

By Senator DiCeglie

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A bill to be entitled

An act relating to thoroughbred permitholders; amending s. 550.01215, F.S.; providing that a thoroughbred permitholder may elect not to, rather than be required to, conduct live racing or games; providing that a thoroughbred permitholder that does not conduct live racing or games retains its permit, remains a pari-mutuel facility, remains an eligible facility if issued a slot machine license, and is eligible to be a guest track and a host track; providing that a greyhound permitholder, jai alai permitholder, harness horse racing permitholder, quarter horse racing permitholder, and thoroughbred permitholder are exempt from certain licensing and application fees for operating a cardroom; requiring a thoroughbred permitholder that operates a slot machine facility or cardroom to offer a full schedule of live racing until the permitholder notifies the Florida Gaming Control Commission that it will no longer offer live racing; providing that such notice is not valid unless delivered to the commission on or after a specified date; specifying requirements for such notice; providing that a permitholder is not required to deliver such notice if authorized by the commission to relocate; amending s. 550.054, F.S.; authorizing, rather than prohibiting, the transfer or reissuance of a thoroughbred horse racing permit or license under certain circumstances; deleting exceptions in which a thoroughbred horse racing licensee may change the

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location of the licensee's thoroughbred horse racetrack; amending s. 550.09515, F.S.; providing that the permit of a thoroughbred permitholder who conducts live performances and does not pay taxes for a certain time is void; reenacting and amending s. 550.3345, F.S.; providing that certain members of a certain not-for-profit corporation be designated by the commission, rather than the Florida Thoroughbred Breeders' Association; providing that the not-for-profit corporation may move the location of a permit to another location in a different county which has been previously authorized for pari-mutuel wagering; amending s. 550.475, F.S.; providing that holders of pari-mutuel permits for pari-mutuel wagering may lease any of the facilities of a thoroughbred training facility holding a valid license; revising the geographic area within which a pari-mutuel permitholder may lease its facilities to certain persons and permitholders; prohibiting a thoroughbred permitholder relocation from operating a cardroom at a leased training facility; providing that a lessor of a pari-mutuel facility that has been issued a slot machine license or a cardroom license is an eligible facility; amending s. 550.5251, F.S.; requiring that thoroughbred permitholders required to offer live racing, rather than all thoroughbred permitholders, must annually file with the commission an application to conduct one or more thoroughbred racing meetings during the thoroughbred racing season; reenacting s.

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550.615(2) and (8), F.S., relating to intertrack
wagering, to incorporate the amendments made to ss.
550.01215 and 550.475, F.S., in references thereto;
providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraphs (a) and (b) of subsection (1) of
section 550.01215, Florida Statutes, are amended to read:

550.01215 License application; periods of operation;
license fees; bond.—

(1) Each permitholder shall annually, during the period
between January 15 and February 4, file in writing with the
commission its application for an operating license for a pari-
mutuel facility for the conduct of pari-mutuel wagering during
the next state fiscal year, including intertrack and simulcast
race wagering. Each application for live performances must
specify the number, dates, and starting times of all live
performances that the permitholder intends to conduct. It must
also specify which performances will be conducted as charity or
scholarship performances.

(a) Each application for an operating license also must
include:

1. For each permitholder, whether the permitholder intends
to accept wagers on intertrack or simulcast events.

2. For each permitholder that elects to operate a cardroom,
the dates and periods of operation the permitholder intends to
operate the cardroom.

3. For each thoroughbred ~~racetrack~~ permitholder that elects to

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88 receive or rebroadcast out-of-state races, the dates for all
89 performances that the permitholder intends to conduct.

