

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Regulatory Affairs
 2 Committee

3 Representative Moskowitz offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (a) of subsection (1) and subsections
 8 (3), (9), and (13) of section 285.710, Florida Statutes, are
 9 amended and subsection (15) is added to that section, to read:

10 285.710 Compact authorization.—

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

12 (a) "Compact" means the Gaming Compact between the
 13 Seminole Tribe of Florida and the State of Florida, ~~executed on~~
 14 ~~April 7, 2010.~~

15 (3) (a) A ~~The~~ Gaming Compact between the Seminole Tribe of
 16 Florida and the State of Florida, executed by the Governor and
 17 the Tribe on April 7, 2010, was ~~is~~ ratified and approved by

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18 ~~chapter 2010-29, Laws of Florida. The Governor shall cooperate~~
19 ~~with the Tribe in seeking approval of the compact from the~~
20 ~~United States Secretary of the Interior.~~

21 (b) The Gaming Compact between the Seminole Tribe of
22 Florida and the State of Florida, which was executed by the
23 Governor and the Tribe on December 7, 2015, is ratified and
24 approved and supersedes the Gaming Compact ratified and approved
25 under paragraph (a). The Governor shall cooperate with the Tribe
26 in seeking approval of the compact ratified and approved by this
27 paragraph from the United States Secretary of the Interior.

28 (9) The moneys paid by the Tribe to the state for the
29 benefit of exclusivity under the compact ratified by this
30 section shall be deposited into the General Revenue Fund.

31 (a) Three percent of the amount paid by the Tribe to the
32 state shall be designated as the local government share and
33 shall be distributed as provided in subsections (10) and (11).

34 (b) Ten million dollars of the amount paid by the Tribe to
35 the state shall be designated as the thoroughbred purse pool
36 share and shall be distributed as provided in subsection (15).

37 (13) For the purpose of satisfying the requirement in 25
38 U.S.C. s. 2710(d)(1)(B) that the gaming activities authorized
39 under an Indian gaming compact must be permitted in the state
40 for any purpose by any person, organization, or entity, the
41 following class III games or other games specified in this
42 section are hereby authorized to be conducted by the Tribe
43 pursuant to the compact:

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- 44 (a) Slot machines, as defined in s. 551.102(8).
- 45 (b) Banking or banked card games, including baccarat,
46 chemin de fer, and blackjack or 21 ~~at the tribal facilities in~~
47 ~~Broward County, Collier County, and Hillsborough County.~~
- 48 (c) Dice games, such as craps and sic-bo.
- 49 (d) Wheel games, such as roulette and big six.
- 50 (e)-(e) Raffles and drawings.
- 51 (15) The calculations necessary to determine the
52 thoroughbred purse pool share distributions shall be made by the
53 state compliance agency. The thoroughbred purse pool share shall
54 be distributed equally to any thoroughbred permitholder that has
55 conducted a full schedule of live races for 15 consecutive years
56 preceding the 2015-2016 fiscal year, that has never held a slot
57 machine license, and that is located in a county in which class
58 III gaming is conducted on Indian Lands, as long as the
59 thoroughbred permitholder uses the allocation for thoroughbred
60 racing purses and the operations of the permitholder's
61 thoroughbred racing facility.

62 Section 2. Subsection (4) of section 285.712, Florida
63 Statutes, is amended to read:

64 285.712 Tribal-state gaming compacts.—

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

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70 Section 3. Subsection (11) of section 550.002, Florida
71 Statutes, is amended, present subsections (15) through (39) of
72 that section are redesignated as subsections (16) through (40),
73 respectively, and a new subsection (15) is added to that
74 section, to read:

75 550.002 Definitions.—As used in this chapter, the term:

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

77 1. For a greyhound racing permitholder or jai alai
78 permitholder, the conduct of a combination of at least 100 live
79 evening or matinee performances. ~~during the preceding year; for~~
80 ~~a permitholder who has a converted permit or filed an~~
81 ~~application on or before June 1, 1990, for a converted permit,~~
82 ~~the conduct of a combination of at least 100 live evening and~~
83 ~~matinee wagering performances during either of the 2 preceding~~
84 ~~years;~~

85 2. For a jai alai permitholder that ~~who~~ does not operate
86 slot machines in its pari-mutuel facility, ~~who~~ has conducted at
87 least 100 live performances per year for at least 10 years after
88 December 31, 1992, and has had ~~whose~~ handle on live jai alai
89 games conducted at its pari-mutuel facility which was ~~has been~~
90 less than \$4 million per state fiscal year for at least 2
91 consecutive years after June 30, 1992, the conduct of a
92 ~~combination of~~ at least 40 live ~~evening or matinee~~ performances.
93 ~~during the preceding year;~~

94 3. For a jai alai permitholder that ~~who~~ operates slot
95 machines in its pari-mutuel facility, the conduct of a

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96 ~~combination of at least 150 performances. during the preceding~~
97 ~~year;~~

98 4. For a summer jai alai permitholder, the conduct of at
99 least 58 live performances during the preceding year, unless the
100 permitholder meets the requirements of subparagraph 2.

101 5. For a harness horse racing permitholder, the conduct of
102 at least 100 live regular wagering performances. ~~during the~~
103 ~~preceding year;~~

104 6. For a quarter horse racing permitholder at its
105 facility, unless an alternative schedule of at least 20 live
106 regular wagering performances each year is agreed upon by the
107 permitholder and either the Florida Quarter Horse Racing
108 Association or the horsemen ~~horsemen's~~ association representing
109 the majority of the quarter horse owners and trainers at the
110 facility and filed ~~with the division along~~ with its annual
111 operating license ~~date~~ application;

112 a. In the 2010-2011 fiscal year, the conduct of at least
113 20 regular wagering performances.

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

116 c. For every fiscal year after the 2012-2013 fiscal year,
117 the conduct of at least 40 live regular wagering performances.

118 7. For a quarter horse racing permitholder leasing another
119 licensed racetrack, the conduct of 160 events at the leased
120 facility during the preceding year. ~~and~~

121 8. For a thoroughbred racing permitholder, the conduct of

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122 at least 40 live regular wagering performances ~~during the~~
123 ~~preceding year.~~

124 ~~(b) For a permit holder which is restricted by statute to~~
125 ~~certain operating periods within the year when other members of~~
126 ~~its same class of permit are authorized to operate throughout~~
127 ~~the year, the specified number of live performances which~~
128 ~~constitute a full schedule of live racing or games shall be~~
129 ~~adjusted pro rata in accordance with the relationship between~~
130 ~~its authorized operating period and the full calendar year and~~
131 ~~the resulting specified number of live performances shall~~
132 ~~constitute the full schedule of live games for such permit holder~~
133 ~~and all other permit holders of the same class within 100 air~~
134 ~~miles of such permit holder. A live performance must consist of~~
135 no fewer than eight races or games conducted live for each of a
136 minimum of three performances each week at the permit holder's
137 licensed facility under a single admission charge.

138 (15) "Video race terminal" means an individual race
139 terminal linked to an in-state central server as part of a
140 network-based video game where the terminals allow a form of
141 pari-mutuel wagering on the results of previously conducted in-
142 state or out-of-state thoroughbred races.

143 Section 4. Subsections (1), (3), and (6) of section
144 550.01215, Florida Statutes, are amended to read:

145 550.01215 License application; periods of operation; bond,
146 conversion of permit.-

147 (1) Each permit holder shall annually, during the period

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148 between December 15 and January 4, file in writing with the
149 division its application for an operating a license for to
150 ~~conduct performances during~~ the next state fiscal year. Each
151 application for live performances must ~~shall~~ specify the number,
152 dates, and starting times of all live performances that ~~which~~
153 the permitholder intends to conduct. It must ~~shall~~ also specify
154 which performances will be conducted as charity or scholarship
155 performances.

156 (a) In addition, Each application for an operating a
157 license also must ~~shall~~ include:7

158 1. For each permitholder that ~~which~~ elects to accept
159 wagers on broadcast events, the dates for all such events.

160 2. For each permitholder that elects to operate a
161 cardroom, the dates and periods of operation the permitholder
162 intends to operate the cardroom. ~~or,~~

163 3. For each thoroughbred racing permitholder that ~~which~~
164 elects to receive or rebroadcast out-of-state races after 7
165 p.m., the dates for all performances which the permitholder
166 intends to conduct.

167 (b) A greyhound racing permitholder that conducted a full
168 schedule of live racing for a period of at least 10 consecutive
169 state fiscal years after the 1996-1997 state fiscal year, or
170 that converted its permit to a permit to conduct greyhound
171 racing after the 1996-1997 state fiscal year, may specify in its
172 application for an operating license that it does not intend to
173 conduct live racing, or that it intends to conduct less than a

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174 full schedule of live racing, in the next state fiscal year. A
175 greyhound racing permitholder may receive an operating license
176 to conduct pari-mutuel wagering activities at another
177 permitholder's greyhound racing facility pursuant to s. 550.475.
178 Harness racing and quarter horse racing permitholders that have
179 held an operating license for 5 years and a cardroom license for
180 5 years are exempt from the live racing requirements of this
181 subsection. Thoroughbred racing permitholders located in a
182 county with a population of more than 2.5 million who have had
183 an operating license for 25 years and a slot license for 5 years
184 are exempt from the live racing requirements of this subsection.

185 (c) Permitholders ~~may~~ shall be entitled to amend their
186 applications through February 28.

187 (3) The division shall issue each license no later than
188 March 15. Each permitholder shall operate all performances at
189 the date and time specified on its license. The division shall
190 have the authority to approve minor changes in racing dates
191 after a license has been issued. The division may approve
192 changes in racing dates after a license has been issued when
193 there is no objection from any operating permitholder located
194 within 50 miles of the permitholder requesting the changes in
195 operating dates. In the event of an objection, the division
196 shall approve or disapprove the change in operating dates based
197 upon the impact on operating permitholders located within 50
198 miles of the permitholder requesting the change in operating
199 dates. In making the determination to change racing dates, the

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200 division shall take into consideration the impact of such
201 changes on state revenues. Notwithstanding any other provision
202 of law, and for the 2016-2017 fiscal year only, the division may
203 approve changes in racing dates for permitholders if the request
204 for such changes is received before August 31, 2016.

205 (6) A summer jai alai permitholder may apply for a
206 operating license to operate a jai alai fronton only during the
207 summer season beginning May 1 and ending November 30 of each
208 year on the dates selected by the permitholder. Such
209 permitholder is subject to the same taxes, rules, and provisions
210 of this chapter which apply to the operation of winter jai alai
211 frontons. A summer jai alai permitholder is not eligible for
212 licensure to conduct a cardroom or a slot machine facility. A
213 summer jai alai permitholder and a winter jai alai permitholder
214 may not operate on the same days or in competition with each
215 other. This subsection does not prevent a summer jai alai
216 licensee from leasing the facilities of a winter jai alai
217 licensee for the operation of a summer meet ~~Any permit which was~~
218 ~~converted from a jai alai permit to a greyhound permit may be~~
219 ~~converted to a jai alai permit at any time if the permitholder~~
220 ~~never conducted greyhound racing or if the permitholder has not~~
221 ~~conducted greyhound racing for a period of 12 consecutive~~
222 ~~months.~~

223 Section 5. Subsection (1) of section 550.0251, Florida
224 Statutes, is amended to read:

225 550.0251 The powers and duties of the Division of Pari-

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226 | mutuel Wagering of the Department of Business and Professional
227 | Regulation.—The division shall administer this chapter and
228 | regulate the pari-mutuel industry under this chapter and the
229 | rules adopted pursuant thereto, and:

230 | (1) The division shall make an annual report to the
231 | Governor, the President of the Senate, and the Speaker of the
232 | House of Representatives. The report shall include, at a
233 | minimum:

234 | (a) Recent events in the gaming industry, including
235 | pending litigation; pending permitholder, facility, cardroom,
236 | slot, and operating license applications; and new and pending
237 | rules.

238 | (b) Actions of the department relating to the
239 | implementation and administration of this chapter, chapter 551,
240 | and s. 849.086.

241 | (c) The state revenues and expenses associated with each
242 | form of authorized gaming. Revenues and expenses associated with
243 | pari-mutuel wagering must be further delineated by the class of
244 | license.

245 | (d) The performance of each pari-mutuel wagering licensee,
246 | cardroom licensee, and slot machine licensee.

247 | (e) A summary of disciplinary actions taken by the
248 | department.

249 | (f) Any recommendations to more effectively achieve
250 | showing its own actions, receipts derived under the provisions
251 | of this chapter, the practical effects of the application of

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252 ~~this chapter, and any suggestions it may approve for the more~~
253 ~~effectual accomplishments of the purposes of this chapter,~~
254 ~~chapter 551, and s. 849.086.~~

255 Section 6. Subsection (1) and paragraph (b) of subsection
256 (9) of section 550.054, Florida Statutes, are amended,
257 paragraphs (c) through (f) are added to that subsection, and
258 paragraph (a) of subsection (11) and subsections (13) and (14)
259 of that section are amended, to read:

260 550.054 Application for permit to conduct pari-mutuel
261 wagering.—

262 (1) Any person who possesses the qualifications prescribed
263 in this chapter may apply to the division for a permit to
264 conduct pari-mutuel operations under this chapter.

265 (a) An applicant selected pursuant to ss. 551.1041-
266 551.1044, after meeting the requirements of s. 551.104(2)(a)4.,
267 must submit an application to conduct pari-mutuel operations
268 under this chapter and shall receive such permit. Such
269 permitholder is prohibited from operating live racing or games,
270 shall be designated as a limited slot machine permitholder, and
271 is exempt from all live racing requirements in chapters 550,
272 551, and 849.

273 (b) Applications for a pari-mutuel permit are exempt from
274 the 90-day licensing requirement of s. 120.60. Within 120 days
275 after receipt of a complete application, the division shall
276 grant or deny the permit. A completed application that is not
277 acted upon within 120 days after receipt is deemed approved, and

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278 the division shall grant the permit.

279 (9)

280 (b) The division may revoke or suspend any permit or
281 license issued under this chapter upon a the willful violation
282 by the permitholder or licensee of any provision of this chapter
283 or rules of any rule adopted pursuant thereto under this
284 chapter. With the exception of the revocation of permits
285 required in paragraphs (c) and (f), In lieu of suspending or
286 revoking a permit or license, the division may, in lieu of
287 suspending or revoking a permit or license, impose a civil
288 penalty against the permitholder or licensee for a violation of
289 this chapter or rules adopted pursuant thereto any rule adopted
290 by the division. The penalty so imposed may not exceed \$1,000
291 for each count or separate offense. All penalties imposed and
292 collected must be deposited with the Chief Financial Officer to
293 the credit of the General Revenue Fund.

294 (c)1. The division shall revoke the permit of any
295 permitholder that fails to make payments pursuant to s.
296 550.0951(5) for more than 24 consecutive months unless such
297 failure to pay tax on handle was the direct result of fire,
298 strike, war, or other disaster or event beyond the
299 permitholder's control. Financial hardship to the permitholder
300 does not, in and of itself, constitute just cause for failure to
301 pay tax on handle.

302 2. The division shall revoke the permit of any
303 permitholder that has not obtained an operating license in

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304 accordance with s. 550.01215 for a period of more than 24
305 consecutive months after June 30, 2012. The division shall
306 revoke the permit upon adequate notice to the permit holder.
307 Financial hardship to the permit holder does not, in and of
308 itself, constitute just cause for failure to operate.

309 (d) Except as provided in paragraph (1)(a) and s.
310 551.104(2)(a)4., a new permit to conduct pari-mutuel wagering
311 may not be approved or issued after July 1, 2016.

312 (e) A permit revoked under this subsection is void and may
313 not be reissued.

314 (f) A permit holder may apply to the division to place the
315 permit into inactive status for a period of 12 months pursuant
316 to division rule. The division, upon good cause shown by the
317 permit holder, may renew inactive status for a period of up to 12
318 months, but a permit may not be in inactive status for a period
319 of more than 24 consecutive months. Holders of permits in
320 inactive status are not eligible for licensure for pari-mutuel
321 wagering, slot machines, or cardrooms. The division shall revoke
322 any permit holder in inactive status for more than 24 months.

