

1 A bill to be entitled
2 An act relating to pari-mutuel wagering; amending s.
3 550.01215, F.S.; authorizing thoroughbred
4 permitholders to elect not to conduct live racing or
5 games; specifying that such permitholders retain
6 certain permits, eligibility, exemptions, and
7 licenses; providing that certain permitholders are
8 eligible to be a guest track; amending s. 550.09515,
9 F.S.; revising penalties for certain permitholders who
10 do not pay tax on handle for live races; removing
11 provisions requiring reissuance of escheated horse
12 permits; amending s. 550.5251, F.S.; conforming
13 provisions to changes made by the act; amending s.
14 551.104, F.S.; revising specified requirements for
15 thoroughbred permitholders who have certain slot
16 machine licenses; amending s. 849.086, F.S.; revising
17 requirements for certain permitholders who have
18 cardroom licenses; providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 **Section 1. Paragraph (b) of subsection (1) of section**
23 **550.01215, Florida Statutes, is amended to read:**

24 550.01215 License application; periods of operation;
25 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.

(b)1. A greyhound permitholder may not conduct live racing. A jai alai permitholder, thoroughbred permitholder, harness horse racing permitholder, or quarter horse racing permitholder may elect not to conduct live racing or games. ~~A thoroughbred permitholder must conduct live racing.~~ A greyhound permitholder, jai alai permitholder, thoroughbred permitholder, harness horse racing permitholder, or quarter horse racing permitholder that does not conduct live racing or games retains its permit; is a pari-mutuel facility as defined in s. 550.002(23); if such permitholder has been issued a slot machine license, the facility where such permit is located remains an eligible facility as defined in s. 551.102(4), continues to be eligible for a slot machine license pursuant to s. 551.104(3), and is exempt from s. 551.114(2) ~~ss. 551.104(4)(c) and (10) and 551.114(2)~~; is eligible, but not required, to be a guest track

51 and, if the permitholder is a harness horse racing permitholder,
52 to be a host track for purposes of intertrack wagering and
53 simulcasting pursuant to ss. 550.3551, 550.615, 550.625, and
54 550.6305; and remains eligible for a cardroom license.

55 2. A permitholder or licensee may not conduct live
56 greyhound racing or dogracing in connection with any wager for
57 money or any other thing of value in the state. The commission
58 may deny, suspend, or revoke any permit or license under this
59 chapter if a permitholder or licensee conducts live greyhound
60 racing or dogracing in violation of this subparagraph. In
61 addition to, or in lieu of, denial, suspension, or revocation of
62 such permit or license, the commission may impose a civil
63 penalty of up to \$5,000 against the permitholder or licensee for
64 a violation of this subparagraph. All penalties imposed and
65 collected must be deposited with the Chief Financial Officer to
66 the credit of the General Revenue Fund.

67 **Section 2. Subsection (3) of section 550.09515, Florida**
68 **Statutes, is amended to read:**

69 550.09515 Thoroughbred horse taxes; abandoned interest in
70 a permit for nonpayment of taxes.—

71 (3)~~(a)~~ The permit of a thoroughbred horse permitholder who
72 is conducting live thoroughbred horse performances and who does
73 not pay tax on handle for live thoroughbred horse performances
74 for a full schedule of live races during any 2 consecutive state
75 fiscal years shall be void and shall not be reissued ~~escheat to~~

76 ~~and become the property of the state unless such failure to~~
77 ~~operate and pay tax on handle was the direct result of fire,~~
78 ~~strike, war, or other disaster or event beyond the ability of~~
79 ~~the permitholder to control. Financial hardship to the~~
80 ~~permitholder shall not, in and of itself, constitute just cause~~
81 ~~for failure to operate and pay tax on handle.~~

