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18 used to process credit card, debit card, or other similar charge
19 card payments at retail locations which is supported by a
20 payment network that enables verification, transfer of funds,
21 and logging of transactions.

22 (2)-(4) "Major procurement" means a procurement for a
23 contract for the printing of tickets for use in any lottery
24 game, consultation services for the startup of the lottery, any
25 goods or services involving the official recording for lottery
26 game play purposes of a player's selections in any lottery game
27 involving player selections, any goods or services involving the
28 receiving of a player's selection directly from a player in any
29 lottery game involving player selections, any goods or services
30 involving the drawing, determination, or generation of winners
31 in any lottery game, the security report services provided for
32 in this act, or any goods and services relating to marketing and
33 promotion which exceed a value of \$25,000.

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

36 (7)-(6) "Vendor" means a person who provides or proposes to
37 provide goods or services to the department, but does not
38 include an employee of the department, a retailer, or a state
39 agency.

40 Section 2. Present subsections (19) and (20) of section
41 24.105, Florida Statutes, are redesignated as subsections (20)
42 and (21), respectively, and a new subsection (19) is added to
43 that section, to read:

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44 24.105 Powers and duties of department.—The department
45 shall:

46 (19) Have the authority to create a program that allows a
47 person who is 18 years of age or older to purchase a ticket or
48 play slip for a lottery game or other games at a point-of-sale
49 terminal. The department may adopt rules to administer the
50 program.

51 Section 3. Section 24.112, Florida Statutes, is amended to
52 read:

53 24.112 Retailers of lottery tickets; ~~authorization of~~
54 ~~vending machines; point-of-sale terminals to dispense lottery~~
55 ~~tickets.—~~

56 (1) The department shall promulgate rules specifying the
57 terms and conditions for contracting with retailers who will
58 best serve the public interest and promote the sale of lottery
59 tickets.

60 (2) In the selection of retailers, the department shall
61 consider factors such as financial responsibility, integrity,
62 reputation, accessibility of the place of business or activity
63 to the public, security of the premises, the sufficiency of
64 existing retailers to serve the public convenience, and the
65 projected volume of the sales for the lottery game involved. In
66 the consideration of these factors, the department may require
67 the information it deems necessary of any person applying for
68 authority to act as a retailer. However, the department may not
69 establish a limitation upon the number of retailers and shall

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70 make every effort to allow small business participation as
71 retailers. It is the intent of the Legislature that retailer
72 selections be based on business considerations and the public
73 convenience and that retailers be selected without regard to
74 political affiliation.

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

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

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

81 (c) Has been convicted of, or entered a plea of guilty or
82 nolo contendere to, a felony committed in the preceding 10
83 years, regardless of adjudication, unless the department
84 determines that:

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

87 2. Subsequent to such conviction or entry of plea the
88 person has engaged in the kind of law-abiding commerce and good
89 citizenship that would reflect well upon the integrity of the
90 lottery; or

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

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

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96 to each person with whom it contracts as a retailer for purposes
97 of display pursuant to subsection (6). The issuance of the
98 certificate may ~~shall~~ not confer upon the retailer any right
99 apart from that specifically granted in the contract. The
100 authority to act as a retailer may ~~shall~~ not be assignable or
101 transferable.

102 (5) A ~~Any~~ contract executed by the department pursuant to
103 this section shall specify the reasons for any suspension or
104 termination of the contract by the department, including, but
105 not limited to:

106 (a) Commission of a violation of this act or rule adopted
107 pursuant thereto.

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

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

111 (d) Insufficient sale of tickets.

112 (e) Conduct prejudicial to public confidence in the
113 lottery.

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

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

121 (7) A ~~No~~ contract with a retailer may not ~~shall~~ authorize

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122 the sale of lottery tickets at more than one location, and a
123 retailer may sell lottery tickets only at the location stated on
124 the certificate of authority.

125 (8) With respect to any retailer whose rental payments for
126 premises are contractually computed, in whole or in part, on the
127 basis of a percentage of retail sales, and where such
128 computation of retail sales is not explicitly defined to include
129 sales of tickets in a state-operated lottery, the compensation
130 received by the retailer from the department shall be deemed to
131 be the amount of the retail sale for the purposes of such
132 contractual compensation.

133 (9) (a) The department may require each ~~every~~ retailer to
134 post an appropriate bond as determined by the department, using
135 an insurance company acceptable to the department, in an amount
136 not to exceed twice the average lottery ticket sales of the
137 retailer for the period within which the retailer is required to
138 remit lottery funds to the department. For the first 90 days of
139 sales of a new retailer, the amount of the bond may not exceed
140 twice the average estimated lottery ticket sales for the period
141 within which the retailer is required to remit lottery funds to
142 the department. This paragraph does ~~shall~~ not apply to lottery
143 tickets that ~~which~~ are prepaid by the retailer.

144 (b) In lieu of such bond, the department may purchase
145 blanket bonds covering all or selected retailers or may allow a
146 retailer to deposit and maintain with the Chief Financial
147 Officer securities that are interest bearing or accruing and

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148 that, with the exception of those specified in subparagraphs 1.
149 and 2., are rated in one of the four highest classifications by
150 an established nationally recognized investment rating service.
151 Securities eligible under this paragraph shall be limited to:

152 1. Certificates of deposit issued by solvent banks or
153 savings associations organized and existing under the laws of
154 this state or under the laws of the United States and having
155 their principal place of business in this state.

156 2. United States bonds, notes, and bills for which the
157 full faith and credit of the government of the United States is
158 pledged for the payment of principal and interest.