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

328 (13)(a) Notwithstanding any provision ~~provisions~~ of this
329 chapter or chapter 551, a pari-mutuel ~~no thoroughbred horse~~

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330 ~~rac~~ing permit or license issued under this chapter may not shall
331 be transferred, or reissued when such reissuance is in the
332 nature of a transfer so as to permit or authorize a licensee to
333 change the location of a pari-mutuel facility, cardroom, or slot
334 machine facility. ~~thoroughbred horse racetrack except upon proof~~
335 ~~in such form as the division may prescribe that a referendum~~
336 ~~election has been held.~~

337 1. ~~If the proposed new location is within the same county~~
338 ~~as the already licensed location, in the county where the~~
339 ~~licensee desires to conduct the race meeting and that a majority~~
340 ~~of the electors voting on that question in such election voted~~
341 ~~in favor of the transfer of such license.~~

342 2. ~~If the proposed new location is not within the same~~
343 ~~county as the already licensed location, in the county where the~~
344 ~~licensee desires to conduct the race meeting and in the county~~
345 ~~where the licensee is already licensed to conduct the race~~
346 ~~meeting and that a majority of the electors voting on that~~
347 ~~question in each such election voted in favor of the transfer of~~
348 ~~such license.~~

349 (b) ~~Each referendum held under the provisions of this~~
350 ~~subsection shall be held in accordance with the electoral~~
351 ~~procedures for ratification of permits, as provided in s.~~
352 ~~550.0651. The expense of each such referendum shall be borne by~~
353 ~~the licensee requesting the transfer.~~

354 (14) (a) Notwithstanding any other provision of law, a
355 pari-mutuel facility, cardroom, or slot machine facility may not

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356 be relocated except as provided in paragraph (b), and a pari-
357 mutuel permit may not be converted to another class of permit.
358 ~~Any holder of a permit to conduct jai alai may apply to the~~
359 ~~division to convert such permit to a permit to conduct greyhound~~
360 ~~racing in lieu of jai alai if:~~

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

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

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

369 (b) Upon application from the holder of a permit to
370 conduct greyhound racing which was converted from a permit to
371 conduct jai alai pursuant to former s. 550.054(14), Florida
372 Statutes, 2014, as created by s. 6, chapter 2009-170, Laws of
373 Florida, the division may approve the relocation of such permit
374 to another location within a 30-mile radius of the location
375 fixed in the permit if the application is received by July 31,
376 2018, the new location is within the same county, and the new
377 location is approved under the zoning regulations of the county
378 or municipality in which the permit is located ~~The division,~~
379 ~~upon application from the holder of a jai alai permit meeting~~
380 ~~all conditions of this section, shall convert the permit and~~
381 ~~shall issue to the permitholder a permit to conduct greyhound~~

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382 ~~racing. A permitholder of a permit converted under this section~~
383 ~~shall be required to apply for and conduct a full schedule of~~
384 ~~live racing each fiscal year to be eligible for any tax credit~~
385 ~~provided by this chapter. The holder of a permit converted~~
386 ~~pursuant to this subsection or any holder of a permit to conduct~~
387 ~~greyhound racing located in a county in which it is the only~~
388 ~~permit issued pursuant to this section who operates at a leased~~
389 ~~facility pursuant to s. 550.475 may move the location for which~~
390 ~~the permit has been issued to another location within a 30-mile~~
391 ~~radius of the location fixed in the permit issued in that~~
392 ~~county, provided the move does not cross the county boundary and~~
393 ~~such location is approved under the zoning regulations of the~~
394 ~~county or municipality in which the permit is located, and upon~~
395 ~~such relocation may use the permit for the conduct of pari-~~
396 ~~mutuel wagering and the operation of a cardroom. The provisions~~
397 ~~of s. 550.6305(9)(d) and (f) shall apply to any permit converted~~
398 ~~under this subsection and shall continue to apply to any permit~~
399 ~~which was previously included under and subject to such~~
400 ~~provisions before a conversion pursuant to this section~~
401 ~~occurred.~~

402 Section 7. Section 550.0555, Florida Statutes, is
403 repealed.

404 Section 8. Section 550.0745, Florida Statutes, is
405 repealed.

406 Section 9. Section 550.0951, Florida Statutes, is amended
407 to read:

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408 550.0951 Payment of daily license fee and taxes;
409 penalties.-
410 (1)~~(a)~~ DAILY LICENSE FEE.-Each person engaged in the
411 business of conducting race meetings or jai alai games under
412 this chapter, hereinafter referred to as the "permitholder,"
413 "licensee," or "permittee," shall pay to the division, for the
414 use of the division, a daily license fee on each live or
415 simulcast pari-mutuel event of \$100 for each horserace, ~~and~~ \$80
416 for each greyhound race, ~~dograce~~ and \$40 for each jai alai game,
417 any of which is conducted at a racetrack or fronton licensed
418 under this chapter. ~~A In addition to the tax exemption specified~~
419 ~~in s. 550.09514(1) of \$360,000 or \$500,000 per greyhound~~
420 ~~permitholder per state fiscal year, each greyhound permitholder~~
421 ~~shall receive in the current state fiscal year a tax credit~~
422 ~~equal to the number of live greyhound races conducted in the~~
423 ~~previous state fiscal year times the daily license fee specified~~
424 ~~for each dograce in this subsection applicable for the previous~~
425 ~~state fiscal year. This tax credit and the exemption in s.~~
426 ~~550.09514(1) shall be applicable to any tax imposed by this~~
427 ~~chapter or the daily license fees imposed by this chapter except~~
428 ~~during any charity or scholarship performances conducted~~
429 ~~pursuant to s. 550.0351. Each permitholder may not be required~~
430 ~~to shall pay daily license fees in excess of not to exceed \$500~~
431 ~~per day on any simulcast races or games on which such~~
432 ~~permitholder accepts wagers,~~ regardless of the number of out-of-
433 state events taken or the number of out-of-state locations from

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434 which such events are taken. This license fee shall be deposited
435 with the Chief Financial Officer to the credit of the Pari-
436 mutuel Wagering Trust Fund.

437 ~~(b) Each permitholder that cannot utilize the full amount~~
438 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~
439 ~~550.09514(1) or the daily license fee credit provided in this~~
440 ~~section may, after notifying the division in writing, elect once~~
441 ~~per state fiscal year on a form provided by the division to~~
442 ~~transfer such exemption or credit or any portion thereof to any~~
443 ~~greyhound permitholder which acts as a host track to such~~
444 ~~permitholder for the purpose of intertrack wagering. Once an~~
445 ~~election to transfer such exemption or credit is filed with the~~
446 ~~division, it shall not be rescinded. The division shall~~
447 ~~disapprove the transfer when the amount of the exemption or~~
448 ~~credit or portion thereof is unavailable to the transferring~~
449 ~~permitholder or when the permitholder who is entitled to~~
450 ~~transfer the exemption or credit or who is entitled to receive~~
451 ~~the exemption or credit owes taxes to the state pursuant to a~~
452 ~~deficiency letter or administrative complaint issued by the~~
453 ~~division. Upon approval of the transfer by the division, the~~
454 ~~transferred tax exemption or credit shall be effective for the~~
455 ~~first performance of the next payment period as specified in~~
456 ~~subsection (5). The exemption or credit transferred to such host~~
457 ~~track may be applied by such host track against any taxes~~
458 ~~imposed by this chapter or daily license fees imposed by this~~
459 ~~chapter. The greyhound permitholder host track to which such~~

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460 ~~exemption or credit is transferred shall reimburse such~~
461 ~~permitholder the exact monetary value of such transferred~~
462 ~~exemption or credit as actually applied against the taxes and~~
463 ~~daily license fees of the host track. The division shall ensure~~
464 ~~that all transfers of exemption or credit are made in accordance~~
465 ~~with this subsection and shall have the authority to adopt rules~~
466 ~~to ensure the implementation of this section.~~

467 (2) ADMISSION TAX.—

468 (a) An admission tax equal to 15 percent of the admission
469 charge for entrance to the permitholder's facility and
470 grandstand area, or 10 cents, whichever is greater, is imposed
471 on each person attending a horserace, greyhound race ~~dograce~~, or
472 jai alai game. The permitholder is ~~shall be~~ responsible for
473 collecting the admission tax.

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

478 (c) A permitholder may issue tax-free passes to its
479 officers, officials, and employees and to ~~or~~ other persons
480 actually engaged in working at the racetrack, including
481 accredited media ~~press~~ representatives such as reporters and
482 editors, and may also issue tax-free passes to other
483 permitholders for the use of their officers and officials. The
484 permitholder shall file with the division a list of all persons
485 to whom tax-free passes are issued under this paragraph.

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486 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on
487 contributions to pari-mutuel pools, the aggregate of which is
488 hereinafter referred to as "handle," on races or games conducted
489 by the permitholder. The tax is imposed daily and is based on
490 the total contributions to all pari-mutuel pools conducted
491 during the daily performance. If a permitholder conducts more
492 than one performance daily, the tax is imposed on each
493 performance separately.

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

496 (b)1. The tax on handle for greyhound racing ~~dogracing~~ is
497 1.28 ~~5.5~~ percent of the handle, ~~except that for live charity~~
498 ~~performances held pursuant to s. 550.0351, and for intertrack~~
499 ~~wagering on such charity performances at a guest greyhound track~~
500 ~~within the market area of the host, the tax is 7.6 percent of~~
501 ~~the handle.~~

502 2. The tax on handle for jai alai is 7.1 percent of the
503 handle.

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

505 a. If the host track is a horse track, 2.0 percent of the
506 handle.

507 b. If the host track is a harness horse track, 3.3 percent
508 of the handle.

509 c. If the host track is a greyhound harness track, 1.28
510 5.5 percent of the handle, to be remitted by the guest track. ~~if~~
511 the host track is a dog track, and

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

514 e. The tax on handle for intertrack wagering is 0.5
515 ~~percent~~ If the host track and the guest track are thoroughbred
516 racing permitholders or if the guest track is located outside
517 the market area of a the host track that is not a greyhound
518 racing track and within the market area of a thoroughbred racing
519 permitholder currently conducting a live race meet, 0.5 percent
520 of the handle.

521 f. The tax on handle For intertrack wagering on
522 rebroadcasts of simulcast thoroughbred horseraces, is 2.4
523 percent of the handle and ~~1.5 percent of the handle~~ for
524 intertrack wagering on rebroadcasts of simulcast harness
525 horseraces, 1.5 percent of the handle.

526 2. The tax collected under subparagraph 1. shall be
527 deposited into the Pari-mutuel Wagering Trust Fund.

528 3.2. The tax on handle for intertrack wagers accepted by
529 any greyhound ~~dog~~ track located in an area of the state in which
530 there are only three permitholders, all of which are greyhound
531 racing permitholders, located in three contiguous counties, from
532 any greyhound racing permitholder also located within such area
533 or any greyhound ~~dog~~ track or jai alai fronton located as
534 specified in s. 550.615(7) ~~s. 550.615(6) or (9)~~, on races or
535 games received from any jai alai the same class of permitholder
536 located within the same market area is 3.9 percent of the handle
537 if the host facility is a greyhound racing permitholder. ~~and,~~ If

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538 the host facility is a jai alai permitholder, the tax is rate
539 ~~shall be 6.1 percent of the handle until except that it shall be~~
540 ~~2.3 percent on handle at~~ such time as the total tax on
541 intertrack handle paid to the division by the permitholder
542 during the current state fiscal year exceeds the total ~~tax on~~
543 ~~intertrack handle~~ paid to the division by the permitholder
544 during the 1992-1993 state fiscal year, in which case the tax is
545 2.3 percent of the handle.

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

550 (4) BREAKS TAX.—Effective October 1, 1996, each
551 permitholder conducting jai alai performances shall pay a tax
552 equal to the breaks. As used in this subsection, the term
553 "breaks" means the money that remains in each pari-mutuel pool
554 after funds are ~~The "breaks" represents that portion of each~~
555 ~~pari-mutuel pool which is not~~ redistributed to the contributors
556 and commissions are ~~or~~ withheld by the permitholder ~~as~~
557 ~~commission.~~

558 (5) VIDEO RACE TERMINAL; TAX AND FEE.—

559 (a) Each licensee under this chapter which operates video
560 race terminals pursuant to s. 551.1055 shall pay a tax equal to
561 2 percent of the handle from the video race terminals located at
562 its facility.

563 (b) Upon authorization to operate video race terminals

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564 pursuant to s. 551.1055, and annually thereafter on the
565 anniversary date of the authorization, the licensee shall pay a
566 \$50,000 fee to the department. The fee shall be deposited into
567 the Pari-mutuel Wagering Trust Fund to be used by the department
568 and the Department of Law Enforcement for regulation of video
569 race terminals, enforcement of video race terminal provisions,
570 and related investigations.

571 (6)~~(5)~~ PAYMENT AND DISPOSITION OF FEES AND TAXES.—Payments
572 imposed by this section shall be paid to the division. The
573 division shall deposit such payments ~~these sums~~ with the Chief
574 Financial Officer, to the credit of the Pari-mutuel Wagering
575 Trust Fund, hereby established. The permitholder shall remit to
576 the division payment for the daily license fee, the admission
577 tax, the tax on handle, and the breaks tax. Such payments must
578 ~~shall~~ be remitted by 3 p.m. on Wednesday of each week for taxes
579 imposed and collected for the preceding week ending on Sunday.
580 Beginning on July 1, 2012, such payments must ~~shall~~ be remitted
581 by 3 p.m. on the 5th day of each calendar month for taxes
582 imposed and collected for the preceding calendar month. If the
583 5th day of the calendar month falls on a weekend, payments must
584 ~~shall~~ be remitted by 3 p.m. the first Monday following the
585 weekend. Permitholders shall file a report under oath by the 5th
586 day of each calendar month for all taxes remitted during the
587 preceding calendar month. Such payments must ~~shall~~ be
588 accompanied by a report under oath showing the total of all
589 admissions, the pari-mutuel wagering activities for the

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590 preceding calendar month, and any ~~such~~ other information ~~as may~~
591 ~~be~~ prescribed by the division.

592 (7) ~~(6)~~ PENALTIES.—

593 (a) The failure of any permitholder to make payments as
594 prescribed in subsection (6) ~~(5)~~ is a violation of this section,
595 and the ~~permitholder may be subjected by the division~~ may impose
596 ~~to~~ a civil penalty against the permitholder of up to \$1,000 for
597 each day the tax payment is not remitted. All penalties imposed
598 and collected shall be deposited in the General Revenue Fund. If
599 a permitholder fails to pay penalties imposed by order of the
600 division under this subsection, the division may suspend or
601 revoke the license of the permitholder, cancel the permit of the
602 permitholder, or deny issuance of any further license or permit
603 to the permitholder.

604 (b) In addition to the civil penalty prescribed in
605 paragraph (a), any willful or wanton failure by any permitholder
606 to make payments of the daily license fee, admission tax, tax on
607 handle, or breaks tax constitutes sufficient grounds for the
608 division to suspend or revoke the license of the permitholder,
609 to cancel the permit of the permitholder, or to deny issuance of
610 any further license or permit to the permitholder.

611 Section 10. Paragraph (e) of subsection (2) of section
612 550.09511, Florida Statutes, is amended to read:

613 550.09511 Jai alai taxes; abandoned interest in a permit
614 for nonpayment of taxes.—

615 (2) Notwithstanding the provisions of s. 550.0951(3)(b),

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616 wagering on live jai alai performances shall be subject to the
617 following taxes:

618 (e) The payment of taxes pursuant to paragraphs (b), (c),
619 and (d) shall be calculated and commence beginning the day in
620 which the permitholder is first entitled to the reduced rate
621 specified in this section and the report of taxes required by s.
622 550.0951(6) ~~s. 550.0951(5)~~ is submitted to the division.

623 Section 11. Section 550.09512, Florida Statutes, is
624 amended to read:

625 550.09512 Harness horse racetrack taxes; abandoned interest
626 in a permit for nonpayment of taxes.—

627 (1) Pari-mutuel wagering at harness horse racetracks in
628 this state is an important business enterprise, and taxes
629 derived therefrom constitute a part of the tax structure which
630 funds operation of the state. Harness horse permitholders should
631 pay their fair share of these taxes to the state. This business
632 interest should not be taxed to such an extent as to cause any
633 racetrack which is operated under sound business principles to
634 be forced out of business. Due to the need to protect the public
635 health, safety, and welfare, the gaming laws of the state
636 provide for the harness horse industry to be highly regulated
637 and taxed. The state recognizes that there exist identifiable
638 differences between harness horse permitholders based upon their
639 ability to operate under such regulation and tax system.

640 (2) (a) The tax on handle for live harness horse
641 performances is 0.5 percent of handle per performance.

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

645 (3)(a) The division shall revoke the permit of a harness
646 horse racing permitholder who does not pay tax on handle for
647 live harness horse performances for a full schedule of live
648 races for more than 24 consecutive months during any 2
649 ~~consecutive state fiscal years shall be void and shall escheat~~
650 ~~to and become the property of the state unless such failure to~~
651 ~~operate and pay tax on handle was the direct result of fire,~~
652 ~~strike, war, or other disaster or event beyond the ability of~~
653 ~~the permit holder to control. Financial hardship to the~~
654 ~~permit holder does shall not, in and of itself, constitute just~~
655 ~~cause for failure to operate and pay tax on handle. A permit~~
656 revoked under this subsection is void and may not be reissued.

657 ~~(b) In order to maximize the tax revenues to the state,~~
658 ~~the division shall reissue an escheated harness horse permit to~~
659 ~~a qualified applicant pursuant to the provisions of this chapter~~
660 ~~as for the issuance of an initial permit. However, the~~
661 ~~provisions of this chapter relating to referendum requirements~~
662 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
663 ~~escheated harness horse permit. As specified in the application~~
664 ~~and upon approval by the division of an application for the~~
665 ~~permit, the new permit holder shall be authorized to operate a~~
666 ~~harness horse facility anywhere in the same county in which the~~
667 ~~escheated permit was authorized to be operated, notwithstanding~~

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668 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

669 (4) In the event that a court of competent jurisdiction
670 determines any of the provisions of this section to be
671 unconstitutional, it is the intent of the Legislature that the
672 provisions contained in this section shall be null and void and
673 that the provisions of s. 550.0951 shall apply to all harness
674 horse permitholders beginning on the date of such judicial
675 determination. To this end, the Legislature declares that it
676 would not have enacted any of the provisions of this section
677 individually and, to that end, expressly finds them not to be
678 severable.