82 ~~(b) In order to maximize the tax revenues to the state,~~
83 ~~the commission shall reissue an escheated thoroughbred horse~~
84 ~~permit to a qualified applicant pursuant to the provisions of~~
85 ~~this chapter as for the issuance of an initial permit. However,~~
86 ~~the provisions of this chapter relating to referendum~~
87 ~~requirements for a pari-mutuel permit shall not apply to the~~
88 ~~reissuance of an escheated thoroughbred horse permit. As~~
89 ~~specified in the application and upon approval by the commission~~
90 ~~of an application for the permit, the new permitholder shall be~~
91 ~~authorized to operate a thoroughbred horse facility anywhere in~~
92 ~~the same county in which the escheated permit was authorized to~~
93 ~~be operated, notwithstanding the provisions of s. 550.054(2)~~
94 ~~relating to mileage limitations.~~

95 **Section 3. Subsection (1) and paragraph (a) of subsection**
96 **(2) of section 550.5251, Florida Statutes, are amended to read:**

97 550.5251 Florida thoroughbred racing; certain permits;
98 operating days.—

99 (1) If a thoroughbred permitholder elects to conduct live
100 racing, the ~~Each~~ thoroughbred permitholder shall annually,

101 during the period commencing January 15 of each year and ending
102 February 4 of the following year, file in writing with the
103 commission its application to conduct one or more thoroughbred
104 racing meetings during the thoroughbred racing season commencing
105 on the following July 1. Each application shall specify the
106 number and dates of all performances that the permitholder
107 intends to conduct during that thoroughbred racing season. On or
108 before April 15 of each year, the commission shall issue a
109 license authorizing each permitholder to conduct performances on
110 the dates specified in its application. Up to March 28 of each
111 year, each permitholder may request and shall be granted changes
112 in its application to conduct performances; but thereafter, as a
113 condition precedent to the validity of its license and its right
114 to retain its permit, each permitholder must operate the full
115 number of days authorized on each of the dates set forth in its
116 license.

117 (2) (a) Each licensed thoroughbred permitholder in this
118 state that elects to conduct live racing must run an average of
119 one race per racing day in which horses bred in this state and
120 duly registered with the Florida Thoroughbred Breeders'
121 Association have preference as entries over non-Florida-bred
122 horses, unless otherwise agreed to in writing by the
123 permitholder, the Florida Thoroughbred Breeders' Association,
124 and the association representing a majority of the thoroughbred
125 racehorse owners and trainers at that location. All licensed

thoroughbred racetracks shall write the conditions for such races in which Florida-bred horses are preferred so as to assure that all Florida-bred horses available for racing at such tracks are given full opportunity to run in the class of races for which they are qualified. The opportunity of running must be afforded to each class of horses in the proportion that the number of horses in this class bears to the total number of Florida-bred horses available. A track is not required to write conditions for a race to accommodate a class of horses for which a race would otherwise not be run at the track during its meet.

Section 4. Paragraph (c) of subsection (4) and subsection (10) of section 551.104, Florida Statutes, are 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:

(c) ~~If a thoroughbred permitholder, conduct no fewer than a full schedule of live racing or games as defined in s. 550.002(10). A permitholder's responsibility to conduct live races or games shall be reduced by the number of races or games that could not be conducted due to the direct result of fire, strike, war, hurricane, pandemic, or other disaster or event beyond the control of the permitholder.~~ Beginning July 1, 2025, each thoroughbred permitholder in compliance with this chapter is not required to pay an annual license fee to the commission

151 as a condition of renewal.

152 ~~(10)(a)1. No slot machine license or renewal thereof shall~~
153 ~~be issued to an applicant holding a permit under chapter 550 to~~
154 ~~conduct pari-mutuel wagering meets of thoroughbred racing unless~~
155 ~~the applicant has on file with the commission a binding written~~
156 ~~agreement between the applicant and the Florida Horsemen's~~
157 ~~Benevolent and Protective Association, Inc., governing the~~
158 ~~payment of purses on live thoroughbred races conducted at the~~
159 ~~licensee's pari-mutuel facility. In addition, no slot machine~~
160 ~~license or renewal thereof shall be issued to such an applicant~~
161 ~~unless the applicant has on file with the commission a binding~~
162 ~~written agreement between the applicant and the Florida~~
163 ~~Thoroughbred Breeders' Association, Inc., governing the payment~~
164 ~~of breeders', stallion, and special racing awards on live~~
165 ~~thoroughbred races conducted at the licensee's pari-mutuel~~
166 ~~facility. The agreement governing purses and the agreement~~
167 ~~governing awards may direct the payment of such purses and~~
168 ~~awards from revenues generated by any wagering or gaming the~~
169 ~~applicant is authorized to conduct under Florida law. All purses~~
170 ~~and awards shall be subject to the terms of chapter 550. All~~
171 ~~sums for breeders', stallion, and special racing awards shall be~~
172 ~~remitted monthly to the Florida Thoroughbred Breeders'~~
173 ~~Association, Inc., for the payment of awards subject to the~~
174 ~~administrative fee authorized in s. 550.2625(3).~~