90 (b)1. A greyhound permitholder may not conduct live racing.
91 A jai alai permitholder, harness horse racing permitholder,
92 thoroughbred permitholder, or quarter horse racing permitholder
93 may elect not to conduct live racing or games. ~~A thoroughbred~~
94 ~~permitholder must conduct live racing.~~ A greyhound permitholder,
95 jai alai permitholder, harness horse racing permitholder, ~~or~~
96 quarter horse racing permitholder, or thoroughbred permitholder
97 that does not conduct live racing or games retains its permit;
98 is a pari-mutuel facility as defined in s. 550.002(23); if such
99 permitholder has been issued a slot machine license, the
100 facility where such permit is located remains an eligible
101 facility as defined in s. 551.102(4), continues to be eligible
102 for a slot machine license pursuant to s. 551.104(3), and is
103 exempt from ss. 551.104(4)(c) and (10) and 551.114(2); is
104 eligible, but not required, to be a guest track and, if the
105 permitholder is a harness horse racing permitholder, to be a
106 host track for purposes of intertrack wagering and simulcasting
107 pursuant to ss. 550.3551, 550.615, 550.625, and 550.6305; and
108 remains eligible for a cardroom license, and is exempt from s.
109 849.086(5)(c) and (13)(d)2. A thoroughbred permitholder that
110 operates a slot machine facility or cardroom must offer a full
111 schedule of live racing until such permitholder notifies the
112 commission that it will no longer offer live racing. Notice
113 under this paragraph is not valid unless delivered to the
114 commission on or after July 1, 2027. Such notice must contain
115 the date on which the permitholder will no longer offer live
116 racing, which may be no earlier than a date 3 years after the

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117 date of the notice. A permitholder is not required to deliver
118 such notice when relocating pursuant to s. 550.3345(2)(d) or s.
119 550.475 with authorization by the commission in accordance with
120 s. 550.054.

121 2. A permitholder or licensee may not conduct live
122 greyhound racing or dogracing in connection with any wager for
123 money or any other thing of value in the state. The commission
124 may deny, suspend, or revoke any permit or license under this
125 chapter if a permitholder or licensee conducts live greyhound
126 racing or dogracing in violation of this subparagraph. In
127 addition to, or in lieu of, denial, suspension, or revocation of
128 such permit or license, the commission may impose a civil
129 penalty of up to \$5,000 against the permitholder or licensee for
130 a violation of this subparagraph. All penalties imposed and
131 collected must be deposited with the Chief Financial Officer to
132 the credit of the General Revenue Fund.

133 Section 2. Subsection (13) and paragraph (b) of subsection
134 (14) of section 550.054, Florida Statutes, are amended to read:

135 550.054 Application for permit to conduct pari-mutuel
136 wagering.—

137 (13)~~(a)~~ Notwithstanding ~~any~~ provisions of this chapter to
138 the contrary, a ~~no~~ thoroughbred horse racing permit or license
139 issued under this chapter may ~~shall~~ be transferred, or reissued
140 when such reissuance is in the nature of a transfer so as to
141 permit or authorize a licensee to change the location of a
142 thoroughbred horse racetrack ~~except~~ upon authorization by ~~proof~~
143 ~~in such form as the commission may prescribe that a referendum~~
144 ~~election has been held.~~

145 ~~1. If the proposed new location is within the same county~~

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146 ~~as the already licensed location, in the county where the~~
147 ~~licensee desires to conduct the race meeting and that a majority~~
148 ~~of the electors voting on that question in such election voted~~
149 ~~in favor of the transfer of such license.~~

150 ~~2. If the proposed new location is not within the same~~
151 ~~county as the already licensed location, in the county where the~~
152 ~~licensee desires to conduct the race meeting and in the county~~
153 ~~where the licensee is already licensed to conduct the race~~
154 ~~meeting and that a majority of the electors voting on that~~
155 ~~question in each such election voted in favor of the transfer of~~
156 ~~such license.~~

157 ~~(b) Each referendum held under the provisions of this~~
158 ~~subsection shall be held in accordance with the electoral~~
159 ~~procedures for ratification of permits, as provided in s.~~
160 ~~550.0651. The expense of each such referendum shall be borne by~~
161 ~~the licensee requesting the transfer.~~

162 (14)