159 3. General obligation bonds and notes of any political
160 subdivision of the state.

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

163

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

167 (10) Each ~~Every~~ contract entered into by the department
168 pursuant to this section shall contain a provision for payment
169 of liquidated damages to the department for any breach of
170 contract by the retailer.

171 (11) The department shall establish procedures by which
172 each retailer shall account for all tickets sold by the retailer
173 and account for all funds received by the retailer from such

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174 sales. The contract with each retailer shall include provisions
175 relating to the sale of tickets, payment of moneys to the
176 department, reports, service charges, and interest and
177 penalties, if necessary, as the department shall deem
178 appropriate.

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

183 (13) Each retailer shall provide accessibility for
184 disabled persons on habitable grade levels. This subsection does
185 not apply to a retail location that ~~which~~ has an entrance door
186 threshold more than 12 inches above ground level. As used in
187 ~~herein and for purposes of~~ this subsection ~~only~~, the term
188 "accessibility for disabled persons on habitable grade levels"
189 means that retailers shall provide ramps, platforms, aisles and
190 pathway widths, turnaround areas, and parking spaces to the
191 extent these are required for the retailer's premises by the
192 particular jurisdiction where the retailer is located.
193 Accessibility shall be required to only one point of sale of
194 lottery tickets for each lottery retailer location. The
195 requirements of this subsection shall be deemed to have been met
196 if, in lieu of the foregoing, disabled persons can purchase
197 tickets from the retail location by means of a drive-up window,
198 provided the hours of access at the drive-up window are not less
199 than those provided at any other entrance at that lottery

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200 retailer location. Inspections for compliance with this
201 subsection shall be performed by those enforcement authorities
202 responsible for enforcement pursuant to s. 553.80 in accordance
203 with procedures established by those authorities. Those
204 enforcement authorities shall provide to the Department of the
205 Lottery a certification of noncompliance for any lottery
206 retailer not meeting such requirements.

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

212 (15) A vending machine may be used to dispense online
213 lottery tickets, instant lottery tickets, or both online and
214 instant lottery tickets.

215 (a) The vending machine must:

216 1. Dispense a lottery ticket after a purchaser inserts a
217 coin or currency in the machine.

218 2. Be capable of being electronically deactivated for a
219 period of 5 minutes or more.

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

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

224 1. Locate the vending machine in the retailer's direct
225 line of sight to ensure that purchases are only made by persons

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226 at least 18 years of age.

227 2. Ensure that at least one employee is on duty when the
228 vending machine is available for use. However, if the retailer
229 has previously violated s. 24.1055, at least two employees must
230 be on duty when the vending machine is available for use.

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

234 (d) The vending machine, or any machine or device linked
235 to the vending machine, may not include or make use of video
236 reels or mechanical reels or other video depictions of slot
237 machine or casino game themes or titles for game play. This does
238 not preclude the use of casino game themes or titles on such
239 tickets or signage or advertising displays on the machines.

240 (16) The department, a retailer operating from one or more
241 locations, or a vendor approved by the department may use a
242 point-of-sale terminal to facilitate the sale of a ticket or
243 play slip for a lottery game or other games.

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

245 1. Dispense a paper lottery ticket with numbers selected
246 by the player or selected randomly by the machine after the
247 purchaser uses a credit card, debit card, charge card, or other
248 similar card issued by a bank, savings association, credit
249 union, or charge card company or issued by a retailer pursuant
250 to part II of chapter 520, for payment;

251 2. Recognize a valid driver license or use another age-

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252 verification process approved by the department to ensure that
253 only persons at least 18 years of age may purchase a ticket or
254 play slip for a lottery game or other games;

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

257 4. Be in compliance with all applicable department
258 requirements related to the tickets or play slips for lottery
259 games or other games offered for sale, including play limits and
260 restrictions on the types of cards specified in subparagraph 1.
261 which are accepted for payment.

262 (b) A point-of-sale terminal may not reveal the winning
263 numbers. The Florida Lottery, through a drawing, must select the
264 winning numbers at a subsequent time and in a different
265 location.

266 (c) A point-of-sale terminal, or any machine or device
267 linked to the point-of-sale terminal, may not include or make
268 use of video reels or mechanical reels or other video depictions
269 of slot machine or casino game themes or titles for game play.
270 This does not preclude the use of casino game themes or titles
271 on a lottery ticket or game or on the signage or advertising
272 displays on the terminal.

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

275 Section 4. This act shall take effect July 1, 2015.

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278 **T I T L E A M E N D M E N T**

279 Remove line 2 and insert:

280 An act relating to gaming; amending s. 24.103, F.S.; defining
281 the term "point-of-sale terminal"; amending s. 24.105, F.S.;
282 authorizing the Department of the Lottery to create a program
283 that authorizes certain persons to purchase a ticket or play
284 slip for a lottery game or other games at a point-of-sale
285 terminal; authorizing the department to adopt rules; amending s.
286 24.112, F.S.; authorizing the department, a retailer operating
287 from one or more locations, or a vendor approved by the
288 department to use a point-of-sale terminal to sell a ticket or
289 play slip for a lottery game or other games; requiring a point-
290 of-sale terminal to perform certain functions; prohibiting a
291 point-of-sale terminal from revealing the winning numbers;
292 requiring the Florida lottery, through a drawing, to select the
293 winning numbers at a subsequent time and in a different
294 location; prohibiting a point-of-sale terminal from including
295 video depictions of slot machine or casino game themes or titles
296 for game play; prohibiting a point-of-sale terminal from being
297 used to redeem a winning ticket; amending s. 550.002, F.S.;