

By Senator Galvano

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1 A bill to be entitled
2 An act relating to gaming; amending and reordering s.
3 24.103, F.S.; defining the term "point-of-sale
4 terminal"; amending s. 24.105, F.S.; authorizing the
5 Department of the Lottery to create a program that
6 authorizes certain persons to purchase a ticket or
7 game at a point-of-sale terminal; authorizing the
8 department to adopt rules; providing requirements for
9 the rules; amending s. 24.112, F.S.; authorizing the
10 department, a retailer operating from one or more
11 locations, or a vendor approved by the department to
12 use a point-of-sale terminal to sell a lottery ticket
13 or game; requiring a point-of-sale terminal to perform
14 certain functions; specifying that the point-of-sale
15 terminal may not reveal winning numbers; prohibiting a
16 point-of-sale terminal from including or making use of
17 video reels or mechanical reels or other video
18 depictions of slot machine or casino game themes or
19 titles for game play; prohibiting a point-of-sale
20 terminal from being used to redeem a winning ticket;
21 amending s. 285.710, F.S.; redefining the term
22 "compact;" ratifying and approving a specified compact
23 executed by the Governor and the Seminole Tribe of
24 Florida contingent upon the adoption of a specified
25 amendment to the compact; superseding the compact
26 approved by the Legislature in 2010, subject to
27 certain requirements; directing the Governor to
28 cooperate with the Tribe in seeking approval of the
29 amended compact from the United States Secretary of
30 the Interior; directing the Secretary of the
31 Department of Business and Professional Regulation to
32 provide written notice of the effective date of the

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33 compact to specified persons under certain
34 circumstances; specifying the provisions that must be
35 included in the compact to be deemed ratified and
36 approved; expanding the games authorized to be
37 conducted and the counties in which such games may be
38 offered; amending s. 285.712, F.S.; correcting a
39 citation; creating s. 546.11, F.S.; providing a short
40 title; creating s. 546.12, F.S.; providing legislative
41 findings and intent; creating s. 546.13, F.S.;
42 defining terms; creating s. 546.14, F.S.; creating the
43 Office of Amusements within the Department of Business
44 and Professional Regulation; requiring that the office
45 be under the supervision of a senior manager who is
46 exempt from the Career Service System and is appointed
47 by the secretary of the department; providing duties
48 of the office; providing for rulemaking; creating s.
49 546.15, F.S.; providing licensing requirements for
50 contest operators offering fantasy contests; providing
51 licensing application and renewal fees; requiring the
52 office to grant or deny a license within a specified
53 timeframe; providing that a completed application is
54 deemed approved 120 days after receipt by the office
55 under certain circumstances; exempting applications
56 for a contest operator's license from certain
57 licensure timeframe requirements; providing
58 requirements for the license application; providing
59 that specified persons or entities are not eligible
60 for licensure under certain circumstances; defining
61 the term "convicted"; requiring a contest operator to

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62 provide evidence of a surety bond; requiring the
63 surety bond to be kept during the term of the license
64 and any renewal term thereafter; authorizing the
65 office to suspend, revoke, or deny a license under
66 certain circumstances; creating s. 546.16, F.S.;
67 requiring a contest operator to implement specified
68 consumer protection procedures under certain
69 circumstances; requiring a contest operator to
70 annually contract with a third party to perform an
71 independent audit under certain circumstances;
72 requiring a contest operator to submit the audit
73 results to the office; creating s. 546.17, F.S.;
74 requiring contest operators to keep and maintain
75 certain records for a specified period; providing
76 requirements; providing for rulemaking; requiring a
77 contest operator to file a quarterly report with the
78 office; creating s. 546.18, F.S.; providing a civil
79 penalty; providing applicability; exempting fantasy
80 contests from certain provisions in ch. 849, F.S.;
81 providing a directive to the Division of Law Revision
82 and Information; amending s. 550.002, F.S.; redefining
83 the term "full schedule of live racing or games";
84 amending s. 550.01215, F.S.; revising provisions for
85 applications for pari-mutuel operating licenses;
86 authorizing a greyhound racing permitholder to specify
87 certain intentions on its application; authorizing a
88 greyhound racing permitholder to receive an operating
89 license to conduct pari-mutuel wagering activities at
90 another permitholder's greyhound racing facility;

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91 authorizing a thoroughbred horse racing permitholder
92 to elect not to conduct live racing under certain
93 circumstances; authorizing a thoroughbred horse racing
94 permitholder that elects not to conduct live racing to
95 retain its permit and requiring the permitholder to
96 specify its intention not to conduct live racing in
97 future applications; authorizing such thoroughbred
98 racing permitholder's facility to remain an eligible
99 facility, to continue to be eligible for a slot
100 machine license, to be exempt from certain provisions
101 of chs. 550 and 551, to be eligible as a guest track
102 for intertrack wagering and interstate simulcast, and
103 to remain eligible for a cardroom license; exempting
104 certain harness racing permitholders, quarter horse
105 racing permitholders, and jai alai permitholders from
106 specified live racing or live games requirements;
107 authorizing such permitholders to specify certain
108 intentions on their applications; authorizing the
109 Division of Pari-mutuel Wagering of the Department of
110 Business and Professional Regulation to approve
111 changes in racing dates for permitholders under
112 certain circumstances; providing requirements for
113 licensure of certain jai alai permitholders; deleting
114 a provision for conversion of certain converted
115 permits to jai alai permits; amending s. 550.0251,
116 F.S.; requiring the division to annually report to the
117 Governor and the Legislature; specifying requirements
118 for the content of the report; amending s. 550.054,
119 F.S.; requiring the division to revoke a pari-mutuel

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120 wagering operating permit under certain circumstances;
121 prohibiting issuance or approval of new pari-mutuel
122 permits after a specified date; authorizing a
123 permitholder to apply to the division to place a
124 permit in inactive status; revising provisions that
125 prohibit transfer or assignment of a pari-mutuel
126 permit; deleting provisions authorizing a jai alai
127 permitholder to convert such permit to conduct
128 greyhound racing; deleting a provision requiring the
129 division to convert such permits under certain
130 circumstances; deleting provisions for certain
131 converted permits; amending s. 550.0555, F.S.;
132 authorizing specified permitholders to relocate their
133 greyhound racing permits within a specified distance
134 under certain circumstances; deleting a provision
135 requiring the relocation to be necessary to ensure the
136 revenue-producing capability of the permittee without
137 deteriorating the revenue-producing capability of any
138 other pari-mutuel permittee within a certain distance;
139 revising how certain distances are measured; repealing
140 s. 550.0745, F.S., relating to the conversion of pari-
141 mutuel permits to summer jai alai permits; amending s.
142 550.0951, F.S.; deleting provisions for certain
143 credits for a greyhound racing permitholder; revising
144 the tax on handle for live greyhound racing and
145 intertrack wagering if the host track is a greyhound
146 racing track; amending s. 550.09512, F.S.; providing
147 for the revocation of certain harness horse racing
148 permits; specifying that a revoked permit may not be

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149 reissued; amending s. 550.09514, F.S.; deleting
150 certain provisions that prohibit tax on handle until a
151 specified amount of tax savings have resulted;
152 revising purse requirements of a greyhound racing
153 permitholder that conducts live racing; amending s.
154 550.09515, F.S.; providing for the revocation of
155 certain thoroughbred racing permits; specifying that a
156 revoked permit may not be reissued; amending s.
157 550.1625, F.S.; deleting the requirement that a
158 greyhound racing permitholder pay the breaks tax;
159 repealing s. 550.1647, F.S., relating to unclaimed
160 tickets and breaks held by greyhound racing
161 permitholders; amending s. 550.1648, F.S.; revising
162 requirements for a greyhound racing permitholder to
163 provide a greyhound adoption booth at its facility;
164 requiring sterilization of greyhounds before adoption;
165 authorizing the fee for such sterilization to be
166 included in the cost of adoption; defining the term
167 "bona fide organization that promotes or encourages
168 the adoption of greyhounds"; creating s. 550.1752,
169 F.S.; creating the permit reduction program within the
170 division; providing a purpose for the program;
171 providing for funding for the program up to a
172 specified maximum amount; requiring the division to
173 purchase pari-mutuel permits from permitholders under
174 certain circumstances; requiring that permitholders
175 who wish to make an offer to sell meet certain
176 requirements; requiring the division to adopt a
177 certain form by rule; requiring that the division

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178 establish the value of a pari-mutuel permit based on
179 the valuation of one or more independent appraisers;
180 authorizing the division to establish a value that is
181 lower than the valuation of the independent appraiser;
182 requiring the division to accept the offers that best
183 utilize available funding; requiring the division to
184 cancel permits that it purchases through the program;
185 providing for expiration of the program; creating s.
186 550.1753, F.S.; creating the thoroughbred purse
187 supplement program within the division; providing a
188 purpose for the program; providing for funding for the
189 program; requiring the division to adopt a certain
190 form by rule; requiring the division to apportion
191 purse supplement funds in a certain manner; requiring
192 a thoroughbred permitholder to return any unused
193 portion of a purse supplement fund under certain
194 circumstances; authorizing rulemaking; providing for
195 expiration of the program; creating s. 550.2416, F.S.;
196 requiring injuries to racing greyhounds to be reported
197 within a certain timeframe on a form adopted by the
198 division; requiring such form to be completed and
199 signed under oath or affirmation by certain
200 individuals; providing penalties; specifying
201 information that must be included on the form;
202 requiring the division to maintain the forms as public
203 records for a specified time; specifying disciplinary
204 action that may be taken against a licensee of the
205 Department of Business and Professional Regulation who
206 makes false statements on an injury form or who fails

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207 to report an injury; exempting injuries to certain
208 animals from reporting requirements; requiring the
209 division to adopt rules; amending s. 550.26165, F.S.;
210 conforming a cross-reference; amending s. 550.3345,
211 F.S.; deleting obsolete provisions; revising
212 requirements for a permit previously converted from a
213 quarter horse racing permit to a limited thoroughbred
214 racing permit; amending s. 550.3551, F.S.; deleting a
215 provision that limits the number of out-of-state races
216 on which wagers are accepted by a greyhound racing
217 permitholder; deleting a provision prohibiting a
218 permitholder from conducting fewer than eight live
219 races or games under certain circumstances; deleting a
220 provision requiring certain permitholders to conduct a
221 full schedule of live racing to receive certain full-
222 card broadcasts and accept certain wagers; conforming
223 a cross-reference; amending s. 550.475, F.S.;
224 prohibiting a permitholder from leasing from certain
225 pari-mutuel permitholders; amending s. 550.5251, F.S.;
226 deleting a provision relating to requirements for
227 thoroughbred permitholders; amending s. 550.615, F.S.;
228 revising eligibility requirements for certain pari-
229 mutuel facilities to qualify to receive certain
230 broadcasts; providing that certain greyhound racing
231 permitholders are not required to obtain certain
232 written consent; deleting requirements that intertrack
233 wagering be conducted between certain permitholders;
234 deleting a provision prohibiting certain intertrack
235 wagering in certain counties; specifying conditions

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236 under which greyhound racing permitholders may accept
237 wagers; amending s. 550.6308, F.S.; revising the
238 number of days of thoroughbred horse sales required
239 for an applicant to obtain a limited intertrack
240 wagering license; revising eligibility requirements
241 for such licenses; revising requirements for such
242 wagering; deleting provisions requiring a licensee to
243 make certain payments to the daily pari-mutuel pool;
244 amending s. 551.101, F.S.; revising the facilities
245 that may possess slot machines and conduct slot
246 machine gaming; deleting certain provisions requiring
247 a countywide referendum to approve slot machines at
248 certain facilities; amending s. 551.102, F.S.;

249 revising definitions; amending s. 551.104, F.S.;

250 prohibiting the division from issuing a slot machine
251 license to certain pari-mutuel permitholders; revising
252 conditions of licensure and conditions for maintaining
253 authority to conduct slot machine gaming; exempting a
254 summer thoroughbred racing permitholder from certain
255 purse requirements; providing applicability; deleting
256 a provision prohibiting the division from issuing or
257 renewing a license for an applicant holding a permit
258 under ch. 550, F.S., under certain circumstances;

259 providing an expiration for a provision requiring
260 certain slot machine licensees to remit a certain
261 amount for the payment of purses on live races;

262 conforming provisions to changes made by the act;

263 creating s. 551.1042, F.S.; prohibiting the transfer
264 of a slot machine license or relocation of a slot

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265 machine facility; creating s. 551.1043, F.S.;

266 providing legislative findings; authorizing two

267 additional slot machine licenses to be awarded and

268 renewed annually to persons located in specified

269 counties; providing that no more than one license may

270 be awarded in each of those counties; authorizing

271 certain persons to apply for such licenses; providing

272 that certain persons are ineligible to apply for the

273 additional slot machine licenses; providing a license

274 application fee; requiring the deposit of the fee in

275 the Pari-mutuel Wagering Trust Fund; requiring the

276 Division of Pari-mutuel Wagering to award the license

277 to the applicant that best meets the selection

278 criteria; providing selection criteria; requiring the

279 division to complete a certain evaluation by a

280 specified date; specifying grounds for denial of an

281 application; providing that certain protests be

282 forwarded to the Division of Administrative Hearings;

283 providing requirements for appeals; authorizing the

284 Division of Pari-mutuel Wagering to adopt certain

285 emergency rules; authorizing the licensee of the

286 additional slot machine license to operate a cardroom

287 and a specified number of house banked blackjack table

288 games at its facility under certain circumstances;

289 providing that such licensee is subject to specified

290 provisions of ch. 849, F.S., and exempt from specified

291 provisions of chs. 550 and 551, F.S.; creating s.

292 551.1044, F.S.; authorizing blackjack table games at

293 certain pari-mutuel facilities; specifying limits on

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294 wagers; requiring a permitholder that offers banked
295 blackjack to pay a tax to the state; providing that
296 such tax is subject to certain provisions of ch. 849,
297 F.S.; amending s. 551.106, F.S.; deleting obsolete
298 provisions; revising the tax rate on slot machine
299 revenues under certain conditions; revising the taxes
300 to be paid to the division for deposit into the Pari-
301 mutuel Wagering Trust Fund; requiring certain funds to
302 be transferred into the Educational Enhancement Trust
303 Fund and to specified entities; amending s. 551.108,
304 F.S.; providing applicability; amending s. 551.114,
305 F.S.; revising the areas where a designated slot
306 machine gaming area may be located; amending s.
307 551.116, F.S.; deleting a restriction on the number of
308 hours per day that slot machine gaming areas may be
309 open; amending s. 551.121, F.S.; authorizing the
310 serving of complimentary or reduced-cost alcoholic
311 beverages to persons playing slot machines;
312 authorizing the location of an automated teller
313 machine or similar device within designated slot
314 machine gaming areas; amending s. 849.086, F.S.;
315 amending legislative intent; revising definitions;
316 deleting certain license renewal requirements;
317 deleting provisions relating to restrictions on hours
318 of operation; authorizing certain cardroom operators
319 to offer certain designated player games; requiring
320 the designated player to be licensed; prohibiting
321 cardroom operators from serving as the designated
322 player in a game and from having a financial interest

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323 in a designated player; authorizing a cardroom
324 operator to collect a rake, subject to certain
325 requirements; requiring the dealer button to be
326 rotated under certain circumstances; prohibiting a
327 cardroom operator from allowing a designated player to
328 pay an opposing player under certain circumstances;
329 providing elements of a designated player game;
330 revising requirements for a cardroom license to be
331 issued or renewed; requiring a certain written
332 agreement with a thoroughbred permitholder; providing
333 contract requirements for the agreement; conforming
334 provisions to changes made by the act; directing the
335 Division of Pari-mutuel Wagering to revoke certain
336 pari-mutuel permits; specifying that the revoked
337 permits may not be reissued; providing a directive to
338 the Division of Law Revision and Information;
339 providing effective dates; providing a contingent
340 effective date.

341

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

343

344 Section 1. Section 24.103, Florida Statutes, is reordered
345 and amended to read:

346 24.103 Definitions.—As used in this act, the term:

347 (1) "Department" means the Department of the Lottery.

348 (6)~~(2)~~ "Secretary" means the secretary of the department.

349 (3) "Person" means any individual, firm, association, joint
350 adventure, partnership, estate, trust, syndicate, fiduciary,
351 corporation, or other group or combination and includes an ~~shall~~

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352 ~~include any agency or political subdivision of the state.~~

353 (4) "Point-of-sale terminal" means an electronic device
354 used to process credit card, debit card, or other similar charge
355 card payments at retail locations which is supported by networks
356 that enable verification, payment, transfer of funds, and
357 logging of transactions.

358 (2)~~(4)~~ "Major procurement" means a procurement for a
359 contract for the printing of tickets for use in any lottery
360 game, consultation services for the startup of the lottery, any
361 goods or services involving the official recording for lottery
362 game play purposes of a player's selections in any lottery game
363 involving player selections, any goods or services involving the
364 receiving of a player's selection directly from a player in any
365 lottery game involving player selections, any goods or services
366 involving the drawing, determination, or generation of winners
367 in any lottery game, the security report services provided for
368 in this act, or any goods and services relating to marketing and
369 promotion which exceed a value of \$25,000.

370 (5) "Retailer" means a person who sells lottery tickets on
371 behalf of the department pursuant to a contract.

372 (7)~~(6)~~ "Vendor" means a person who provides or proposes to
373 provide goods or services to the department, but does not
374 include an employee of the department, a retailer, or a state
375 agency.

376 Section 2. Present subsections (19) and (20) of section
377 24.105, Florida Statutes, are redesignated as subsections (20)
378 and (21), respectively, and a new subsection (19) is added to
379 that section, to read:

380 24.105 Powers and duties of department.—The department

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381 shall:

382 (19) Have the authority to create a program that allows a
383 person who is at least 18 years of age to purchase a lottery
384 ticket or game at a point-of-sale terminal. The department may
385 adopt rules to administer the program. Such rules shall include,
386 but are not limited to, the following:

387 (a) Limiting the dollar amount of lottery tickets or games
388 that a person may purchase at point-of-sale terminals;

389 (b) Creating a process to enable a customer to restrict or
390 prevent his or her own access to lottery tickets or games; and

391 (c) Ensuring that the program is administered in a manner
392 that does not breach the exclusivity provisions of any Indian
393 gaming compact to which this state is a party.

394 Section 3. Section 24.112, Florida Statutes, is amended to
395 read:

396 24.112 Retailers of lottery tickets; ~~authorization of~~
397 ~~vending machines; point-of-sale terminals to dispense lottery~~
398 ~~tickets.~~

399 (1) The department shall adopt ~~promulgate~~ rules specifying
400 the terms and conditions for contracting with retailers who will
401 best serve the public interest and promote the sale of lottery
402 tickets.

403 (2) In the selection of retailers, the department shall
404 consider factors such as financial responsibility, integrity,
405 reputation, accessibility of the place of business or activity
406 to the public, security of the premises, the sufficiency of
407 existing retailers to serve the public convenience, and the
408 projected volume of the sales for the lottery game involved. In
409 the consideration of these factors, the department may require

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410 the information it deems necessary of any person applying for
411 authority to act as a retailer. However, the department may not
412 establish a limitation upon the number of retailers and shall
413 make every effort to allow small business participation as
414 retailers. It is the intent of the Legislature that retailer
415 selections be based on business considerations and the public
416 convenience and that retailers be selected without regard to
417 political affiliation.

418 (3) The department may ~~shall~~ not contract with any person
419 as a retailer who:

420 (a) Is less than 18 years of age.

421 (b) Is engaged exclusively in the business of selling
422 lottery tickets; however, this paragraph may ~~shall~~ not preclude
423 the department from selling lottery tickets.

424 (c) Has been convicted of, or entered a plea of guilty or
425 nolo contendere to, a felony committed in the preceding 10
426 years, regardless of adjudication, unless the department
427 determines that:

428 1. The person has been pardoned or the person's civil
429 rights have been restored;

430 2. Subsequent to such conviction or entry of plea the
431 person has engaged in the kind of law-abiding commerce and good
432 citizenship that would reflect well upon the integrity of the
433 lottery; or

434 3. If the person is a firm, association, partnership,
435 trust, corporation, or other entity, the person has terminated
436 its relationship with the individual whose actions directly
437 contributed to the person's conviction or entry of plea.

438 (4) The department shall issue a certificate of authority

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439 to each person with whom it contracts as a retailer for purposes
440 of display pursuant to subsection (6). The issuance of the
441 certificate may ~~shall~~ not confer upon the retailer any right
442 apart from that specifically granted in the contract. The
443 authority to act as a retailer may ~~shall~~ not be assignable or
444 transferable.

445 (5) A ~~Any~~ contract executed by the department pursuant to
446 this section shall specify the reasons for any suspension or
447 termination of the contract by the department, including, but
448 not limited to:

449 (a) Commission of a violation of this act or rule adopted
450 pursuant thereto.

451 (b) Failure to accurately account for lottery tickets,
452 revenues, or prizes as required by the department.

453 (c) Commission of any fraud, deceit, or misrepresentation.

454 (d) Insufficient sale of tickets.

455 (e) Conduct prejudicial to public confidence in the
456 lottery.

457 (f) Any material change in any matter considered by the
458 department in executing the contract with the retailer.

459 (6) Each ~~Every~~ retailer shall post and keep conspicuously
460 displayed in a location on the premises accessible to the public
461 its certificate of authority and, with respect to each game, a
462 statement supplied by the department of the estimated odds of
463 winning a ~~some~~ prize for the game.