175 ~~2. No slot machine license or renewal thereof shall be~~

176 ~~issued to an applicant holding a permit under chapter 550 to~~
177 ~~conduct pari-mutuel wagering meets of quarter horse racing~~
178 ~~unless the applicant has on file with the commission a binding~~
179 ~~written agreement between the applicant and the Florida Quarter~~
180 ~~Horse Racing Association or the association representing a~~
181 ~~majority of the horse owners and trainers at the applicant's~~
182 ~~eligible facility, governing the payment of purses on live~~
183 ~~quarter horse races conducted at the licensee's pari-mutuel~~
184 ~~facility. The agreement governing purses may direct the payment~~
185 ~~of such purses from revenues generated by any wagering or gaming~~
186 ~~the applicant is authorized to conduct under Florida law. All~~
187 ~~purses shall be subject to the terms of chapter 550.~~

188 ~~(b) The commission shall suspend a slot machine license if~~
189 ~~one or more of the agreements required under paragraph (a) are~~
190 ~~terminated or otherwise cease to operate or if the commission~~
191 ~~determines that the licensee is materially failing to comply~~
192 ~~with the terms of such an agreement. Any such suspension shall~~
193 ~~take place in accordance with chapter 120.~~

194 ~~(c)1. If an agreement required under paragraph (a) cannot~~
195 ~~be reached prior to the initial issuance of the slot machine~~
196 ~~license, either party may request arbitration or, in the case of~~
197 ~~a renewal, if an agreement required under paragraph (a) is not~~
198 ~~in place 120 days prior to the scheduled expiration date of the~~
199 ~~slot machine license, the applicant shall immediately ask the~~
200 ~~American Arbitration Association to furnish a list of 11~~

201 ~~arbitrators, each of whom shall have at least 5 years of~~
202 ~~commercial arbitration experience and no financial interest in~~
203 ~~or prior relationship with any of the parties or their~~
204 ~~affiliated or related entities or principals. Each required~~
205 ~~party to the agreement shall select a single arbitrator from the~~
206 ~~list provided by the American Arbitration Association within 10~~
207 ~~days of receipt, and the individuals so selected shall choose~~
208 ~~one additional arbitrator from the list within the next 10 days.~~

209 ~~2. If an agreement required under paragraph (a) is not in~~
210 ~~place 60 days after the request under subparagraph 1. in the~~
211 ~~case of an initial slot machine license or, in the case of a~~
212 ~~renewal, 60 days prior to the scheduled expiration date of the~~
213 ~~slot machine license, the matter shall be immediately submitted~~
214 ~~to mandatory binding arbitration to resolve the disagreement~~
215 ~~between the parties. The three arbitrators selected pursuant to~~
216 ~~subparagraph 1. shall constitute the panel that shall arbitrate~~
217 ~~the dispute between the parties pursuant to the American~~
218 ~~Arbitration Association Commercial Arbitration Rules and chapter~~
219 ~~682.~~

220 ~~3. At the conclusion of the proceedings, which shall be no~~
221 ~~later than 90 days after the request under subparagraph 1. in~~
222 ~~the case of an initial slot machine license or, in the case of a~~
223 ~~renewal, 30 days prior to the scheduled expiration date of the~~
224 ~~slot machine license, the arbitration panel shall present to the~~
225 ~~parties a proposed agreement that the majority of the panel~~

believes equitably balances the rights, interests, obligations, and reasonable expectations of the parties. The parties shall immediately enter into such agreement, which shall satisfy the requirements of paragraph (a) and permit issuance of the pending annual slot machine license or renewal. The agreement produced by the arbitration panel under this subparagraph shall be effective until the last day of the license or renewal period or until the parties enter into a different agreement. Each party shall pay its respective costs of arbitration and shall pay one-half of the costs of the arbitration panel, unless the parties otherwise agree. If the agreement produced by the arbitration panel under this subparagraph remains in place 120 days prior to the scheduled issuance of the next annual license renewal, then the arbitration process established in this paragraph will begin again.

