



914396

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/25/2025	.	
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The Committee on Regulated Industries (Bradley) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 99 and 100

insert:

Section 2. Present subsections (8) and (9) of section 546.10, Florida Statutes, are redesignated as subsections (9) and (10), respectively, and a new subsection (8) is added to that section, to read:

546.10 Amusement games or machines.—

(8) (a) 1. Before purchasing or installing a game or machine



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11 on the premises of any veterans' service organization granted a  
12 federal charter under Title 36, U.S.C., or a division, a  
13 department, a post, or a chapter of such organization, for which  
14 an alcoholic beverage license has been issued, and the veterans'  
15 service organization is in doubt about whether a machine meets  
16 the definition of an amusement machine under this section, the  
17 organization may petition the Florida Gaming Control Commission  
18 for a declaratory statement under s. 120.565 on whether the  
19 operation of the game or machine would be authorized under this  
20 section or would be a violation of this section or chapter 849.  
21 A game or machine awaiting a declaratory statement from the  
22 commission may not be purchased or installed until the  
23 declaratory statement is issued.

24 2. If there is a game or machine currently on the premises  
25 of any veterans' service organization granted a federal charter  
26 under Title 36, U.S.C., or a division, a department, a post, or  
27 a chapter of such organization, for which an alcoholic beverage  
28 license has been issued and the veterans' service organization  
29 is in doubt about whether a machine meets the definition of an  
30 amusement machine under this section, the organization may  
31 petition the commission for a declaratory statement pursuant to  
32 s. 120.565 on whether the operation of the game or machine would  
33 be authorized under this section or would be a violation of this  
34 section or chapter 849. If the game, machine, premises, or  
35 organization is the subject of an ongoing criminal  
36 investigation, the organization may not petition the commission  
37 for a declaratory statement under this subsection.

38 3. The commission shall issue a declaratory statement  
39 pursuant to this subsection within 60 days after receiving a



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40 petition requesting such statement. The commission may not deny  
41 a petition that is validly requested pursuant to this subsection  
42 and 120.565.

43 (b) A petition made under this subsection must provide  
44 enough information for the commission to issue the declaratory  
45 statement and must be accompanied by the exact specifications  
46 for the type of game or machine that the organization will  
47 purchase or install or currently has on the premises. The  
48 declaratory statement is valid only for the game or machine for  
49 which it is requested and is invalid if the specifications for  
50 the game or the machine have been changed.

51 (c) The declaratory statement is binding on the commission  
52 and may be introduced in any subsequent proceedings as evidence  
53 of a good faith effort to comply with this section or chapter  
54 849.

55 (d) This subsection does not prevent the commission or any  
56 other criminal justice agency as defined in s. 943.045 from  
57 detecting, apprehending, and arresting a person for any alleged  
58 violation of chapter 24, part II of chapter 285, this chapter,  
59 chapter 550, chapter 551, or chapter 849, or any rule adopted  
60 pursuant thereto, or of any law of this state.

61 (e) This subsection does not require an owner or an  
62 operator of an amusement game or machine under this section to  
63 request or obtain a declaratory statement in order to operate  
64 pursuant to this section.

65  
66 ===== T I T L E A M E N D M E N T =====

67 And the title is amended as follows:

68 Delete line 5



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69 and insert:

70 the Florida Gaming Control Commission; amending s.  
71 546.10, F.S.; authorizing certain organizations to  
72 petition the petition before purchasing, installing,  
73 or operating a game or machine on its premises before  
74 petitioning for and being issued a specified  
75 declaratory statement from the Florida Gaming Control  
76 Commission if the organization is unsure if such game  
77 or machine is an amusement machine; prohibiting such  
78 organizations from purchasing or installing a game or  
79 machine until an outstanding declaratory statement is  
80 issued; prohibiting such organizations from seeking a  
81 declaratory statement if the game or machine in  
82 question is the subject of a criminal investigation;  
83 requiring the commission to issue a declaratory  
84 statement within a specified timeframe; prohibiting  
85 the commission from denying a petition if it was  
86 validly requested; specifying what information must be  
87 included in a request for a declaratory statement;  
88 providing that the declaratory statement is valid only  
89 for the game or machine for which it is requested;  
90 providing that the declaratory statement is invalid if  
91 the specifications for the game or machine have been  
92 changed; providing that the declaratory statement is  
93 binding on the commission and may be introduced as  
94 evidence in subsequent proceedings; providing  
95 construction; amending s.