464 (7) A ~~No~~ contract with a retailer may not ~~shall~~ authorize
465 the sale of lottery tickets at more than one location, and a
466 retailer may sell lottery tickets only at the location stated on
467 the certificate of authority.

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468 (8) With respect to any retailer whose rental payments for
469 premises are contractually computed, in whole or in part, on the
470 basis of a percentage of retail sales, and where such
471 computation of retail sales is not explicitly defined to include
472 sales of tickets in a state-operated lottery, the compensation
473 received by the retailer from the department shall be deemed to
474 be the amount of the retail sale for the purposes of such
475 contractual compensation.

476 (9) (a) The department may require each ~~every~~ retailer to
477 post an appropriate bond as determined by the department, using
478 an insurance company acceptable to the department, in an amount
479 not to exceed twice the average lottery ticket sales of the
480 retailer for the period within which the retailer is required to
481 remit lottery funds to the department. For the first 90 days of
482 sales of a new retailer, the amount of the bond may not exceed
483 twice the average estimated lottery ticket sales for the period
484 within which the retailer is required to remit lottery funds to
485 the department. This paragraph does ~~shall~~ not apply to lottery
486 tickets that ~~which~~ are prepaid by the retailer.

487 (b) In lieu of such bond, the department may purchase
488 blanket bonds covering all or selected retailers or may allow a
489 retailer to deposit and maintain with the Chief Financial
490 Officer securities that are interest bearing or accruing and
491 that, with the exception of those specified in subparagraphs 1.
492 and 2., are rated in one of the four highest classifications by
493 an established nationally recognized investment rating service.
494 Securities eligible under this paragraph shall be limited to:

495 1. Certificates of deposit issued by solvent banks or
496 savings associations organized and existing under the laws of

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497 this state or under the laws of the United States and having
498 their principal place of business in this state.

499 2. United States bonds, notes, and bills for which the full
500 faith and credit of the government of the United States is
501 pledged for the payment of principal and interest.

502 3. General obligation bonds and notes of any political
503 subdivision of the state.

504 4. Corporate bonds of any corporation that is not an
505 affiliate or subsidiary of the depositor.

506

507 Such securities shall be held in trust and shall have at all
508 times a market value at least equal to an amount required by the
509 department.

510 (10) Each ~~Every~~ contract entered into by the department
511 pursuant to this section shall contain a provision for payment
512 of liquidated damages to the department for any breach of
513 contract by the retailer.

514 (11) The department shall establish procedures by which
515 each retailer shall account for all tickets sold by the retailer
516 and account for all funds received by the retailer from such
517 sales. The contract with each retailer shall include provisions
518 relating to the sale of tickets, payment of moneys to the
519 department, reports, service charges, and interest and
520 penalties, if necessary, as the department shall deem
521 appropriate.

522 (12) ~~No~~ Payment by a retailer to the department for tickets
523 may not shall be in cash. All such payments shall be in the form
524 of a check, bank draft, electronic fund transfer, or other
525 financial instrument authorized by the secretary.

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526 (13) Each retailer shall provide accessibility for disabled
527 persons on habitable grade levels. This subsection does not
528 apply to a retail location that ~~which~~ has an entrance door
529 threshold more than 12 inches above ground level. As used in
530 ~~herein and for purposes of~~ this subsection only, the term
531 "accessibility for disabled persons on habitable grade levels"
532 means that retailers shall provide ramps, platforms, aisles and
533 pathway widths, turnaround areas, and parking spaces to the
534 extent these are required for the retailer's premises by the
535 particular jurisdiction where the retailer is located.
536 Accessibility shall be required to only one point of sale of
537 lottery tickets for each lottery retailer location. The
538 requirements of this subsection shall be deemed to have been met
539 if, in lieu of the foregoing, disabled persons can purchase
540 tickets from the retail location by means of a drive-up window,
541 provided the hours of access at the drive-up window are not less
542 than those provided at any other entrance at that lottery
543 retailer location. Inspections for compliance with this
544 subsection shall be performed by those enforcement authorities
545 responsible for enforcement pursuant to s. 553.80 in accordance
546 with procedures established by those authorities. Those
547 enforcement authorities shall provide to the Department of the
548 Lottery a certification of noncompliance for any lottery
549 retailer not meeting such requirements.

550 (14) The secretary may, after filing with the Department of
551 State his or her manual signature certified by the secretary
552 under oath, execute or cause to be executed contracts between
553 the department and retailers by means of engraving, imprinting,
554 stamping, or other facsimile signature.

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555 (15) A vending machine may be used to dispense online
556 lottery tickets, instant lottery tickets, or both online and
557 instant lottery tickets.

558 (a) The vending machine must:

559 1. Dispense a lottery ticket after a purchaser inserts a
560 coin or currency in the machine.

561 2. Be capable of being electronically deactivated for a
562 period of 5 minutes or more.

563 3. Be designed to prevent its use for any purpose other
564 than dispensing a lottery ticket.

565 (b) In order to be authorized to use a vending machine to
566 dispense lottery tickets, a retailer must:

567 1. Locate the vending machine in the retailer's direct line
568 of sight to ensure that purchases are only made by persons at
569 least 18 years of age.

570 2. Ensure that at least one employee is on duty when the
571 vending machine is available for use. However, if the retailer
572 has previously violated s. 24.1055, at least two employees must
573 be on duty when the vending machine is available for use.

574 (c) A vending machine that dispenses a lottery ticket may
575 dispense change to a purchaser but may not be used to redeem any
576 type of winning lottery ticket.

577 (d) The vending machine, or any machine or device linked to
578 the vending machine, may not include or make use of video reels
579 or mechanical reels or other video depictions of slot machine or
580 casino game themes or titles for game play. This does not
581 preclude the use of casino game themes or titles on such tickets
582 or signage or advertising displays on the machines.

583 (16) The department, a retailer operating from one or more

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584 locations, or a vendor approved by the department may use a
585 point-of-sale terminal to facilitate the sale of a lottery
586 ticket or game.

587 (a) A point-of-sale terminal must:

588 1. Dispense a paper lottery ticket with numbers selected by
589 the purchaser or selected randomly by the machine after the
590 purchaser uses a credit card, debit card, or other similar
591 charge card issued by a bank, savings association, credit union,
592 or charge card company or issued by a retailer pursuant to part
593 II of chapter 520 for payment;

594 2. Recognize a valid driver license or use another age
595 verification process approved by the department to ensure that
596 only persons at least 18 years of age may purchase a lottery
597 ticket or game;

598 3. Process a lottery transaction through a platform that is
599 certified or otherwise approved by the department; and

600 4. Be in compliance with all applicable department
601 requirements related to the lottery ticket or game offered for
602 sale.

603 (b) A point-of-sale terminal does not reveal winning
604 numbers, which are selected at a subsequent time and different
605 location through a drawing by the state lottery.

606 (c) A point-of-sale terminal, or any machine or device
607 linked to the point-of-sale terminal, may not include or make
608 use of video reels or mechanical reels or other video depictions
609 of slot machine or casino game themes or titles for game play.
610 This does not preclude the use of casino game themes or titles
611 on a lottery ticket or game or on the signage or advertising
612 displays on the terminal.

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613 (d) A point-of-sale terminal may not be used to redeem a
614 winning ticket.

615 Section 4. Effective upon becoming a law, paragraph (a) of
616 subsection (1) and subsection (3) of section 285.710, Florida
617 Statutes, are amended, present subsections (4) through (14) of
618 that section are redesignated as subsections (5) through (15),
619 respectively, and a new subsection (4) is added to that section,
620 to read:

621 285.710 Compact authorization.—

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

623 (a) "Compact" means the Gaming Compact between the Seminole
624 Tribe of Florida and the State of Florida, ~~executed on April 7,~~
625 ~~2010.~~

626 (3) (a) A ~~The~~ gaming compact between the Seminole Tribe of
627 Florida and the State of Florida, executed by the Governor and
628 the Tribe on April 7, 2010, was ~~is~~ ratified and approved by
629 chapter 2010-29, Laws of Florida. ~~The Governor shall cooperate~~
630 ~~with the Tribe in seeking approval of the compact from the~~
631 ~~United States Secretary of the Interior.~~

632 (b) The Gaming Compact between the Seminole Tribe of
633 Florida and the State of Florida, which was executed by the
634 Governor and the Tribe on December 7, 2015, shall be deemed
635 ratified and approved only if amended as specified in subsection
636 (4).

637 (c) Upon approval or deemed approval by the United States
638 Department of Interior and publication in the Federal Register,
639 the amended Gaming Compact supersedes the gaming compact
640 ratified and approved by chapter 2010-29, Laws of Florida. The
641 Governor shall cooperate with the Tribe in seeking approval of

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642 the amended Gaming Compact from the United States Secretary of
643 the Interior. The Secretary of the Department of Business and
644 Professional Regulation is directed to notify in writing the
645 Governor, the President of the Senate, the Speaker of the House
646 of Representatives, and the Division of Law Revision and
647 Information of the effective date of the compact, amended as
648 required by this act, which has been published in the Federal
649 Register by the Department of the Interior within 5 days after
650 such publication.

651 (4) The compact executed on December 7, 2015, shall be
652 amended by an agreement between the Governor and the Tribe to:

653 (a) Become effective after it is approved as a tribal-state
654 compact within the meaning of the Indian Gaming Regulatory Act
655 by action of the United States Secretary of the Interior or by
656 operation of law under 25 U.S.C. s. 2710(d)(8), and upon
657 publication of a notice of approval in the Federal Register
658 under 25 U.S.C. s. 2710(d)(8)(D).

659 (b) Require that the State of Florida and the Tribe
660 dismiss, with prejudice, any and all pending motions for
661 rehearing or any pending appeals arising from State of Florida
662 v. Seminole Tribe of Florida (Consolidated Case No. 4:15cv516-
663 RH/CAS; United States District Court in and for the Northern
664 District of Florida); and

665 (c) Incorporate the following exceptions to the exclusivity
666 provided to the Tribe under the gaming compact executed on
667 December 7, 2015:

668 1. Point-of-sale lottery ticket sales are permitted in
669 accordance with chapter 24, Florida Statutes, as amended by this
670 act;

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- 671 2. Fantasy contests conducted in accordance with ss.
672 546.11-546.18, as created by this act;
- 673 3. Slot machines operated in accordance with chapter 551,
674 Florida Statutes, as amended by this act;
- 675 4. The game of blackjack conducted at cardrooms, in
676 accordance with chapter 849, Florida Statutes, as amended by
677 this act;
- 678 5. Designated player games of poker conducted at cardrooms
679 in accordance with chapter 849, Florida Statutes, as amended by
680 this act, and in compliance with Rule Chapter 61D-11, Florida
681 Administrative Code;
- 682 6. Those activities claimed to be violations of the gaming
683 compact between the Seminole Tribe of Florida and the State of
684 Florida, executed by the Governor and the Tribe on April 7,
685 2010, in the legal actions consolidated and heard in State of
686 Florida v. Seminole Tribe of Florida (Consolidated Case No.
687 4:15cv516-RH/CAS; United States District Court in and for the
688 Northern District of Florida); and
- 689 7. All activities authorized and conducted pursuant to
690 Florida law, as amended by this act.

691

692 The incorporation of all such provisions shall not impact or
693 change the payments required to the State under Part XI. of the
694 compact.

695 Section 5. Subsection (14) of section 285.710, Florida
696 Statutes, as amended by this act, is amended to read:

697 285.710 Compact authorization.—

698 (14) For the purpose of satisfying the requirement in 25
699 U.S.C. s. 2710(d)(1)(B) that the gaming activities authorized

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700 under an Indian gaming compact must be permitted in the state
701 for any purpose by any person, organization, or entity, the
702 following class III games or other games specified in this
703 section are hereby authorized to be conducted by the Tribe
704 pursuant to the compact:

705 (a) Slot machines, as defined in s. 551.102(8).

706 (b) Banking or banked card games, including baccarat,
707 chemin de fer, and blackjack or 21 ~~at the tribal facilities in~~
708 ~~Broward County, Collier County, and Hillsborough County.~~

709 (c) Dice games, such as craps and sic-bo.

710 (d) Wheel games, such as roulette and big six.

711 (e) ~~(e)~~ Raffles and drawings.

712 Section 6. Subsection (4) of section 285.712, Florida
713 Statutes, is amended to read:

714 285.712 Tribal-state gaming compacts.-

715 (4) Upon receipt of an act ratifying a tribal-state
716 compact, the Secretary of State shall forward a copy of the
717 executed compact and the ratifying act to the United States
718 Secretary of the Interior for his or her review and approval, in
719 accordance with 25 U.S.C. s. 2710(d)(8) ~~s. 2710(8)(d)~~.

720 Section 7. Section 546.11, Florida Statutes, is created to
721 read:

722 546.11 Short title.-Sections 546.11-546.18 may be cited as
723 the "Fantasy Contest Amusement Act."

724 Section 8. Section 546.12, Florida Statutes, is created to
725 read:

726 546.12. Legislative intent.-It is the intent of the
727 Legislature to ensure public confidence in the integrity of
728 fantasy contests and fantasy contest operators. This act is

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729 designed to strictly regulate the operators of fantasy contests
730 and individuals who participate in such contests and to adopt
731 consumer protections related to fantasy contests. Furthermore,
732 the Legislature finds that fantasy contests, as that term is
733 defined in s. 546.13, involve the skill of contest participants.

734 Section 9. Section 546.13, Florida Statutes, is created to
735 read:

736 546.13 Definitions.—As used in ss. 546.11-546.18, the term:

737 (1) "Confidential information" means information related to
738 the playing of fantasy contests by contest participants which is
739 obtained solely as a result of a person's employment with, or
740 work as an agent of, a contest operator.

741 (2) "Contest operator" means a person or entity that offers
742 fantasy contests for a cash prize to members of the public.

743 (3) "Contest participant" means a person who pays an entry
744 fee for the ability to participate in a fantasy contest offered
745 by a contest operator.

746 (4) "Entry fee" means the cash or cash equivalent amount
747 that is required to be paid by a person to a contest operator to
748 participate in a fantasy contest.

749 (5) "Fantasy contest" means a fantasy or simulation sports
750 game or contest offered by a contest operator or a noncommercial
751 contest operator in which a contest participant manages a
752 fantasy or simulation sports team composed of athletes from an
753 amateur or professional sports organization and which meets the
754 following conditions:

755 (a) All prizes and awards offered to winning contest
756 participants are established and made known to the contest
757 participants in advance of the game or contest and their value

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758 is not determined by the number of contest participants or the
759 amount of any fees paid by those contest participants.

760 (b) All winning outcomes reflect the relative knowledge and
761 skill of the contest participants and are determined
762 predominantly by accumulated statistical results of the
763 performance of the athletes participating in multiple real-world
764 sporting or other events. However, a winning outcome may not be
765 based:

766 1. On the score, point spread, or any performance or
767 performances of a single real-world team or any combination of
768 such teams;

769 2. Solely on any single performance of an individual
770 athlete in a single real-world sporting or other event; or

771 3. On a live pari-mutuel event, as the term "pari-mutuel"
772 is defined in s. 550.002.

773 (6) "Noncommercial contest operator" means a person who
774 organizes and conducts a fantasy contest in which contest
775 participants are charged entry fees for the right to
776 participate; entry fees are collected, maintained, and
777 distributed by the same person; and all entry fees are returned
778 to the contest participants in the form of prizes.

779 (7) "Office" means the Office of Amusements created in s.
780 546.14.

781 Section 10. Section 546.14, Florida Statutes is created to
782 read:

783 546.14 Office of amusements.-

784 (1) The Office of Amusements is created within the
785 Department of Business and Professional Regulation. The office
786 shall operate under the supervision of a senior manager exempt

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787 under s. 110.205 in the Senior Management Service appointed by
788 the Secretary of Business and Professional Regulation.

789 (2) The duties of the office include, but are not limited
790 to, administering and enforcing this act and any rules adopted
791 pursuant to this act and any other duties authorized by the
792 secretary. The office may work with department personnel as
793 needed to assist in fulfilling its duties.

794 (3) The office may:

795 (a) Conduct investigations and monitor the operation and
796 play of fantasy contests.

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

799 (c) Suspend or revoke any license, after a hearing, for any
800 violation of state law or rule.

801 (d) Take testimony, issue summons and subpoenas for any
802 witness, and issue subpoenas duces tecum in connection with any
803 matter within its jurisdiction.

804 (e) Monitor and ensure the proper collection and
805 safeguarding of entry fees and the payment of contest prizes in
806 accordance with consumer protection procedures adopted pursuant
807 to s. 546.16.

808 (4) The office may adopt rules to implement and administer
809 this act.

810 Section 11. Section 546.15, Florida Statutes, is created to
811 read:

812 546.15 Licensing.—

813 (1) A contest operator that offers fantasy contests for
814 play by persons in this state must be licensed by the office to
815 conduct fantasy contests within this state. The initial license

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816 application fee is \$500,000, and the annual license renewal fee
817 is \$100,000; however, the respective fees may not exceed 10
818 percent of the amount of entry fees collected by a contest
819 operator from the operation of fantasy contests in this state,
820 less the amount of cash or cash equivalents paid to contest
821 participants. The office shall require the contest operator to
822 provide written evidence of the proposed amount of entry fees
823 and cash or cash equivalents to be paid to contest participants
824 during the annual license period. Before renewing a license, the
825 contest operator shall provide written evidence to the office of
826 the actual entry fees collected and cash or cash equivalents
827 paid to contest participants during the previous period of
828 licensure. The contest operator shall remit to the office any
829 difference in license fee which results from the difference
830 between the proposed amount of entry fees and cash or cash
831 equivalents paid to contest participants and the actual amounts
832 collected and paid.

833 (2) The office shall grant or deny a completed application
834 within 120 days after receipt. A completed application that is
835 not acted upon by the office within 120 days after receipt is
836 deemed approved, and the office shall issue the license.
837 Applications for a contest operator's license are exempt from
838 the 90-day licensure timeframe imposed in s. 120.60(1).

839 (3) The application must include:

840 (a) The full name of the applicant.

841 (b) If the applicant is a corporation, the name of the
842 state in which the applicant is incorporated and the names and
843 addresses of the officers, directors, and shareholders who hold
844 5 percent or more equity.

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845 (c) If the applicant is a business entity other than a
846 corporation, the names and addresses of the principals,
847 partners, or shareholders who hold 5 percent or more equity.

848 (d) The names and addresses of the ultimate equitable
849 owners of the corporation or other business entity, if different
850 from those provided under paragraphs (b) and (c), unless the
851 securities of the corporation or entity are registered pursuant
852 to s. 12 of the Securities Exchange Act of 1934, 15 U.S.C. ss.
853 78a-78kk, and:

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

857 2. The securities of the corporation or entity are
858 regularly traded on an established securities market in the
859 United States.

860 (e) The estimated number of fantasy contests to be
861 conducted by the applicant annually.

862 (f) A statement of the assets and liabilities of the
863 applicant.

864 (g) If required by the office, the names and addresses of
865 the officers and directors of any debtor of the applicant and of
866 stockholders who hold more than 10 percent of the stock of the
867 debtor.

868 (h) For each individual listed in the application as an
869 officer or director, a complete set of fingerprints taken by an
870 authorized law enforcement officer. The office shall submit such
871 fingerprints to the Federal Bureau of Investigation for national
872 processing. A foreign national shall submit such documents as
873 necessary to allow the office to conduct criminal history

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874 records checks in the individual's home country. The applicant
875 must pay the full cost of processing fingerprints and required
876 documentation. The office also may charge a \$2 handling fee for
877 each set of fingerprints submitted.

878 (4) A person or entity is not eligible for licensure as a
879 contest operator or for licensure renewal if the person or an
880 officer or director of the entity is determined by the office,
881 after investigation, not to be of good moral character or is
882 found to have been convicted of a felony in this state, any
883 offense in another jurisdiction which would be considered a
884 felony if committed in this state, or a felony under the laws of
885 the United States. As used in this subsection, the term
886 "convicted" means having been found guilty, with or without
887 adjudication of guilt, as a result of a jury verdict, nonjury
888 trial, or entry of a plea of guilty or nolo contendere.

889 (5) The contest operator shall provide evidence of a surety
890 bond in the amount of \$1 million, payable to the state,
891 furnished by a corporate surety authorized to do business. The
892 surety bond shall be kept in full force and effect by the
893 contest operator during the term of the license and any renewal
894 thereof. The office shall adopt by rule the form required for
895 such surety bond.

896 (6) The office may suspend, revoke, or deny the license of
897 a contest operator who fails to comply with this act or rules
898 adopted pursuant thereto.

899 Section 12. Section 546.16, Florida Statutes, is created to
900 read:

901 546.16 Consumer protection.—

902 (1) A contest operator that charges an entry fee to contest

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903 participants shall implement procedures for fantasy contests
904 which:

905 (a) Prevent employees of the contest operator, and
906 relatives living in the same household as such employees, from
907 competing in a fantasy contest in which a cash prize is awarded.

908 (b) Prohibit the contest operator from being a contest
909 participant in a fantasy contest that he or she offers.

910 (c) Prevent employees or agents of the contest operator
911 from sharing with a third party confidential information that
912 could affect fantasy contest play until the information has been
913 made publicly available.

914 (d) Verify that contest participants are 18 years of age or
915 older.

916 (e) Restrict an individual who is a player, a game
917 official, or another participant in a real-world game or
918 competition from participating in a fantasy contest that is
919 determined, in whole or in part, on the performance of that
920 individual, the individual's real-world team, or the accumulated
921 statistical results of the sport or competition in which he or
922 she is a player, game official, or other participant.