163 (b) The commission, upon application from the holder of a
164 jai alai permit meeting all conditions of this section, shall
165 convert the permit and shall issue to the permitholder a permit
166 to conduct greyhound racing. A permitholder of a permit
167 converted under this section is ~~shall be~~ required to apply for
168 and conduct a full schedule of live racing each fiscal year to
169 be eligible for any tax credit provided by this chapter. The
170 holder of a permit converted pursuant to this subsection or any
171 holder of a permit to conduct greyhound racing located in a
172 county in which it is the only permit issued pursuant to this
173 section who operates at a leased facility pursuant to s. 550.475
174 may move the location for which the permit has been issued to

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another location within a 30-mile radius of the location fixed in the permit issued in that county, provided the move does not cross the county boundary and such location is approved under the zoning regulations of the county or municipality in which the permit is located, and upon such relocation may use the permit for the conduct of pari-mutuel wagering and the operation of a cardroom. The provisions of s. 550.6305(9)(d) and (f) ~~shall~~ apply to any permit converted under this subsection and ~~shall~~ continue to apply to any permit which was previously included under and subject to such provisions before a conversion pursuant to this section occurred.

Section 3. Paragraph (a) of subsection (3) of section 550.09515, Florida Statutes, is amended to read:

550.09515 Thoroughbred horse taxes; abandoned interest in a permit for nonpayment of taxes.—

(3)(a) The permit of a thoroughbred ~~horse~~ permitholder who conducts live thoroughbred performances and does not pay tax on handle for live thoroughbred ~~horse~~ performances for a full schedule of live races during any 2 consecutive state fiscal years is ~~shall be~~ void and must ~~shall~~ escheat to and become the property of the state unless such failure to operate and pay tax on handle was the direct result of fire, strike, war, or other disaster or event beyond the ability of the permitholder to control. Financial hardship to the permitholder does ~~shall~~ not, in and of itself, constitute just cause for failure to operate and pay tax on handle.

Section 4. Subsection (2) of section 550.3345, Florida Statutes, is amended, and subsection (3) of that section is reenacted, to read:

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550.3345 Conversion of quarter horse permit to a limited thoroughbred permit.—

(2) Notwithstanding any other ~~provision of~~ law, the holder of a quarter horse racing permit issued under s. 550.334 may, within 1 year after the effective date of this section, apply to the commission for a transfer of the quarter horse racing permit to a not-for-profit corporation formed under state law to serve the purposes of the state as provided in subsection (1). The board of directors of the not-for-profit corporation shall consist ~~must be comprised~~ of 11 members, 4 of whom shall be designated by the applicant, 4 of whom shall be designated by the commission ~~Florida Thoroughbred Breeders' Association~~, and 3 of whom shall be designated by the other 8 directors, with at least 1 of these 3 members being an authorized representative of another thoroughbred permitholder in this state. The not-for-profit corporation shall submit an application to the commission for review and approval of the transfer in accordance with s. 550.054. Upon approval of the transfer by the commission, and notwithstanding any other ~~provision of~~ law to the contrary, the not-for-profit corporation may, within 1 year after its receipt of the permit, request that the commission convert the quarter horse racing permit to a permit authorizing the holder to conduct pari-mutuel wagering meets of thoroughbred racing. ~~Neither~~ The transfer of the quarter horse racing permit or ~~nor~~ its conversion to a limited thoroughbred permit may not ~~shall~~ be subject to the mileage limitation or the ratification election as set forth under s. 550.054(2) or s. 550.0651. Upon receipt of the request for such conversion, the commission shall timely issue a converted permit. The converted permit and the not-for-

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profit corporation is ~~shall be~~ subject to the following requirements:

(a) All net revenues derived by the not-for-profit corporation under the thoroughbred horse racing permit and any license issued to the not-for-profit corporation under chapter 849, after the funding of operating expenses and capital improvements, must ~~shall~~ be dedicated to the enhancement of thoroughbred purses and breeders', stallion, and special racing awards under this chapter; the general promotion of the thoroughbred horse breeding industry; and the care in this state of thoroughbred horses retired from racing.

(b) From December 1 through April 30, ~~no~~ live thoroughbred racing may not be conducted under the permit on any day during which another thoroughbred permitholder is conducting live thoroughbred racing within 125 air miles of the not-for-profit corporation's pari-mutuel facility unless the other thoroughbred permitholder gives its written consent.