679 Section 12. Section 550.09514, Florida Statutes, is
680 amended to read:

681 550.09514 Greyhound racing ~~dogracing~~ taxes; purse
682 requirements.-

683 ~~(1) Wagering on greyhound racing is subject to a tax on~~
684 ~~handle for live greyhound racing as specified in s. 550.0951(3).~~
685 ~~However, each permitholder shall pay no tax on handle until such~~
686 ~~time as this subsection has resulted in a tax savings per state~~
687 ~~fiscal year of \$360,000. Thereafter, each permitholder shall pay~~
688 ~~the tax as specified in s. 550.0951(3) on all handle for the~~
689 ~~remainder of the permitholder's current race meet. For the three~~
690 ~~permitholders that conducted a full schedule of live racing in~~
691 ~~1995, and are closest to another state that authorizes greyhound~~
692 ~~pari-mutuel wagering, the maximum tax savings per state fiscal~~
693 ~~year shall be \$500,000. The provisions of this subsection~~

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694 ~~relating to tax exemptions shall not apply to any charity or~~
695 ~~scholarship performances conducted pursuant to s. 550.0351.~~

696 (1)(2)(a) The division shall determine for each greyhound
697 racing permitholder the annual purse percentage rate of live
698 handle for the state fiscal year 1993-1994 by dividing total
699 purses paid on live handle by the permitholder, exclusive of
700 payments made from outside sources, during the 1993-1994 state
701 fiscal year by the permitholder's live handle for the 1993-1994
702 state fiscal year. A greyhound racing ~~Each~~ permitholder
703 conducting live racing during a fiscal year shall pay as purses
704 for such live races conducted during its current race meet a
705 percentage of its live handle not less than the percentage
706 determined under this paragraph, exclusive of payments made by
707 outside sources, for its 1993-1994 state fiscal year.

708 (b) Except as otherwise set forth herein, in addition to
709 the minimum purse percentage required by paragraph (a), each
710 greyhound racing permitholder conducting live racing during a
711 fiscal year shall pay as purses an annual amount of \$60 for each
712 live race conducted ~~equal to 75 percent of the daily license~~
713 ~~fees paid by the greyhound racing each permitholder in for the~~
714 preceding 1994-1995 fiscal year. These ~~This~~ ~~purse supplement~~
715 ~~shall be disbursed weekly during the permitholder's race meet in~~
716 ~~an amount determined by dividing the annual purse supplement by~~
717 ~~the number of performances approved for the permitholder~~
718 ~~pursuant to its annual license and multiplying that amount by~~
719 ~~the number of performances conducted each week. For the~~

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720 ~~greyhound permitholders in the county where there are two~~
721 ~~greyhound permitholders located as specified in s. 550.615(6),~~
722 ~~such permitholders shall pay in the aggregate an amount equal to~~
723 ~~75 percent of the daily license fees paid by such permitholders~~
724 ~~for the 1994-1995 fiscal year. These permitholders shall be~~
725 ~~jointly and severally liable for such purse payments. The~~
726 ~~additional purses provided by this paragraph must be used~~
727 ~~exclusively for purses other than stakes and must be disbursed~~
728 ~~weekly during the permitholder's race meet.~~ The division shall
729 conduct audits necessary to ensure compliance with this section.

730 (c)1. Each greyhound racing permitholder, when conducting
731 at least three live performances during any week, shall pay
732 purses in that week on wagers it accepts as a guest track on
733 intertrack and simulcast greyhound races at the same rate as it
734 pays on live races. Each greyhound racing permitholder, when
735 conducting at least three live performances during any week,
736 shall pay purses in that week, at the same rate as it pays on
737 live races, on wagers accepted on greyhound races at a guest
738 track that ~~which~~ is not conducting live racing and is located
739 within the same market area as the greyhound racing permitholder
740 conducting at least three live performances during any week.

741 2. Each host greyhound racing permitholder shall pay
742 purses on its simulcast and intertrack broadcasts of greyhound
743 races to guest facilities that are located outside its market
744 area in an amount equal to one quarter of an amount determined
745 by subtracting the transmission costs of sending the simulcast

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746 or intertrack broadcasts from an amount determined by adding the
747 fees received for greyhound simulcast races plus 3 percent of
748 the greyhound intertrack handle at guest facilities that are
749 located outside the market area of the host and that paid
750 contractual fees to the host for such broadcasts of greyhound
751 races.

752 (d) The division shall require sufficient documentation
753 from each greyhound racing permitholder regarding purses paid on
754 live racing to assure that the annual purse percentage rates
755 paid by each greyhound racing permitholder conducting ~~on the~~
756 live races are not reduced below those paid during the 1993-1994
757 state fiscal year. The division shall require sufficient
758 documentation from each greyhound racing permitholder to assure
759 that the purses paid by each permitholder on the greyhound
760 intertrack and simulcast broadcasts are in compliance with the
761 requirements of paragraph (c).

762 (e) In addition to the purse requirements of paragraphs
763 (a)-(c), each greyhound racing permitholder conducting live
764 races shall pay as purses an amount equal to one-third of the
765 amount of the tax reduction on live and simulcast handle
766 applicable to such permitholder as a result of the reductions in
767 tax rates provided by s. 6, chapter 2000-354, Laws of Florida
768 ~~this act through the amendments to s. 550.0951(3)~~. With respect
769 to intertrack wagering when the host and guest tracks are
770 greyhound racing permitholders not within the same market area,
771 an amount equal to the tax reduction applicable to the guest

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772 track handle as a result of the reduction in tax rate provided
773 by s. 6, chapter 2000-354, Laws of Florida, ~~this act through the~~
774 ~~amendment to s. 550.0951(3)~~ shall be distributed to the guest
775 track, one-third of which amount shall be paid as purses at the
776 guest track. However, if the guest track is a greyhound racing
777 permitholder within the market area of the host or if the guest
778 track is not a greyhound racing permitholder, an amount equal to
779 such tax reduction applicable to the guest track handle shall be
780 retained by the host track, one-third of which amount shall be
781 paid as purses at the host track. These purse funds shall be
782 disbursed in the week received if the permitholder conducts at
783 least one live performance during that week. If the permitholder
784 does not conduct at least one live performance during the week
785 in which the purse funds are received, the purse funds shall be
786 disbursed weekly during the permitholder's next race meet in an
787 amount determined by dividing the purse amount by the number of
788 performances approved for the permitholder pursuant to its
789 annual license, and multiplying that amount by the number of
790 performances conducted each week. The division shall conduct
791 audits necessary to ensure compliance with this paragraph.

792 (f) Each greyhound racing permitholder conducting live
793 racing shall, during the permitholder's race meet, supply kennel
794 operators and the Division of Pari-Mutuel Wagering with a weekly
795 report showing purses paid on live greyhound races and all
796 greyhound intertrack and simulcast broadcasts, including both as
797 a guest and a host together with the handle or commission

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798 calculations on which such purses were paid and the transmission
799 costs of sending the simulcast or intertrack broadcasts, so that
800 the kennel operators may determine statutory and contractual
801 compliance.

802 (g) Each greyhound racing permitholder conducting live
803 racing shall make direct payment of purses to the greyhound
804 owners who have filed with such permitholder appropriate federal
805 taxpayer identification information based on the percentage
806 amount agreed upon between the kennel operator and the greyhound
807 owner.

808 (h) At the request of a majority of kennel operators under
809 contract with a greyhound racing permitholder conducting live
810 racing, the permitholder shall make deductions from purses paid
811 to each kennel operator electing such deduction and shall make a
812 direct payment of such deductions to the local association of
813 greyhound kennel operators formed by a majority of kennel
814 operators under contract with the permitholder. The amount of
815 the deduction shall be at least 1 percent of purses, as
816 determined by the local association of greyhound kennel
817 operators. ~~No~~ Deductions may not be taken pursuant to this
818 paragraph without a kennel operator's specific approval before
819 or after the effective date of this act.

820 ~~(2)-(3)~~ For the purpose of this section, the term "live
821 handle" means the handle from wagers placed at the
822 permitholder's establishment on the live greyhound races
823 conducted at the permitholder's establishment.

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824 Section 13. Section 550.09515, Florida Statutes, is
825 amended to read:

826 550.09515 Thoroughbred racing ~~horse~~ taxes; abandoned
827 interest in a permit for nonpayment of taxes.—

828 (1) Pari-mutuel wagering at thoroughbred horse racetracks
829 in this state is an important business enterprise, and taxes
830 derived therefrom constitute a part of the tax structure which
831 funds operation of the state. Thoroughbred horse permitholders
832 should pay their fair share of these taxes to the state. This
833 business interest should not be taxed to such an extent as to
834 cause any racetrack which is operated under sound business
835 principles to be forced out of business. Due to the need to
836 protect the public health, safety, and welfare, the gaming laws
837 of the state provide for the thoroughbred horse industry to be
838 highly regulated and taxed. The state recognizes that there
839 exist identifiable differences between thoroughbred horse
840 permitholders based upon their ability to operate under such
841 regulation and tax system and at different periods during the
842 year.

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

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

848 (3) ~~(a)~~ The division shall revoke the permit of a
849 thoroughbred racing ~~horse~~ permitholder that ~~who~~ does not pay tax

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850 on handle for live thoroughbred horse performances for a full
851 schedule of live races for more than 24 consecutive months
852 ~~during any 2 consecutive state fiscal years shall be void and~~
853 ~~shall escheat to and become the property of the state unless~~
854 such failure to operate and pay tax on handle was the direct
855 result of fire, strike, war, or other disaster or event beyond
856 the ability of the permitholder to control. Financial hardship
857 to the permitholder does ~~shall~~ not, in and of itself, constitute
858 just cause for failure to operate and pay tax on handle. A
859 permit revoked under this subsection is void and may not be
860 reissued.

861 ~~(b) In order to maximize the tax revenues to the state,~~
862 ~~the division shall reissue an escheated thoroughbred horse~~
863 ~~permit to a qualified applicant pursuant to the provisions of~~
864 ~~this chapter as for the issuance of an initial permit. However,~~
865 ~~the provisions of this chapter relating to referendum~~
866 ~~requirements for a pari-mutuel permit shall not apply to the~~
867 ~~reissuance of an escheated thoroughbred horse permit. As~~
868 ~~specified in the application and upon approval by the division~~
869 ~~of an application for the permit, the new permitholder shall be~~
870 ~~authorized to operate a thoroughbred horse facility anywhere in~~
871 ~~the same county in which the escheated permit was authorized to~~
872 ~~be operated, notwithstanding the provisions of s. 550.054(2)~~
873 ~~relating to mileage limitations.~~

874 (4) In the event that a court of competent jurisdiction
875 determines any of the provisions of this section to be

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876 unconstitutional, it is the intent of the Legislature that the
877 provisions contained in this section shall be null and void and
878 that the provisions of s. 550.0951 shall apply to all
879 thoroughbred horse permitholders beginning on the date of such
880 judicial determination. To this end, the Legislature declares
881 that it would not have enacted any of the provisions of this
882 section individually and, to that end, expressly finds them not
883 to be severable.

884 (5) Notwithstanding the provisions of s. 550.0951(3)(c),
885 the tax on handle for intertrack wagering on rebroadcasts of
886 simulcast horseraces is 2.4 percent of the handle; provided
887 however, that if the guest track is a thoroughbred track located
888 more than 35 miles from the host track, the host track shall pay
889 a tax of .5 percent of the handle, and additionally the host
890 track shall pay to the guest track 1.9 percent of the handle to
891 be used by the guest track solely for purses. The tax shall be
892 deposited into the Pari-mutuel Wagering Trust Fund.

893 (6) A credit equal to the amount of contributions made by
894 a thoroughbred permitholder during the taxable year directly to
895 the Jockeys' Guild or its health and welfare fund to be used to
896 provide health and welfare benefits for active, disabled, and
897 retired Florida jockeys and their dependents pursuant to
898 reasonable rules of eligibility established by the Jockeys'
899 Guild is allowed against taxes on live handle due for a taxable
900 year under this section. A thoroughbred permitholder may not
901 receive a credit greater than an amount equal to 1 percent of

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902 its paid taxes for the previous taxable year.

903 ~~(7) If a thoroughbred permitholder fails to operate all~~
904 ~~performances on its 2001-2002 license, failure to pay tax on~~
905 ~~handle for a full schedule of live races for those performances~~
906 ~~in the 2001-2002 fiscal year does not constitute failure to pay~~
907 ~~taxes on handle for a full schedule of live races in a fiscal~~
908 ~~year for the purposes of subsection (3). This subsection may not~~
909 ~~be construed as forgiving a thoroughbred permitholder from~~
910 ~~paying taxes on performances conducted at its facility pursuant~~
911 ~~to its 2001-2002 license other than for failure to operate all~~
912 ~~performances on its 2001-2002 license. This subsection expires~~
913 ~~July 1, 2003.~~

914 Section 14. Section 550.1625, Florida Statutes, is amended
915 to read:

916 550.1625 Greyhound racing ~~dogracing~~; taxes.—

917 (1) The operation of a greyhound ~~dog~~ track and legalized
918 pari-mutuel betting at greyhound ~~dog~~ tracks in this state is a
919 privilege and is an operation that requires strict supervision
920 and regulation in the best interests of the state. Pari-mutuel
921 wagering at greyhound ~~dog~~ tracks in this state is a substantial
922 business, and taxes derived therefrom constitute part of the tax
923 structures of the state and the counties. The operators of
924 greyhound ~~dog~~ tracks should pay their fair share of taxes to the
925 state; at the same time, this substantial business interest
926 should not be taxed to such an extent as to cause a track that
927 is operated under sound business principles to be forced out of

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928 business.

929 (2) A permitholder that conducts a greyhound race ~~degrace~~
930 meet under this chapter must pay the daily license fee, the
931 admission tax, ~~the breaks tax,~~ and the tax on pari-mutuel handle
932 as provided in s. 550.0951 and is subject to all penalties and
933 sanctions provided in s. 550.0951(7) ~~s. 550.0951(6)~~.

934 Section 15. Section 550.1647, Florida Statutes, is
935 repealed.

936 Section 16. Section 550.1648, Florida Statutes, is amended
937 to read:

938 550.1648 Greyhound adoptions.—

939 ~~(1)~~ A greyhound racing ~~Each dogracing~~ permitholder that
940 conducts live racing at ~~operating~~ a greyhound racing ~~degracing~~
941 facility in this state shall provide for a greyhound adoption
942 booth to be located at the facility.

943 (1) (a) The greyhound adoption booth must be operated on
944 weekends by personnel or volunteers from a bona fide
945 organization that promotes or encourages the adoption of
946 greyhounds ~~pursuant to s. 550.1647.~~ Such bona fide organization,
947 as a condition of adoption, must provide sterilization of
948 greyhounds by a licensed veterinarian before relinquishing
949 custody of the greyhound to the adopter. The fee for
950 sterilization may be included in the cost of adoption. As used
951 in this section, the term "weekend" includes the hours during
952 which live greyhound racing is conducted on Friday, Saturday, or
953 Sunday, and the term "bona fide organization that promotes or

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954 encourages the adoption of greyhounds" means an organization
955 that provides evidence of compliance with chapter 496 and
956 possesses a valid exemption from federal taxation issued by the
957 Internal Revenue Service. Information pamphlets and application
958 forms shall be provided to the public upon request.

959 (b) In addition, The kennel operator or owner shall notify
960 the permitholder that a greyhound is available for adoption and
961 the permitholder shall provide information concerning the
962 adoption of a greyhound in each race program and shall post
963 adoption information at conspicuous locations throughout the
964 greyhound racing ~~degrading~~ facility. Any greyhound that is
965 participating in a race and that will be available for future
966 adoption must be noted in the race program. The permitholder
967 shall allow greyhounds to be walked through the track facility
968 to publicize the greyhound adoption program.

969 (2) In addition to the charity days authorized under s.
970 550.0351, a greyhound racing permitholder may fund the greyhound
971 adoption program by holding a charity racing day designated as
972 "Greyhound Adopt-A-Pet Day." All profits derived from the
973 operation of the charity day must be placed into a fund used to
974 support activities at the racing facility which promote the
975 adoption of greyhounds. The division may adopt rules for
976 administering the fund. Proceeds from the charity day authorized
977 in this subsection may not be used as a source of funds for the
978 purposes set forth in s. 550.1647.

979 (3) (a) Upon a violation of this section by a permitholder

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980 or licensee, the division may impose a penalty as provided in s.
981 550.0251(10) and require the permitholder to take corrective
982 action.

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

986 Section 17. Section 550.2416, Florida Statutes, is created
987 to read:

988 550.2416 Reporting of racing greyhound injuries.-

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

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

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

998 (b) Owner, trainer, or kennel operator who had knowledge
999 of the injury, if the injury occurred at a location other than
1000 the racetrack facility, including during transportation.

1001 (3) The division may fine, suspend, or revoke the license
1002 of any individual who knowingly violates this section.

1003 (4) The form must include the following:

1004 (a) The greyhound's registered name, right-ear and left-
1005 ear tattoo numbers, and, if any, the microchip manufacturer and

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- 1006 number.
- 1007 (b) The name, business address, and telephone number of
1008 the greyhound owner, the trainer, and the kennel operator.
- 1009 (c) The color, weight, and sex of the greyhound.
- 1010 (d) The specific type and bodily location of the injury,
1011 the cause of the injury, and the estimated recovery time from
1012 the injury.
- 1013 (e) If the injury occurred when the greyhound was racing:
- 1014 1. The racetrack where the injury occurred;
1015 2. The distance, grade, race, and post position of the
1016 greyhound when the injury occurred; and
1017 3. The weather conditions, time, and track conditions when
1018 the injury occurred.
- 1019 (f) If the injury occurred when the greyhound was not
1020 racing:
- 1021 1. The location where the injury occurred; and
1022 2. The circumstances surrounding the injury.
- 1023 (g) Other information that the division determines is
1024 necessary to identify injuries to racing greyhounds in this
1025 state.
- 1026 (5) An injury form created pursuant to this section must
1027 be maintained as a public record by the division for at least 7
1028 years after the date it was received.
- 1029 (6) A licensee of the department who knowingly makes a
1030 false statement concerning an injury or fails to report an
1031 injury is subject to disciplinary action under this chapter or

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1032 | chapters 455 and 474.

1033 | (7) This section does not apply to injuries to a service
1034 | animal, personal pet, or greyhound that has been adopted as a
1035 | pet.

1036 | (8) The division shall adopt rules to implement this
1037 | section.