923 (f) Allow individuals to restrict or prevent their own
924 access to such a fantasy contest and take reasonable steps to
925 prevent those individuals from entering a fantasy contest.

926 (g) Limit the number of entries a single contest
927 participant may submit to each fantasy contest and take
928 reasonable steps to prevent participants from submitting more
929 than the allowable number of entries.

930 (h) Segregate contest participants' funds from operational
931 funds and maintain a reserve in the form of cash, cash

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932 equivalents, an irrevocable letter of credit, a bond, or a
933 combination thereof in the total amount of deposits in contest
934 participants' accounts for the benefit and protection of
935 authorized contest participants' funds held in fantasy contest
936 accounts.

937 (2) A contest operator that offers fantasy contests in this
938 state which require contest participants to pay an entry fee
939 shall annually contract with a third party to perform an
940 independent audit, consistent with the standards established by
941 the Public Company Accounting Oversight Board, to ensure
942 compliance with this act. The contest operator shall submit the
943 results of the independent audit to the office.

944 Section 13. Section 546.17, Florida Statutes is created to
945 read:

946 546.17 Records and reports.-

947 (1) Each contest operator shall keep and maintain daily
948 records of its operations and shall maintain such records for at
949 least 3 years. The records must sufficiently detail all
950 financial transactions to determine compliance with the
951 requirements of this section and must be available for audit and
952 inspection by the office or other law enforcement agencies
953 during the contest operator's regular business hours. The office
954 shall adopt rules to implement this subsection.

955 (2) Each contest operator shall file quarterly with the
956 office a report that includes the required records and any
957 additional information deemed necessary by the office. The
958 report shall be submitted on forms prescribed by the office and
959 is deemed public records once filed.

960 Section 14. Section 546.18, Florida Statutes, is created to

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961 read:

962 546.18 Penalties; applicability; exemption.-

963 (1) (a) A contest operator, or an employee or agent thereof,
964 who violates this act is subject to a civil penalty, not to
965 exceed \$5,000 for each violation and not to exceed \$100,000 in
966 the aggregate, which shall accrue to the state. An action to
967 recover such penalties may be brought by the office or the
968 Department of Legal Affairs in the circuit courts in the name
969 and on behalf of the state.

970 (b) The penalty provisions established in this subsection
971 do not apply to a contest operator who applies for a license
972 within 90 days after the effective date of this section and
973 receives a license within 240 days after the effective date of
974 this section.

975 (2) Fantasy contests conducted by a contest operator or
976 noncommercial contest operator in accordance with this act are
977 not subject to s. 849.01, s. 849.08, s. 849.09, s. 849.11, s.
978 849.14, or s. 849.25.

979 Section 15. The Division of Law Revision and Information is
980 directed to replace the phrase "the effective date of this
981 section" wherever it occurs in s. 546.18, Florida Statutes, with
982 the date that section becomes effective. This section is
983 effective upon becoming a law.

984 Section 16. Subsection (11) of section 550.002, Florida
985 Statutes, is amended to read:

986 550.002 Definitions.—As used in this chapter, the term:

987 (11) (a) "Full schedule of live racing or games" means: ~~r~~

988 1. For a greyhound racing permitholder or jai alai
989 permitholder, the conduct of a combination of at least 100 live

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990 ~~evening or matinee performances during the preceding year.~~† for
991 ~~a permitholder who has a converted permit or filed an~~
992 ~~application on or before June 1, 1990, for a converted permit,~~
993 ~~the conduct of a combination of at least 100 live evening and~~
994 ~~matinee wagering performances during either of the 2 preceding~~
995 ~~years;~~

996 2. For a jai alai permitholder ~~that~~ who does not possess a
997 operate slot machine license machines in its pari-mutuel
998 facility, ~~who~~ has conducted at least 100 live performances per
999 year for at least 10 years after December 31, 1992, and has had
1000 ~~whose~~ handle on live jai alai games conducted at its pari-mutuel
1001 facility which was ~~has been~~ less than \$4 million per state
1002 fiscal year for at least 2 consecutive years after June 30,
1003 1992, the conduct of ~~a combination of~~ at least 40 live evening
1004 ~~or matinee~~ performances during the preceding year.†

1005 3. For a jai alai permitholder that possesses a ~~who~~
1006 operates slot machine license machines in its pari-mutuel
1007 facility, the conduct of ~~a combination of~~ at least 150
1008 performances during the preceding year.†

1009 4. For a summer jai alai permitholder that does not possess
1010 a slot machine license, the conduct of at least 58 live
1011 performances during the preceding year, unless the permitholder
1012 meets the requirements of subparagraph 2.

1013 5. For a harness horse racing permitholder, the conduct of
1014 at least 100 live regular wagering performances during the
1015 preceding year.†

1016 6. For a quarter horse racing permitholder at its facility,
1017 unless an alternative schedule of at least 20 live regular
1018 wagering performances each year is agreed upon by the

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1019 permitholder and either the Florida Quarter Horse Racing
1020 Association or the horsemen ~~horsemen's~~ association representing
1021 the majority of the quarter horse owners and trainers at the
1022 facility and filed ~~with the division along~~ with its annual
1023 operating license ~~date~~ application. ~~;~~

1024 a. In the 2010-2011 fiscal year, the conduct of at least 20
1025 regular wagering performances. ~~;~~

1026 b. In the 2011-2012 and 2012-2013 fiscal years, the conduct
1027 of at least 30 live regular wagering performances. ~~;~~ and

1028 c. For every fiscal year after the 2012-2013 fiscal year,
1029 the conduct of at least 40 live regular wagering performances. ~~;~~

1030 7. For a quarter horse racing permitholder leasing another
1031 licensed racetrack, the conduct of 160 events at the leased
1032 facility during the preceding year. ~~;~~ and

1033 8. For a thoroughbred racing permitholder, the conduct of
1034 at least 40 live regular wagering performances during the
1035 preceding year.

1036 ~~(b) For a permitholder which is restricted by statute to~~
1037 ~~certain operating periods within the year when other members of~~
1038 ~~its same class of permit are authorized to operate throughout~~
1039 ~~the year, the specified number of live performances which~~
1040 ~~constitute a full schedule of live racing or games shall be~~
1041 ~~adjusted pro rata in accordance with the relationship between~~
1042 ~~its authorized operating period and the full calendar year and~~
1043 ~~the resulting specified number of live performances shall~~
1044 ~~constitute the full schedule of live games for such permitholder~~
1045 ~~and all other permitholders of the same class within 100 air~~
1046 ~~miles of such permitholder. A live performance must consist of~~
1047 no fewer than eight races or games conducted live for each of a

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1048 minimum of three performances each week at the permit holder's
 1049 licensed facility under a single admission charge.

1050 Section 17. Subsections (1), (3), and (6) of section
 1051 550.01215, Florida Statutes, are amended to read:

1052 550.01215 License application; periods of operation; bond,
 1053 conversion of permit.—

1054 (1) Each permit holder shall annually, during the period
 1055 between December 15 and January 4, file in writing with the
 1056 division its application for an operating a license to conduct
 1057 pari-mutuel wagering during the next fiscal year, including
 1058 intertrack and simulcast race wagering for greyhound racing
 1059 permit holders, jai alai permit holders, harness horse racing
 1060 permit holders, quarter horse racing permit holders, and
 1061 thoroughbred horse racing permit holders that do not ~~to~~ conduct
 1062 live performances during the next state fiscal year. Each
 1063 application for live performances must ~~shall~~ specify the number,
 1064 dates, and starting times of all live performances that ~~which~~
 1065 the permit holder intends to conduct. It must ~~shall~~ also specify
 1066 which performances will be conducted as charity or scholarship
 1067 performances.

1068 (a) ~~In addition,~~ Each application for an operating a
 1069 license also must ~~shall~~ include:r

1070 1. For each permit holder, whether the permit holder intends
 1071 to accept wagers on broadcast events.

1072 2. For each permit holder that elects ~~which elects~~ to
 1073 operate a cardroom, the dates and periods of operation the
 1074 permit holder intends to operate the cardroom. ~~or,~~

1075 3. For each thoroughbred racing permit holder that ~~which~~
 1076 elects to receive or rebroadcast out-of-state races after 7

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1077 p.m., the dates for all performances which the permit holder
1078 intends to conduct.

1079 (b) A greyhound racing permit holder that conducted a full
1080 schedule of live racing for a period of at least 10 consecutive
1081 state fiscal years after the 1996-1997 state fiscal year, or
1082 that converted its permit to a permit to conduct greyhound
1083 racing after the 1996-1997 state fiscal year, may specify in its
1084 application for an operating license that it does not intend to
1085 conduct live racing, or that it intends to conduct less than a
1086 full schedule of live racing, in the next state fiscal year. A
1087 greyhound racing permit holder may receive an operating license
1088 to conduct pari-mutuel wagering activities at another
1089 permit holder's greyhound racing facility pursuant to s. 550.475.

1090 (c)1. A thoroughbred horse racing permit holder that has
1091 conducted live racing for at least 5 years and has had an
1092 average annual handle of less than \$5 million on the conduct of
1093 live racing in the last 2 state fiscal years may elect not to
1094 conduct live racing, if such election is made within 30 days
1095 after the effective date of this act. A thoroughbred horse
1096 racing permit holder that made such election may retain such
1097 permit and must specify in future applications for an operating
1098 license that it does not intend to conduct live racing.

1099 2. If a thoroughbred horse racing permit holder made such
1100 election and if such permit holder held a slot machine license
1101 when such election was made, the facility where such permit is
1102 located:

1103 a. Remains an eligible facility pursuant to s. 551.102(4),
1104 and continues to be eligible for a slot machine license;

1105 b. Is exempt from ss. 550.5251, 550.334(8), 551.104(3) and

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1106 (4) (c), and 551.114(2) and (4);

1107 c. Is eligible, but not required, to be a guest track for
1108 purposes of intertrack wagering and interstate simulcast; and

1109 d. Remains eligible for a cardroom license, notwithstanding
1110 any requirement for the conduct of live racing pursuant to s.
1111 849.086.

1112 3. A thoroughbred horse racing permitholder that makes such
1113 election shall comply with all contracts regarding contributions
1114 by such permitholder to thoroughbred horse purse supplements or
1115 breeders' awards entered into before the effective date of this
1116 act. This subparagraph expires December 31, 2020.

1117 (d) Any harness racing permitholder and any quarter horse
1118 racing permitholder that has held an operating license for at
1119 least 5 years and a cardroom license for at least 2 years is
1120 exempt from the live racing requirements of this subsection and
1121 may specify in its annual application for an operating license
1122 that it does not intend to conduct live racing, or that it
1123 intends to conduct less than a full schedule of live racing, in
1124 the next state fiscal year.

1125 (e) A jai alai permitholder that has held an operating
1126 license for at least 5 years is exempt from the live jai alai
1127 requirements of this subsection and may specify in its annual
1128 application for an operating license that it does not intend to
1129 conduct live jai alai, or that it intends to conduct less than a
1130 full schedule of live jai alai, in the next state fiscal year.

1131 (f) Permitholders ~~may~~ shall be entitled to amend their
1132 applications through February 28.

1133 (3) The division shall issue each license no later than
1134 March 15. Each permitholder shall operate all performances at

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1135 the date and time specified on its license. The division shall
1136 have the authority to approve minor changes in racing dates
1137 after a license has been issued. The division may approve
1138 changes in racing dates after a license has been issued when
1139 there is no objection from any operating permitholder located
1140 within 50 miles of the permitholder requesting the changes in
1141 operating dates. In the event of an objection, the division
1142 shall approve or disapprove the change in operating dates based
1143 upon the impact on operating permitholders located within 50
1144 miles of the permitholder requesting the change in operating
1145 dates. In making the determination to change racing dates, the
1146 division shall take into consideration the impact of such
1147 changes on state revenues. Notwithstanding any other provision
1148 of law, and for the 2017-2018 fiscal year only, the division may
1149 approve changes in racing dates for permitholders if the request
1150 for such changes is received before August 31, 2017.

1151 (6) A summer jai alai permitholder may apply for an
1152 operating license to operate a jai alai fronton only during the
1153 summer season beginning May 1 and ending November 30 of each
1154 year on such dates as may be selected by the permitholder. Such
1155 permitholder is subject to the same taxes, rules, and provisions
1156 of this chapter which apply to the operation of winter jai alai
1157 frontons. A summer jai alai permitholder is not eligible for
1158 licensure to conduct a cardroom or operate a slot machine
1159 facility. A summer jai alai permitholder and a winter jai alai
1160 permitholder may not operate on the same days or in competition
1161 with each other. This subsection does not prevent a summer jai
1162 alai licensee from leasing the facilities of a winter jai alai
1163 licensee for the operation of a summer meet ~~Any permit which was~~

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1164 ~~converted from a jai alai permit to a greyhound permit may be~~
1165 ~~converted to a jai alai permit at any time if the permitholder~~
1166 ~~never conducted greyhound racing or if the permitholder has not~~
1167 ~~conducted greyhound racing for a period of 12 consecutive~~
1168 ~~months.~~

1169 Section 18. Subsection (1) of section 550.0251, Florida
1170 Statutes, is amended to read:

1171 550.0251 The powers and duties of the Division of Pari-
1172 mutuel Wagering of the Department of Business and Professional
1173 Regulation.—The division shall administer this chapter and
1174 regulate the pari-mutuel industry under this chapter and the
1175 rules adopted pursuant thereto, and:

1176 (1) The division shall make an annual report for the prior
1177 fiscal year to the Governor, the President of the Senate, and
1178 the Speaker of the House of Representatives. The report shall
1179 include, at a minimum:

1180 (a) Recent events in the gaming industry, including pending
1181 litigation involving permitholders; pending permitholder,
1182 facility, cardroom, slot, or operating license applications; and
1183 new and pending rules.

1184 (b) Actions of the department relating to the
1185 implementation and administration of this chapter, and chapters
1186 551 and 849.

1187 (c) The state revenues and expenses associated with each
1188 form of authorized gaming. Revenues and expenses associated with
1189 pari-mutuel wagering must be further delineated by the class of
1190 license.

1191 (d) The performance of each pari-mutuel wagering licensee,
1192 cardroom licensee, and slot machine licensee.

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1193 (e) A summary of disciplinary actions taken by the
1194 department.

1195 (f) Any suggestions to more effectively achieve ~~showing its~~
1196 ~~own actions, receipts derived under the provisions of this~~
1197 ~~chapter, the practical effects of the application of this~~
1198 ~~chapter, and any suggestions it may approve for the more~~
1199 ~~effectual accomplishments of the purposes of this chapter.~~

1200 Section 19. Paragraph (b) of subsection (9) of section
1201 550.054, Florida Statutes, is amended, and paragraphs (c)
1202 through (g) are added to that subsection, and paragraph (a) of
1203 subsection (11) and subsections (13) and (14) of that section
1204 are amended, to read:

1205 550.054 Application for permit to conduct pari-mutuel
1206 wagering.—

1207 (9)

1208 (b) The division may revoke or suspend any permit or
1209 license issued under this chapter upon a ~~the~~ willful violation
1210 by the permitholder or licensee ~~of any provision~~ of this
1211 chapter, chapter 551, chapter 849, or rules of any rule adopted
1212 pursuant thereto under this chapter. With the exception of the
1213 revocation of permits required in paragraphs (c), (d), (f), and
1214 (g), In lieu of suspending or revoking a permit or license, the
1215 division may, in lieu of suspending or revoking a permit or
1216 license, impose a civil penalty against the permitholder or
1217 licensee for a violation of this chapter, chapter 551, chapter
1218 849, or rules adopted pursuant thereto ~~any rule adopted by the~~
1219 ~~division~~. The penalty so imposed may not exceed \$1,000 for each
1220 count or separate offense. All penalties imposed and collected
1221 must be deposited with the Chief Financial Officer to the credit

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1222 of the General Revenue Fund.

1223 (c) Unless a failure to obtain an operating license and to
1224 operate was the direct result of fire, strike, war, or other
1225 disaster or event beyond the permitholder's control, the
1226 division shall revoke the permit of any permitholder that has
1227 not obtained an operating license in accordance with s.
1228 550.01215 for a period of more than 24 consecutive months after
1229 June 30, 2012. The division shall revoke the permit upon
1230 adequate notice to the permitholder. Financial hardship to the
1231 permitholder does not, in and of itself, constitute just cause
1232 for failure to operate.

1233 (d) The division shall revoke the permit of any
1234 permitholder that fails to make payments that are due pursuant
1235 to s. 550.0951 for more than 24 consecutive months unless such
1236 failure to pay the tax due on handle was the direct result of
1237 fire, strike, war, or other disaster or event beyond the
1238 permitholder's control. Financial hardship to the permitholder
1239 does not, in and of itself, constitute just cause for failure to
1240 pay tax on handle.

1241 (e) Notwithstanding any other law, a new permit to conduct
1242 pari-mutuel wagering may not be approved or issued 30 days after
1243 the effective date of this act.

1244 (f) A permit revoked under this subsection is void and may
1245 not be reissued.

1246 (g) A permitholder may apply to the division to place the
1247 permit into inactive status for a period of 12 months pursuant
1248 to division rule. The division, upon good cause shown by the
1249 permitholder, may renew inactive status for a period of up to 12
1250 months, but a permit may not be in inactive status for a period

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1251 of more than 24 consecutive months. Holders of permits in
1252 inactive status are not eligible for licensure for pari-mutuel
1253 wagering, slot machines, or cardrooms.

1254 (11) (a) A permit granted under this chapter may not be
1255 transferred or assigned except upon written approval by the
1256 division pursuant to s. 550.1815, ~~except that the holder of any~~
1257 ~~permit that has been converted to a jai alai permit may lease or~~
1258 ~~build anywhere within the county in which its permit is located.~~

1259 (13) ~~(a)~~ Notwithstanding any provision ~~provisions~~ of this
1260 chapter or chapter 551, a pari-mutuel ~~no thoroughbred horse~~
1261 ~~racine~~ permit or license issued under this chapter or chapter
1262 551 may not shall be transferred, or reissued when such
1263 reissuance is in the nature of a transfer so as to permit or
1264 authorize a licensee to change the location of a pari-mutuel
1265 facility, cardroom, or slot machine facility. ~~thoroughbred horse~~
1266 ~~racetrack except upon proof in such form as the division may~~
1267 ~~prescribe that a referendum election has been held:~~

1268 1. ~~If the proposed new location is within the same county~~
1269 ~~as the already licensed location, in the county where the~~
1270 ~~licensee desires to conduct the race meeting and that a majority~~
1271 ~~of the electors voting on that question in such election voted~~
1272 ~~in favor of the transfer of such license.~~

1273 2. ~~If the proposed new location is not within the same~~
1274 ~~county as the already licensed location, in the county where the~~
1275 ~~licensee desires to conduct the race meeting and in the county~~
1276 ~~where the licensee is already licensed to conduct the race~~
1277 ~~meeting and that a majority of the electors voting on that~~
1278 ~~question in each such election voted in favor of the transfer of~~
1279 ~~such license.~~

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1280 ~~(b) Each referendum held under the provisions of this~~
1281 ~~subsection shall be held in accordance with the electoral~~
1282 ~~procedures for ratification of permits, as provided in s.~~
1283 ~~550.0651. The expense of each such referendum shall be borne by~~
1284 ~~the licensee requesting the transfer.~~

1285 ~~(14) (a) Any holder of a permit to conduct jai alai may~~
1286 ~~apply to the division to convert such permit to a permit to~~
1287 ~~conduct greyhound racing in lieu of jai alai if:~~

1288 ~~1. Such permit is located in a county in which the division~~
1289 ~~has issued only two pari-mutuel permits pursuant to this~~
1290 ~~section;~~

1291 ~~2. Such permit was not previously converted from any other~~
1292 ~~class of permit; and~~

1293 ~~3. The holder of the permit has not conducted jai alai~~
1294 ~~games during a period of 10 years immediately preceding his or~~
1295 ~~her application for conversion under this subsection.~~

1296 ~~(b) The division, upon application from the holder of a jai~~
1297 ~~alai permit meeting all conditions of this section, shall~~
1298 ~~convert the permit and shall issue to the permitholder a permit~~
1299 ~~to conduct greyhound racing. A permitholder of a permit~~
1300 ~~converted under this section shall be required to apply for and~~
1301 ~~conduct a full schedule of live racing each fiscal year to be~~
1302 ~~eligible for any tax credit provided by this chapter. The holder~~
1303 ~~of a permit converted pursuant to this subsection or any holder~~
1304 ~~of a permit to conduct greyhound racing located in a county in~~
1305 ~~which it is the only permit issued pursuant to this section who~~
1306 ~~operates at a leased facility pursuant to s. 550.475 may move~~
1307 ~~the location for which the permit has been issued to another~~
1308 ~~location within a 30-mile radius of the location fixed in the~~

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1309 ~~permit issued in that county, provided the move does not cross~~
1310 ~~the county boundary and such location is approved under the~~
1311 ~~zoning regulations of the county or municipality in which the~~
1312 ~~permit is located, and upon such relocation may use the permit~~
1313 ~~for the conduct of pari-mutuel wagering and the operation of a~~
1314 ~~cardroom. The provisions of s. 550.6305(9)(d) and (f) shall~~
1315 ~~apply to any permit converted under this subsection and shall~~
1316 ~~continue to apply to any permit which was previously included~~
1317 ~~under and subject to such provisions before a conversion~~
1318 ~~pursuant to this section occurred.~~

1319 Section 20. Subsection (2) of section 550.0555, Florida
1320 Statutes, is amended to read:

1321 550.0555 Permitholder ~~Greyhound dogracing permits;~~
1322 relocation within a county; conditions.—

1323 (2) The following permitholders are ~~Any holder of a valid~~
1324 ~~outstanding permit for greyhound dogracing in a county in which~~
1325 ~~there is only one dogracing permit issued, as well as any holder~~
1326 ~~of a valid outstanding permit for jai alai in a county where~~
1327 ~~only one jai alai permit is issued, is authorized, without the~~
1328 ~~necessity of an additional county referendum required under s.~~
1329 ~~550.0651, to move the location for which the permit has been~~
1330 ~~issued to another location within a 30-mile radius of the~~
1331 ~~location fixed in the permit issued in that county, provided the~~
1332 ~~move does not cross the county boundary, that such relocation is~~
1333 ~~approved under the zoning regulations of the county or~~
1334 ~~municipality in which the permit is to be located as a planned~~
1335 ~~development use, consistent with the comprehensive plan, and~~
1336 ~~that such move is approved by the department after it is~~
1337 ~~determined~~ that the new location is at least 10 miles from an

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1338 existing pari-mutuel facility and, if within a county with three
 1339 or more pari-mutuel permits, is at least 10 miles from the
 1340 waters of the Atlantic Ocean:

1341 (a) Any holder of a valid outstanding greyhound racing
 1342 permit that was previously converted from a jai alai permit;

1343 (b) Any holder of a valid outstanding greyhound racing
 1344 permit in a county in which there is only one greyhound racing
 1345 permit issued; and

1346 (c) Any holder of a valid outstanding jai alai permit in a
 1347 county in which there is only one jai alai permit issued. ~~at a~~
 1348 ~~proceeding pursuant to chapter 120 in the county affected that~~
 1349 ~~the move is necessary to ensure the revenue-producing capability~~
 1350 ~~of the permittee without deteriorating the revenue-producing~~
 1351 ~~capability of any other pari-mutuel permittee within 50 miles;~~

1352
 1353 The distances ~~distance~~ shall be measured on a straight line from
 1354 the nearest property line of one racing plant or jai alai
 1355 fronton to the nearest property line of the other and the
 1356 nearest mean high tide line of the Atlantic Ocean.