4. In the event that neither of the agreements required under subparagraph (a)1. or the agreement required under subparagraph (a)2. are in place by the deadlines established in this paragraph, arbitration regarding each agreement will proceed independently, with separate lists of arbitrators, arbitration panels, arbitration proceedings, and resulting agreements.

5. With respect to the agreements required under paragraph (a) governing the payment of purses, the arbitration and resulting agreement called for under this paragraph shall be

251 ~~limited to the payment of purses from slot machine revenues~~
252 ~~only.~~

253 ~~(d) If any provision of this subsection or its application~~
254 ~~to any person or circumstance is held invalid, the invalidity~~
255 ~~does not affect other provisions or applications of this~~
256 ~~subsection or chapter which can be given effect without the~~
257 ~~invalid provision or application, and to this end the provisions~~
258 ~~of this subsection are severable.~~

259 **Section 5. Paragraph (c) of subsection (5) and paragraph**
260 **(d) of subsection (13) of section 849.086, Florida Statutes, are**
261 **amended to read:**

262 849.086 Cardrooms authorized.—

263 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
264 operate a cardroom in this state unless such person holds a
265 valid cardroom license issued pursuant to this section.

266 (c) Notwithstanding any other provision of law, a pari-
267 mutuel permitholder, other than a permitholder issued a permit
268 pursuant to s. 550.3345 or a purchaser, transferee, or assignee
269 holding a valid permit for the conduct of pari-mutuel wagering
270 approved pursuant to s. 550.054(15) (a), may not be issued a
271 license for the operation of a cardroom if the permitholder did
272 not hold an operating license for the conduct of pari-mutuel
273 wagering for fiscal year 2020-2021. In order for an initial
274 cardroom license to be issued to a thoroughbred permitholder
275 issued a permit pursuant to s. 550.3345, the applicant must have

requested, as part of its pari-mutuel annual license application, to conduct at least a full schedule of live racing. ~~In order for a cardroom license to be renewed by a thoroughbred permitholder, the applicant must have requested, as part of its pari-mutuel annual license application, to conduct at least 90 percent of the total number of live performances conducted by such permitholder during either the state fiscal year in which its initial cardroom license was issued or the state fiscal year immediately prior thereto if the permitholder ran at least a full schedule of live racing or games in the prior year.~~

(13) TAXES AND OTHER PAYMENTS.—

(d)1. Each jai alai permitholder that conducts live performances and operates a cardroom facility shall use at least 4 percent of such permitholder's cardroom monthly gross receipts to supplement jai alai prize money during the permitholder's next ensuing pari-mutuel meet.

~~2. Each thoroughbred permitholder or harness horse racing permitholder that conducts live performances and operates a cardroom facility shall use at least 50 percent of such permitholder's cardroom monthly net proceeds as follows: 47 percent to supplement purses and 3 percent to supplement breeders' awards during the permitholder's next ensuing racing meet.~~

2.3. No cardroom license or renewal thereof shall be issued to an applicant holding a permit under chapter 550 to

301 conduct pari-mutuel wagering meets of quarter horse racing and
302 conducting live performances unless the applicant has on file
303 with the commission a binding written agreement between the
304 applicant and the Florida Quarter Horse Racing Association or
305 the association representing a majority of the horse owners and
306 trainers at the applicant's eligible facility, governing the
307 payment of purses on live quarter horse races conducted at the
308 licensee's pari-mutuel facility. The agreement governing purses
309 may direct the payment of such purses from revenues generated by
310 any wagering or gaming the applicant is authorized to conduct
311 under Florida law. All purses shall be subject to the terms of
312 chapter 550.

313 **Section 6.** This act shall take effect July 1, 2026.