1038 | Section 18. Subsection (1) of section 550.26165, Florida
1039 | Statutes, is amended to read:

1040 | 550.26165 Breeders' awards.—

1041 | (1) The purpose of this section is to encourage the
1042 | agricultural activity of breeding and training racehorses in
1043 | this state. Moneys dedicated in this chapter for use as
1044 | breeders' awards and stallion awards are to be used for awards
1045 | to breeders of registered Florida-bred horses winning horseraces
1046 | and for similar awards to the owners of stallions who sired
1047 | Florida-bred horses winning stakes races, if the stallions are
1048 | registered as Florida stallions standing in this state. Such
1049 | awards shall be given at a uniform rate to all winners of the
1050 | awards, may ~~shall~~ not be greater than 20 percent of the
1051 | announced gross purse, and may ~~shall~~ not be less than 15 percent
1052 | of the announced gross purse if funds are available. In
1053 | addition, at least ~~no less than~~ 17 percent, but not ~~not~~ more
1054 | than 40 percent, as determined by the Florida Thoroughbred
1055 | Breeders' Association, of the moneys dedicated in this chapter
1056 | for use as breeders' awards and stallion awards for
1057 | thoroughbreds shall be returned pro rata to the permitholders

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1058 that generated the moneys for special racing awards to be
1059 distributed by the permitholders to owners of thoroughbred
1060 horses participating in prescribed thoroughbred stakes races,
1061 nonstakes races, or both, all in accordance with a written
1062 agreement establishing the rate, procedure, and eligibility
1063 requirements for such awards entered into by the permitholder,
1064 the Florida Thoroughbred Breeders' Association, and the Florida
1065 Horsemen's Benevolent and Protective Association, Inc., except
1066 that the plan for the distribution by any permitholder located
1067 in the area described in s. 550.615(7) ~~s. 550.615(9)~~ shall be
1068 agreed upon by that permitholder, the Florida Thoroughbred
1069 Breeders' Association, and the association representing a
1070 majority of the thoroughbred racehorse owners and trainers at
1071 that location. Awards for thoroughbred races are to be paid
1072 through the Florida Thoroughbred Breeders' Association, and
1073 awards for standardbred races are to be paid through the Florida
1074 Standardbred Breeders and Owners Association. Among other
1075 sources specified in this chapter, moneys for thoroughbred
1076 breeders' awards will come from the 0.955 percent of handle for
1077 thoroughbred races conducted, received, broadcast, or simulcast
1078 under this chapter as provided in s. 550.2625(3). The moneys for
1079 quarter horse and harness breeders' awards will come from the
1080 breaks and uncashed tickets on live quarter horse and harness
1081 horse racing performances and 1 percent of handle on intertrack
1082 wagering. The funds for these breeders' awards shall be paid to
1083 the respective breeders' associations by the permitholders

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1084 conducting the races.

1085 Section 19. Subsection (8) of section 550.334, Florida
1086 Statutes, is amended to read:

1087 550.334 Quarter horse racing; substitutions.—

1088 (8) To be eligible to conduct intertrack wagering, a
1089 quarter horse racing permitholder must have conducted a full
1090 schedule of live racing in accordance with an operating license
1091 in the 2015-2016 fiscal ~~preceding~~ year.

1092 Section 20. Section 550.3345, Florida Statutes, is amended
1093 to read:

1094 550.3345 ~~Conversion of quarter horse permit to a~~ Limited
1095 thoroughbred racing permit.—

1096 (1) In recognition of the important and long-standing
1097 economic contribution of the thoroughbred horse breeding
1098 industry to this state and the state's vested interest in
1099 promoting the continued viability of this agricultural activity,
1100 the state intends to provide a limited opportunity for the
1101 conduct of live thoroughbred horse racing with the net revenues
1102 from such racing dedicated to the enhancement of thoroughbred
1103 purses and breeders', stallion, and special racing awards under
1104 this chapter; the general promotion of the thoroughbred horse
1105 breeding industry; and the care in this state of thoroughbred
1106 horses retired from racing.

1107 (2) A limited thoroughbred racing permit previously
1108 converted from ~~Notwithstanding any other provision of law, the~~
1109 ~~holder of~~ a quarter horse racing permit pursuant to chapter

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1110 ~~2010-29, Laws of Florida, issued under s. 550.334 may only be~~
1111 ~~held by, within 1 year after the effective date of this section,~~
1112 ~~apply to the division for a transfer of the quarter horse racing~~
1113 ~~permit to a not-for-profit corporation formed under state law to~~
1114 ~~serve the purposes of the state as provided in subsection (1).~~
1115 ~~The board of directors of the not-for-profit corporation must be~~
1116 ~~composed comprised of 11 members, 4 of whom shall be designated~~
1117 ~~by the applicant, 4 of whom shall be designated by the Florida~~
1118 ~~Thoroughbred Breeders' Association, and 3 of whom shall be~~
1119 ~~designated by the other 8 directors, with at least 1 of these 3~~
1120 ~~members being an authorized representative of another~~
1121 ~~thoroughbred racing permitholder in this state. A limited~~
1122 ~~thoroughbred racing The not-for-profit corporation shall submit~~
1123 ~~an application to the division for review and approval of the~~
1124 ~~transfer in accordance with s. 550.054. Upon approval of the~~
1125 ~~transfer by the division, and notwithstanding any other~~
1126 ~~provision of law to the contrary, the not for profit corporation~~
1127 ~~may, within 1 year after its receipt of the permit, request that~~
1128 ~~the division convert the quarter horse racing permit to a permit~~
1129 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~
1130 ~~thoroughbred racing. Neither the transfer of the quarter horse~~
1131 ~~racing permit nor its conversion to a limited thoroughbred~~
1132 ~~permit shall be subject to the mileage limitation or the~~
1133 ~~ratification election as set forth under s. 550.054(2) or s.~~
1134 ~~550.0651. Upon receipt of the request for such conversion, the~~
1135 ~~division shall timely issue a converted permit. The converted~~

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1136 permit and the not-for-profit corporation are ~~shall be~~ subject
1137 to the following requirements:

1138 (a) All net revenues derived by the not-for-profit
1139 corporation under the thoroughbred ~~horse~~ racing permit, after
1140 the funding of operating expenses and capital improvements,
1141 shall be dedicated to the enhancement of thoroughbred purses and
1142 breeders', stallion, and special racing awards under this
1143 chapter; the general promotion of the thoroughbred horse
1144 breeding industry; and the care in this state of thoroughbred
1145 horses retired from racing.

1146 (b) From December 1 through April 30, ~~no~~ live thoroughbred
1147 racing may not be conducted under the permit on any day during
1148 which another thoroughbred racing permitholder is conducting
1149 live thoroughbred racing within 125 air miles of the not-for-
1150 profit corporation's pari-mutuel facility unless the other
1151 thoroughbred racing permitholder gives its written consent.

1152 (c) ~~After the conversion of the quarter horse racing~~
1153 ~~permit and~~ the issuance of its initial license to conduct pari-
1154 mutuel wagering meets of thoroughbred racing, the not-for-profit
1155 corporation shall annually apply to the division for a license
1156 pursuant to s. 550.5251.

1157 (d) Racing under the permit may take place only at the
1158 location for which the original quarter horse racing permit was
1159 issued, which may be leased by the not-for-profit corporation
1160 for that purpose; ~~however, the not for profit corporation may,~~
1161 ~~without the conduct of any ratification election pursuant to s.~~

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1162 ~~550.054(13) or s. 550.0651, move the location of the permit to~~
1163 ~~another location in the same county provided that such~~
1164 ~~relocation is approved under the zoning and land use regulations~~
1165 ~~of the applicable county or municipality.~~

1166 (e) A limited thoroughbred racing ~~No permit may not be~~
1167 ~~transferred~~ converted under this section is eligible for
1168 ~~transfer~~ to another person or entity.

1169 (3) Unless otherwise provided in this section, ~~after~~
1170 ~~conversion,~~ the permit and the not-for-profit corporation shall
1171 be treated under the laws of this state as a thoroughbred racing
1172 permit and as a thoroughbred racing permitholder, respectively,
1173 with the exception of ss. 550.054(9)(c) and s. 550.09515(3).

1174 Section 21. Subsections (5) and (6) of section 550.3551,
1175 Florida Statutes, are amended to read:

1176 550.3551 Transmission of racing and jai alai information;
1177 commingling of pari-mutuel pools.-

1178 ~~(5) A pari-mutuel permitholder licensed under this chapter~~
1179 ~~may not receive broadcasts of races or games from outside this~~
1180 ~~state except from an out-of-state pari-mutuel permitholder who~~
1181 ~~holds the same type or class of pari-mutuel permit as the pari-~~
1182 ~~mutuel permitholder licensed under this chapter who intends to~~
1183 ~~receive the broadcast.~~

1184 (5)-(6)(a) ~~A maximum of 20 percent of the total number of~~
1185 ~~races on which wagers are accepted by a greyhound permitholder~~
1186 ~~not located as specified in s. 550.615(6) may be received from~~
1187 ~~locations outside this state. A jai alai permitholder may not~~

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1188 conduct fewer than eight live ~~races~~ or games on any authorized
1189 race day except as provided in this subsection. A thoroughbred
1190 permitholder may not conduct fewer than eight live races on any
1191 race day without the written approval of the Florida
1192 Thoroughbred Breeders' Association and the Florida Horsemen's
1193 Benevolent and Protective Association, Inc., unless it is
1194 determined by the department that another entity represents a
1195 majority of the thoroughbred racehorse owners and trainers in
1196 the state. ~~A harness permitholder may conduct fewer than eight
1197 live races on any authorized race day, except that such
1198 permitholder must conduct a full schedule of live racing during
1199 its race meet consisting of at least eight live races per
1200 authorized race day for at least 100 days. Any harness horse
1201 permitholder that during the preceding racing season conducted a
1202 full schedule of live racing may, at any time during its current
1203 race meet, receive full-card broadcasts of harness horse races
1204 conducted at harness racetracks outside this state at the
1205 harness track of the permitholder and accept wagers on such
1206 harness races.~~ With specific authorization from the division for
1207 special racing events, a permitholder may conduct fewer than
1208 eight live races or games when the permitholder also broadcasts
1209 out-of-state races or games. The division may not grant more
1210 than two such exceptions a year for a permitholder in any 12-
1211 month period, and those two exceptions may not be consecutive.

1212 (b) Notwithstanding any other provision of this chapter,
1213 any harness horse permitholder accepting broadcasts of out-of-

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1214 state harness horse races when such permitholder is not
1215 conducting live races must make the out-of-state signal
1216 available to all permitholders eligible to conduct intertrack
1217 wagering and shall pay to guest tracks located as specified in
1218 s. ~~ss. 550.615(6)~~ and 550.6305(9) (d) 50 percent of the net
1219 proceeds after taxes and fees to the out-of-state host track on
1220 harness race wagers which they accept. If conducting live
1221 racing, a harness horse permitholder shall be required to pay
1222 into its purse account 50 percent of the net income retained by
1223 the permitholder on account of wagering on the out-of-state
1224 broadcasts received pursuant to this subsection. Nine-tenths of
1225 a percent of all harness wagering proceeds on the broadcasts
1226 received pursuant to this subsection shall be paid to the
1227 Florida Standardbred Breeders and Owners Association under the
1228 provisions of s. 550.2625(4) for the purposes provided therein.

1229 Section 22. Subsection (4) of section 550.375, Florida
1230 Statutes, is amended to read:

1231 550.375 Operation of certain harness tracks.—

1232 (4) The permitholder conducting a harness horse race meet
1233 must pay the daily license fee, the admission tax, the tax on
1234 breaks, and the tax on pari-mutuel handle provided in s.
1235 550.0951 and is subject to all penalties and sanctions provided
1236 in s. 550.0951(7) ~~s. 550.0951(6)~~.

1237 Section 23. Section 550.6308, Florida Statutes, is amended
1238 to read:

1239 550.6308 Limited intertrack wagering license.—In

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1240 recognition of the economic importance of the thoroughbred
1241 breeding industry to this state, its positive impact on tourism,
1242 and of the importance of a permanent thoroughbred sales facility
1243 as a key focal point for the activities of the industry, a
1244 limited license to conduct intertrack wagering is established to
1245 ensure the continued viability and public interest in
1246 thoroughbred breeding in Florida.

1247 (1) (a) Upon application to the division on or before
1248 January 31 of each year, any person who ~~that~~ is licensed to
1249 conduct public sales of thoroughbred horses pursuant to s.
1250 535.01 and, ~~that~~ has conducted at least 8 ~~15~~ days of
1251 thoroughbred horse sales at a permanent sales facility in this
1252 state for at least 3 consecutive years, ~~and that has conducted~~
1253 ~~at least 1 day of nonwagering thoroughbred racing in this state,~~
1254 ~~with a purse structure of at least \$250,000 per year for 2~~
1255 ~~consecutive years before such application,~~ shall be issued a
1256 license, subject to the conditions set forth in this section, to
1257 conduct intertrack wagering at such a permanent sales facility
1258 during the following periods:

1259 1.(a) Up to 21 days in connection with thoroughbred sales;

1260 2.(b) Between November 1 and May 8;

1261 3.(c) Between May 9 and October 31 at such times and on
1262 such days as any thoroughbred, jai alai, or a greyhound
1263 permitholder in the same county is not conducting live
1264 performances; provided that any such permitholder may waive this
1265 requirement, in whole or in part, and allow the licensee under

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1266 this section to conduct intertrack wagering during one or more
1267 of the permitholder's live performances; and

1268 ~~4.(d)~~ During the weekend of the Kentucky Derby, the
1269 Preakness, the Belmont, and a Breeders' Cup Meet that is
1270 conducted before November 1 and after May 8.

1271 (b) ~~Only~~ ~~No more than~~ one such license may be issued, and
1272 ~~the no such~~ license may not be issued for a facility located
1273 within 50 miles of any for-profit thoroughbred racing
1274 permitholder's licensed track.

1275 (2) If more than one application is submitted for such
1276 license, the division shall determine which applicant shall be
1277 granted the license. In making its determination, the division
1278 shall grant the license to the applicant demonstrating superior
1279 capabilities, as measured by the length of time the applicant
1280 has been conducting thoroughbred sales within this state or
1281 elsewhere, the applicant's total volume of thoroughbred horse
1282 sales, within this state or elsewhere, the length of time the
1283 applicant has maintained a permanent thoroughbred sales facility
1284 in this state, and the quality of the facility.

1285 (3) The applicant must comply with the provisions of ss.
1286 550.125 and 550.1815.

1287 ~~(4) Intertrack wagering under this section may be~~
1288 ~~conducted only on thoroughbred horse racing, except that~~
1289 ~~intertrack wagering may be conducted on any class of pari-mutuel~~
1290 ~~race or game conducted by any class of permitholders licensed~~
1291 ~~under this chapter if all thoroughbred, jai alai, and greyhound~~

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1292 ~~permitholders in the same county as the licensee under this~~
1293 ~~section give their consent.~~

1294 ~~(4)~~(5) The licensee shall be considered a guest track
1295 under this chapter. The licensee shall pay 2.5 percent of the
1296 total contributions to the daily pari-mutuel pool on wagers
1297 accepted at the licensee's facility on greyhound races or jai
1298 alai games to the thoroughbred racing permitholder that is
1299 conducting live races for purses to be paid during its current
1300 racing meet. If more than one thoroughbred racing permitholder
1301 is conducting live races on a day during which the licensee is
1302 conducting intertrack wagering on greyhound races or jai alai
1303 games, the licensee shall allocate these funds between the
1304 operating thoroughbred racing permitholders on a pro rata basis
1305 based on the total live handle at the operating permitholders'
1306 facilities.

1307 Section 24. Subsections (2), (4), (6), and (7) of section
1308 550.615, Florida Statutes, are amended, present subsections (8),
1309 (9), and (10) of that section are renumbered as subsections (6),
1310 (7), and (8), respectively, and amended, and a new subsection
1311 (9) is added to that section, to read:

1312 550.615 Intertrack wagering.—

1313 (2) Any track or fronton licensed under this chapter may
1314 ~~which in the preceding year conducted a full schedule of live~~
1315 ~~racing is qualified to~~, at any time, receive broadcasts of any
1316 class of pari-mutuel race or game and accept wagers on such
1317 races or games conducted by any class of permitholders licensed

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1318 under this chapter.

1319 (4) ~~An In no event shall any~~ intertrack wager may not be
1320 accepted on the same class of live races or games of any
1321 permitholder without the written consent of such operating
1322 permitholders conducting the same class of live races or games
1323 if the guest track is within the market area of such operating
1324 permitholder. A greyhound racing permitholder licensed under
1325 this chapter which accepts intertrack wagers on live greyhound
1326 signals is not required to obtain the written consent required
1327 by this subsection from any operating greyhound racing
1328 permitholder within its market area.