1357 Section 21. Section 550.0745, Florida Statutes, is
 1358 repealed.

1359 Section 22. Section 550.0951, Florida Statutes, is amended
 1360 to read:

1361 550.0951 Payment of daily license fee and taxes;
 1362 penalties.—

1363 (1) ~~(a)~~ DAILY LICENSE FEE.—Each person engaged in the
 1364 business of conducting race meetings or jai alai games under
 1365 this chapter, hereinafter referred to as the "permitholder,"
 1366 "licensee," or "permittee," shall pay ~~to the division, for the~~

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1367 ~~use of the division,~~ a daily license fee on each live or
1368 simulcast pari-mutuel event of \$100 for each horserace, and \$80
1369 for each greyhound race, ~~dograce~~ and \$40 for each jai alai game,
1370 any of which is conducted at a racetrack or fronton licensed
1371 under this chapter. ~~A In addition to the tax exemption specified~~
1372 ~~in s. 550.09514(1) of \$360,000 or \$500,000 per greyhound~~
1373 ~~permitholder per state fiscal year, each greyhound permitholder~~
1374 ~~shall receive in the current state fiscal year a tax credit~~
1375 ~~equal to the number of live greyhound races conducted in the~~
1376 ~~previous state fiscal year times the daily license fee specified~~
1377 ~~for each dograce in this subsection applicable for the previous~~
1378 ~~state fiscal year. This tax credit and the exemption in s.~~
1379 ~~550.09514(1) shall be applicable to any tax imposed by this~~
1380 ~~chapter or the daily license fees imposed by this chapter except~~
1381 ~~during any charity or scholarship performances conducted~~
1382 ~~pursuant to s. 550.0351. Each permitholder may not be required~~
1383 ~~to shall pay daily license fees in excess of not to exceed \$500~~
1384 ~~per day on any simulcast races or games on which such~~
1385 ~~permitholder accepts wagers,~~ regardless of the number of out-of-
1386 state events taken or the number of out-of-state locations from
1387 which such events are taken. This license fee shall be deposited
1388 with the Chief Financial Officer to the credit of the Pari-
1389 mutuel Wagering Trust Fund.

1390 ~~(b) Each permitholder that cannot utilize the full amount~~
1391 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~
1392 ~~550.09514(1) or the daily license fee credit provided in this~~
1393 ~~section may, after notifying the division in writing, elect once~~
1394 ~~per state fiscal year on a form provided by the division to~~
1395 ~~transfer such exemption or credit or any portion thereof to any~~

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1396 ~~greyhound permitholder which acts as a host track to such~~
1397 ~~permitholder for the purpose of intertrack wagering. Once an~~
1398 ~~election to transfer such exemption or credit is filed with the~~
1399 ~~division, it shall not be rescinded. The division shall~~
1400 ~~disapprove the transfer when the amount of the exemption or~~
1401 ~~credit or portion thereof is unavailable to the transferring~~
1402 ~~permitholder or when the permitholder who is entitled to~~
1403 ~~transfer the exemption or credit or who is entitled to receive~~
1404 ~~the exemption or credit owes taxes to the state pursuant to a~~
1405 ~~deficiency letter or administrative complaint issued by the~~
1406 ~~division. Upon approval of the transfer by the division, the~~
1407 ~~transferred tax exemption or credit shall be effective for the~~
1408 ~~first performance of the next payment period as specified in~~
1409 ~~subsection (5). The exemption or credit transferred to such host~~
1410 ~~track may be applied by such host track against any taxes~~
1411 ~~imposed by this chapter or daily license fees imposed by this~~
1412 ~~chapter. The greyhound permitholder host track to which such~~
1413 ~~exemption or credit is transferred shall reimburse such~~
1414 ~~permitholder the exact monetary value of such transferred~~
1415 ~~exemption or credit as actually applied against the taxes and~~
1416 ~~daily license fees of the host track. The division shall ensure~~
1417 ~~that all transfers of exemption or credit are made in accordance~~
1418 ~~with this subsection and shall have the authority to adopt rules~~
1419 ~~to ensure the implementation of this section.~~

1420 (2) ADMISSION TAX.—

1421 (a) An admission tax equal to 15 percent of the admission
1422 charge for entrance to the permitholder's facility and
1423 grandstand area, or 10 cents, whichever is greater, is imposed
1424 on each person attending a horserace, greyhound race ~~dograce~~, or

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1425 jai alai game. The permitholder is ~~shall be~~ responsible for
1426 collecting the admission tax.

1427 (b) The ~~No~~ admission tax imposed under this chapter and ~~or~~
1428 chapter 212 may not ~~shall~~ be imposed on any free passes or
1429 complimentary cards issued to persons for which there is no cost
1430 to the person for admission to pari-mutuel events.

1431 (c) A permitholder may issue tax-free passes to its
1432 officers, officials, and employees and to ~~or~~ other persons
1433 actually engaged in working at the racetrack, including
1434 accredited media ~~press~~ representatives such as reporters and
1435 editors, and may also issue tax-free passes to other
1436 permitholders for the use of their officers and officials. The
1437 permitholder shall file with the division a list of all persons
1438 to whom tax-free passes are issued under this paragraph.

1439 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on
1440 contributions to pari-mutuel pools, the aggregate of which is
1441 hereinafter referred to as "handle," on races or games conducted
1442 by the permitholder. The tax is imposed daily and is based on
1443 the total contributions to all pari-mutuel pools conducted
1444 during the daily performance. If a permitholder conducts more
1445 than one performance daily, the tax is imposed on each
1446 performance separately.

1447 (a) The tax on handle for quarter horse racing is 1.0
1448 percent of the handle.

1449 (b)1. The tax on handle for greyhound racing ~~dogracing~~ is
1450 1.28 ~~5.5~~ percent of the handle, ~~except that for live charity~~
1451 ~~performances held pursuant to s. 550.0351, and for intertrack~~
1452 ~~wagering on such charity performances at a guest greyhound track~~
1453 ~~within the market area of the host, the tax is 7.6 percent of~~

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1454 ~~the handle.~~

1455 2. The tax on handle for jai alai is 7.1 percent of the
1456 handle.

1457 (c)1. The tax on handle for intertrack wagering is:

1458 a. If the host track is a horse track, 2.0 percent of the
1459 handle.

1460 b. If the host track is a harness horse racetrack track,
1461 3.3 percent of the handle.

1462 c. If the host track is a greyhound racing harness track,
1463 1.28 ~~5.5~~ percent of the handle, to be remitted by the guest
1464 track. ~~if the host track is a dog track, and~~

1465 d. If the host track is a jai alai fronton, 7.1 percent of
1466 the handle ~~if the host track is a jai alai fronton.~~

1467 e. The tax on handle for intertrack wagering is 0.5
1468 percent If the host track and the guest track are thoroughbred
1469 racing permitholders or if the guest track is located outside
1470 the market area of a ~~the~~ host track that is not a greyhound
1471 racing track and within the market area of a thoroughbred racing
1472 permitholder currently conducting a live race meet, 0.5 percent
1473 of the handle.

1474 f. The tax on handle For intertrack wagering on
1475 rebroadcasts of simulcast thoroughbred horseraces, is 2.4
1476 percent of the handle and ~~1.5 percent of the handle~~ for
1477 intertrack wagering on rebroadcasts of simulcast harness
1478 horseraces, 1.5 percent of the handle.

1479 2. The tax shall be deposited into the Pari-mutuel Wagering
1480 Trust Fund.

1481 3.2. The tax on handle for intertrack wagers accepted by
1482 any greyhound racing ~~dog~~ track located in an area of the state

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1483 in which there are only three permitholders, all of which are
 1484 greyhound racing permitholders, located in three contiguous
 1485 counties, from any greyhound racing permitholder also located
 1486 within such area or any greyhound racing ~~dog~~ track or jai alai
 1487 fronton located as specified in s. 550.615(7) ~~s. 550.615(6) or~~
 1488 ~~(9)~~, on races or games received from any jai alai ~~the same class~~
 1489 ~~of~~ permitholder located within the same market area is 1.28 ~~3.9~~
 1490 percent of the handle if the host facility is a greyhound racing
 1491 permitholder. ~~and,~~ If the host facility is a jai alai
 1492 permitholder, the tax is rate shall be 6.1 percent of the handle
 1493 until ~~except that it shall be 2.3 percent on handle at~~ such time
 1494 as the total tax on intertrack handle paid to the division by
 1495 the permitholder during the current state fiscal year exceeds
 1496 the total ~~tax on intertrack handle~~ paid to the division by the
 1497 permitholder during the 1992-1993 state fiscal year, in which
 1498 case the tax is 2.3 percent of the handle.

1499 (d) Notwithstanding any other provision of this chapter, in
 1500 order to protect the Florida jai alai industry, effective July
 1501 1, 2000, a jai alai permitholder may not be taxed on live handle
 1502 at a rate higher than 2 percent.

1503 (4) BREAKS TAX.—Effective October 1, 1996, each
 1504 permitholder conducting jai alai performances shall pay a tax
 1505 equal to the breaks. As used in this subsection, the term
 1506 "breaks" means the money that remains in each pari-mutuel pool
 1507 after funds are ~~The "breaks" represents that portion of each~~
 1508 ~~pari-mutuel pool which is not~~ redistributed to the contributors
 1509 and commissions are ~~or~~ withheld by the permitholder ~~as~~
 1510 ~~commission.~~

1511 (5) PAYMENT AND DISPOSITION OF FEES AND TAXES.—Payments

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1512 imposed by this section shall be paid to the division. The
 1513 division shall deposit such payments ~~these sums~~ with the Chief
 1514 Financial Officer, to the credit of the Pari-mutuel Wagering
 1515 Trust Fund, hereby established. The permitholder shall remit to
 1516 the division payment for the daily license fee, the admission
 1517 tax, the tax on handle, and the breaks tax. Such payments must
 1518 ~~shall~~ be remitted by 3 p.m. on Wednesday of each week for taxes
 1519 imposed and collected for the preceding week ending on Sunday.
 1520 Beginning on July 1, 2012, such payments must ~~shall~~ be remitted
 1521 by 3 p.m. on the 5th day of each calendar month for taxes
 1522 imposed and collected for the preceding calendar month. If the
 1523 5th day of the calendar month falls on a weekend, payments must
 1524 ~~shall~~ be remitted by 3 p.m. the first Monday following the
 1525 weekend. Permitholders shall file a report under oath by the 5th
 1526 day of each calendar month for all taxes remitted during the
 1527 preceding calendar month. Such payments must ~~shall~~ be
 1528 accompanied by a report under oath showing the total of all
 1529 admissions, the pari-mutuel wagering activities for the
 1530 preceding calendar month, and any such other information ~~as may~~
 1531 ~~be~~ prescribed by the division.

1532 (6) PENALTIES.—

1533 (a) The failure of any permitholder to make payments as
 1534 prescribed in subsection (5) is a violation of this section, and
 1535 the ~~permitholder may be subjected by the division~~ may impose ~~to~~
 1536 a civil penalty against the permitholder of up to \$1,000 for
 1537 each day the tax payment is not remitted. All penalties imposed
 1538 and collected shall be deposited in the General Revenue Fund. If
 1539 a permitholder fails to pay penalties imposed by order of the
 1540 division under this subsection, the division may suspend or

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1541 revoke the license of the permitholder, cancel the permit of the
1542 permitholder, or deny issuance of any further license or permit
1543 to the permitholder.

1544 (b) In addition to the civil penalty prescribed in
1545 paragraph (a), any willful or wanton failure by any permitholder
1546 to make payments of the daily license fee, admission tax, tax on
1547 handle, or breaks tax constitutes sufficient grounds for the
1548 division to suspend or revoke the license of the permitholder,
1549 to cancel the permit of the permitholder, or to deny issuance of
1550 any further license or permit to the permitholder.

1551 Section 23. Section 550.09512, Florida Statutes, is amended
1552 to read:

1553 550.09512 Harness horse racing taxes; abandoned interest in
1554 a permit for nonpayment of taxes.-

1555 (1) Pari-mutuel wagering at harness horse racetracks in
1556 this state is an important business enterprise, and taxes
1557 derived therefrom constitute a part of the tax structure which
1558 funds operation of the state. Harness horse racing permitholders
1559 should pay their fair share of these taxes to the state. This
1560 business interest should not be taxed to such an extent as to
1561 cause any racetrack which is operated under sound business
1562 principles to be forced out of business. Due to the need to
1563 protect the public health, safety, and welfare, the gaming laws
1564 of the state provide for the harness horse racing industry to be
1565 highly regulated and taxed. The state recognizes that there
1566 exist identifiable differences between harness horse racing
1567 permitholders based upon their ability to operate under such
1568 regulation and tax system.

1569 (2) (a) The tax on handle for live harness horse racing

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1570 performances is 0.5 percent of handle per performance.

1571 (b) For purposes of this section, the term "handle" shall
1572 have the same meaning as in s. 550.0951, and shall not include
1573 handle from intertrack wagering.

1574 (3) ~~(a)~~ The division shall revoke the permit of a harness
1575 horse racing permitholder that ~~who~~ does not pay the tax due on
1576 handle for live harness horse racing performances for a full
1577 schedule of live races for more than 24 consecutive months
1578 ~~during any 2 consecutive state fiscal years shall be void and~~
1579 ~~shall escheat to and become the property of the state unless~~
1580 such failure to operate and pay tax on handle was the direct
1581 result of fire, strike, war, or other disaster or event beyond
1582 the ability of the permitholder to control. Financial hardship
1583 to the permitholder does ~~shall~~ not, in and of itself, constitute
1584 just cause for failure to operate and pay tax on handle. A
1585 permit revoked under this subsection is void and may not be
1586 reissued.

1587 ~~(b) In order to maximize the tax revenues to the state, the~~
1588 ~~division shall reissue an escheated harness horse permit to a~~
1589 ~~qualified applicant pursuant to the provisions of this chapter~~
1590 ~~as for the issuance of an initial permit. However, the~~
1591 ~~provisions of this chapter relating to referendum requirements~~
1592 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
1593 ~~escheated harness horse permit. As specified in the application~~
1594 ~~and upon approval by the division of an application for the~~
1595 ~~permit, the new permitholder shall be authorized to operate a~~
1596 ~~harness horse facility anywhere in the same county in which the~~
1597 ~~escheated permit was authorized to be operated, notwithstanding~~
1598 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

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1599 (4) In the event that a court of competent jurisdiction
1600 determines any of the provisions of this section to be
1601 unconstitutional, it is the intent of the Legislature that the
1602 provisions contained in this section shall be null and void and
1603 that the provisions of s. 550.0951 shall apply to all harness
1604 horse racing permitholders beginning on the date of such
1605 judicial determination. To this end, the Legislature declares
1606 that it would not have enacted any of the provisions of this
1607 section individually and, to that end, expressly finds them not
1608 to be severable.

1609 Section 24. Section 550.09514, Florida Statutes, is amended
1610 to read:

1611 550.09514 Greyhound racing ~~degracing~~ taxes; purse
1612 requirements.-

1613 ~~(1) Wagering on greyhound racing is subject to a tax on~~
1614 ~~handle for live greyhound racing as specified in s. 550.0951(3).~~
1615 ~~However, each permitholder shall pay no tax on handle until such~~
1616 ~~time as this subsection has resulted in a tax savings per state~~
1617 ~~fiscal year of \$360,000. Thereafter, each permitholder shall pay~~
1618 ~~the tax as specified in s. 550.0951(3) on all handle for the~~
1619 ~~remainder of the permitholder's current race meet. For the three~~
1620 ~~permitholders that conducted a full schedule of live racing in~~
1621 ~~1995, and are closest to another state that authorizes greyhound~~
1622 ~~pari-mutuel wagering, the maximum tax savings per state fiscal~~
1623 ~~year shall be \$500,000. The provisions of this subsection~~
1624 ~~relating to tax exemptions shall not apply to any charity or~~
1625 ~~scholarship performances conducted pursuant to s. 550.0351.~~

1626 (1)(2)(a) The division shall determine for each greyhound
1627 racing permitholder the annual purse percentage rate of live

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1628 handle for the state fiscal year 1993-1994 by dividing total
1629 purses paid on live handle by the permitholder, exclusive of
1630 payments made from outside sources, during the 1993-1994 state
1631 fiscal year by the permitholder's live handle for the 1993-1994
1632 state fiscal year. A greyhound racing ~~Each~~ permitholder
1633 conducting live racing during a fiscal year shall pay as purses
1634 for such live races conducted during its current race meet a
1635 percentage of its live handle not less than the percentage
1636 determined under this paragraph, exclusive of payments made by
1637 outside sources, for its 1993-1994 state fiscal year.

1638 (b) Except as otherwise set forth herein, in addition to
1639 the minimum purse percentage required by paragraph (a), each
1640 greyhound racing permitholder conducting live racing during a
1641 fiscal year shall pay as purses an annual amount of \$60 for each
1642 live race conducted ~~equal to 75 percent of the daily license~~
1643 ~~fees paid by the greyhound racing each permitholder in for the~~
1644 preceding 1994-1995 fiscal year. ~~These~~ This ~~purse supplement~~
1645 ~~shall be disbursed weekly during the permitholder's race meet in~~
1646 ~~an amount determined by dividing the annual purse supplement by~~
1647 ~~the number of performances approved for the permitholder~~
1648 ~~pursuant to its annual license and multiplying that amount by~~
1649 ~~the number of performances conducted each week. For the~~
1650 ~~greyhound permitholders in the county where there are two~~
1651 ~~greyhound permitholders located as specified in s. 550.615(6),~~
1652 ~~such permitholders shall pay in the aggregate an amount equal to~~
1653 ~~75 percent of the daily license fees paid by such permitholders~~
1654 ~~for the 1994-1995 fiscal year. These permitholders shall be~~
1655 ~~jointly and severally liable for such purse payments. The~~
1656 ~~additional purses provided by this paragraph~~ must be used

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1657 exclusively for purses other than stakes and disbursed weekly
1658 during the permitholder's race meet. The division shall conduct
1659 audits necessary to ensure compliance with this section.

1660 (c)1. Each greyhound racing permitholder, when conducting
1661 at least three live performances during any week, shall pay
1662 purses in that week on wagers it accepts as a guest track on
1663 intertrack and simulcast greyhound races at the same rate as it
1664 pays on live races. Each greyhound racing permitholder, when
1665 conducting at least three live performances during any week,
1666 shall pay purses in that week, at the same rate as it pays on
1667 live races, on wagers accepted on greyhound races at a guest
1668 track that ~~which~~ is not conducting live racing and is located
1669 within the same market area as the greyhound racing permitholder
1670 conducting at least three live performances during any week.

1671 2. Each host greyhound racing permitholder shall pay purses
1672 on its simulcast and intertrack broadcasts of greyhound races to
1673 guest facilities that are located outside its market area in an
1674 amount equal to one quarter of an amount determined by
1675 subtracting the transmission costs of sending the simulcast or
1676 intertrack broadcasts from an amount determined by adding the
1677 fees received for greyhound simulcast races plus 3 percent of
1678 the greyhound intertrack handle at guest facilities that are
1679 located outside the market area of the host and that paid
1680 contractual fees to the host for such broadcasts of greyhound
1681 races.

