or other similar access device and simulates casino-style gaming, including, but not limited to, slot machines, video poker, and table games.
- (b) "Internet sports wagering" means to stake, bet, or wager any money or other thing of value upon the result of any trial or contest of skill, speed, power, or endurance of human or beast that is available on the Internet and accessible on a mobile device, computer terminal, or other similar access device. The term does not include fantasy sports contests as defined in s. 849.0932.
- (2) A person who Whoever plays or engages in Internet gambling, any game at cards, keno, roulette, faro or other game

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of chance, at any place, by any device whatever, for money or other thing of value, commits shall be quilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

- (3) A person who plays or engages in Internet sports wagering commits:
- (a) For a first offense, a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.
- (b) For a second or subsequent violation, a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.
- (4) A person who operates, conducts, or promotes Internet gambling or Internet sports wagering, or receives in any manner whatsoever any money or other thing of value offered for the purpose of Internet gambling or Internet sports wagering, or whoever knowingly becomes the custodian or depositary of any money or other thing of value so offered, or whoever aids, assists, abets, or influences in any manner in any of such acts, all of which are hereby forbidden, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (5) This section does not apply to participation in, or the conduct of, any gaming activities authorized under s. 285.710(13) and conducted pursuant to a gaming compact ratified and approved under s. 285.710(3).
- Section 11. Paragraph (e) is added to subsection (12) of section 849.086, Florida Statutes, to read:
  - 849.086 Cardrooms authorized.
  - (12) PROHIBITED ACTIVITIES.—

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- (e) A person who manipulates or attempts to manipulate the playing cards, outcome, or payoff of a card game in a licensed cardroom by physical tampering or by use of any object, instrument, or device, whether mechanical, electrical, magnetic, or involving other means, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Section 12. Section 849.0932, Florida Statutes, is created to read: 849.0932 Fantasy sports contests; conditions for conduct. (1) As used in this section, the term: (a) "Commission" means the Florida Gaming Control Commission. (b) "Confidential information" means information related to the playing of fantasy sports contests by contest participants which is obtained solely as a result of a person's employment with, or work as an agent of, a contest operator. (c) "Contest operator" means a person or an entity that offers fantasy sports contests for a cash prize to members of the public. The term does not include a noncommercial contest operator in this state. (d) "Contest participant" means a person who pays an entry fee for the ability to participate in a fantasy or simulation sports game or contest offered by a contest operator or noncommercial contest operator. (e) "Entry fee" means the cash or cash equivalent amount
- that a person is required to pay to a contest operator or noncommercial contest operator to participate in a fantasy sports contest.
  - (f) "Fantasy sports contest" means a fantasy or simulation

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sports game or contest offered by a contest operator or a noncommercial contest operator in which a contest participant manages a fantasy or simulation sports team composed of athletes from a professional sports organization and which meets each of the following requirements:

- 1. All prizes and awards offered to winning contest participants are established and made known to the contest participants in advance of the game or contest, and their value is not determined by the number of contest participants or the amount of any fees paid by those contest participants.
- 2. All winning outcomes reflect the relative knowledge and skill of the contest participants and are determined predominantly by accumulated statistical results of the performance of individuals, including athletes in the case of sporting events.
- 3. No winning outcome is based on the score, point spread, or any performance or performances of any single actual team or combination of such teams; solely on any single performance of an individual athlete or player in a single actual event; on a pari-mutuel event, as the term "pari-mutuel" is defined in s. 550.002; on a game of poker or other card game; or on the performances of participants in collegiate, high school, or youth sporting events.
- 4. No casino graphics, themes, or titles, including, but not limited to, depictions of slot machine-style symbols, cards, dice, craps, roulette, or lotto, are displayed or depicted.
- (g) "Noncommercial contest operator" means a natural person who organizes and conducts a fantasy or simulation sports game in which contest participants are charged entry fees for the



right to participate; and who collects, maintains, and distributes such entry fees;

- (2) The total entry fees collected, maintained, and distributed by a noncommercial contest operator for a fantasy sports contest may not exceed \$1,500 per season or a total of \$10,000 per calendar year. All entry fees must be returned to the contest participants in the form of prizes.
- (3) The Florida Gaming Control Commission shall investigate violations of this section and refer them to the Attorney General or the state attorney in the circuit in which the violation occurs. The Attorney General or state attorney may also institute proceedings to enjoin any person found to be violating this section.
- (4) (a) A violation of this section is punishable by a fine of \$1,000 in addition to civil and criminal penalties.
- (b) An operator or owner of any website, platform, or application that offers fantasy sports contests in violation of this section is subject to a fine of up to \$100,000 per violation.
- (5) (a) A person who willfully and knowingly violates this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.
- (b) An operator or an owner of any application, platform, or website that offers fantasy sports contests in violation of this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

503 And the title is amended as follows:



504 Delete lines 5 - 27 505 and insert: 506 the Florida Gaming Control Commission; amending s. 507 16.713, F.S.; prohibiting certain employment for a 508 specified timeframe before or during a person's 509 service with the commission; amending s. 16.715, F.S.; 510 revising standards of conduct for the commission; 511 prohibiting certain post-employment activities for 512 former commissioners and employees for a specified 513 period; amending s. 551.104, F.S.; revising hiring and 514 procurement policy and reporting requirements for slot 515 machine gaming licensure; amending s. 838.12, F.S.; 516 prohibiting betting on athletic contests with 517 knowledge that the results are prearranged or 518 predetermined; providing criminal penalties; amending 519 s. 843.08, F.S.; prohibiting false personation of 520 personnel of the Florida Gaming Control Commission; 521 providing criminal penalties; amending s. 849.01, 522 F.S.; revising criminal penalties for offenses 523 involving keeping a gambling house; amending s. 524 849.02, F.S.; increasing criminal penalties for 525 specified offenses by agents or employees of a keeper 526 of a gambling house; amending s. 849.03, F.S.; 527 revising criminal penalties for offenses involving 528 renting a house for gambling purposes; amending s. 529 849.08, F.S.; defining the terms "Internet gambling" 530 and "Internet sports wagering"; prohibiting Internet 531 gambling and Internet sports wagering and related 532 offenses; providing criminal penalties; providing an

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exception; amending s. 849.086, F.S.; prohibiting specified actions relating to manipulation of card games; providing criminal penalties; creating s. 849.0932, F.S.; defining terms; prohibiting entry fees collected by noncommercial contest operators from exceeding a specified amount; requiring that all entry fees be returned to contest participants in the form of prizes; requiring the Florida Gaming Control Commission to investigate and refer violations to the Attorney General or the state attorney in the circuit in which the violation occurs; authorizing the Attorney General or the state attorney to institute proceedings to enjoin persons found to be in violation of specified provisions of law; providing fines of specified amounts and civil and criminal penalties for specified violations; amending