1329 ~~(6) Notwithstanding the provisions of subsection (3), in~~
1330 ~~any area of the state where there are three or more horserace~~
1331 ~~permitholders within 25 miles of each other, intertrack wagering~~
1332 ~~between permitholders in said area of the state shall only be~~
1333 ~~authorized under the following conditions: Any permitholder,~~
1334 ~~other than a thoroughbred permitholder, may accept intertrack~~
1335 ~~wagers on races or games conducted live by a permitholder of the~~
1336 ~~same class or any harness permitholder located within such area~~
1337 ~~and any harness permitholder may accept wagers on games~~
1338 ~~conducted live by any jai alai permitholder located within its~~
1339 ~~market area and from a jai alai permitholder located within the~~
1340 ~~area specified in this subsection when no jai alai permitholder~~
1341 ~~located within its market area is conducting live jai alai~~
1342 ~~performances; any greyhound or jai alai permitholder may receive~~
1343 ~~broadcasts of and accept wagers on any permitholder of the other~~

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1344 ~~class provided that a permitholder, other than the host track,~~
1345 ~~of such other class is not operating a contemporaneous live~~
1346 ~~performance within the market area.~~

1347 ~~(7) In any county of the state where there are only two~~
1348 ~~permits, one for dogracing and one for jai alai, no intertrack~~
1349 ~~wager may be taken during the period of time when a permitholder~~
1350 ~~is not licensed to conduct live races or games without the~~
1351 ~~written consent of the other permitholder that is conducting~~
1352 ~~live races or games. However, if neither permitholder is~~
1353 ~~conducting live races or games, either permitholder may accept~~
1354 ~~intertrack wagers on horseraces or on the same class of races or~~
1355 ~~games, or on both horseraces and the same class of races or~~
1356 ~~games as is authorized by its permit.~~

1357 ~~(6)(8)~~ In any three contiguous counties of the state where
1358 there are only three permitholders, all of which are greyhound
1359 racing permitholders, if a greyhound racing any permitholder
1360 leases the facility of another greyhound racing permitholder for
1361 the purpose of conducting all or any portion of the conduct of
1362 its live race meet pursuant to s. 550.475, such lessee may
1363 conduct intertrack wagering at its pre-lease permitted facility
1364 throughout the entire year, including while its live race meet
1365 is being conducted at the leased facility, ~~if such permitholder~~
1366 ~~has conducted a full schedule of live racing during the~~
1367 ~~preceding fiscal year at its pre-lease permitted facility or at~~
1368 ~~a leased facility, or combination thereof.~~

1369 ~~(7)(9)~~ In any two contiguous counties of the state in

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1370 which there are located only four active permits, one for
1371 thoroughbred horse racing, two for greyhound racing ~~degracing~~,
1372 and one for jai alai games, an ~~no~~ intertrack wager may not be
1373 accepted on the same class of live races or games of any
1374 permitholder without the written consent of such operating
1375 permitholders conducting the same class of live races or games
1376 if the guest track is within the market area of such operating
1377 permitholder.

1378 ~~(8)(10)~~ All costs of receiving the transmission of the
1379 broadcasts shall be borne by the guest track; and all costs of
1380 sending the broadcasts shall be borne by the host track.

1381 (9) A permitholder, as provided in subsection (2),
1382 operating pursuant to a current year's operating license that
1383 specifies no live performances or less than a full schedule of
1384 live performances may:

1385 (a) Receive broadcasts at any time of any class of pari-
1386 mutuel race or game and accept wagers on such races or games
1387 conducted by any class of permitholder licensed under this
1388 chapter; and

1389 (b) Accept wagers on live races conducted at out-of-state
1390 greyhound tracks only on the days when such permitholder
1391 receives all live races that any greyhound host track in this
1392 state makes available.

1393 Section 25. Paragraphs (d), (f), and (g) of subsection (9)
1394 of section 550.6305, Florida Statutes, are amended to read:

1395 550.6305 Intertrack wagering; guest track payments;

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1396 accounting rules.-

1397 (9) A host track that has contracted with an out-of-state
1398 horse track to broadcast live races conducted at such out-of-
1399 state horse track pursuant to s. 550.3551(5) may broadcast such
1400 out-of-state races to any guest track and accept wagers thereon
1401 in the same manner as is provided in s. 550.3551.

1402 (d) Any permitholder located in any area of the state
1403 where there are only two permits, one for greyhound racing
1404 ~~dogracing~~ and one for jai alai, and any permitholder that
1405 converted its permit to conduct jai alai to a permit to conduct
1406 greyhound racing in lieu of jai alai under s. 550.054(14),
1407 Florida Statutes 2014, as created by s. 6, chapter 2009-170,
1408 Laws of Florida, may accept wagers on rebroadcasts of out-of-
1409 state thoroughbred horse races from an in-state thoroughbred
1410 ~~horse~~ racing permitholder and is shall not ~~be~~ subject to the
1411 provisions of paragraph (b) if such thoroughbred ~~horse~~ racing
1412 permitholder located within the area specified in this paragraph
1413 is both conducting live races and accepting wagers on out-of-
1414 state horseraces. In such case, the guest permitholder is shall
1415 ~~be~~ entitled to 45 percent of the net proceeds on wagers accepted
1416 at the guest facility. The remaining proceeds shall be
1417 distributed as follows: one-half shall be retained by the host
1418 facility and one-half shall be paid by the host facility as
1419 purses at the host facility.

1420 (f) Any permitholder located in any area of the state
1421 where there are only two permits, one for greyhound racing

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1422 ~~dogracing~~ and one for jai alai, and any permitholder that
1423 converted its permit to conduct jai alai to a permit to conduct
1424 greyhound racing in lieu of jai alai under s. 550.054(14),
1425 Florida Statutes 2014, as created by s. 6, chapter 2009-170,
1426 Laws of Florida, may accept wagers on rebroadcasts of out-of-
1427 state harness horse races from an in-state harness horse racing
1428 permitholder and may ~~shall~~ not be subject to ~~the provisions of~~
1429 paragraph (b) if such harness horse racing permitholder located
1430 within the area specified in this paragraph is conducting live
1431 races. In such case, the guest permitholder is ~~shall be~~ entitled
1432 to 45 percent of the net proceeds on wagers accepted at the
1433 guest facility. The remaining proceeds shall be distributed as
1434 follows: one-half shall be retained by the host facility and
1435 one-half shall be paid by the host facility as purses at the
1436 host facility.

1437 (g)1.a. Any thoroughbred racing permitholder that ~~which~~
1438 accepts wagers on a simulcast signal must make the signal
1439 available to any permitholder that is eligible to conduct
1440 intertrack wagering under the provisions of ss. 550.615-
1441 550.6345.

1442 ~~b.2.~~ Any thoroughbred racing permitholder that ~~which~~
1443 accepts wagers on a simulcast signal received after 6 p.m. must
1444 make such signal available to any permitholder that is eligible
1445 to conduct intertrack wagering under the provisions of ss.
1446 550.615-550.6345, ~~including any permitholder located as~~
1447 ~~specified in s. 550.615(6).~~ Such guest permitholders are

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1448 authorized to accept wagers on such simulcast signal,
1449 notwithstanding any other provision of this chapter to the
1450 contrary.

1451 ~~c.3.~~ Any thoroughbred racing permitholder that ~~which~~
1452 accepts wagers on a simulcast signal received after 6 p.m. must
1453 make such signal available to any permitholder that is eligible
1454 to conduct intertrack wagering under ~~the provisions of ss.~~
1455 ~~550.615-550.6345, including any permitholder located as~~
1456 ~~specified in s. 550.615(9).~~ Such guest permitholders are
1457 authorized to accept wagers on such simulcast signals for a
1458 number of performances not to exceed that which constitutes a
1459 full schedule of live races for a quarter horse racing
1460 permitholder pursuant to s. 550.002(11), notwithstanding any
1461 other provision of this chapter to the contrary, ~~except that the~~
1462 ~~restrictions provided in s. 550.615(9) (a) apply to wagers on~~
1463 ~~such simulcast signals.~~

1464 2. A ~~No~~ thoroughbred racing permitholder is not ~~shall be~~
1465 required to continue to rebroadcast a simulcast signal to any
1466 in-state permitholder if the average per performance gross
1467 receipts returned to the host permitholder over the preceding
1468 30-day period were less than \$100. Subject to the provisions of
1469 s. 550.615(4), as a condition of receiving rebroadcasts of
1470 thoroughbred simulcast signals under this paragraph, a guest
1471 permitholder must accept intertrack wagers on all live races
1472 conducted by all then-operating thoroughbred racing
1473 permitholders.

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1474 Section 26. Section 551.101, Florida Statutes, is amended
1475 to read:

1476 551.101 Slot machine gaming authorized. Possession of slot
1477 machines and conduct of slot machine gaming is authorized only
1478 at eligible facilities licensed under this chapter ~~Any licensed~~
1479 ~~pari-mutuel facility located in Miami-Dade County or Broward~~
1480 ~~County existing at the time of adoption of s. 23, Art. X of the~~
1481 ~~State Constitution that has conducted live racing or games~~
1482 ~~during calendar years 2002 and 2003 may possess slot machines~~
1483 ~~and conduct slot machine gaming at the location where the pari-~~
1484 ~~mutuel permitholder is authorized to conduct pari-mutuel~~
1485 ~~wagering activities pursuant to such permitholder's valid pari-~~
1486 ~~mutuel permit provided that a majority of voters in a countywide~~
1487 ~~referendum have approved slot machines at such facility in the~~
1488 ~~respective county. Notwithstanding any other provision of law,~~
1489 it is not a crime for a person to participate in slot machine
1490 gaming at a pari-mutuel facility licensed to possess slot
1491 machines and conduct slot machine gaming or to participate in
1492 slot machine gaming described in this chapter.

1493 Section 27. Subsections (4) and (11) of section 551.102,
1494 Florida Statutes, are amended to read:

1495 551.102 Definitions.—As used in this chapter, the term:

1496 (4) "Eligible facility" means a any licensed pari-mutuel
1497 facility that meets the requirements of s. 551.104(2) ~~located in~~
1498 ~~Miami-Dade County or Broward County existing at the time of~~
1499 ~~adoption of s. 23, Art. X of the State Constitution that has~~

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1500 ~~conducted live racing or games during calendar years 2002 and~~
1501 ~~2003 and has been approved by a majority of voters in a~~
1502 ~~countywide referendum to have slot machines at such facility in~~
1503 ~~the respective county; any licensed pari-mutuel facility located~~
1504 ~~within a county as defined in s. 125.011, provided such facility~~
1505 ~~has conducted live racing for 2 consecutive calendar years~~
1506 ~~immediately preceding its application for a slot machine~~
1507 ~~license, pays the required license fee, and meets the other~~
1508 ~~requirements of this chapter; or any licensed pari-mutuel~~
1509 ~~facility in any other county in which a majority of voters have~~
1510 ~~approved slot machines at such facilities in a countywide~~
1511 ~~referendum held pursuant to a statutory or constitutional~~
1512 ~~authorization after the effective date of this section in the~~
1513 ~~respective county, provided such facility has conducted a full~~
1514 ~~schedule of live racing for 2 consecutive calendar years~~
1515 ~~immediately preceding its application for a slot machine~~
1516 ~~license, pays the required license ~~licensed~~ fee, and meets the~~
1517 ~~other requirements of this chapter.~~

1518 (11) "Slot machine licensee" means a pari-mutuel
1519 permitholder that ~~who~~ holds a slot machine license ~~issued by the~~
1520 ~~division pursuant to this chapter that authorizes such person to~~
1521 ~~possess a slot machine within facilities specified in s. 23,~~
1522 ~~Art. X of the State Constitution and allows slot machine gaming.~~

1523 Section 28. Subsection (2) and paragraph (c) of subsection
1524 (4) of section 551.104, Florida Statutes, are amended, and
1525 subsection (3) of that section is republished, to read:

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1526 551.104 License to conduct slot machine gaming.—

1527 (2) An application may be approved by the division only
1528 if:

1529 (a) The facility at which the applicant seeks to operate
1530 slot machines is:

1531 1. A licensed pari-mutuel facility where live racing or
1532 games were conducted during calendar years 2002 and 2003,
1533 located in Miami-Dade County or Broward County, and authorized
1534 for slot machine licensure pursuant to s. 23, Art. X of the
1535 State Constitution;

1536 2. A licensed pari-mutuel facility where a full schedule
1537 of live horseracing has been conducted for 2 consecutive
1538 calendar years immediately preceding its application for a slot
1539 machine license and located within a county as defined in s.
1540 125.011; or

1541 3. A licensed pari-mutuel facility located in a county
1542 that has a total population of at least 1.25 million, has at
1543 least 30 incorporated municipalities, that is located in a
1544 county other than Miami-Dade and Broward Counties, in which a
1545 majority of voters approve slot machines at such facility in a
1546 countywide referendum held after the effective date of this act
1547 and concurrently with a general election in which the offices of
1548 President and Vice President of the United States are on the
1549 ballot, and that pays the required license fee and meets the
1550 other requirements of this chapter. However, a license to
1551 conduct slot machine gaming may not be granted by the division

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1552 pursuant to this subparagraph unless the gaming compact,
1553 authorized pursuant to s. 285.710 (3) (b), between the Seminole
1554 Tribe of Florida and the State of Florida indicates that slot
1555 machine gaming conducted by such slot machine licensee does not
1556 violate any of the compact's provisions. Licensure in accordance
1557 with this subparagraph is only permitted if the permitholder
1558 relinquishes one pari-mutuel permit issued in accordance with
1559 chapter 550 to the state before issuance of the license. Any
1560 relinquished pari-mutuel permit is void and shall not be
1561 reissued. Any permitholder licensed in accordance with this
1562 subparagraph is exempt from all of the live racing requirements
1563 of chapter 550 and this chapter.

1564 4. Selected pursuant to ss. 551.1041-551.1044, is located
1565 within a county with a population of at least 2.5 million people
1566 in which a majority of voters in a countywide referendum voted
1567 to allow slot machines before December 30, 2011, and a majority
1568 of voters approve slot machines at such facility in a countywide
1569 referendum held after the effective date of this act and
1570 concurrently with a general election in which the offices of
1571 President and Vice President of the United States are on the
1572 ballot, and pays the required license fee and meets the other
1573 requirements of this chapter. However, a license to conduct slot
1574 machine gaming may not be granted by the division pursuant to
1575 this subparagraph unless the gaming compact, authorized pursuant
1576 to s. 285.710 (3) (b), between the Seminole Tribe of Florida and
1577 the State of Florida indicates that slot machine gaming

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1578 conducted by such slot machine licensee does not violate any of
1579 the compact's provisions. Any permitholder licensed in
1580 accordance with this subparagraph is exempt from all live racing
1581 requirements contained in chapter 550 and this chapter.

1582 (b) after The voters of the county where the applicant's
1583 facility is located have authorized by referendum slot machines
1584 within pari-mutuel facilities in that county ~~as specified in s.~~
1585 ~~23, Art. X of the State Constitution.~~

1586 (c) Issuance of the license would not trigger a reduction
1587 in revenue-sharing payments under the Gaming Compact between the
1588 Seminole Tribe of Florida and the State of Florida.

1589 (3) A slot machine license may be issued only to a
1590 licensed pari-mutuel permitholder, and slot machine gaming may
1591 be conducted only at the eligible facility at which the
1592 permitholder is authorized under its valid pari-mutuel wagering
1593 permit to conduct pari-mutuel wagering activities.

1594 (4) As a condition of licensure and to maintain continued
1595 authority for the conduct of slot machine gaming, the slot
1596 machine licensee shall:

1597 (c) Conduct no fewer than a full schedule of live racing
1598 or games as defined in s. 550.002(11). A permitholder's
1599 responsibility to conduct such number of live races or games
1600 shall be reduced by the number of races or games that could not
1601 be conducted due to the direct result of fire, war, hurricane,
1602 or other disaster or event beyond the control of the
1603 permitholder. A greyhound racing permitholder is exempt from the

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1604 live racing requirement of this paragraph if the permitholder
1605 conducted a full schedule of live racing for a period of at
1606 least 10 consecutive state fiscal years after the 2002-2003
1607 state fiscal year. Harness racing and quarter horse racing
1608 permitholders that have held an operating license for 5 years
1609 and a slot license for 5 years are exempt from the live racing
1610 requirements of this subsection. Thoroughbred racing
1611 permitholders located in a county with a population of more than
1612 2.5 million who have had an operating license for 25 years and a
1613 slot license for 5 years are exempt from the live racing
1614 requirements of this subsection.

1615 Section 29. Section 551.1041, Florida Statutes, is created
1616 to read:

1617 551.1041 Authorization of limited slot machine facility.-
1618 The division may grant a slot machine license under this chapter
1619 to a limited slot machine facility only if a majority of the
1620 electors in the county in which the facility will be located,
1621 voting in a countywide referendum, have passed a referendum
1622 allowing for slot machines as of December 30, 2011, and if,
1623 subsequent to the selection of the facility pursuant to this
1624 section and ss. 551.1042, 551.1043, and 551.1044, a majority of
1625 the electors voting in a countywide referendum have passed a
1626 referendum allowing slot machines at a limited slot machine
1627 facility.

1628 Section 30. Section 551.1042, Florida Statutes, is created
1629 to read:

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1630 551.1042 Selection of limited slot machine facility.-

1631 (1) The division may grant a slot machine license to a
1632 limited slot machine facility applicant that is the best suited
1633 to operate such facility. The licensee must comply with all
1634 provisions of chapter 550, including s. 550.054.

1635 (2) The division shall use a request for proposals process
1636 for determining the selection of a limited slot machine
1637 facility. The proposal forms and procedures shall be provided by
1638 the division. The deadline for issuance of the initial request
1639 for proposals shall be no later than January 1, 2017.

1640 (3) Proposals in response to the request for proposals
1641 must be received by the division within 180 days after the
1642 issuance of the request for proposals.

1643 (4) The division shall specify in its request for
1644 proposals the county in which the facility may be located. When
1645 determining whether to select a facility located within a
1646 specific county, the division shall hold a public hearing in
1647 such county to discuss the proposals and receive public
1648 comments.

1649 (5) The division and the Secretary of the Department of
1650 Business and Professional Regulation shall review all complete
1651 proposals received pursuant to a request for proposals. The
1652 secretary may select one proposal after determining which
1653 proposal is in the best interest of the state based on the
1654 selection criteria. The division shall notify all applicants
1655 within 90 days after approval or denial by the secretary.

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1656 Subsequent to approval of the referendum required under s.
1657 551.1041, the selected facility may be granted a slot machine
1658 license in accordance with this chapter.