1682 (d) The division shall require sufficient documentation
1683 from each greyhound racing permitholder regarding purses paid on
1684 live racing to assure that the annual purse percentage rates
1685 paid by each greyhound racing permitholder conducting ~~on the~~

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1686 live races are not reduced below those paid during the 1993-1994
1687 state fiscal year. The division shall require sufficient
1688 documentation from each greyhound racing permitholder to assure
1689 that the purses paid by each permitholder on the greyhound
1690 intertrack and simulcast broadcasts are in compliance with the
1691 requirements of paragraph (c).

1692 (e) In addition to the purse requirements of paragraphs
1693 (a)-(c), each greyhound racing permitholder conducting live
1694 races shall pay as purses an amount equal to one-third of the
1695 amount of the tax reduction on live and simulcast handle
1696 applicable to such permitholder as a result of the reductions in
1697 tax rates provided by s. 6, chapter 2000-354, Laws of Florida
1698 ~~this act through the amendments to s. 550.0951(3)~~. With respect
1699 to intertrack wagering when the host and guest tracks are
1700 greyhound racing permitholders not within the same market area,
1701 an amount equal to the tax reduction applicable to the guest
1702 track handle as a result of the reduction in tax rate provided
1703 by s. 6, chapter 2000-354, Laws of Florida, ~~this act through the~~
1704 ~~amendment to s. 550.0951(3)~~ shall be distributed to the guest
1705 track, one-third of which amount shall be paid as purses at the
1706 guest track. However, if the guest track is a greyhound racing
1707 permitholder within the market area of the host or if the guest
1708 track is not a greyhound racing permitholder, an amount equal to
1709 such tax reduction applicable to the guest track handle shall be
1710 retained by the host track, one-third of which amount shall be
1711 paid as purses at the host track. These purse funds shall be
1712 disbursed in the week received if the permitholder conducts at
1713 least one live performance during that week. If the permitholder
1714 does not conduct at least one live performance during the week

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1715 in which the purse funds are received, the purse funds shall be
1716 disbursed weekly during the permitholder's next race meet in an
1717 amount determined by dividing the purse amount by the number of
1718 performances approved for the permitholder pursuant to its
1719 annual license, and multiplying that amount by the number of
1720 performances conducted each week. The division shall conduct
1721 audits necessary to ensure compliance with this paragraph.

1722 (f) Each greyhound racing permitholder conducting live
1723 racing shall, during the permitholder's race meet, supply kennel
1724 operators and the Division of Pari-Mutuel Wagering with a weekly
1725 report showing purses paid on live greyhound races and all
1726 greyhound intertrack and simulcast broadcasts, including both as
1727 a guest and a host together with the handle or commission
1728 calculations on which such purses were paid and the transmission
1729 costs of sending the simulcast or intertrack broadcasts, so that
1730 the kennel operators may determine statutory and contractual
1731 compliance.

1732 (g) Each greyhound racing permitholder conducting live
1733 racing shall make direct payment of purses to the greyhound
1734 owners who have filed with such permitholder appropriate federal
1735 taxpayer identification information based on the percentage
1736 amount agreed upon between the kennel operator and the greyhound
1737 owner.

1738 (h) At the request of a majority of kennel operators under
1739 contract with a greyhound racing permitholder conducting live
1740 racing, the permitholder shall make deductions from purses paid
1741 to each kennel operator electing such deduction and shall make a
1742 direct payment of such deductions to the local association of
1743 greyhound kennel operators formed by a majority of kennel

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1744 operators under contract with the permitholder. The amount of
1745 the deduction shall be at least 1 percent of purses, as
1746 determined by the local association of greyhound kennel
1747 operators. ~~No~~ Deductions may not be taken pursuant to this
1748 paragraph without a kennel operator's specific approval before
1749 or after May 24, 1998 ~~the effective date of this act.~~

1750 (2) ~~(3)~~ As used in ~~For the purpose of~~ this section, the term
1751 "live handle" means the handle from wagers placed at the
1752 permitholder's establishment on the live greyhound races
1753 conducted at the permitholder's establishment.

1754 Section 25. Section 550.09515, Florida Statutes, is amended
1755 to read:

1756 550.09515 Thoroughbred rac~~ing~~ horse taxes; abandoned
1757 interest in a permit for nonpayment of taxes.—

1758 (1) Pari-mutuel wagering at thoroughbred horse racetracks
1759 in this state is an important business enterprise, and taxes
1760 derived therefrom constitute a part of the tax structure which
1761 funds operation of the state. Thoroughbred horse permitholders
1762 should pay their fair share of these taxes to the state. This
1763 business interest should not be taxed to such an extent as to
1764 cause any racetrack which is operated under sound business
1765 principles to be forced out of business. Due to the need to
1766 protect the public health, safety, and welfare, the gaming laws
1767 of the state provide for the thoroughbred horse industry to be
1768 highly regulated and taxed. The state recognizes that there
1769 exist identifiable differences between thoroughbred horse
1770 permitholders based upon their ability to operate under such
1771 regulation and tax system and at different periods during the
1772 year.

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1773 (2) (a) The tax on handle for live thoroughbred horserace
1774 performances shall be 0.5 percent.

1775 (b) For purposes of this section, the term "handle" shall
1776 have the same meaning as in s. 550.0951, and shall not include
1777 handle from intertrack wagering.

1778 (3) ~~(a)~~ The division shall revoke the permit of a
1779 thoroughbred racing horse permitholder that ~~who~~ does not pay the
1780 tax due on handle for live thoroughbred horse performances for a
1781 full schedule of live races for more than 24 consecutive months
1782 ~~during any 2 consecutive state fiscal years shall be void and~~
1783 ~~shall escheat to and become the property of the state unless~~
1784 such failure to operate and pay tax on handle was the direct
1785 result of fire, strike, war, or other disaster or event beyond
1786 the ability of the permitholder to control. Financial hardship
1787 to the permitholder does shall not, in and of itself, constitute
1788 just cause for failure to operate and pay tax on handle. A
1789 permit revoked under this subsection is void and may not be
1790 reissued.

1791 ~~(b) In order to maximize the tax revenues to the state, the~~
1792 ~~division shall reissue an escheated thoroughbred horse permit to~~
1793 ~~a qualified applicant pursuant to the provisions of this chapter~~
1794 ~~as for the issuance of an initial permit. However, the~~
1795 ~~provisions of this chapter relating to referendum requirements~~
1796 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
1797 ~~escheated thoroughbred horse permit. As specified in the~~
1798 ~~application and upon approval by the division of an application~~
1799 ~~for the permit, the new permitholder shall be authorized to~~
1800 ~~operate a thoroughbred horse facility anywhere in the same~~
1801 ~~county in which the escheated permit was authorized to be~~

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1802 ~~operated, notwithstanding the provisions of s. 550.054(2)~~
1803 ~~relating to mileage limitations.~~

1804 (4) In the event that a court of competent jurisdiction
1805 determines any of the provisions of this section to be
1806 unconstitutional, it is the intent of the Legislature that the
1807 provisions contained in this section shall be null and void and
1808 that the provisions of s. 550.0951 shall apply to all
1809 thoroughbred racing horse permitholders beginning on the date of
1810 such judicial determination. To this end, the Legislature
1811 declares that it would not have enacted any of the provisions of
1812 this section individually and, to that end, expressly finds them
1813 not to be severable.

1814 (5) Notwithstanding the provisions of s. 550.0951(3)(c),
1815 the tax on handle for intertrack wagering on rebroadcasts of
1816 simulcast horseraces is 2.4 percent of the handle; provided
1817 however, that if the guest track is a thoroughbred track located
1818 more than 35 miles from the host track, the host track shall pay
1819 a tax of .5 percent of the handle, and additionally the host
1820 track shall pay to the guest track 1.9 percent of the handle to
1821 be used by the guest track solely for purses. The tax shall be
1822 deposited into the Pari-mutuel Wagering Trust Fund.

1823 (6) A credit equal to the amount of contributions made by a
1824 thoroughbred racing permitholder during the taxable year
1825 directly to the Jockeys' Guild or its health and welfare fund to
1826 be used to provide health and welfare benefits for active,
1827 disabled, and retired Florida jockeys and their dependents
1828 pursuant to reasonable rules of eligibility established by the
1829 Jockeys' Guild is allowed against taxes on live handle due for a
1830 taxable year under this section. A thoroughbred racing

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1831 permitholder may not receive a credit greater than an amount
1832 equal to 1 percent of its paid taxes for the previous taxable
1833 year.

1834 (7) If a thoroughbred racing permitholder fails to operate
1835 all performances on its 2001-2002 license, failure to pay tax on
1836 handle for a full schedule of live races for those performances
1837 in the 2001-2002 fiscal year does not constitute failure to pay
1838 taxes on handle for a full schedule of live races in a fiscal
1839 year for the purposes of subsection (3). This subsection may not
1840 be construed as forgiving a thoroughbred racing permitholder
1841 from paying taxes on performances conducted at its facility
1842 pursuant to its 2001-2002 license other than for failure to
1843 operate all performances on its 2001-2002 license. This
1844 subsection expires July 1, 2003.

1845 Section 26. Section 550.1625, Florida Statutes, is amended
1846 to read:

1847 550.1625 Greyhound racing ~~dogracing~~; taxes.—

1848 (1) The operation of a greyhound racing ~~dog~~ track and
1849 legalized pari-mutuel betting at greyhound racing ~~dog~~ tracks in
1850 this state is a privilege and is an operation that requires
1851 strict supervision and regulation in the best interests of the
1852 state. Pari-mutuel wagering at greyhound racing ~~dog~~ tracks in
1853 this state is a substantial business, and taxes derived
1854 therefrom constitute part of the tax structures of the state and
1855 the counties. The operators of greyhound racing ~~dog~~ tracks
1856 should pay their fair share of taxes to the state; at the same
1857 time, this substantial business interest should not be taxed to
1858 such an extent as to cause a track that is operated under sound
1859 business principles to be forced out of business.

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1860 (2) A permitholder that conducts a greyhound race ~~degrade~~
1861 meet under this chapter must pay the daily license fee, the
1862 admission tax, ~~the breaks tax,~~ and the tax on pari-mutuel handle
1863 as provided in s. 550.0951 and is subject to all penalties and
1864 sanctions provided in s. 550.0951(6).

1865 Section 27. Section 550.1647, Florida Statutes, is
1866 repealed.

1867 Section 28. Section 550.1648, Florida Statutes, is amended
1868 to read:

1869 550.1648 Greyhound adoptions.—

1870 ~~(1) A greyhound racing~~ Each degreacing permitholder that
1871 conducts live racing at ~~operating~~ a greyhound racing degreacing
1872 facility in this state shall provide for a greyhound adoption
1873 booth to be located at the facility.

1874 (1) (a) The greyhound adoption booth must be operated on
1875 weekends by personnel or volunteers from a bona fide
1876 organization that promotes or encourages the adoption of
1877 greyhounds ~~pursuant to s. 550.1647.~~ Such bona fide organization,
1878 as a condition of adoption, must provide sterilization of
1879 greyhounds by a licensed veterinarian before relinquishing
1880 custody of the greyhound to the adopter. The fee for
1881 sterilization may be included in the cost of adoption. As used
1882 in this section, the term "weekend" includes the hours during
1883 which live greyhound racing is conducted on Friday, Saturday, or
1884 Sunday, and the term "bona fide organization that promotes or
1885 encourages the adoption of greyhounds" means an organization
1886 that provides evidence of compliance with chapter 496 and
1887 possesses a valid exemption from federal taxation issued by the
1888 Internal Revenue Service. Information pamphlets and application

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1889 forms shall be provided to the public upon request.

1890 (b) ~~In addition,~~ The kennel operator or owner shall notify
1891 the permitholder that a greyhound is available for adoption and
1892 the permitholder shall provide information concerning the
1893 adoption of a greyhound in each race program and shall post
1894 adoption information at conspicuous locations throughout the
1895 greyhound racing ~~dogracing~~ facility. Any greyhound that is
1896 participating in a race and that will be available for future
1897 adoption must be noted in the race program. The permitholder
1898 shall allow greyhounds to be walked through the track facility
1899 to publicize the greyhound adoption program.

1900 (2) In addition to the charity days authorized under s.
1901 550.0351, a greyhound racing permitholder may fund the greyhound
1902 adoption program by holding a charity racing day designated as
1903 "Greyhound Adopt-A-Pet Day." All profits derived from the
1904 operation of the charity day must be placed into a fund used to
1905 support activities at the racing facility which promote the
1906 adoption of greyhounds. The division may adopt rules for
1907 administering the fund. ~~Proceeds from the charity day authorized~~
1908 ~~in this subsection may not be used as a source of funds for the~~
1909 ~~purposes set forth in s. 550.1647.~~

1910 (3) (a) Upon a violation of this section by a permitholder
1911 or licensee, the division may impose a penalty as provided in s.
1912 550.0251(10) and require the permitholder to take corrective
1913 action.

1914 (b) A penalty imposed under s. 550.0251(10) does not
1915 exclude a prosecution for cruelty to animals or for any other
1916 criminal act.

1917 Section 29. Section 550.1752, Florida Statutes, is created

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1918 to read:

1919 550.1752 Permit reduction program.-

1920 (1) The permit reduction program is created in the Division
1921 of Pari-mutuel Wagering for the purpose of purchasing and
1922 cancelling active pari-mutuel permits. The program shall be
1923 funded from revenue share payments made by the Seminole Tribe of
1924 Florida under the compact ratified by s. 285.710(3) and received
1925 by the state after October 31, 2015. Compact payments payable
1926 for the program shall be calculated on a monthly basis until
1927 such time as the division determines that sufficient funds are
1928 available to fund the program. The total funding allocated to
1929 the program may not exceed \$20 million.

1930 (2) The division shall purchase pari-mutuel permits from
1931 pari-mutuel permitholders when sufficient moneys are available
1932 for such purchases. A pari-mutuel permitholder may not submit an
1933 offer to sell a permit unless it is actively conducting pari-
1934 mutuel racing or jai alai as required by law and satisfies all
1935 applicable requirements for the permit. The division shall adopt
1936 by rule the form to be used by a pari-mutuel permitholder for an
1937 offer to sell a permit and shall establish a schedule for the
1938 consideration of offers.

1939 (3) The division shall establish the value of a pari-mutuel
1940 permit based upon the valuation of one or more independent
1941 appraisers selected by the division. The valuation of a permit
1942 must be based on the permit's fair market value and may not
1943 include the value of the real estate or personal property. The
1944 division may establish a value for the permit that is lower than
1945 the amount determined by an independent appraiser but may not
1946 establish a higher value.

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1947 (4) The division must accept the offer or offers that best
1948 utilize available funding; however, the division may also accept
1949 the offers that it determines are most likely to reduce the
1950 incidence of gaming in this state.

1951 (5) The division shall cancel any permit purchased under
1952 this section.

1953 (6) This section expires on July 1, 2019, unless reenacted
1954 by the Legislature.

1955 Section 30. Section 550.1753, Florida Statutes, is created
1956 to read:

1957 550.1753 Thoroughbred purse supplement program.-

1958 (1) Effective July 1, 2019, the thoroughbred purse
1959 supplement program is created in the Division of Pari-mutuel
1960 Wagering for the purpose of maintaining an active and viable
1961 live thoroughbred racing, owning, and breeding industry in the
1962 state. The program shall be funded from revenue share payments
1963 made by the Seminole Tribe of Florida under the compact ratified
1964 by s. 285.710(3) and received by the state after July 1, 2019.
1965 Compact payments payable for the program shall be calculated on
1966 a monthly basis until such time as the division determines that
1967 sufficient funds are available to fund the program. The total
1968 annual funding allocated to the program is \$20 million.

1969 (2) The division shall adopt by rule the form to be used by
1970 a pari-mutuel permitholder for applying to receive purse
1971 assistance from the program to be used to supplement purses for
1972 its live racing meet.

1973 (3) The division shall distribute the purse supplement
1974 funds on a pro rata basis based upon the number of live race
1975 days to be conducted by each thoroughbred permitholder pursuant

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1976 to its annual racing license.

1977 (4) If a thoroughbred permitholder fails to conduct a live
1978 race day, the thoroughbred permitholder must return the unused
1979 purse supplement fund allocated for that day, and the division
1980 shall reapportion the allocation of purse supplement funds to
1981 the remaining race days to be conducted during the state fiscal
1982 year by that thoroughbred permitholder.

1983 (5) The division may adopt rules necessary to implement
1984 this section.

1985 (6) This section expires June 30, 2036.

1986 Section 31. Section 550.2416, Florida Statutes, is created
1987 to read:

1988 550.2416 Reporting of racing greyhound injuries.—

1989 (1) An injury to a racing greyhound which occurs while the
1990 greyhound is located in this state must be reported on a form
1991 adopted by the division within 7 days after the date on which
1992 the injury occurred or is believed to have occurred. The
1993 division may adopt rules defining the term "injury."

1994 (2) The form shall be completed and signed under oath or
1995 affirmation by the:

1996 (a) Racetrack veterinarian or director of racing, if the
1997 injury occurred at the racetrack facility; or

1998 (b) Owner, trainer, or kennel operator who had knowledge of
1999 the injury, if the injury occurred at a location other than the
2000 racetrack facility, including during transportation.

2001 (3) The division may fine, suspend, or revoke the license
2002 of any individual who knowingly violates this section.

2003 (4) The form must include the following:

2004 (a) The greyhound's registered name, right-ear and left-ear

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2005 tattoo numbers, and, if any, the microchip manufacturer and
2006 number.

2007 (b) The name, business address, and telephone number of the
2008 greyhound owner, the trainer, and the kennel operator.

2009 (c) The color, weight, and sex of the greyhound.

2010 (d) The specific type and bodily location of the injury,
2011 the cause of the injury, and the estimated recovery time from
2012 the injury.

2013 (e) If the injury occurred when the greyhound was racing:

2014 1. The racetrack where the injury occurred;

2015 2. The distance, grade, race, and post position of the
2016 greyhound when the injury occurred; and

2017 3. The weather conditions, time, and track conditions when
2018 the injury occurred.

2019 (f) If the injury occurred when the greyhound was not
2020 racing:

2021 1. The location where the injury occurred, including, but
2022 not limited to, a kennel, a training facility, or a
2023 transportation vehicle; and

2024 2. The circumstances surrounding the injury.

2025 (g) Other information that the division determines is
2026 necessary to identify injuries to racing greyhounds in this
2027 state.

2028 (5) An injury form created pursuant to this section must be
2029 maintained as a public record by the division for at least 7
2030 years after the date it was received.

2031 (6) A licensee of the department who knowingly makes a
2032 false statement concerning an injury or fails to report an
2033 injury is subject to disciplinary action under this chapter or

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2034 chapters 455 and 474.

2035 (7) This section does not apply to injuries to a service
2036 animal, personal pet, or greyhound that has been adopted as a
2037 pet.

2038 (8) The division shall adopt rules to implement this
2039 section.

2040 Section 32. Subsection (1) of section 550.26165, Florida
2041 Statutes, is amended to read:

2042 550.26165 Breeders' awards.—

2043 (1) The purpose of this section is to encourage the
2044 agricultural activity of breeding and training racehorses in
2045 this state. Moneys dedicated in this chapter for use as
2046 breeders' awards and stallion awards are to be used for awards
2047 to breeders of registered Florida-bred horses winning horseraces
2048 and for similar awards to the owners of stallions who sired
2049 Florida-bred horses winning stakes races, if the stallions are
2050 registered as Florida stallions standing in this state. Such
2051 awards shall be given at a uniform rate to all winners of the
2052 awards, may ~~shall~~ not be greater than 20 percent of the
2053 announced gross purse, and may ~~shall~~ not be less than 15 percent
2054 of the announced gross purse if funds are available. In
2055 addition, at least ~~no less than~~ 17 percent, but not ~~not~~ more
2056 than 40 percent, as determined by the Florida Thoroughbred
2057 Breeders' Association, of the moneys dedicated in this chapter
2058 for use as breeders' awards and stallion awards for
2059 thoroughbreds shall be returned pro rata to the permitholders
2060 that generated the moneys for special racing awards to be
2061 distributed by the permitholders to owners of thoroughbred
2062 horses participating in prescribed thoroughbred stakes races,

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2063 nonstakes races, or both, all in accordance with a written
2064 agreement establishing the rate, procedure, and eligibility
2065 requirements for such awards entered into by the permitholder,
2066 the Florida Thoroughbred Breeders' Association, and the Florida
2067 Horsemen's Benevolent and Protective Association, Inc., except
2068 that the plan for the distribution by any permitholder located
2069 in the area described in s. 550.615(7) ~~s. 550.615(9)~~ shall be
2070 agreed upon by that permitholder, the Florida Thoroughbred
2071 Breeders' Association, and the association representing a
2072 majority of the thoroughbred racehorse owners and trainers at
2073 that location. Awards for thoroughbred races are to be paid
2074 through the Florida Thoroughbred Breeders' Association, and
2075 awards for standardbred races are to be paid through the Florida
2076 Standardbred Breeders and Owners Association. Among other
2077 sources specified in this chapter, moneys for thoroughbred
2078 breeders' awards will come from the 0.955 percent of handle for
2079 thoroughbred races conducted, received, broadcast, or simulcast
2080 under this chapter as provided in s. 550.2625(3). The moneys for
2081 quarter horse and harness breeders' awards will come from the
2082 breaks and uncashed tickets on live quarter horse and harness
2083 horse racing performances and 1 percent of handle on intertrack
2084 wagering. The funds for these breeders' awards shall be paid to
2085 the respective breeders' associations by the permitholders
2086 conducting the races.