(c) After the conversion of the quarter horse racing permit and the issuance of its initial license to conduct pari-mutuel wagering meets of thoroughbred racing, the not-for-profit corporation shall annually apply to the commission for a license pursuant to s. 550.5251.

(d) Racing under the permit may take place only at the location for which the original quarter horse racing permit was issued, which may be leased by the not-for-profit corporation for that purpose; however, the not-for-profit corporation may, without the conduct of any ratification election pursuant to s. 550.054(13) or s. 550.0651, move the location of the permit to another location in the same county, or a location in a

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different county which has been previously authorized for pari-mutuel wagering, provided that such relocation is approved under the zoning and land use regulations of the applicable county or municipality.

(e) A permit converted under this section and a license issued to the not-for-profit corporation under chapter 849 are not eligible for transfer to another person or entity.

(3) Unless otherwise provided in this section, after conversion, the permit and the not-for-profit corporation shall be treated under the laws of this state as a thoroughbred permit and as a thoroughbred permitholder, respectively, with the exception of ss. 550.09515(3) and 550.6308.

Section 5. Section 550.475, Florida Statutes, is amended to read:

550.475 Lease of pari-mutuel facilities by pari-mutuel permitholders.—Holders of valid pari-mutuel permits for the conduct of any pari-mutuel wagering in this state may ~~are~~ ~~entitled to~~ lease any ~~and all~~ of the ~~their~~ facilities of ~~to~~ any other holder of a ~~same class~~ valid pari-mutuel permit or a thoroughbred training facility holding a valid license issued by the commission, when located within a 50-mile ~~35-mile~~ radius of each other; and such lessee is entitled to a permit and license to conduct intertrack wagering and operate its race meet or jai alai games at the leased premises. A thoroughbred permitholder relocation pursuant to s. 550.3345(2)(d) or this section, in accordance with s. 550.054, may not operate a cardroom at a leased training facility. Notwithstanding any other law, the lessor of a pari-mutuel facility that has been issued a slot machine license or a cardroom license is an eligible facility as

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defined in s. 551.102.

Section 6. Subsection (1) of section 550.5251, Florida Statutes, is amended to read:

550.5251 Florida thoroughbred racing; certain permits; operating days.—

(1) Each thoroughbred permitholder required to offer live racing must ~~shall~~ annually, during the period commencing January 15 of each year and ending February 4 of the following year, file in writing with the commission its application to conduct one or more thoroughbred racing meetings during the thoroughbred racing season commencing on the following July 1. Each application must ~~shall~~ specify the number and dates of all performances that the permitholder intends to conduct during that thoroughbred racing season. On or before April 15 of each year, the commission shall issue a license authorizing each permitholder to conduct performances on the dates specified in its application. Up to March 28 of each year, each permitholder may request and shall be granted changes in its application to conduct performances; but thereafter, as a condition precedent to the validity of its license and its right to retain its permit, each permitholder must operate the full number of days authorized on each of the dates set forth in its license.

Section 7. For the purpose of incorporating the amendment made by this act to sections 550.01215 and 550.475, Florida Statutes, in references thereto, subsections (2) and (8) of section 550.615, Florida Statutes, are reenacted to read:

550.615 Intertrack wagering.—

(2) Except as provided in subsection (1), a pari-mutuel permitholder that has met the applicable requirement for that

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permitholder to conduct live racing or games under s.
550.01215(1)(b), if any, for fiscal year 2020-2021 is qualified
to, at any time, receive broadcasts of any class of pari-mutuel
race or game and accept wagers on such races or games conducted
by any class of permitholders licensed under this chapter.

(8) In any three contiguous counties of the state where
there are only three permitholders, all of which are greyhound
permitholders, if any permitholder leases the facility of
another permitholder for all or any portion of the conduct of
its live race meet pursuant to s. 550.475, such lessee may
conduct intertrack wagering at its pre-lease permitted facility
throughout the entire year.

Section 8. This act shall take effect July 1, 2026.