1659 Section 31. Section 551.1043, Florida Statutes, is created
1660 to read:

1661 551.1043 Criteria for selection of a limited slot machine
1662 facility.—Proposals for selection as a limited slot machine
1663 facility shall be evaluated based on the criteria and
1664 requirements in this section and ss. 551.1041-551.1044.

1665 (1) (a) The division shall evaluate applicants based on the
1666 following minimum criteria:

1667 1. The applicant must demonstrate a capacity to increase
1668 tourism, generate jobs, and provide revenue to the local economy
1669 and the General Revenue Fund.

1670 2. The applicant must demonstrate a history of, or a bona
1671 fide plan for, involvement or investment in the community where
1672 the facility will be located.

1673 3. The applicant must demonstrate a history of investment
1674 in the communities in which its previous developments have been
1675 located or propose a plan to increase community investment.

1676 4. The applicant must demonstrate that it has adequate
1677 capitalization to develop, construct, maintain, and operate the
1678 facility in accordance with all related laws and rules and to
1679 responsibly meet its financial and other contractual agreements.

1680 The applicant must demonstrate management expertise and
1681 experience in building and managing a similar facility.

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1682 5. The applicant must demonstrate how it will integrate
1683 with local businesses in the host and surrounding communities,
1684 including local restaurants, hotels, retail outlets, and
1685 impacted live entertainment venues. The applicant must
1686 demonstrate how the facility's design will integrate properly
1687 into the community.

1688 6. The applicant must demonstrate its ability to develop a
1689 facility of a high caliber with a variety of high quality
1690 amenities to be included as part of the establishment that will
1691 enhance the state's tourism industry and economy.

1692 7. The applicant must demonstrate the ability to generate
1693 substantial gross receipts and revenue for state and local
1694 governments.

1695 (b) The division shall evaluate applicants based on their
1696 ability to contribute to a contraction in the amount of gaming
1697 in the state based on the following:

1698 1. The applicant must acquire eligible permits for the
1699 conduct of pari-mutuel wagering pursuant to this section or sign
1700 an irrevocable option contract to acquire contingent on the
1701 applicant's obtaining a limited slot machine facility. The
1702 acquired eligible permits must total a minimum of five points
1703 under the point system identified in subparagraph 3., and the
1704 division shall add additional value in its scoring for
1705 applicants based on total points calculated under this
1706 paragraph. If the applicant's proposal is selected as the
1707 limited slot machine facility and receives a slot machine

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1708 license, the applicant shall obtain and forfeit to the division
1709 such acquired eligible permits. A permit forfeited under this
1710 subparagraph is void and may not be reissued. A permit holder who
1711 sells, transfers, or assigns a permit under this chapter
1712 forfeits any right to conduct slot machine gaming at such
1713 facility.

1714 2. As used in this paragraph, the term:

1715 a. "Eligible permit" means a permit for the conduct of
1716 pari-mutuel wagering in this state under which a full schedule
1717 of live racing or games has been held for each of the 3
1718 consecutive fiscal years immediately preceding the effective
1719 date of this act.

1720 b. "Gaming-related taxes" means the total net taxes and
1721 fees paid to the state pursuant to ss. 550.0951, 550.3551,
1722 551.106, and 849.086, reduced by any applied tax credits or
1723 exemptions.

1724 3. The division shall score eligible permits under the
1725 following point system:

1726 a. An eligible permit under which a total of at least \$50
1727 million in gaming-related taxes has been paid to the state over
1728 the 3 completed fiscal years immediately preceding the effective
1729 date of this act shall be valued at three points.

1730 b. An eligible permit under which a total of at least \$3
1731 million, but less than \$50 million, in gaming-related taxes has
1732 been paid to the state over the 3 completed fiscal years
1733 immediately preceding the effective date of this act shall be

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1734 valued at two and one-half points.

1735 c. An eligible permit under which a total of at least \$1
1736 million, but less than \$3 million, in gaming-related taxes has
1737 been paid to the state over the 3 completed fiscal years
1738 immediately preceding the effective date of this act shall be
1739 valued at two points.

1740 d. An eligible permit under which a total of at least
1741 \$100,000, but less than \$1 million, in gaming-related taxes has
1742 been paid to the state over the 3 completed fiscal years
1743 immediately preceding the effective date of this act shall be
1744 valued at one and one-half points.

1745 e. An eligible permit under which a total of at least
1746 \$1,000, but less than \$100,000, in gaming-related taxes has been
1747 paid to the state over the 3 completed fiscal years immediately
1748 preceding the effective date of this act shall be valued at one
1749 point.

1750 (c) The division may assess any other criteria it deems
1751 necessary to evaluate the proposal and applicant.

1752 (2) The division shall only consider proposals from
1753 applicants that are individuals of good moral character who are
1754 at least 21 years of age or a corporation only if its officers
1755 are of good moral character and at least 21 years of age.

1756 (3) (a) The division may not consider a proposal from an
1757 applicant if the applicant:

1758 1. Has, within the last 5 years, been adjudicated by a
1759 court or tribunal for failure to pay income, sales, or gross

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1760 receipts tax due and payable under any federal, state, or local
1761 law, after exhaustion of all appeals or administrative remedies.

1762 2. Has been convicted of a felony under the laws of this
1763 state, any other state, or the United States.

1764 3. Has been convicted of any violation of chapter 817 or a
1765 substantially similar law of another jurisdiction.

1766 4. Knowingly submitted false information in the proposal.

1767 5. Is an employee of the division.

1768 6. Was licensed to own or operate gaming or pari-mutuel
1769 facilities in this state or another jurisdiction and such
1770 license was revoked.

1771 (b) As used in this subsection, the term "convicted"
1772 includes an adjudication of guilt, a plea of guilty or nolo
1773 contendere, or the forfeiture of a bond when charged with a
1774 crime.

1775 Section 32. Section 551.1044, Florida Statutes, is created
1776 to read:

1777 551.1044 Submission of proposal for a limited slot machine
1778 facility.-

1779 (1) PROPOSAL.-A proposal submitted in response to a
1780 request for proposals must include documentation on the criteria
1781 and requirements in ss. 551.1041, 551.1042, and 551.1043 and the
1782 following information:

1783 (a)1. The name, business address, telephone number, social
1784 security number, and, if applicable, federal tax identification
1785 number of the applicant.

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1786 2. Any information, documentation, and assurances
1787 concerning financial background and resources which may be
1788 required to establish the financial stability, integrity, and
1789 responsibility of the applicant. Such information includes all
1790 financial backers, investors, mortgagees, bondholders, holders
1791 of indentures, and holders of notes; other indebtedness;
1792 business and personal income and disbursement schedules; tax
1793 returns and other reports filed with governmental agencies; and
1794 business and personal accounting and check records and ledgers.
1795 In addition, each applicant must provide written authorization
1796 for the examination of all financial accounts and records as may
1797 be deemed necessary by the division and any information,
1798 documentation, or assurances the division requires to establish
1799 by clear and convincing evidence the adequacy of financial
1800 resources.

1801 (b) The identity and, if applicable, the state of
1802 incorporation or registration of any business in which the
1803 applicant has an equity interest of more than 5 percent. If the
1804 applicant is a corporation, partnership, or other business
1805 entity, the applicant must identify any other corporation,
1806 partnership, or other business entity in which it has an equity
1807 interest of more than 5 percent, including, if applicable, the
1808 state of incorporation or registration.

1809 (c) Documentation that the applicant has acquired, or has
1810 an option to acquire, the site where the proposed facility will
1811 be located.

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1812 (d) A statement as to whether the applicant has developed
1813 and operated a similar gaming facility within a highly regulated
1814 domestic jurisdiction that allows similar forms of development,
1815 including a description of the gaming facility, the gaming
1816 facility's gross revenue, and the amount of revenue the gaming
1817 facility has generated for state and local governments within
1818 that jurisdiction.

1819 (e) A statement as to whether the applicant has been
1820 indicted, convicted of, pled guilty or nolo contendere to, or
1821 forfeited bail for any felony or for a misdemeanor involving
1822 gambling, theft, or fraud. The statement must include the date,
1823 the name and location of the court, the arresting agency, the
1824 prosecuting agency, the case caption, the docket number, the
1825 nature of the offense, the disposition of the case, and, if
1826 applicable, the location and length of incarceration.

1827 (f) A statement as to whether the applicant has ever been
1828 granted any license or certificate in any jurisdiction which has
1829 been restricted, suspended, revoked, not renewed, or otherwise
1830 subjected to discipline. The statement must describe the facts
1831 and circumstances concerning that restriction, suspension,
1832 revocation, nonrenewal, or discipline, including the licensing
1833 authority, the date each action was taken, and an explanation of
1834 the circumstances for each disciplinary action.

1835 (g) A statement as to whether the applicant has, as a
1836 principal or a controlling shareholder, within the last 10
1837 years, filed for protection under the federal Bankruptcy Code or

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1838 had an involuntary bankruptcy petition filed against it.

1839 (h) A statement as to whether the applicant has, within
1840 the last 5 years, been adjudicated by a court or tribunal for
1841 failure to pay any income, sales, or gross receipts tax due and
1842 payable under federal, state, or local law, or under the laws of
1843 any applicable foreign jurisdiction, after exhaustion of all
1844 appeals or administrative remedies. This statement must identify
1845 the amount and type of the tax and the time periods involved and
1846 must describe the resolution of the nonpayment.

1847 (i) A list of the names and titles of any public officials
1848 or officers of any unit of state government or of the local
1849 government or governments in the county or municipality in which
1850 the proposed facility is to be located, and the spouses,
1851 parents, and children of those public officials or officers,
1852 who, directly or indirectly, own any financial interest in, have
1853 any beneficial interest in, are the creditors of, hold any debt
1854 instrument issued by, or hold or have an interest in any
1855 contractual or service relationship with the applicant. As used
1856 in this paragraph, the terms "public official" and "officer" do
1857 not include a person who would be listed solely because the
1858 person is a member of the Florida National Guard.

1859 (j) The name and business telephone number of any
1860 attorney, lobbyist, employee, consultant, or other person who is
1861 representing an applicant before the division during the
1862 proposal process.

1863 (k) A description of the applicant's history of and

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1864 proposed plan for community involvement or investment in the
1865 community where the facility will be located.

1866 (l) A description of the applicant's proposed facility,
1867 including a map documenting the location of the facility within
1868 the authorized counties; a statement from appropriate state and
1869 local agencies regarding the compliance of the applicant with
1870 state, regional, and local planning and zoning requirements; a
1871 description of the economic benefit to the community in which
1872 the facility will be located; the anticipated number of jobs
1873 generated by construction of the facility; the anticipated
1874 number of employees; a projection of admissions or attendance at
1875 the facility; a projection of gross receipts; a projection of
1876 revenue generated for state and local governments; and market
1877 research pertaining to the proposed facility.

1878 (m) A schedule or timeframe for completing the facility.

1879 (n) A plan for training residents of this state for jobs
1880 at the facility.

1881 (o) The identity of each person, association, trust,
1882 corporation, or partnership having a direct or an indirect
1883 equity interest in the applicant of greater than 5 percent. If
1884 disclosure of a trust is required under this paragraph, the
1885 names and addresses of the beneficiaries of the trust must also
1886 be disclosed. If the identity of a corporation must be
1887 disclosed, the names and addresses of all stockholders and
1888 directors must also be disclosed. If the identity of a
1889 partnership must be disclosed, the names and addresses of all

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1890 partners, both general and limited, must also be disclosed.

1891 (p) A facility development plan and projected investment.

1892 (q) The fingerprints of all officers or directors of the
1893 applicant, and any persons exercising operational or managerial
1894 control of the applicant, for a criminal history records check.

1895 (r) A listing of all gaming licenses and permits the
1896 applicant currently possesses.

1897 (s) A listing of former or inactive officers, directors,
1898 partners, and trustees.

1899 (t) A listing of all affiliated business entities or
1900 holding companies, including nongaming interests.

1901 (u) Contracts and documentation related to permits that
1902 will be forfeited under the gaming footprint contraction
1903 criteria in s. 551.1042.

1904 (v) Any other information the division may deem
1905 appropriate or require during the proposal process.

1906 (2) DISCRETION TO REQUIRE INFORMATION.—In addition to the
1907 documentation and information required in subsection (1), the
1908 division may request additional information or documentation
1909 that must be included in a proposal for a limited slot machine
1910 facility.

1911 (3) INCOMPLETE PROPOSALS.—

1912 (a) An incomplete proposal for a limited slot machine
1913 facility is grounds for the denial of the proposal.

1914 (b) The division must refund 70 percent of the proposal
1915 fee within 30 days after the denial of an incomplete proposal.

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1916 (4) DUTY TO SUPPLEMENT PROPOSAL.—The proposal shall be
1917 supplemented as needed to reflect any material change in any
1918 circumstance or condition stated in the proposal which takes
1919 place between the initial filing of the proposal and the final
1920 grant or denial of the license. Any submission required to be in
1921 writing may otherwise be required by the division to be made by
1922 electronic means.

1923 (5) PROPOSAL FEE.—The proposal for a limited slot machine
1924 facility must be submitted along with a nonrefundable proposal
1925 fee of \$1 million which shall be deposited into the Pari-mutuel
1926 Wagering Trust Fund to be used by the division to defray costs
1927 associated with the review and investigation of the proposal and
1928 to conduct a background investigation of the applicant. If the
1929 cost of the review and investigation exceeds \$1 million, the
1930 applicant must pay the additional amount to the division within
1931 30 days after the receipt of a request for an additional
1932 payment. Additional payments under this subsection shall also be
1933 deposited into the Pari-mutuel Wagering Trust Fund.

1934 Section 33. Section 551.1055, Florida Statutes, is created
1935 to read:

1936 551.1055 Video race terminals.—

1937 (1) Subject to the requirements of this section and
1938 compliance with the rules adopted by the department, a slot
1939 machine licensee operating at a facility authorized pursuant to
1940 s. 551.104(2)(a)3. and a slot machine licensee operating at a
1941 limited slot machine facility selected pursuant to ss. 551.1041-

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1942 551.1044 may operate a video race terminal and a video race
1943 system under all of the following conditions:

1944 (a) The game is certified in advance by an independent
1945 testing laboratory licensed or contracted by the division as
1946 complying with this section.

1947 (b) All data on previously conducted horseraces must be
1948 stored in a secure format on the central server that is located
1949 at the pari-mutuel facility.

1950 (c) Only horseraces that were recorded at licensed pari-
1951 mutuel facilities in the United States after January 1, 2005,
1952 may be used.

1953 (d) A wager on a video race terminal may not exceed \$5 per
1954 game or race.

1955 (e) Only one game or race on a video race terminal may be
1956 played at a time and a player is not permitted to wager on a new
1957 game or race until the previous game or race has been completed.

1958 (f) Video race terminals may not offer games using
1959 tangible playing cards, e.g. paper or plastic, but may offer
1960 games using electronic or virtual cards.

1961 (g) After each wager is placed, the video race terminal
1962 must display a video of at least the final seconds of the
1963 horserace on the video race terminal's video screen before any
1964 prize is awarded or indicated on the video race terminal and the
1965 video race terminal must display the official results and
1966 identity of the race.

1967 (h)1. Identifying information about any race or the

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1968 competing horses in that race, other than handicapping data, may
1969 not be revealed to a patron until after the patron's wagers are
1970 irrevocably placed. Before the patron makes wager selections,
1971 the terminal shall not display any information that would allow
1972 the patron to identify the race on which he or she is wagering,
1973 including location of the race, the date on which the race was
1974 run, the names of the animals in the race, or the names of the
1975 jockeys that participated in the race;

1976 2. Once the patron deposits the wagered amount in the
1977 video race terminal, a race shall be chosen at random for
1978 presentation to the patron;

1979 3. The terminal shall make available true and accurate
1980 past performance information on the race to the patron before
1981 the patron makes his or her wager selections. The information
1982 shall be current as of the day the race was run. The information
1983 may be displayed on the terminal in data or graphical form.

1984 (i) Mechanical reel displays are not permitted.

1985 (j) A video race terminal may not contain more than one
1986 player position for placing wagers.

1987 (k) If there is a complete breakdown of a video race
1988 terminal, the licensee offering the wager shall make a full
1989 refund of the patron's balance on the terminal at the time of
1990 the breakdown, as verified by the video racing totalisator
1991 system.

1992 (l) The video race must take place on individual wagering
1993 terminals located at a facility at which the conduct of other

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1994 pari-mutuel wagering is authorized under a license issued under
1995 s. 550.01215 and s. 551.104.

1996 (m) The licensee has paid the \$50,000 fee under s.
1997 550.0951(5) (b).

1998 (n) Coins, currency, or tokens may not be dispensed from a
1999 video race wagering terminal.

2000 (o) The video race terminal or machines may not be played
2001 by persons under 21 years of age.

2002 (p) Prizes must be awarded based solely on the results of
2003 a previously conducted horserace. No additional element of
2004 chance may be used. However, a random number generator must be
2005 used to select the race from the central server to be displayed
2006 to the player and to select numbers or other designations of
2007 race entrants that will be used in the various bet types for any
2008 "Quick Pick" bets. To prevent a player from recognizing the race
2009 based on the entrants and thus knowing the results before
2010 placing a wager, the entrants of the race may not be identified
2011 until after all wagers for that race have been placed.

2012 (q)1. Except as specified in subparagraph 3., all payouts
2013 to winning video race wagers shall be paid exclusively from the
2014 pools of video race wagers. An entity may not conduct video
2015 racing in a manner that allows patrons to wager against the
2016 licensee, or in a manner such that the licensee's commission
2017 depends upon the outcome of any particular race or the success
2018 of any particular wager. Payment of a winning wager shall not
2019 exceed the amount available in the applicable pool and must be

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2020 paid to the patron using cash or cash vouchers only.