2087 Section 33. Section 550.3345, Florida Statutes, is amended
2088 to read:

2089 550.3345 ~~Conversion of quarter horse permit to a Limited~~
2090 thoroughbred racing permit.-

2091 (1) In recognition of the important and long-standing

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2092 economic contribution of the thoroughbred horse breeding
2093 industry to this state and the state's vested interest in
2094 promoting the continued viability of this agricultural activity,
2095 the state intends to provide a limited opportunity for the
2096 conduct of live thoroughbred horse racing with the net revenues
2097 from such racing dedicated to the enhancement of thoroughbred
2098 purses and breeders', stallion, and special racing awards under
2099 this chapter; the general promotion of the thoroughbred horse
2100 breeding industry; and the care in this state of thoroughbred
2101 horses retired from racing.

2102 (2) A limited thoroughbred racing permit previously
2103 converted from ~~Notwithstanding any other provision of law, the~~
2104 ~~holder of a quarter horse racing permit pursuant to chapter~~
2105 2010-29, Laws of Florida, issued under s. 550.334 may only be
2106 held by, ~~within 1 year after the effective date of this section,~~
2107 ~~apply to the division for a transfer of the quarter horse racing~~
2108 ~~permit to~~ a not-for-profit corporation formed under state law to
2109 serve the purposes of the state as provided in subsection (1).
2110 The board of directors of the not-for-profit corporation must be
2111 composed ~~comprised~~ of 11 members, 4 of whom shall be designated
2112 by the applicant, 4 of whom shall be designated by the Florida
2113 Thoroughbred Breeders' Association, and 3 of whom shall be
2114 designated by the other 8 directors, with at least 1 of these 3
2115 members being an authorized representative of another
2116 thoroughbred racing permitholder in this state. A limited
2117 thoroughbred racing ~~The not-for-profit corporation shall submit~~
2118 ~~an application to the division for review and approval of the~~
2119 ~~transfer in accordance with s. 550.054. Upon approval of the~~
2120 ~~transfer by the division, and notwithstanding any other~~

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2121 ~~provision of law to the contrary, the not-for-profit corporation~~
2122 ~~may, within 1 year after its receipt of the permit, request that~~
2123 ~~the division convert the quarter horse racing permit to a permit~~
2124 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~
2125 ~~thoroughbred racing. Neither the transfer of the quarter horse~~
2126 ~~racing permit nor its conversion to a limited thoroughbred~~
2127 ~~permit shall be subject to the mileage limitation or the~~
2128 ~~ratification election as set forth under s. 550.054(2) or s.~~
2129 ~~550.0651. Upon receipt of the request for such conversion, the~~
2130 ~~division shall timely issue a converted permit. The converted~~
2131 ~~permit and the not-for-profit corporation are shall be subject~~
2132 ~~to the following requirements:~~

2133 (a) All net revenues derived by the not-for-profit
2134 corporation under the thoroughbred ~~horse~~ racing permit, after
2135 the funding of operating expenses and capital improvements,
2136 shall be dedicated to the enhancement of thoroughbred purses and
2137 breeders', stallion, and special racing awards under this
2138 chapter; the general promotion of the thoroughbred horse
2139 breeding industry; and the care in this state of thoroughbred
2140 horses retired from racing.

2141 (b) From December 1 through April 30, ~~no~~ live thoroughbred
2142 racing may not be conducted under the permit on any day during
2143 which another thoroughbred racing permitholder is conducting
2144 live thoroughbred racing within 125 air miles of the not-for-
2145 profit corporation's pari-mutuel facility unless the other
2146 thoroughbred racing permitholder gives its written consent.

2147 (c) After ~~the conversion of the quarter horse racing permit~~
2148 ~~and~~ the issuance of its initial license to conduct pari-mutuel
2149 wagering meets of thoroughbred racing, the not-for-profit

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2150 corporation shall annually apply to the division for a license
2151 pursuant to s. 550.5251.

2152 (d) Racing under the permit may take place only at the
2153 location for which the original quarter horse racing permit was
2154 issued, which may be leased by the not-for-profit corporation
2155 for that purpose; however, the not-for-profit corporation may,
2156 without the conduct of any ratification election pursuant to s.
2157 550.054(13) or s. 550.0651, move the location of the permit to
2158 another location in the same county or counties, if a permit is
2159 situated in such a manner that it is located in more than one
2160 county, provided that such relocation is approved under the
2161 zoning and land use regulations of the applicable county or
2162 municipality.

2163 (e) A limited thoroughbred racing ~~no~~ permit may not be
2164 transferred ~~converted under this section is eligible for~~
2165 ~~transfer~~ to another person or entity.

2166 (3) Unless otherwise provided in this section, ~~after~~
2167 ~~conversion~~, the permit and the not-for-profit corporation shall
2168 be treated under the laws of this state as a thoroughbred racing
2169 permit and as a thoroughbred racing permitholder, respectively,
2170 with the exception of ss. 550.054(9)(c) and (d) and s.
2171 550.09515(3).

2172 Section 34. Subsection (6) of section 550.3551, Florida
2173 Statutes, is amended to read:

2174 550.3551 Transmission of racing and jai alai information;
2175 commingling of pari-mutuel pools.-

2176 (6) (a) ~~A maximum of 20 percent of the total number of races~~
2177 ~~on which wagers are accepted by a greyhound permitholder not~~
2178 ~~located as specified in s. 550.615(6) may be received from~~

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2179 ~~locations outside this state. A permitholder may not conduct~~
2180 ~~fewer than eight live races or games on any authorized race day~~
2181 ~~except as provided in this subsection. A thoroughbred racing~~
2182 permitholder may not conduct fewer than eight live races on any
2183 race day without the written approval of the Florida
2184 Thoroughbred Breeders' Association and the Florida Horsemen's
2185 Benevolent and Protective Association, Inc., unless it is
2186 determined by the department that another entity represents a
2187 majority of the thoroughbred racehorse owners and trainers in
2188 the state. A harness horse racing permitholder may conduct fewer
2189 than eight live races on any authorized race day, except that
2190 such permitholder must conduct a full schedule of live racing
2191 during its race meet consisting of at least eight live races per
2192 authorized race day for at least 100 days. ~~Any harness horse~~
2193 ~~permitholder that during the preceding racing season conducted a~~
2194 ~~full schedule of live racing may, at any time during its current~~
2195 ~~race meet, receive full card broadcasts of harness horse races~~
2196 ~~conducted at harness racetracks outside this state at the~~
2197 ~~harness track of the permitholder and accept wagers on such~~
2198 ~~harness races. With specific authorization from the division for~~
2199 special racing events, a permitholder may conduct fewer than
2200 eight live races or games when the permitholder also broadcasts
2201 out-of-state races or games. The division may not grant more
2202 than two such exceptions a year for a permitholder in any 12-
2203 month period, and those two exceptions may not be consecutive.

2204 (b) Notwithstanding any other provision of this chapter,
2205 any harness horse racing permitholder accepting broadcasts of
2206 out-of-state harness horse races when such permitholder is not
2207 conducting live races must make the out-of-state signal

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2208 available to all permitholders eligible to conduct intertrack
2209 wagering and shall pay to guest tracks located as specified in
2210 s. 550.6305(9)(d) ~~ss. 550.615(6) and 550.6305(9)(d)~~ 50 percent
2211 of the net proceeds after taxes and fees to the out-of-state
2212 host track on harness horse race wagers which they accept. A
2213 harness horse racing permitholder shall be required to pay into
2214 its purse account 50 percent of the net income retained by the
2215 permitholder on account of wagering on the out-of-state
2216 broadcasts received pursuant to this subsection. Nine-tenths of
2217 a percent of all harness horse race wagering proceeds on the
2218 broadcasts received pursuant to this subsection shall be paid to
2219 the Florida Standardbred Breeders and Owners Association under
2220 the provisions of s. 550.2625(4) for the purposes provided
2221 therein.

2222 Section 35. Section 550.475, Florida Statutes, is amended
2223 to read:

2224 550.475 Lease of pari-mutuel facilities by pari-mutuel
2225 permitholders.—Holders of valid pari-mutuel permits for the
2226 conduct of any jai alai games, dogracing, or thoroughbred and
2227 standardbred horse racing in this state are entitled to lease
2228 any and all of their facilities to any other holder of a same
2229 class, valid pari-mutuel permit for jai alai games, dogracing,
2230 or thoroughbred or standardbred horse racing, when they are
2231 located within a 35-mile radius of each other, and such lessee
2232 is entitled to a permit and license to operate its race meet or
2233 jai alai games at the leased premises. A permitholder may not
2234 lease facilities from a pari-mutuel permitholder that is not
2235 conducting a full schedule of live racing.

2236 Section 36. Subsection (1) of section 550.5251, Florida

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2237 Statutes, is amended, and present subsections (2) and (3) of
2238 that section are redesignated as subsections (1) and (2),
2239 respectively, to read:

2240 550.5251 Florida thoroughbred racing; certain permits;
2241 operating days.—

2242 ~~(1) Each thoroughbred permitholder shall annually, during~~
2243 ~~the period commencing December 15 of each year and ending~~
2244 ~~January 4 of the following year, file in writing with the~~
2245 ~~division its application to conduct one or more thoroughbred~~
2246 ~~racing meetings during the thoroughbred racing season commencing~~
2247 ~~on the following July 1. Each application shall specify the~~
2248 ~~number and dates of all performances that the permitholder~~
2249 ~~intends to conduct during that thoroughbred racing season. On or~~
2250 ~~before March 15 of each year, the division shall issue a license~~
2251 ~~authorizing each permitholder to conduct performances on the~~
2252 ~~dates specified in its application. Up to February 28 of each~~
2253 ~~year, each permitholder may request and shall be granted changes~~
2254 ~~in its authorized performances; but thereafter, as a condition~~
2255 ~~precedent to the validity of its license and its right to retain~~
2256 ~~its permit, each permitholder must operate the full number of~~
2257 ~~days authorized on each of the dates set forth in its license.~~

2258 Section 37. Subsections (2), (4), (6), and (7) of section
2259 550.615, Florida Statutes, are amended, present subsections (8),
2260 (9), and (10) of that section are redesignated as subsections
2261 (6), (7), and (8), respectively, present subsection (9) of that
2262 section is amended, and a new subsection (9) is added to that
2263 section, to read:

2264 550.615 Intertrack wagering.—

2265 (2) A ~~Any~~ track or fronton licensed under this chapter

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2266 which has conducted a full schedule of live racing or games for
2267 at least 5 consecutive calendar years since 2010 in the
2268 ~~preceding year conducted a full schedule of live racing is~~
2269 qualified to, at any time, receive broadcasts of any class of
2270 pari-mutuel race or game and accept wagers on such races or
2271 games conducted by any class of permitholders licensed under
2272 this chapter.

2273 (4) ~~An In no event shall any intertrack wager~~ may not be
2274 accepted on the same class of live races or games of any
2275 permitholder without the written consent of such operating
2276 permitholders conducting the same class of live races or games
2277 if the guest track is within the market area of such operating
2278 permitholder. A greyhound racing permitholder licensed under
2279 this chapter which accepts intertrack wagers on live greyhound
2280 signals is not required to obtain the written consent required
2281 by this subsection from any operating greyhound racing
2282 permitholder within its market area.

2283 ~~(6) Notwithstanding the provisions of subsection (3), in~~
2284 ~~any area of the state where there are three or more horserace~~
2285 ~~permitholders within 25 miles of each other, intertrack wagering~~
2286 ~~between permitholders in said area of the state shall only be~~
2287 ~~authorized under the following conditions: Any permitholder,~~
2288 ~~other than a thoroughbred permitholder, may accept intertrack~~
2289 ~~wagers on races or games conducted live by a permitholder of the~~
2290 ~~same class or any harness permitholder located within such area~~
2291 ~~and any harness permitholder may accept wagers on games~~
2292 ~~conducted live by any jai alai permitholder located within its~~
2293 ~~market area and from a jai alai permitholder located within the~~
2294 ~~area specified in this subsection when no jai alai permitholder~~

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2295 ~~located within its market area is conducting live jai alai~~
2296 ~~performances; any greyhound or jai alai permitholder may receive~~
2297 ~~broadcasts of and accept wagers on any permitholder of the other~~
2298 ~~class provided that a permitholder, other than the host track,~~
2299 ~~of such other class is not operating a contemporaneous live~~
2300 ~~performance within the market area.~~

2301 ~~(7) In any county of the state where there are only two~~
2302 ~~permits, one for dogracing and one for jai alai, no intertrack~~
2303 ~~wager may be taken during the period of time when a permitholder~~
2304 ~~is not licensed to conduct live races or games without the~~
2305 ~~written consent of the other permitholder that is conducting~~
2306 ~~live races or games. However, if neither permitholder is~~
2307 ~~conducting live races or games, either permitholder may accept~~
2308 ~~intertrack wagers on horseraces or on the same class of races or~~
2309 ~~games, or on both horseraces and the same class of races or~~
2310 ~~games as is authorized by its permit.~~

2311 ~~(7)~~ (9) In any two contiguous counties of the state in which
2312 there are located only four active permits, one for thoroughbred
2313 horse racing, two for greyhound racing ~~dogracing~~, and one for
2314 jai alai games, an ~~no~~ intertrack wager may not be accepted on
2315 the same class of live races or games of any permitholder
2316 without the written consent of such operating permitholders
2317 conducting the same class of live races or games if the guest
2318 track is within the market area of such operating permitholder.

2319 (9) A greyhound racing permitholder that is eligible to
2320 receive broadcasts pursuant to subsection (2) and is operating
2321 pursuant to a current year operating license that specifies that
2322 no live performances will be conducted may accept wagers on live
2323 races conducted at out-of-state greyhound tracks only on the

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2324 days when the permitholder receives all live races that any
2325 greyhound host track in this state makes available.

2326 Section 38. Subsections (1), (4), and (5) of section
2327 550.6308, Florida Statutes, are amended to read:

2328 550.6308 Limited intertrack wagering license.—In
2329 recognition of the economic importance of the thoroughbred
2330 breeding industry to this state, its positive impact on tourism,
2331 and of the importance of a permanent thoroughbred sales facility
2332 as a key focal point for the activities of the industry, a
2333 limited license to conduct intertrack wagering is established to
2334 ensure the continued viability and public interest in
2335 thoroughbred breeding in Florida.

2336 (1) Upon application to the division on or before January
2337 31 of each year, any person that is licensed to conduct public
2338 sales of thoroughbred horses pursuant to s. 535.01 and, that has
2339 conducted at least 8 ~~15~~ days of thoroughbred horse sales at a
2340 permanent sales facility in this state for at least 3
2341 consecutive years, ~~and that has conducted at least 1 day of~~
2342 ~~nonwagering thoroughbred racing in this state, with a purse~~
2343 ~~structure of at least \$250,000 per year for 2 consecutive years~~
2344 before such application, shall be issued a license, subject to
2345 the conditions set forth in this section, to conduct intertrack
2346 wagering at such a permanent sales facility ~~during the following~~
2347 ~~periods:~~

2348 ~~(a) Up to 21 days in connection with thoroughbred sales;~~

2349 ~~(b) Between November 1 and May 8;~~

2350 ~~(c) Between May 9 and October 31 at such times and on such~~
2351 ~~days as any thoroughbred, jai alai, or a greyhound permitholder~~
2352 ~~in the same county is not conducting live performances; provided~~

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2353 ~~that any such permitholder may waive this requirement, in whole~~
2354 ~~or in part, and allow the licensee under this section to conduct~~
2355 ~~intertrack wagering during one or more of the permitholder's~~
2356 ~~live performances; and~~

2357 ~~(d) During the weekend of the Kentucky Derby, the~~
2358 ~~Preakness, the Belmont, and a Breeders' Cup Meet that is~~
2359 ~~conducted before November 1 and after May 8.~~

2360
2361 Only ~~No more than~~ one such license may be issued, and no such
2362 license may be issued for a facility located within 50 miles of
2363 any for-profit thoroughbred permitholder's track.

2364 ~~(4) Intertrack wagering under this section may be conducted~~
2365 ~~only on thoroughbred horse racing, except that intertrack~~
2366 ~~wagering may be conducted on any class of pari-mutuel race or~~
2367 ~~game conducted by any class of permitholders licensed under this~~
2368 ~~chapter if all thoroughbred, jai alai, and greyhound~~
2369 ~~permitholders in the same county as the licensee under this~~
2370 ~~section give their consent.~~

2371 ~~(4)~~ (5) The licensee shall be considered a guest track under
2372 this chapter. The licensee shall pay 2.5 percent of the total
2373 contributions to the daily pari-mutuel pool on wagers accepted
2374 at the licensee's facility on greyhound races or jai alai games
2375 to the thoroughbred permitholder that is conducting live races
2376 for purses to be paid during its current racing meet. If more
2377 than one thoroughbred permitholder is conducting live races on a
2378 day during which the licensee is conducting intertrack wagering
2379 on greyhound races or jai alai games, the licensee shall
2380 allocate these funds between the operating thoroughbred
2381 permitholders on a pro rata basis based on the total live handle

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2382 ~~at the operating permitholders' facilities.~~

2383 Section 39. Section 551.101, Florida Statutes, is amended
2384 to read:

2385 551.101 Slot machine gaming authorized.—A ~~Any~~ licensed
2386 eligible pari-mutuel facility located in Miami Dade County or
2387 Broward County existing at the time of adoption of s. 23, Art. X
2388 of the State Constitution that has conducted live racing or
2389 games during calendar years 2002 and 2003 may possess slot
2390 machines and conduct slot machine gaming at the location where
2391 the pari-mutuel permitholder is authorized to conduct pari-
2392 mutuel wagering activities pursuant to such permitholder's valid
2393 pari-mutuel permit or at the location where a licensee is
2394 authorized to conduct slot machine gaming pursuant to s.
2395 551.1043 ~~provided that a majority of voters in a countywide~~
2396 ~~referendum have approved slot machines at such facility in the~~
2397 ~~respective county.~~ Notwithstanding any other ~~provision of law,~~
2398 it is not a crime for a person to participate in slot machine
2399 gaming at a pari-mutuel facility licensed to possess slot
2400 machines and conduct slot machine gaming or to participate in
2401 slot machine gaming described in this chapter.

2402 Section 40. Subsections (4), (10), and (11) of section
2403 551.102, Florida Statutes, are amended to read:

2404 551.102 Definitions.—As used in this chapter, the term:

2405 (4) "Eligible facility" means any licensed pari-mutuel
2406 facility or any facility authorized to conduct slot machine
2407 gaming pursuant to s. 551.1043, which meets the requirements of
2408 s. 551.104(2) located in Miami Dade County or Broward County
2409 ~~existing at the time of adoption of s. 23, Art. X of the State~~
2410 ~~Constitution that has conducted live racing or games during~~

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2411 ~~calendar years 2002 and 2003 and has been approved by a majority~~
 2412 ~~of voters in a countywide referendum to have slot machines at~~
 2413 ~~such facility in the respective county; any licensed pari-mutuel~~
 2414 ~~facility located within a county as defined in s. 125.011,~~
 2415 ~~provided such facility has conducted live racing for 2~~
 2416 ~~consecutive calendar years immediately preceding its application~~
 2417 ~~for a slot machine license, pays the required license fee, and~~
 2418 ~~meets the other requirements of this chapter; or any licensed~~
 2419 ~~pari-mutuel facility in any other county in which a majority of~~
 2420 ~~voters have approved slot machines at such facilities in a~~
 2421 ~~countywide referendum held pursuant to a statutory or~~
 2422 ~~constitutional authorization after the effective date of this~~
 2423 ~~section in the respective county, provided such facility has~~
 2424 ~~conducted a full schedule of live racing for 2 consecutive~~
 2425 ~~calendar years immediately preceding its application for a slot~~
 2426 ~~machine license, pays the required licensed fee, and meets the~~
 2427 ~~other requirements of this chapter.~~

2428 (10) "Slot machine license" means a license issued by the
 2429 division authorizing a pari-mutuel permitholder or a licensee
 2430 authorized pursuant to s. 551.1043 to place and operate slot
 2431 machines as provided in ~~by~~ s. 23, Art. X of the State
 2432 Constitution, ~~the provisions of this chapter,~~ and by division
 2433 rule ~~rules~~.

2434 (11) "Slot machine licensee" means a pari-mutuel
 2435 permitholder or a licensee authorized pursuant to s. 551.1043
 2436 which ~~who~~ holds a license issued by the division pursuant to
 2437 this chapter which ~~that~~ authorizes such person to possess a slot
 2438 machine ~~within facilities specified in s. 23, Art. X of the~~
 2439 ~~State Constitution~~ and allows slot machine gaming.

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2440 Section 41. Subsections (1) and (2), paragraph (c) of
 2441 subsection (4), and paragraphs (a) and (c) of subsection (10) of
 2442 section 551.104, Florida Statutes, are amended to read:

2443 551.104 License to conduct slot machine gaming.—

2444 (1) Upon application, ~~and~~ a finding by the division, after
 2445 investigation, that the application is complete and that the
 2446 applicant is qualified, and payment of the initial license fee,
 2447 the division may issue a license to conduct slot machine gaming
 2448 in the designated slot machine gaming area of the eligible
 2449 facility. Once licensed, slot machine gaming may be conducted
 2450 subject to ~~the requirements of~~ this chapter and rules adopted
 2451 pursuant thereto. The division may not issue a slot machine
 2452 license to any pari-mutuel permitholder that includes, or
 2453 previously included within its ownership group, an ultimate
 2454 equitable owner that was also an ultimate equitable owner of a
 2455 pari-mutuel permitholder whose permit was voluntarily or
 2456 involuntarily surrendered, suspended, or revoked by the division
 2457 within 10 years before the date of permitholder's filing of an
 2458 application for a slot machine license.

2459 (2) An application may be approved by the division only if:

2460 (a) The facility at which the applicant seeks to operate
 2461 slot machines is:

2462 1. A licensed pari-mutuel facility located in Miami-Dade
 2463 County or Broward County existing at the time of adoption of s.
 2464 23, Art. X of the State Constitution which conducted live racing
 2465 or games during calendar years 2002 and 2003, if such
 2466 permitholder pays the required license fee and meets the other
 2467 requirements of this chapter;

2468 2. A licensed pari-mutuel facility in any county in which a

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2469 majority of voters have approved slot machines in a countywide
2470 referendum, if such permitholder has conducted a full schedule
2471 of live racing or games as defined in s. 550.002(11) for 2
2472 consecutive calendar years immediately preceding its application
2473 for a slot machine license, pays the required license fee, and
2474 meets the other requirements of this chapter;

2475 3. A facility at which a licensee is authorized to conduct
2476 slot machine gaming pursuant to s. 551.1043, if such licensee
2477 pays the required license fee and meets the other requirements
2478 of this chapter; or

2479 4. A licensed pari-mutuel facility, except for a pari-
2480 mutuel facility described in subparagraph 1., located on or
2481 contiguous with property of the qualified project of a public-
2482 private partnership consummated between the permitholder and a
2483 responsible public entity in accordance with s. 255.065 in a
2484 county in which the referendum required pursuant to paragraph
2485 (b) is conducted on or after January 1, 2018, and concurrently
2486 with a general election, if such permitholder has conducted a
2487 full schedule of live racing or games as defined in s.
2488 550.002(11) for 2 consecutive calendar years immediately
2489 preceding its application for a slot machine license; provided
2490 that a license may be issued under this subparagraph only after
2491 a comprehensive agreement has been executed pursuant to s.
2492 255.065(7), and the Gaming Compact between the Seminole Tribe of
2493 Florida and the State of Florida, as amended, and ratified and
2494 approved pursuant to s. 285.710, as amended by this act, has
2495 been amended to exclude slot machine gaming at such facility
2496 from the exclusivity provided to the Seminole Tribe of Florida.

2497 (b) after The voters of the county where the applicant's

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2498 facility is located have authorized by referendum slot machines
2499 within pari-mutuel facilities in that county ~~as specified in s.~~
2500 ~~23, Art. X of the State Constitution.~~

2501 (4) As a condition of licensure and to maintain continued
2502 authority for the conduct of slot machine gaming, a ~~the~~ slot
2503 machine licensee shall:

2504 (c)1. If conducting live racing or games, conduct no fewer
2505 than a full schedule of live racing or games as defined in s.
2506 550.002(11). A permitholder's responsibility to conduct a full
2507 schedule ~~such number~~ of live races or games as defined in s.
2508 550.002(11) shall be reduced by the number of races or games
2509 that could not be conducted due to the direct result of fire,
2510 war, hurricane, or other disaster or event beyond the control of
2511 the permitholder. A permitholder may conduct live races or games
2512 at another pari-mutuel facility pursuant to s. 550.475 if such
2513 permitholder has operated its live races or games by lease for
2514 at least 10 consecutive years immediately prior to the
2515 permitholder's application for a slot machine license; or

2516 2. If not licensed to conduct a full schedule of live
2517 racing or games as defined in s. 550.002(11), remit for the
2518 payment of purses on live races an amount equal to the lesser of
2519 \$2 million or 3 percent of its slot machine revenues from the
2520 previous state fiscal year to a slot machine licensee licensed
2521 to conduct not fewer than 160 days of thoroughbred racing. If no
2522 slot machine licensee is licensed for at least 160 days of live
2523 thoroughbred racing, no payments for purses are required. A slot
2524 machine licensee that meets the requirements of subsection (10)
2525 shall receive a dollar-for-dollar credit to be applied toward
2526 the payments required under this subparagraph which are made

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2527 pursuant to the binding agreement after the effective date of
2528 this act. This subparagraph expires July 1, 2036.

2529 (10) (a) ~~1. A No~~ slot machine license or renewal thereof may
2530 not shall be issued to an applicant holding a permit under
2531 chapter 550 to conduct pari-mutuel wagering meets of
2532 thoroughbred racing unless the applicant has on file with the
2533 division a binding written agreement between the applicant and
2534 the Florida Horsemen's Benevolent and Protective Association,
2535 Inc., governing the payment of purses on live thoroughbred races
2536 conducted at the licensee's pari-mutuel facility. In addition, a
2537 ~~no~~ slot machine license or renewal thereof may not shall be
2538 issued to such an applicant unless the applicant has on file
2539 with the division a binding written agreement between the
2540 applicant and the Florida Thoroughbred Breeders' Association,
2541 Inc., governing the payment of breeders', stallion, and special
2542 racing awards on live thoroughbred races conducted at the
2543 licensee's pari-mutuel facility. The agreement governing purses
2544 and the agreement governing awards may direct the payment of
2545 such purses and awards from revenues generated by any wagering
2546 or gaming the applicant is authorized to conduct under Florida
2547 law. All purses and awards are shall be subject to the terms of
2548 chapter 550. All sums for breeders', stallion, and special
2549 racing awards shall be remitted monthly to the Florida
2550 Thoroughbred Breeders' Association, Inc., for the payment of
2551 awards subject to the administrative fee authorized in s.
2552 550.2625(3). This paragraph does not apply to a summer
2553 thoroughbred racing permitholder.

2554 ~~2. No slot machine license or renewal thereof shall be~~
2555 ~~issued to an applicant holding a permit under chapter 550 to~~

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2556 ~~conduct pari-mutuel wagering meets of quarter horse racing~~
2557 ~~unless the applicant has on file with the division a binding~~
2558 ~~written agreement between the applicant and the Florida Quarter~~
2559 ~~Horse Racing Association or the association representing a~~
2560 ~~majority of the horse owners and trainers at the applicant's~~
2561 ~~eligible facility, governing the payment of purses on live~~
2562 ~~quarter horse races conducted at the licensee's pari-mutuel~~
2563 ~~facility. The agreement governing purses may direct the payment~~
2564 ~~of such purses from revenues generated by any wagering or gaming~~
2565 ~~the applicant is authorized to conduct under Florida law. All~~
2566 ~~purses shall be subject to the terms of chapter 550.~~

2567 (c)1. If an agreement required under paragraph (a) cannot
2568 be reached prior to the initial issuance of the slot machine
2569 license, either party may request arbitration or, in the case of
2570 a renewal, if an agreement required under paragraph (a) is not
2571 in place 120 days prior to the scheduled expiration date of the
2572 slot machine license, the applicant shall immediately ask the
2573 American Arbitration Association to furnish a list of 11
2574 arbitrators, each of whom shall have at least 5 years of
2575 commercial arbitration experience and no financial interest in
2576 or prior relationship with any of the parties or their
2577 affiliated or related entities or principals. Each required
2578 party to the agreement shall select a single arbitrator from the
2579 list provided by the American Arbitration Association within 10
2580 days of receipt, and the individuals so selected shall choose
2581 one additional arbitrator from the list within the next 10 days.

2582 2. If an agreement required under paragraph (a) is not in
2583 place 60 days after the request under subparagraph 1. in the
2584 case of an initial slot machine license or, in the case of a

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2585 renewal, 60 days prior to the scheduled expiration date of the
2586 slot machine license, the matter shall be immediately submitted
2587 to mandatory binding arbitration to resolve the disagreement
2588 between the parties. The three arbitrators selected pursuant to
2589 subparagraph 1. shall constitute the panel that shall arbitrate
2590 the dispute between the parties pursuant to the American
2591 Arbitration Association Commercial Arbitration Rules and chapter
2592 682.

2593 3. At the conclusion of the proceedings, which shall be no
2594 later than 90 days after the request under subparagraph 1. in
2595 the case of an initial slot machine license or, in the case of a
2596 renewal, 30 days prior to the scheduled expiration date of the
2597 slot machine license, the arbitration panel shall present to the
2598 parties a proposed agreement that the majority of the panel
2599 believes equitably balances the rights, interests, obligations,
2600 and reasonable expectations of the parties. The parties shall
2601 immediately enter into such agreement, which shall satisfy the
2602 requirements of paragraph (a) and permit issuance of the pending
2603 annual slot machine license or renewal. The agreement produced
2604 by the arbitration panel under this subparagraph shall be
2605 effective until the last day of the license or renewal period or
2606 until the parties enter into a different agreement. Each party
2607 shall pay its respective costs of arbitration and shall pay one-
2608 half of the costs of the arbitration panel, unless the parties
2609 otherwise agree. If the agreement produced by the arbitration
2610 panel under this subparagraph remains in place 120 days prior to
2611 the scheduled issuance of the next annual license renewal, then
2612 the arbitration process established in this paragraph will begin
2613 again.

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2614 4. In the event that ~~neither of the agreements required~~
2615 ~~under subparagraph (a)1. or the agreement required under~~
2616 ~~subparagraph (a)2.~~ are not in place by the deadlines established
2617 in this paragraph, arbitration regarding each agreement will
2618 proceed independently, with separate lists of arbitrators,
2619 arbitration panels, arbitration proceedings, and resulting
2620 agreements.

2621 5. With respect to the agreements required under paragraph
2622 (a) governing the payment of purses, the arbitration and
2623 resulting agreement called for under this paragraph shall be
2624 limited to the payment of purses from slot machine revenues
2625 only.

2626 Section 42. Section 551.1042, Florida Statutes, is created
2627 to read:

2628 551.1042 Transfer or relocation of slot machine license
2629 prohibited.—A slot machine license issued under this chapter may
2630 not be transferred or reissued when such reissuance is in the
2631 nature of a transfer so as to permit or authorize a licensee to
2632 change the location of a slot machine facility.

2633 Section 43. Section 551.1043, Florida Statutes, is created
2634 to read:

2635 551.1043 Slot machine license to enhance live pari-mutuel
2636 activity.—In recognition of the important and long-standing
2637 economic contribution of the pari-mutuel industry to this state
2638 and the state's vested interest in the revenue generated from
2639 that industry and in the interest of promoting the continued
2640 viability of the important statewide agricultural activities
2641 that the industry supports, the Legislature finds that it is in
2642 the state's interest to provide a limited opportunity for the

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2643 establishment of two additional slot machine licenses to be
2644 awarded and renewed annually and located within Broward County
2645 or a county as defined in s. 125.011.

2646 (1) (a) Within 120 days after the effective date of this
2647 act, any person who is not a slot machine licensee may apply to
2648 the division pursuant to s. 551.104(1) for one of the two slot
2649 machine licenses created by this section to be located in
2650 Broward County or a county as defined in s. 125.011. No more
2651 than one of such licenses may be awarded in each of those
2652 counties. An applicant shall submit an application to the
2653 division which satisfies the requirements of s. 550.054(3). Any
2654 person prohibited from holding any horse racing or dogracing
2655 permit or jai alai fronton permit pursuant to s. 550.1815 is
2656 ineligible to apply for the additional slot machine license
2657 created by this section.

2658 (b) The application shall be accompanied by a nonrefundable
2659 license application fee of \$2 million. The license application
2660 fee shall be deposited into the Pari-mutuel Wagering Trust Fund
2661 of the Department of Business and Professional Regulation to be
2662 used by the division and the Department of Law Enforcement for
2663 investigations, the regulation of slot machine gaming, and the
2664 enforcement of slot machine gaming under this chapter. In the
2665 event of a successful award, the license application fee shall
2666 be credited toward the license application fee required by s.
2667 551.106.

2668 (2) If there is more than one applicant for an additional
2669 slot machine license, the division shall award such license to
2670 the applicant that receives the highest score based on the
2671 following criteria:

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2672 (a) The amount of slot machine revenues the applicant will
2673 agree to dedicate to the enhancement of pari-mutuel purses and
2674 breeders', stallion, and special racing or player awards to be
2675 awarded to pari-mutuel activities conducted pursuant to chapter
2676 550, in addition to those required pursuant to s.
2677 551.104(4)(c)2. and s. 849.086(14)(d)2.;

2678 (b) The amount of slot machine revenues the applicant will
2679 agree to dedicate to the general promotion of the state's pari-
2680 mutuel industry;

2681 (c) The amount of slot machine revenues the applicant will
2682 agree to dedicate to care provided in this state to injured or
2683 retired animals, jockeys, or jai alai players;

2684 (d) The projected amount by which the proposed slot machine
2685 facility will increase tourism, generate jobs, provide revenue
2686 to the local economy, and provide revenue to the state. The
2687 applicant and its partners shall document their previous
2688 experience in constructing premier facilities with high-quality
2689 amenities which complement a local tourism industry;

2690 (e) The financial history of the applicant and its
2691 partners, including, but not limited to, any capital investments
2692 in slot machine gaming and pari-mutuel facilities, and its bona
2693 fide plan for future community involvement and financial
2694 investment;

2695 (f) The history of investment by the applicant and its
2696 partners in the communities in which its previous developments
2697 have been located;

2698 (g) The ability to purchase and maintain a surety bond in
2699 an amount established by the division to represent the projected
2700 annual revenues generated by the proposed slot machine facility;

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2701 (h) The ability to demonstrate the financial wherewithal to
2702 adequately capitalize, develop, construct, maintain, and operate
2703 a proposed slot machine facility. The applicant must demonstrate
2704 the ability to commit at least \$100 million for hard costs
2705 related to construction and development of the facility,
2706 exclusive of the purchase price and costs associated with the
2707 acquisition of real property and any impact fees. The applicant
2708 must also demonstrate the ability to meet any projected secured
2709 and unsecured debt obligations and to complete construction
2710 within 2 years after receiving the award of the slot machine
2711 license;

2712 (i) The ability to implement a program to train and employ
2713 residents of South Florida to work at the facility and contract
2714 with local business owners for goods and services; and

2715 (j) The ability of the applicant to generate, with its
2716 partners, substantial gross gaming revenue following the award
2717 of gaming licenses through a competitive bidding process.

2718
2719 The division shall award additional points in the evaluation of
2720 the applications for proposed projects located within a half
2721 mile of two forms of public transportation in a designated
2722 community redevelopment area or district.

2723 (3) (a) Notwithstanding the timeframes established in s.
2724 120.60, the division shall complete its evaluations at least 120
2725 days after the submission of applications and shall notice its
2726 intent to award each of the licenses within that timeframe.
2727 Within 30 days after the submission of an application, the
2728 division shall issue, if necessary, requests for additional
2729 information or notices of deficiency to the applicant, who must

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2730 respond within 15 days. Failure to timely and sufficiently
2731 respond to such requests or to correct identified deficiencies
2732 is grounds for denial of the application.

2733 (b) Any protest of an intent to award a license shall be
2734 forwarded to the Division of Administrative Hearings, which
2735 shall conduct an administrative hearing on the matter before an
2736 administrative law judge at least 30 days after the notice of
2737 intent to award. The administrative law judge shall issue a
2738 proposed recommended order at least 30 days after the completion
2739 of the final hearing. The division shall issue a final order at
2740 least 15 days after receipt of the proposed recommended order.

2741 (c) Any appeal of a license denial shall be made to the
2742 First District Court of Appeal and must be accompanied by the
2743 posting of a supersedeas bond in an amount determined by the
2744 division to be equal to the amount of projected annual slot
2745 machine revenue to be generated by the successful licensee.

2746 (4) The division is authorized to adopt emergency rules
2747 pursuant to s. 120.54 to implement this section. The Legislature
2748 finds that such emergency rulemaking power is necessary for the
2749 preservation of the rights and welfare of the people in order to
2750 provide additional funds to benefit the public. The Legislature
2751 further finds that the unique nature of the competitive award of
2752 the slot machine license under this section requires that the
2753 department respond as quickly as is practicable to implement
2754 this section. Therefore, in adopting such emergency rules, the
2755 division is exempt from s. 120.54(4)(a). Emergency rules adopted
2756 under this section are exempt from s. 120.54(4)(c) and shall
2757 remain in effect until replaced by other emergency rules or by
2758 rules adopted pursuant to chapter 120.

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2759 (5) A licensee authorized pursuant to this section to
2760 conduct slot machine gaming is:

2761 (a) Authorized to operate a cardroom pursuant to s.
2762 849.086, notwithstanding that the licensee does not have a pari-
2763 mutuel permit and does not have an operating license, pursuant
2764 to chapter 550;

2765 (b) Authorized to operate up to 25 house banked blackjack
2766 table games at its facility pursuant to s. 551.1044(2) and is
2767 subject to s. 849.1044(3), notwithstanding that the licensee
2768 does not have a pari-mutuel permit and does not have an
2769 operating license, pursuant to chapter 550;

2770 (c) Exempt from compliance with chapter 550; and

2771 (d) Exempt from s. 551.104(3), (4)(b) and (c)1., (5), and
2772 (10) and from s. 551.114(4).

2773 Section 44. Section 551.1044, Florida Statutes, is created
2774 to read:

2775 551.1044 House banked blackjack table games authorized.—

2776 (1) The pari-mutuel permitholder of each of the following
2777 pari-mutuel wagering facilities may operate up to 25 house
2778 banked blackjack table games at the permitholder's facility:

2779 (a) A licensed pari-mutuel facility where live racing or
2780 games were conducted during calendar years 2002 and 2003,
2781 located in Miami-Dade County or Broward County, and authorized
2782 for slot machine licensure pursuant to s. 23, Art. X of the
2783 State Constitution; and

2784 (b) A licensed pari-mutuel facility where a full schedule
2785 of live horse racing has been conducted for 2 consecutive
2786 calendar years immediately preceding its application for a slot
2787 machine license which is located within a county as defined in

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2788 s. 125.011.

2789 (2) Wagers on authorized house banked blackjack table games
2790 may not exceed \$100 for each initial two-card wager. Subsequent
2791 wagers on splits or double downs are allowed but may not exceed
2792 the initial two-card wager. Single side bets of not more than \$5
2793 are also allowed.

2794 (3) Each pari-mutuel permitholder offering banked blackjack
2795 pursuant to this section shall pay a tax to the state of 25
2796 percent of the blackjack operator's monthly gross receipts. All
2797 provisions of s. 849.086(14), except s. 849.086(14)(b), shall
2798 apply to taxes owed pursuant to this section.

2799 Section 45. Subsections (1) and (2) of section 551.106,
2800 Florida Statutes, are amended to read:

2801 551.106 License fee; tax rate; penalties.—

2802 (1) LICENSE FEE.—

2803 ~~(a)~~ Upon submission of the initial application for a slot
2804 machine license and annually thereafter, on the anniversary date
2805 of the issuance of the initial license, the licensee must pay to
2806 the division a nonrefundable license fee of ~~\$3 million for the~~
2807 ~~succeeding 12 months of licensure. In the 2010-2011 fiscal year,~~
2808 ~~the licensee must pay the division a nonrefundable license fee~~
2809 ~~of \$2.5 million for the succeeding 12 months of licensure. In~~
2810 ~~the 2011-2012 fiscal year and for every fiscal year thereafter,~~
2811 ~~the licensee must pay the division a nonrefundable license fee~~
2812 ~~of \$2 million for the succeeding 12 months of licensure. The~~
2813 license fee shall be deposited into the Pari-mutuel Wagering
2814 Trust Fund of the Department of Business and Professional
2815 Regulation to be used by the division and the Department of Law
2816 Enforcement for investigations, regulation of slot machine

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2817 gaming, and enforcement of slot machine gaming provisions under
2818 this chapter. These payments shall be accounted for separately
2819 from taxes or fees paid pursuant to the provisions of chapter
2820 550.

2821 ~~(b) Prior to January 1, 2007, the division shall evaluate~~
2822 ~~the license fee and shall make recommendations to the President~~
2823 ~~of the Senate and the Speaker of the House of Representatives~~
2824 ~~regarding the optimum level of slot machine license fees in~~
2825 ~~order to adequately support the slot machine regulatory program.~~

2826 (2) TAX ON SLOT MACHINE REVENUES.—

2827 (a) The tax rate on slot machine revenues at each facility
2828 shall be 25 ~~35~~ percent. If, during any state fiscal year, the
2829 aggregate amount of tax paid to the state by all slot machine
2830 licensees in Broward and Miami-Dade Counties is less than the
2831 aggregate amount of tax paid to the state by all slot machine
2832 licensees in the 2008-2009 fiscal year, each slot machine
2833 licensee shall pay to the state within 45 days after the end of
2834 the state fiscal year a surcharge equal to its pro rata share of
2835 an amount equal to the difference between the aggregate amount
2836 of tax paid to the state by all slot machine licensees in the
2837 2008-2009 fiscal year and the amount of tax paid during the
2838 fiscal year. Each licensee's pro rata share shall be an amount
2839 determined by dividing the number 1 by the number of facilities
2840 licensed to operate slot machines during the applicable fiscal
2841 year, regardless of whether the facility is operating such
2842 machines.