2021 2. Seed pools shall be maintained and funded so that the
2022 amount available at any given time is sufficient to ensure that
2023 a patron will be paid the minimum payout for a winning wager as
2024 specified by the video race terminal through which the wager is
2025 placed. A licensee may assign a percentage of each video racing
2026 wager to fund seed pools.

2027 3. A licensee shall provide the funding for the initial
2028 seed pool for each type of wager. The funding for the initial
2029 seed pool is not refundable.

2030 (2) An eligible licensee may only make available for play
2031 up to 250 video race terminals effective January 1, 2017, and
2032 may only make available for play up to 750 video race terminals
2033 effective October 1, 2018.

2034 (3) An eligible licensee shall not operate more than 750
2035 video race terminals at any time.

2036 (4) The moneys wagered on races via the video race system
2037 shall be separated from all other pari-mutuel wagers accepted by
2038 the licensee.

2039 (5) The department shall adopt rules necessary to
2040 implement, administer, and regulate the operation of video
2041 racing systems. The rules must include:

2042 (a) Procedures for regulating, managing, and auditing the
2043 operation, financial data, and program information relating to
2044 video racing systems which enable the department to audit the
2045 operation, financial data, and program information of the

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2046 licensee authorized to operate a video racing system.

2047 (b) Technical requirements to operate a video race system,
2048 including ensuring that the blended takeout from the pari-mutuel
2049 pools on video race terminals shall not be higher than 12
2050 percent of the total handle on video racing conducted at a
2051 facility.

2052 (c) Procedures to require a licensee to maintain specified
2053 records and submit any data, information, record, or report,
2054 including financial and income records, required by this chapter
2055 or rules of the department.

2056 (d) Procedures relating to video race system revenues,
2057 including verifying and accounting for such revenues, auditing,
2058 and collecting taxes and fees.

2059 (e) Minimum standards for security of the facilities,
2060 including floor plans, security cameras, and other security
2061 equipment.

2062 (f) Procedures to ensure that a video race terminal does
2063 not enter the state and will not be offered for play until it
2064 has been tested and certified by a licensed testing laboratory
2065 for play in the state. The procedures shall address measures to
2066 scientifically test and technically evaluate video race
2067 terminals for compliance with laws and rules regulating video
2068 race systems. The department may contract with an independent
2069 testing laboratory to conduct any necessary testing. The
2070 independent testing laboratory must have a national reputation
2071 indicating that it is demonstrably competent and qualified to

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2072 scientifically test and evaluate video racing systems to ensure
2073 that the system performs the functions required by laws and
2074 rules. An independent testing laboratory may not be owned or
2075 controlled by a licensee. The selection of an independent
2076 laboratory for any purpose related to the conduct of video race
2077 systems shall be made from a list of laboratories approved by
2078 the department. The department shall adopt rules regarding the
2079 testing, certification, control, and approval of video race
2080 systems.

2081 (6) Notwithstanding any other provision of the law, the
2082 proceeds of video race terminal tickets purchased that are not
2083 redeemed within 1 year after purchase shall be distributed as
2084 follows:

2085 (a) Fifty percent shall be retained by the licensee.

2086 (b) Fifty percent shall be used for purses or awards on
2087 live thoroughbred racing conducted at licensed thoroughbred
2088 facilities in the state by distributing it in equal amounts to
2089 any thoroughbred racing permit holder that holds an operating
2090 permit. If a licensee does not conduct live racing, fifty
2091 percent shall be remitted to the state pursuant to s. 550.1645.

2092 Section 34. Paragraph (a) of subsection (2) of section
2093 551.106, Florida Statutes, is amended to read:

2094 551.106 License fee; tax rate; penalties.—

2095 (2) TAX ON SLOT MACHINE REVENUES.—

2096 (a) The tax rate on slot machine revenues at each facility
2097 shall be 30 ~~35~~ percent. However, notwithstanding s. 551.114(1),

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB RAC 16-01 (2016)

Amendment No. 1

2098 a slot machine licensee offering slot machines on January 1,
2099 2016, may elect to permanently reduce its authorized total
2100 number of slot machines to 1,500 slot machines within the
2101 property of the slot machine licensee in the licensee's next
2102 annual slot machine license renewal application. Any licensee
2103 that agrees and elects to permanently reduce its authorized
2104 total number of slot machines to 1,500 and attests to do so in
2105 its annual license renewal application approved by the division
2106 on or before July 1, 2017, shall have a tax rate on slot machine
2107 revenues at such facility of 25 percent effective July 1, 2017.
2108 ~~If, during any state fiscal year, the aggregate amount of tax~~
2109 ~~paid to the state by all slot machine licensees in Broward and~~
2110 ~~Miami-Dade Counties is less than the aggregate amount of tax~~
2111 ~~paid to the state by all slot machine licensees in the 2008-2009~~
2112 ~~fiscal year, each slot machine licensee shall pay to the state~~
2113 ~~within 45 days after the end of the state fiscal year a~~
2114 ~~surcharge equal to its pro rata share of an amount equal to the~~
2115 ~~difference between the aggregate amount of tax paid to the state~~
2116 ~~by all slot machine licensees in the 2008-2009 fiscal year and~~
2117 ~~the amount of tax paid during the fiscal year. Each licensee's~~
2118 ~~pro rata share shall be an amount determined by dividing the~~
2119 ~~number 1 by the number of facilities licensed to operate slot~~
2120 ~~machines during the applicable fiscal year, regardless of~~
2121 ~~whether the facility is operating such machines.~~

2122 Section 35. Subsections (1), (2), and (4) of section
2123 551.114, Florida Statutes, are amended to read:

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2124 551.114 Slot machine gaming areas.—

2125 (1) (a) Except as provided in paragraph (b) or s.
2126 551.106(2) (a), a slot machine licensee may make available for
2127 play up to 1,750 ~~2,000~~ slot machines within the property of the
2128 facilities of the slot machine licensee.

2129 (b) Effective January 1, 2017, a slot machine licensee
2130 operating at a facility authorized pursuant to s.
2131 551.104(2) (a)3. or s. 551.104(2) (a)4. may make available for
2132 play up to 250 slot machines. Effective October 1, 2018, such
2133 licensee may make available for play up to 750 slot machines.
2134 However, no wager on a slot machine operated in accordance with
2135 this subsection shall exceed \$5.

2136 (2) The slot machine licensee shall display pari-mutuel
2137 races or games within the designated slot machine gaming areas
2138 and offer patrons within the designated slot machine gaming
2139 areas the ability to engage in pari-mutuel wagering on any live,
2140 intertrack, and simulcast races conducted or offered to patrons
2141 of the licensed facility.

2142 (4) Designated slot machine gaming areas may be located
2143 within the current live gaming facility or in an existing
2144 building that is ~~must be~~ contiguous and connected to the live
2145 gaming facility. If a designated slot machine gaming area is to
2146 be located in a building that is to be constructed, that new
2147 building must be contiguous and connected to the live gaming
2148 facility. For any permitholder licensed to conduct pari-mutuel
2149 activities pursuant to a current year's operating license that

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB RAC 16-01 (2016)

Amendment No. 1

2150 does not require live performances, designated slot machine
2151 gaming areas may be located only within the eligible facility
2152 for which the initial annual slot machine license was issued.

2153 Section 36. Section 551.116, Florida Statutes, is amended
2154 to read:

2155 551.116 Days and hours of operation.—Slot machine gaming
2156 areas may be open daily throughout the year. The slot machine
2157 gaming areas may be open ~~a cumulative amount of 18 hours per day~~
2158 ~~on Monday through Friday and 24 hours per day on Saturday and~~
2159 ~~Sunday and on those holidays specified in s. 110.117(1).~~

2160 Section 37. Section 551.121, Florida Statutes, is amended
2161 to read:

2162 551.121 Prohibited activities and devices; exceptions.—

2163 ~~(1) Complimentary or reduced cost alcoholic beverages may~~
2164 ~~not be served to persons playing a slot machine. Alcoholic~~
2165 ~~beverages served to persons playing a slot machine shall cost at~~
2166 ~~least the same amount as alcoholic beverages served to the~~
2167 ~~general public at a bar within the facility.~~

2168 (1)(2) A slot machine licensee may not make any loan,
2169 provide credit, or advance cash in order to enable a person to
2170 play a slot machine. This subsection shall not prohibit
2171 automated ticket redemption machines that dispense cash
2172 resulting from the redemption of tickets from being located in
2173 the designated slot machine gaming area of the slot machine
2174 licensee.

2175 ~~(3) A slot machine licensee may not allow any automated~~

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2176 ~~teller machine or similar device designed to provide credit or~~
2177 ~~dispense cash to be located within the designated slot machine~~
2178 ~~gaming areas of a facility of a slot machine licensee.~~

2179 (2)~~(4)~~(a) A slot machine licensee may not accept or cash
2180 any check from any person within the designated slot machine
2181 gaming areas of a facility of a slot machine licensee.

2182 (b) Except as provided in paragraph (c) for employees of
2183 the facility, a slot machine licensee or operator shall not
2184 accept or cash for any person within the property of the
2185 facility any government-issued check, third-party check, or
2186 payroll check made payable to an individual.

2187 (c) Outside the designated slot machine gaming areas, a
2188 slot machine licensee or operator may accept or cash a check for
2189 an employee of the facility who is prohibited from wagering on a
2190 slot machine under s. 551.108(5), a check made directly payable
2191 to a person licensed by the division, or a check made directly
2192 payable to the slot machine licensee or operator from:

- 2193 1. A pari-mutuel patron; or
2194 2. A pari-mutuel facility in this state or in another
2195 state.

2196 (d) Unless accepting or cashing a check is prohibited by
2197 this subsection, nothing shall prohibit a slot machine licensee
2198 or operator from accepting and depositing in its accounts checks
2199 received in the normal course of business.

2200 (3)~~(5)~~ A slot machine, or the computer operating system
2201 linking the slot machine, may be linked by any means to any

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2202 other slot machine or computer operating system within the
2203 facility of a slot machine licensee. A progressive system may be
2204 used in conjunction with slot machines between licensed
2205 facilities in Florida or in other jurisdictions.

2206 ~~(4)-(6)~~ A slot machine located within a licensed facility
2207 shall accept only tickets or paper currency or an electronic
2208 payment system for wagering and return or deliver payouts to the
2209 player in the form of tickets that may be exchanged for cash,
2210 merchandise, or other items of value. The use of coins, credit
2211 or debit cards, tokens, or similar objects is specifically
2212 prohibited. However, an electronic credit system may be used for
2213 receiving wagers and making payouts.

2214 Section 38. Present subsections (9) through (17) of
2215 section 849.086, Florida Statutes, are renumbered as subsections
2216 (10) through (18), respectively, and a new subsection (9) is
2217 added to that section, subsection (2), paragraphs (a) and (b) of
2218 subsection (5), paragraph (b) of subsection (7), paragraphs (d)
2219 and (h) of present subsection (13), and present subsections (16)
2220 and (17) of that section are amended, to read:

2221 849.086 Cardrooms authorized.—

2222 (2) DEFINITIONS.—As used in this section:

2223 (a) "Authorized game" means a game or series of card and
2224 domino games that ~~of poker or dominoes which~~ are played in
2225 conformance with this section ~~a nonbanking manner.~~

2226 (b) "Banking game" means a game in which the house is a
2227 participant in the game, taking on players, paying winners, and

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2228 collecting from losers ~~or in which the cardroom establishes a~~
2229 ~~bank against which participants play.~~

2230 (c) "Cardroom" means a facility where authorized games are
2231 played for money or anything of value and to which the public is
2232 invited to participate in such games and charged a fee for
2233 participation by the operator of such facility. Authorized games
2234 and cardrooms do not constitute casino gaming operations.

2235 (d) "Cardroom management company" means any individual not
2236 an employee of the cardroom operator, any proprietorship,
2237 partnership, corporation, or other entity that enters into an
2238 agreement with a cardroom operator to manage, operate, or
2239 otherwise control the daily operation of a cardroom.

2240 (e) "Cardroom distributor" means any business that
2241 distributes cardroom paraphernalia such as card tables, betting
2242 chips, chip holders, dominoes, dominoes tables, drop boxes,
2243 banking supplies, playing cards, card shufflers, and other
2244 associated equipment to authorized cardrooms.

2245 (f) "Cardroom operator" means a licensed pari-mutuel
2246 permitholder which holds a valid permit and license issued by
2247 the division pursuant to chapter 550 and which also holds a
2248 valid cardroom license issued by the division pursuant to this
2249 section which authorizes such person to operate a cardroom and
2250 to conduct authorized games in such cardroom.

2251 (g) "Designated player" means the player identified as the
2252 player in the dealer position, seated at a traditional player
2253 position in a designated player game, who pays winning players

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2254 and collects from losing players.

2255 (h) "Designated player game" means a game consisting of at
2256 least three cards in which the players compare their cards only
2257 to the cards of the designated player.

2258 (i)~~(g)~~ "Division" means the Division of Pari-mutuel
2259 Wagering of the Department of Business and Professional
2260 Regulation.

2261 (j)~~(h)~~ "Dominoes" means a game of dominoes typically
2262 played with a set of 28 flat rectangular blocks, called "bones,"
2263 which are marked on one side and divided into two equal parts,
2264 with zero to six dots, called "pips," in each part. The term
2265 also includes larger sets of blocks that contain a
2266 correspondingly higher number of pips. The term also means the
2267 set of blocks used to play the game.

2268 (k)~~(i)~~ "Gross receipts" means the total amount of money
2269 received by a cardroom from any person for participation in
2270 authorized games.

2271 (l)~~(j)~~ "House" means the cardroom operator and all
2272 employees of the cardroom operator.

2273 (m)~~(k)~~ "Net proceeds" means the total amount of gross
2274 receipts received by a cardroom operator from cardroom
2275 operations less direct operating expenses related to cardroom
2276 operations, including labor costs, admission taxes only if a
2277 separate admission fee is charged for entry to the cardroom
2278 facility, gross receipts taxes imposed on cardroom operators by
2279 this section, the annual cardroom license fees imposed by this

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2280 section on each table operated at a cardroom, and reasonable
2281 promotional costs excluding officer and director compensation,
2282 interest on capital debt, legal fees, real estate taxes, bad
2283 debts, contributions or donations, or overhead and depreciation
2284 expenses not directly related to the operation of the cardrooms.

2285 (n)~~(l)~~ "Rake" means a set fee or percentage of the pot
2286 assessed by a cardroom operator for providing the services of a
2287 dealer, table, or location for playing the authorized game.

2288 (o)~~(m)~~ "Tournament" means a series of games that have more
2289 than one betting round involving one or more tables and where
2290 the winners or others receive a prize or cash award.

2291 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
2292 operate a cardroom in this state unless such person holds a
2293 valid cardroom license issued pursuant to this section.

2294 (a) Only those persons holding a valid cardroom license
2295 issued by the division may operate a cardroom. A cardroom
2296 license may only be issued to a licensed pari-mutuel
2297 permitholder and an authorized cardroom may only be operated at
2298 the same facility at which the permitholder is authorized under
2299 its valid pari-mutuel wagering permit to conduct pari-mutuel
2300 wagering activities. An initial cardroom license shall be issued
2301 to a pari-mutuel permitholder only after its facilities are in
2302 place and after it conducts its first day of live racing or
2303 games, except for a facility licensed in accordance with s.
2304 551.104(2)(a)4. and ss. 551.1041-551.1044.

2305 (b)1. After the initial cardroom license is granted, the

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2306 application for the annual license renewal shall be made in
2307 conjunction with the applicant's annual application for its
2308 pari-mutuel license. If a permitholder has operated a cardroom
2309 during any of the 3 previous fiscal years and fails to include a
2310 renewal request for the operation of the cardroom in its annual
2311 application for license renewal, the permitholder may amend its
2312 annual application to include operation of the cardroom. Except
2313 as provided in subsection (c) for greyhound, harness, and
2314 quarter horse permitholders, and any facility licensed in
2315 accordance with s. 551.104 (2) (a) 4., and ss. 551.1041-
2316 551.1044, in order for a cardroom license to be renewed the
2317 applicant must have requested, as part of its pari-mutuel annual
2318 license application, to conduct at least 90 percent of the total
2319 number of live performances conducted by such permitholder
2320 during either the state fiscal year in which its initial
2321 cardroom license was issued or the state fiscal year immediately
2322 prior thereto if the permitholder ran at least a full schedule
2323 of live racing or games in the prior year. ~~If the application is~~
2324 ~~for a harness permitholder cardroom, the applicant must have~~
2325 ~~requested authorization to conduct a minimum of 140 live~~
2326 ~~performances during the state fiscal year immediately prior~~
2327 ~~thereto.~~ If more than one permitholder is operating at a
2328 facility, each permitholder that is required to conduct a full
2329 schedule of live racing must have applied for a license to
2330 conduct a full schedule of live racing.

2331 2. A greyhound racing permitholder is exempt from the live

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2332 racing requirements of this subsection if it conducted a full
2333 schedule of live racing for a period of at least 10 consecutive
2334 state fiscal years after the 1996-1997 state fiscal year or if
2335 it converted its permit to a permit to conduct greyhound racing
2336 after that fiscal year. However, as a condition of cardroom
2337 licensure, greyhound racing permitholders who are not conducting
2338 a full schedule of live racing must conduct intertrack wagering
2339 on thoroughbred signals, to the extent available, on each day of
2340 cardroom operation. Harness racing and quarter horse racing
2341 permitholders that have held an operating license for 5 years
2342 and a cardroom license for 5 years are exempt from the live
2343 racing requirements of this subsection. Thoroughbred racing
2344 permitholders located in a county with a population of more than
2345 2.5 million who have had an operating license for 25 years and a
2346 slot license for 5 years are exempt from the live racing
2347 requirements of this subsection.