2843 (b) The slot machine revenue tax imposed by this section on
2844 facilities licensed pursuant to s. 551.104(2)(a)1.-3. shall be
2845 paid to the division for deposit into the Pari-mutuel Wagering

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2846 Trust Fund for immediate transfer by the Chief Financial Officer
2847 for deposit into the Educational Enhancement Trust Fund of the
2848 Department of Education. Any interest earnings on the tax
2849 revenues shall also be transferred to the Educational
2850 Enhancement Trust Fund. The slot machine revenue tax imposed by
2851 this section on facilities licensed pursuant to s.
2852 551.104(2)(a)4. shall be paid to the division for deposit into
2853 the Pari-mutuel Wagering Trust Fund. The division shall transfer
2854 90 percent of such funds to be deposited by the Chief Financial
2855 Officer into the Educational Enhancement Trust Fund of the
2856 Department of Education and shall transfer 10 percent of such
2857 funds to the responsible public entity for the public-private
2858 partnership of the slot machine licensee pursuant to s.
2859 551.104(2)(a)4. and s. 255.065.

2860 (c)1. Funds transferred to the Educational Enhancement
2861 Trust Fund under paragraph (b) shall be used to supplement
2862 public education funding statewide. Funds transferred to a
2863 responsible public entity pursuant to paragraph (b) shall be
2864 used in accordance with s. 255.065 to finance the qualifying
2865 project of such entity and the slot machine licensee which
2866 established the licensee's eligibility for initial licensure
2867 pursuant to s. 551.104(2)(a)4.

2868 2. If necessary to comply with any covenant established
2869 pursuant to s. 1013.68(4), s. 1013.70(1), or s. 1013.737(3),
2870 funds transferred to the Educational Enhancement Trust Fund
2871 under paragraph (b) shall first be available to pay debt service
2872 on lottery bonds issued to fund school construction in the event
2873 lottery revenues are insufficient for such purpose or to satisfy
2874 debt service reserve requirements established in connection with

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2875 lottery bonds. Moneys available pursuant to this subparagraph
2876 are subject to annual appropriation by the Legislature.

2877 Section 46. Subsection (2) of section 551.108, Florida
2878 Statutes, is amended to read:

2879 551.108 Prohibited relationships.—

2880 (2) A manufacturer or distributor of slot machines may not
2881 enter into any contract with a slot machine licensee that
2882 provides for any revenue sharing of any kind or nature that is
2883 directly or indirectly calculated on the basis of a percentage
2884 of slot machine revenues. Any maneuver, shift, or device whereby
2885 this subsection is violated is a violation of this chapter and
2886 renders any such agreement void. This subsection does not apply
2887 to contracts related to a progressive system used in conjunction
2888 with slot machines.

2889 Section 47. Subsections (2) and (4) of section 551.114,
2890 Florida Statutes, are amended to read:

2891 551.114 Slot machine gaming areas.—

2892 (2) If such races or games are available to the slot
2893 machine licensee, the slot machine licensee shall display pari-
2894 mutuel races or games within the designated slot machine gaming
2895 areas and offer patrons within the designated slot machine
2896 gaming areas the ability to engage in pari-mutuel wagering on
2897 any live, intertrack, and simulcast races conducted or offered
2898 to patrons of the licensed facility.

2899 (4) Designated slot machine gaming areas shall ~~may~~ be
2900 located anywhere within the property described in a slot machine
2901 licensee's pari-mutuel permit within the current live gaming
2902 facility or in an existing building that must be contiguous and
2903 connected to the live gaming facility. ~~If a designated slot~~

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2904 ~~machine gaming area is to be located in a building that is to be~~
2905 ~~constructed, that new building must be contiguous and connected~~
2906 ~~to the live gaming facility.~~

2907 Section 48. Section 551.116, Florida Statutes, is amended
2908 to read:

2909 551.116 Days and hours of operation.—Slot machine gaming
2910 areas may be open 24 hours per day, 7 days a week ~~daily~~
2911 ~~throughout the year. The slot machine gaming areas may be open a~~
2912 ~~cumulative amount of 18 hours per day on Monday through Friday~~
2913 ~~and 24 hours per day on Saturday and Sunday and on those~~
2914 ~~holidays specified in s. 110.117(1).~~

2915 Section 49. Subsections (1) and (3) of section 551.121,
2916 Florida Statutes, are amended to read:

2917 551.121 Prohibited activities and devices; exceptions.—

2918 (1) Complimentary or reduced-cost alcoholic beverages may
2919 ~~not~~ be served to a person ~~persons~~ playing a slot machine.
2920 ~~Alcoholic beverages served to persons playing a slot machine~~
2921 ~~shall cost at least the same amount as alcoholic beverages~~
2922 ~~served to the general public at a bar within the facility.~~

2923 (3) A slot machine licensee may ~~not~~ allow any automated
2924 teller machine or similar device designed to provide credit or
2925 dispense cash to be located within the designated slot machine
2926 gaming areas of a facility of a slot machine licensee.

2927 Section 50. Present subsections (9) through (17) of section
2928 849.086, Florida Statutes, are redesignated as subsections (10)
2929 through (18), respectively, and a new subsection (9) is added to
2930 that section, and subsections (1) and (2), paragraph (b) of
2931 subsection (5), paragraphs (a), (b), and (c) of subsection (7),
2932 paragraphs (a) and (b) of subsection (8), present subsection

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2933 (12), paragraphs (d) and (h) of present subsection (13), and
 2934 present subsection (17) of section 849.086, Florida Statutes,
 2935 are amended, to read:

2936 849.086 Cardrooms authorized.—

2937 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
 2938 to provide additional entertainment choices for the residents of
 2939 and visitors to the state, promote tourism in the state, provide
 2940 revenues to support the continuation of live pari-mutuel
 2941 activity, and provide additional state revenues through the
 2942 authorization of the playing of certain games in the state at
 2943 facilities known as cardrooms which are to be located at
 2944 licensed pari-mutuel facilities. To ensure the public confidence
 2945 in the integrity of authorized cardroom operations, this act is
 2946 designed to strictly regulate the facilities, persons, and
 2947 procedures related to cardroom operations. Furthermore, the
 2948 Legislature finds that authorized games of cards and dominoes ~~as~~
 2949 ~~herein defined~~ are considered to be pari-mutuel style games and
 2950 not casino gaming because the participants play against each
 2951 other instead of against the house.

2952 (2) DEFINITIONS.—As used in this section:

2953 (a) "Authorized game" means a game or series of card and
 2954 domino games that of poker or dominoes which are played in
 2955 conformance with this section ~~a nonbanking manner~~.

2956 (b) "Banking game" means a game in which the house is a
 2957 participant in the game, taking on players, paying winners, and
 2958 collecting from losers ~~or in which the cardroom establishes a~~
 2959 ~~bank against which participants play~~. A designated player game
 2960 is not a banking game.

2961 (c) "Cardroom" means a facility where authorized games are

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2962 played for money or anything of value and to which the public is
2963 invited to participate in such games and charged a fee for
2964 participation by the operator of such facility. Authorized games
2965 and cardrooms do not constitute casino gaming operations if
2966 conducted at an eligible facility.

2967 (d) "Cardroom management company" means any individual not
2968 an employee of the cardroom operator, any proprietorship,
2969 partnership, corporation, or other entity that enters into an
2970 agreement with a cardroom operator to manage, operate, or
2971 otherwise control the daily operation of a cardroom.

2972 (e) "Cardroom distributor" means any business that
2973 distributes cardroom paraphernalia such as card tables, betting
2974 chips, chip holders, dominoes, dominoes tables, drop boxes,
2975 banking supplies, playing cards, card shufflers, and other
2976 associated equipment to authorized cardrooms.

2977 (f) "Cardroom operator" means a licensed pari-mutuel
2978 permitholder that ~~which~~ holds a valid permit and license issued
2979 by the division pursuant to chapter 550 and which also holds a
2980 valid cardroom license issued by the division pursuant to this
2981 section which authorizes such person to operate a cardroom and
2982 to conduct authorized games in such cardroom.

2983 (g) "Designated player" means the player identified as the
2984 player in the dealer position and seated at a traditional player
2985 position in a designated player game who pays winning players
2986 and collects from losing players.

2987 (h) "Designated player game" means a game in which the
2988 players compare their cards only to the cards of the designated
2989 player or to a combination of cards held by the designated
2990 player and cards common and available for play by all players.

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2991 (i)~~(g)~~ "Division" means the Division of Pari-mutuel
2992 Wagering of the Department of Business and Professional
2993 Regulation.

2994 (j)~~(h)~~ "Dominoes" means a game of dominoes typically played
2995 with a set of 28 flat rectangular blocks, called "bones," which
2996 are marked on one side and divided into two equal parts, with
2997 zero to six dots, called "pips," in each part. The term also
2998 includes larger sets of blocks that contain a correspondingly
2999 higher number of pips. The term also means the set of blocks
3000 used to play the game.

3001 (k)~~(i)~~ "Gross receipts" means the total amount of money
3002 received by a cardroom from any person for participation in
3003 authorized games.

3004 (l)~~(j)~~ "House" means the cardroom operator and all
3005 employees of the cardroom operator.

3006 (m)~~(k)~~ "Net proceeds" means the total amount of gross
3007 receipts received by a cardroom operator from cardroom
3008 operations less direct operating expenses related to cardroom
3009 operations, including labor costs, admission taxes only if a
3010 separate admission fee is charged for entry to the cardroom
3011 facility, gross receipts taxes imposed on cardroom operators by
3012 this section, the annual cardroom license fees imposed by this
3013 section on each table operated at a cardroom, and reasonable
3014 promotional costs excluding officer and director compensation,
3015 interest on capital debt, legal fees, real estate taxes, bad
3016 debts, contributions or donations, or overhead and depreciation
3017 expenses not directly related to the operation of the cardrooms.

3018 (n)~~(l)~~ "Rake" means a set fee or percentage of the pot
3019 assessed by a cardroom operator for providing the services of a

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3020 dealer, table, or location for playing the authorized game.

3021 (o)~~(m)~~ "Tournament" means a series of games that have more
3022 than one betting round involving one or more tables and where
3023 the winners or others receive a prize or cash award.

3024 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
3025 operate a cardroom in this state unless such person holds a
3026 valid cardroom license issued pursuant to this section.

3027 (b) After the initial cardroom license is granted, the
3028 application for the annual license renewal shall be made in
3029 conjunction with the applicant's annual application for its
3030 pari-mutuel license. ~~If a permitholder has operated a cardroom
3031 during any of the 3 previous fiscal years and fails to include a
3032 renewal request for the operation of the cardroom in its annual
3033 application for license renewal, the permitholder may amend its
3034 annual application to include operation of the cardroom. In
3035 order for a cardroom license to be renewed the applicant must
3036 have requested, as part of its pari-mutuel annual license
3037 application, to conduct at least 90 percent of the total number
3038 of live performances conducted by such permitholder during
3039 either the state fiscal year in which its initial cardroom
3040 license was issued or the state fiscal year immediately prior
3041 thereto if the permitholder ran at least a full schedule of live
3042 racing or games in the prior year. If the application is for a
3043 harness permitholder cardroom, the applicant must have requested
3044 authorization to conduct a minimum of 140 live performances
3045 during the state fiscal year immediately prior thereto. If more
3046 than one permitholder is operating at a facility, each
3047 permitholder must have applied for a license to conduct a full
3048 schedule of live racing.~~

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3049 (7) CONDITIONS FOR OPERATING A CARDROOM.—

3050 (a) A cardroom may be operated only at the location
3051 specified on the cardroom license issued by the division, and
3052 such location may only be the location at which the pari-mutuel
3053 permitholder is authorized to conduct pari-mutuel wagering
3054 activities pursuant to such permitholder's valid pari-mutuel
3055 permit or as otherwise authorized by law. ~~Cardroom operations~~
3056 ~~may not be allowed beyond the hours provided in paragraph (b)~~
3057 ~~regardless of the number of cardroom licenses issued for~~
3058 ~~permitholders operating at the pari-mutuel facility.~~

3059 (b) Any cardroom operator may operate a cardroom at the
3060 pari-mutuel facility daily throughout the year, if the
3061 permitholder meets the requirements under paragraph (5) (b). The
3062 cardroom may be open ~~a cumulative amount of 18 hours per day on~~
3063 ~~Monday through Friday and 24 hours per day on Saturday and~~
3064 ~~Sunday and on the holidays specified in s. 110.117(1).~~

3065 (c) For authorized games of poker or dominoes at a
3066 cardroom, a cardroom operator must at all times employ and
3067 provide a nonplaying live dealer at ~~for~~ each table on which the
3068 authorized card games ~~which traditionally use a dealer~~ are
3069 conducted ~~at the cardroom~~. Such dealers may not have a
3070 participatory interest in any game other than the dealing of
3071 cards and may not have an interest in the outcome of the game.
3072 The providing of such dealers by a licensee does not constitute
3073 the conducting of a banking game by the cardroom operator.

3074 (8) METHOD OF WAGERS; LIMITATION.—

3075 (a) ~~Ne~~ Wagering may not be conducted using money or other
3076 negotiable currency. Games may only be played utilizing a
3077 wagering system whereby all players' money is first converted by

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3078 the house to tokens or chips that may ~~which shall~~ be used for
3079 wagering only at that specific cardroom.

3080 (b) For authorized games of poker or dominoes, the cardroom
3081 operator may limit the amount wagered in any game or series of
3082 games.

3083 (9) DESIGNATED PLAYER GAMES AUTHORIZED.—

3084 (a) A cardroom operator may offer designated player games
3085 consisting of players making wagers against the designated
3086 player. The designated player must be licensed pursuant to
3087 paragraph (6) (b).

3088 (b) A cardroom operator may not serve as a designated
3089 player in any game. The cardroom operator may not have a
3090 financial interest in a designated player in any game. A
3091 cardroom operator may collect a rake in accordance with the rake
3092 structure posted at the table.

3093 (c) If there are multiple designated players at a table,
3094 the dealer button shall be rotated in a clockwise rotation after
3095 each hand.

3096 (d) A cardroom operator may not allow a designated player
3097 to pay an opposing player who holds a lower ranked hand.

3098 (13)-(12) PROHIBITED ACTIVITIES.—

3099 (a) A ~~Ne~~ person licensed to operate a cardroom may not
3100 conduct any banking game or any game not specifically authorized
3101 by this section. For purposes of this section, a designated
3102 player game shall be deemed a banking game if any of the
3103 following elements apply:

3104 1. Any designated player is required by the rules of a game
3105 or by the rules of a cardroom to cover all wagers posted by
3106 opposing players;

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3107 2. The dealer button remains in a fixed position without
3108 being offered for rotation;

3109 3. The cardroom, or any cardroom licensee, contracts with
3110 or receives compensation other than a posted table rake from any
3111 player to participate in any game to serve as a designated
3112 player; or

3113 4. In any designated player game in which the designated
3114 player possesses a higher ranked hand, the designated player is
3115 required to pay on an opposing player's wager who holds a lower
3116 ranked hand.

3117 (b) A ~~No~~ person who is younger than ~~under~~ 18 years of age
3118 may ~~not~~ be permitted to hold a cardroom or employee license, or
3119 to engage in any game conducted therein.

3120 (c) With the exception of mechanical card shufflers, ~~No~~
3121 electronic or mechanical devices, ~~except mechanical card~~
3122 ~~shufflers,~~ may ~~not~~ be used to conduct any authorized game in a
3123 cardroom.

3124 (d) ~~No~~ Cards, game components, or game implements may not
3125 be used in playing an authorized game unless they have ~~such has~~
3126 been furnished or provided to the players by the cardroom
3127 operator.

3128 (14) ~~(13)~~ TAXES AND OTHER PAYMENTS.—

3129 (d)1. Each ~~greyhound and jai alai~~ permitholder that
3130 operates a cardroom facility shall use at least 4 percent of
3131 such permitholder's cardroom monthly gross receipts to
3132 supplement ~~greyhound~~ purses or jai alai prize money,
3133 respectively, during the permitholder's next ensuing pari-mutuel
3134 meet.

3135 2. A cardroom license or renewal thereof may not be issued

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3136 to a permitholder conducting less than a full schedule of live
3137 racing or games as defined in s. 550.002(11) unless the
3138 applicant has on file with the division a binding written
3139 contract with a thoroughbred permitholder that is licensed to
3140 conduct live racing and that does not possess a slot machine
3141 license. This contract must provide that the permitholder will
3142 pay an amount equal to 4 percent of its monthly cardroom gross
3143 receipts to the thoroughbred permitholder conducting the live
3144 racing for use as purses during the current or ensuing live
3145 racing meet of the thoroughbred permitholder. If there is not a
3146 thoroughbred permitholder that does not possess a slot machine
3147 license, payments for purses are not required, and the cardroom
3148 licensee shall retain such funds for its use. Each thoroughbred
3149 ~~and harness horse racing permitholder that operates a cardroom~~
3150 ~~facility shall use at least 50 percent of such permitholder's~~
3151 ~~cardroom monthly net proceeds as follows: 47 percent to~~
3152 ~~supplement purses and 3 percent to supplement breeders' awards~~
3153 ~~during the permitholder's next ensuing racing meet.~~

3154 ~~3. No cardroom license or renewal thereof shall be issued~~
3155 ~~to an applicant holding a permit under chapter 550 to conduct~~
3156 ~~pari-mutuel wagering meets of quarter horse racing unless the~~
3157 ~~applicant has on file with the division a binding written~~
3158 ~~agreement between the applicant and the Florida Quarter Horse~~
3159 ~~Racing Association or the association representing a majority of~~
3160 ~~the horse owners and trainers at the applicant's eligible~~
3161 ~~facility, governing the payment of purses on live quarter horse~~
3162 ~~races conducted at the licensee's pari-mutuel facility. The~~
3163 ~~agreement governing purses may direct the payment of such purses~~
3164 ~~from revenues generated by any wagering or gaming the applicant~~

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3165 ~~is authorized to conduct under Florida law. All purses shall be~~
 3166 ~~subject to the terms of chapter 550.~~

3167 (h) One-quarter of the moneys deposited into the Pari-
 3168 mutuel Wagering Trust Fund pursuant to paragraph (g) shall, by
 3169 October 1 of each year, be distributed to the local government
 3170 that approved the cardroom under subsection (17) ~~subsection~~
 3171 ~~(16)~~; however, if two or more pari-mutuel racetracks are located
 3172 within the same incorporated municipality, the cardroom funds
 3173 shall be distributed to the municipality. If a pari-mutuel
 3174 facility is situated in such a manner that it is located in more
 3175 than one county, the site of the cardroom facility shall
 3176 determine the location for purposes of disbursement of tax
 3177 revenues under this paragraph. The division shall, by September
 3178 1 of each year, determine: the amount of taxes deposited into
 3179 the Pari-mutuel Wagering Trust Fund pursuant to this section
 3180 from each cardroom licensee; the location by county of each
 3181 cardroom; whether the cardroom is located in the unincorporated
 3182 area of the county or within an incorporated municipality; and,
 3183 the total amount to be distributed to each eligible county and
 3184 municipality.

3185 (18) ~~(17)~~ CHANGE OF LOCATION; REFERENDUM.—

3186 ~~(a)~~ Notwithstanding ~~any provisions of~~ this section, a ~~no~~
 3187 cardroom gaming license issued under this section may not ~~shall~~
 3188 be transferred, or reissued when such reissuance is in the
 3189 nature of a transfer, so as to permit or authorize a licensee to
 3190 change the location of the cardroom ~~except upon proof in such~~
 3191 ~~form as the division may prescribe that a referendum election~~
 3192 ~~has been held:~~

3193 ~~1. If the proposed new location is within the same county~~

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3194 ~~as the already licensed location, in the county where the~~
3195 ~~licensee desires to conduct cardroom gaming and that a majority~~
3196 ~~of the electors voting on the question in such election voted in~~
3197 ~~favor of the transfer of such license. However, the division~~
3198 ~~shall transfer, without requirement of a referendum election,~~
3199 ~~the cardroom license of any permit holder that relocated its~~
3200 ~~permit pursuant to s. 550.0555.~~

3201 ~~2. If the proposed new location is not within the same~~
3202 ~~county as the already licensed location, in the county where the~~
3203 ~~licensee desires to conduct cardroom gaming and that a majority~~
3204 ~~of the electors voting on that question in each such election~~
3205 ~~voted in favor of the transfer of such license.~~

3206 ~~(b) The expense of each referendum held under the~~
3207 ~~provisions of this subsection shall be borne by the licensee~~
3208 ~~requesting the transfer.~~

3209 Section 51. The Division of Pari-mutuel Wagering of the
3210 Department of Business and Professional Regulation shall revoke
3211 any permit to conduct pari-mutuel wagering if a permit holder has
3212 not conducted live events within the 24 months preceding the
3213 effective date of this act, unless the permit was issued under
3214 s. 550.3345, Florida Statutes. A permit revoked under this
3215 section may not be reissued.

3216 Section 52. The Division of Law Revision and Information is
3217 directed to replace the phrase "the effective date of this act"
3218 wherever it occurs in this act with the date the act becomes
3219 effective, in accordance with the notice received from the
3220 Secretary of the Department of Business and Professional
3221 Regulation pursuant to s. 285.710(3), Florida Statutes.

3222 Section 53. Except as otherwise expressly provided in this

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3223 act, and except for this section, which shall take effect upon
3224 this act becoming a law, this act shall take effect only if the
3225 Gaming Compact between the Seminole Tribe of Florida and the
3226 State of Florida executed by the Governor and the Seminole Tribe
3227 of Florida on December 7, 2015, under the Indian Gaming
3228 Regulatory Act of 1988, is amended as required by this act, and
3229 is approved or deemed approved and not voided by the United
3230 States Department of the Interior, and shall take effect on the
3231 date that notice of the effective date of the amended compact is
3232 published in the Federal Register.