2348 (7) CONDITIONS FOR OPERATING A CARDROOM.-

2349 (b) Any cardroom operator may operate a cardroom at the
2350 pari-mutuel facility daily throughout the year, if the
2351 permitholder meets the requirements under paragraph (5) (b). The
2352 cardroom may be open ~~a cumulative amount of 18 hours per day on~~
2353 ~~Monday through Friday and 24 hours per day on Saturday and~~
2354 ~~Sunday and on the holidays specified in s. 110.117(1).~~

2355 (9) DESIGNATED PLAYER GAMES AUTHORIZED.-

2356 (a) The division may authorize a cardroom operator that
2357 does not possess slot machines or a slot machine license to

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2358 offer designated player games consisting of players making
2359 wagers against another player. The maximum wager may not exceed
2360 \$25.

2361 (b) The designated player must occupy a playing position
2362 at the table and may not be required to cover all wagers or
2363 cover more than ten times the minimum posted wager for players
2364 seated during a single game.

2365 (c) Each seated player shall be afforded the temporary
2366 opportunity to be the designated player to wager against
2367 multiple players at the same table; however, this position must
2368 be rotated amongst the other seated players in the game. The
2369 opportunity to be a designated player must be offered to each
2370 player, in a clockwise rotation, after each hand. The
2371 opportunity to be the designated player may be declined by a
2372 player. A player participating as a designated player for 30
2373 consecutive hands must subsequently play as a nondesignated
2374 player for at least 2 hands before he or she may resume as the
2375 designated player.

2376 (d) The cardroom operator may not serve as a designated
2377 player in any game. The cardroom operator may not have any
2378 direct or indirect financial or pecuniary interest in a
2379 designated player in any game.

2380 (e) A designated player may only wager personal funds or
2381 funds from a sole proprietorship. A designated player may not be
2382 directly or indirectly financed or controlled by another party.
2383 A designated player shall operate independently.

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2384 (f) Designated player games offered by a cardroom operator
2385 may not make up more than 25 percent of the total authorized
2386 game tables at the cardroom.

2387 (g) Licensed pari-mutuel facilities that offer slot
2388 machine gaming or video race terminals may not offer designated
2389 player games.

2390 (h) The division may only authorize cardroom operators to
2391 conduct designated player games if such games would not trigger
2392 a reduction in revenue-sharing payments under the Gaming Compact
2393 between the Seminole Tribe of Florida and the State of Florida.

2394 (14)-(13) TAXES AND OTHER PAYMENTS.—

2395 (d)1. Each greyhound racing permitholder conducting live
2396 racing and jai alai permitholder that operates a cardroom
2397 facility shall use at least 4 percent of such permitholder's
2398 cardroom monthly gross receipts to supplement greyhound purses
2399 or jai alai prize money, respectively, during the permitholder's
2400 current or next ensuing pari-mutuel meet.

2401 2. Each thoroughbred and harness horse racing permitholder
2402 that operates a cardroom facility shall use at least 50 percent
2403 of such permitholder's cardroom monthly net proceeds as follows:
2404 47 percent to supplement purses and 3 percent to supplement
2405 breeders' awards during the permitholder's next ensuing racing
2406 meet.

2407 3. A ~~NE~~ cardroom license or renewal thereof may not shall
2408 be issued to an applicant holding a permit under chapter 550 to
2409 conduct pari-mutuel wagering meets of quarter horse racing

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2410 unless the applicant has on file with the division a binding
2411 written agreement between the applicant and the Florida Quarter
2412 Horse Racing Association or the association representing a
2413 majority of the horse owners and trainers at the applicant's
2414 eligible facility, governing the payment of purses on live
2415 quarter horse races conducted at the licensee's pari-mutuel
2416 facility. The agreement governing purses may direct the payment
2417 of such purses from revenues generated by any wagering or gaming
2418 the applicant is authorized to conduct under Florida law. All
2419 purses shall be subject to the terms of chapter 550.

2420 (h) One-quarter of the moneys deposited into the Pari-
2421 mutuel Wagering Trust Fund pursuant to paragraph (g) shall, by
2422 October 1 of each year, be distributed to the local government
2423 that approved the cardroom under subsection (17) ~~(16)~~; however,
2424 if two or more pari-mutuel racetracks are located within the
2425 same incorporated municipality, the cardroom funds shall be
2426 distributed to the municipality. If a pari-mutuel facility is
2427 situated in such a manner that it is located in more than one
2428 county, the site of the cardroom facility shall determine the
2429 location for purposes of disbursement of tax revenues under this
2430 paragraph. The division shall, by September 1 of each year,
2431 determine: the amount of taxes deposited into the Pari-mutuel
2432 Wagering Trust Fund pursuant to this section from each cardroom
2433 licensee; the location by county of each cardroom; whether the
2434 cardroom is located in the unincorporated area of the county or
2435 within an incorporated municipality; and, the total amount to be

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2436 distributed to each eligible county and municipality.

2437 ~~(17)-(16)~~ LOCAL GOVERNMENT APPROVAL.—The Division of Pari-
2438 mutuel Wagering may ~~shall~~ not issue any initial license under
2439 this section except upon proof in such form as the division may
2440 prescribe that the local government where the applicant for such
2441 license desires to conduct cardroom gaming has voted to approve
2442 such activity by a majority vote of the governing body of the
2443 municipality or the governing body of the county if the facility
2444 is not located in a municipality.

2445 ~~(18)-(17)~~ CHANGE OF LOCATION; REFERENDUM.—

2446 ~~(a)~~ Notwithstanding any provisions of this section, a ~~no~~
2447 cardroom gaming license issued under this section may not ~~shall~~
2448 be transferred, or reissued when such reissuance is in the
2449 nature of a transfer, so as to permit or authorize a licensee to
2450 change the location of the cardroom. ~~except upon proof in such~~
2451 ~~form as the division may prescribe that a referendum election~~
2452 ~~has been held:~~

2453 ~~1. If the proposed new location is within the same county~~
2454 ~~as the already licensed location, in the county where the~~
2455 ~~licensee desires to conduct cardroom gaming and that a majority~~
2456 ~~of the electors voting on the question in such election voted in~~
2457 ~~favor of the transfer of such license. However, the division~~
2458 ~~shall transfer, without requirement of a referendum election,~~
2459 ~~the cardroom license of any permit holder that relocated its~~
2460 ~~permit pursuant to s. 550.0555.~~

2461 ~~2. If the proposed new location is not within the same~~

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2462 ~~county as the already licensed location, in the county where the~~
2463 ~~licensee desires to conduct cardroom gaming and that a majority~~
2464 ~~of the electors voting on that question in each such election~~
2465 ~~voted in favor of the transfer of such license.~~

2466 ~~(b) The expense of each referendum held under the~~
2467 ~~provisions of this subsection shall be borne by the licensee~~
2468 ~~requesting the transfer.~~

2469 Section 39. The Division of Pari-mutuel Wagering of the
2470 Department of Business and Professional Regulation shall revoke
2471 any permit to conduct pari-mutuel wagering if a permit holder has
2472 not conducted live events within the 24 months immediately
2473 preceding the effective date of this act, unless the permit was
2474 issued under s. 550.3345 or ss. 551.1041-551.1044, after meeting
2475 the requirements of s. 551.104(2)(a)4. A permit revoked under
2476 this section may not be reissued.

2477 Section 40. If any provision of this act or its
2478 application to any person or circumstance is held invalid, the
2479 invalidity does not affect other provisions or applications of
2480 this act which can be given effect without the invalid provision
2481 or application, and to this end the provisions of this act are
2482 severable.

2483 Section 41. This act shall take effect upon becoming a
2484 law.

2485 -----
2486
2487 **T I T L E A M E N D M E N T**

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2488 Remove everything before the enacting clause and insert:

2489 A bill to be entitled

2490 An act relating to the Gaming Compact between the
2491 Seminole Tribe of Florida and the State of Florida;
2492 amending s. 285.710, F.S.; superseding the Gaming
2493 Compact; ratifying and approving a specified compact
2494 executed by the Governor and the Tribe; directing the
2495 Governor to cooperate with the Tribe in seeking
2496 approval of the compact from the United States
2497 Secretary of the Interior; providing for a portion of
2498 the amount paid by the Tribe to the state to be
2499 designated as the thoroughbred purse pool share;
2500 directing the division to revoke certain pari-mutuel
2501 permits; expanding the games authorized to be
2502 conducted and the counties in which such games may be
2503 offered; amending s. 285.712, F.S.; correcting a
2504 citation; amending s. 550.002, F.S.; redefining the
2505 term "full schedule of live racing or games"; defining
2506 the term "video race terminal"; amending s. 550.01215,
2507 F.S.; revising provisions for applications for pari-
2508 mutuel operating licenses; authorizing a greyhound
2509 racing permitholder to specify certain information on
2510 its application; authorizing a greyhound racing
2511 permitholder to receive an operating license to
2512 conduct pari-mutuel wagering activities at another
2513 permitholder's greyhound racing facility; authorizing

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2514 the Division of Pari-mutuel Wagering of the Department
2515 of Business and Professional Regulation to approve
2516 changes in racing dates for greyhound racing
2517 permitholders under certain circumstances; providing
2518 requirements for licensure of certain jai alai
2519 permitholders; deleting a provision for conversion of
2520 certain converted permits to jai alai permits;
2521 amending s. 550.0251, F.S.; requiring the division to
2522 annually report to the Governor and the Legislature;
2523 specifying requirements for the content of the report;
2524 amending s. 550.054, F.S.; requiring the division to
2525 revoke a pari-mutuel wagering operating permit under
2526 certain circumstances; prohibiting issuance or
2527 approval of new pari-mutuel permits after a specified
2528 date; providing exceptions; authorizing a permitholder
2529 to apply to the division to place a permit in inactive
2530 status; revising provisions that prohibit transfer or
2531 assignment of a pari-mutuel permit; prohibiting
2532 transfer or assignment of a pari-mutuel permit or
2533 license under certain conditions; prohibiting
2534 relocation of a pari-mutuel facility, cardroom, or
2535 slot machine facility or conversion of pari-mutuel
2536 permits to a different class; providing for an
2537 exception; deleting provisions for certain converted
2538 permits; repealing s. 550.0555, F.S.; relating to the
2539 relocation of greyhound racing permits; repealing s.

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2540 550.0745, F.S.; relating to the conversion of pari-
2541 mutuel permits to summer jai alai permits; amending s.
2542 550.0951, F.S.; deleting provisions for specified tax
2543 credits for a greyhound racing permitholder; revising
2544 the tax on handle for live greyhound racing and
2545 intertrack wagering if the host track is a greyhound
2546 track; requiring a tax on handle and fees for video
2547 racing terminal licensees; providing for use of the
2548 fees by the department and the Department of Law
2549 Enforcement; amending s. 550.09511, F.S.; conforming a
2550 cross-reference; amending s. 550.09512, F.S.;

2551 providing for the revocation of certain harness horse
2552 racing permits; specifying that a revoked permit may
2553 not be reissued; amending s. 550.09514, F.S.; deleting
2554 certain provisions that prohibit tax on handle until a
2555 specified amount of tax savings have resulted;
2556 revising purse requirements of a greyhound racing
2557 permitholder that conducts live racing; amending s.
2558 550.09515, F.S.; providing for the revocation of
2559 certain thoroughbred racing permits; specifying that a
2560 revoked permit may not be reissued; removing an
2561 obsolete provision; amending s. 550.1625, F.S.;

2562 deleting the requirement that a greyhound racing
2563 permitholder pay the breaks tax; repealing s.
2564 550.1647, F.S.; relating to unclaimed tickets and
2565 breaks held by greyhound racing permitholders;

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2566 amending s. 550.1648, F.S.; revising requirements for
2567 a greyhound racing permitholder to provide a greyhound
2568 adoption booth at its facility; requiring
2569 sterilization of greyhounds before adoption;
2570 authorizing the fee for such sterilization to be
2571 included in the cost of adoption; defining the term
2572 "bona fide organization that promotes or encourages
2573 the adoption of greyhounds"; creating s. 550.2416,
2574 F.S.; requiring injuries to racing greyhounds to be
2575 reported within a certain timeframe on a form adopted
2576 by the division; requiring such form to be completed
2577 and signed under oath or affirmation by certain
2578 individuals; providing penalties; specifying
2579 information that must be included in the form;
2580 requiring the division to maintain the forms as public
2581 records for a specified time; specifying disciplinary
2582 action that may be taken against a licensee of the
2583 Department of Business and Professional Regulation who
2584 fails to report an injury or who makes false
2585 statements on an injury form; exempting injuries to
2586 certain animals from reporting requirements; requiring
2587 the division to adopt rules; amending s. 550.26165,
2588 F.S.; conforming a cross-reference; amending s.
2589 550.334, F.S.; revising a requirement for quarter
2590 horse racing permitholders to conduct intertrack
2591 wagering; amending s. 550.3345, F.S.; revising

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2592 provisions for a permit previously converted from a
2593 quarter horse racing permit to a limited thoroughbred
2594 racing permit; amending s. 550.3551, F.S.; revising
2595 conditions for receiving and accept wagers on out-of-
2596 state broadcasts of races and games; deleting a
2597 requirement that a harness permitholder conduct a
2598 certain number of races; deleting a provision that
2599 limits the number of out-of-state races on which
2600 wagers are accepted by a greyhound racing
2601 permitholder; amending s. 550.375, F.S.; conforming a
2602 cross-reference; amending s. 550.615, F.S.; revising
2603 provisions relating to intertrack wagering; amending
2604 s. 550.6305, F.S.; revising provisions requiring
2605 certain simulcast signals be made available to certain
2606 permitholders; providing for certain permitholders of
2607 a converted permit to accept wagers on certain
2608 rebroadcasts; amending s. 550.6308, F.S.; revising
2609 requirements for certain Limited intertrack wagering
2610 licensure; revising the number of days of thoroughbred
2611 horse sales required to obtain a limited intertrack
2612 wagering license; revising provisions for such
2613 wagering; amending s. 551.101, F.S.; revising
2614 provisions that authorize slot machine gaming at
2615 certain facilities; amending s. 551.102, F.S.;
2616 revising the definition of the terms "eligible
2617 facility" and "slot machine licensee" for purposes of

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2618 provisions relating to slot machines; amending s.
2619 551.104, F.S.; revising provisions for approval of a
2620 license to conduct slot machine gaming; specifying
2621 that a greyhound racing permitholder is not required
2622 to conduct a full schedule of live racing to receive
2623 and maintain a license to conduct slot machine gaming;
2624 creating s. 551.1041, F.S.; authorizing the division
2625 to grant a slot machine license to a limited slot
2626 machine facility under certain circumstances;
2627 providing requirements for a countywide referendum;
2628 creating s. 551.1042, F.S.; authorizing the division
2629 to grant a slot machine license to a limited slot
2630 machine facility under certain circumstances;
2631 requiring the division to use a request for proposals
2632 process to select a limited slot machine facility;
2633 providing criteria, procedures, and deadlines for a
2634 request for proposals process; creating s. 551.1043,
2635 F.S.; specifying the criteria for evaluation of
2636 proposals and selection of a limited slot machine
2637 facility; specifying conditions that disqualify an
2638 applicant from eligibility to be considered for
2639 selection as a limited slot machine facility; creating
2640 s. 551.1044, F.S.; providing for the submission of
2641 proposals by applicants that are seeking selection as
2642 a limited slot machine facility; specifying the
2643 information that must be on or included with a

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2644 proposal for a limited slot machine facility;
2645 providing that the division is solely authorized to
2646 determine the information or documentation that must
2647 be included in a proposal; providing procedures for a
2648 proposal determined to be incomplete by the division;
2649 requiring supplemental information regarding changes
2650 to information on the proposal; requiring a
2651 nonrefundable proposal fee; providing for refund of
2652 the fee under certain circumstances; creating s.
2653 551.1055, F.S.; providing for certain licensees to
2654 operate video race terminals; providing conditions for
2655 such operation; providing for rules; providing for
2656 distribution of certain unclaimed funds; amending s.
2657 551.106, F.S.; revising the tax rate on slot machine
2658 revenues; amending s. 551.114, F.S.; revising the
2659 maximum number of slot machines that may be available;
2660 limiting the number of slot machines available for
2661 play at certain facilities; revising requirements for
2662 designated slot machine gaming areas; requiring
2663 certain greyhound racing permitholders to locate their
2664 slot machine gaming area in certain locations;
2665 amending s. 551.116, F.S.; revising the times that a
2666 slot machine gaming area may be open; amending s.
2667 551.121, F.S.; allowing complimentary or reduced-cost
2668 alcoholic beverages to be served to persons playing
2669 slot machines amending s. 849.086, F.S.; revising

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2670 definitions; defining the terms "designated player"
2671 and "designated player game"; exempting greyhound
2672 racing permitholders from a requirement that they
2673 conduct a minimum number of live races as a condition
2674 of cardroom licensure under certain conditions;
2675 requiring certain greyhound racing permitholders to
2676 conduct intertrack wagering on thoroughbred signals as
2677 a condition of cardroom licensure; revising times that
2678 a cardroom may operate; providing for the division to
2679 authorize designated player games in certain
2680 cardrooms; providing requirements for such games;
2681 providing that such games may be authorized by the
2682 division only if they would not trigger a reduction in
2683 certain payments; deleting provisions relating to a
2684 referendum election for the transfer of certain
2685 cardroom gaming licenses; specifying that the revoked
2686 permits may not be reissued; providing severability;
2687 providing an effective date.

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